The Faculty Senate was called to order by David Stock, Chair, on Thursday, December 11, 1997, in FSHN, T101, at 3:40 p.m. Forty-five (45) members were present, thirty-three (33) members were absent with four (4) vacancies. Ten (10) non-voting members were present. (See attached)

Minutes of November 13, 1997 Meeting were approved as circulated.

Announcements (Information Items).

1. Faculty Senate officers and the Provost met December 2, 1997.

2. The Faculty Senate Steering Committee has appointed Thomas Brigham, as Executive Secretary to fill the remainder of the term. His term begins immediately and ends on August 15, 1997.

3. Faculty Senate Standing Committees reported committee consideration on the following issues (agenda and previously reported items not included) at the December 4, 1997 Steering Committee meeting:

   **Graduate Studies, Extended University Affairs, Library and Budget** have passed the PhD in Communication; Master of Communication at TriCities; Master of Science in Architecture at Spokane; Master of Technology Management; and the Master of Arts in Interior Design. These will all be coming to the Senate at the beginning of the spring semester.

Announcements (Reports).

1. Remarks by the Chair.—D. Stock

Stock read the following statement from Vice Provost Geoffrey Gamble:

As most of you know I have accepted a position at the University of Vermont and will begin my work there by mid January. I regret I am unable to be with you today because I wanted to personally thank you for the 20+ years of friendship, collegial debate and intellectual stimulation that, for me, characterizes the Faculty Senate and WSU’s system of shared governance.

I became active in faculty governance in 1976, the same year I came to WSU, and continue to consider myself part of the shared governance system even today. We have seen many changes in the University, its administrators, faculty, staff and students, but underlying the changes has been a key principle—that faculty review and input on affairs of the University is vital to fulfilling our academic mission.

One thing I have come to understand is that faculty participation in shared governance also means shared responsibility. Faculty and administration must take responsibility for maintaining educational quality and future development of the University.
My own career has developed and grown because of my interactions with all of you. I sincerely hope our friendship will endure but I will miss our collegial interactions.

My best to you and to WSU as you move together into the 21st century.

Stock presented a plaque to Val Limburg, Faculty Senate Chair for 1996-97, in appreciation for his hard work and dedication to the Senate. Stock introduced Thomas Brigham as the new Executive Secretary of the Faculty Senate. Brigham will finish out the term left vacant by the death of Richard Crain.

Stock reported the officers met with the Provost on December 2. Items of discussion were: Ombudsman search process and how the position will be filled; the Academic Enrichment Program; Vice Provost for Academic Affairs position, an interim will fill the post for the remainder of the academic year; search for the Vice Provost for Research is about to start; search for the director the art museum; overtime pay for faculty; annual evaluations for faculty and the point system used.

2. Report from Legislative Representatives.—E. Austin, C. Clark

Clark reported on accountability targets. She stated that Representative Don Carlson from the House Higher Education Committee realized that during the budget hearings last spring neither faculty nor students were heard from on accountability. A special meeting was held last week and CFR was allowed to give the faculty response. Three points were made to the Committee: 1. Faculty were willing to be accountable; 2. The problems with the measures, graduation efficiency index, (number of hours needed to graduate divided by number of hours of enrollment); 3. The five year graduation rate. There is no quality built into the three measures: the graduation efficiency index, the retention rate, and the five year graduation rate. These measures do not benefit student learning, they have unintended consequences from efforts to increase any of these three measures. Targets set for these measures are unreasonable 95% retention and 65% graduation rate. Clark stated she reported to the House Committee the efforts of faculty to help meet these measures, and that she used examples from departments. The response from the Committee was positive, Carlson stated that there would be a quality measure added to the accountability plan. Clark stated faculty should give input on a quality measure, and suggested senators give input to either Peter Burke or Jane Sherman. Carlson stated the universities should not be held fiscally responsible as long as they are making progress toward accountability.

3. Report on the Extended Degree Program.—Muriel Oaks, Eileen Oliver

Oaks presented a list of the most commonly asked questions about the EDP. Some of these questions are: What is an extended degree program? Who is the audience we are trying to reach? Who owns the program and courses? How do we know what we are doing is quality? What is the role of Extended University Services? What is likely to be coming up in the near future? What is the procedure for starting a new program?
An extended degree program is something that is delivered away from any of our campuses. For WSU, those programs are delivered in part through technology. The audience in general are people who are place or time-bound. The programs belong to the colleges and departments and the FTE’s accrue to the colleges and departments. Various combinations of technologies are being developed and used to deliver these courses. The quality control is the responsibility of the department and college. The role of EUS is a supportive adaptive one. The office serves as a resource and helps faculty adapt courses for appropriate delivery mode. EUS also supplies support services such as advising, registration and financial aid. EUS also does marketing and recruiting. Oaks stated that if a department wishes to start an extended degree program they can contact EUS for help.

Additions or Changes to the Agenda.

It was moved to move Discussion Item 3 to Action Item 5. Seconded.
Motion failed.

The agenda was approved.

Agenda Items (Action Items).

1. Recommendation from Faculty Affairs Committee for “Revision of Sections II and III WSU Faculty Manual” Exhibit B as follows:

**SECTION II ADMINISTRATION AND ORGANIZATION**

The type of organization that will facilitate teaching, research, and service programs of Washington State University is one providing for wide participation by members of the faculty in determining administrative and educational policies. Organization and administration are recognized as means to an end, not as ends in themselves. Their primary purpose is to enable each employee to work productively, under congenial conditions, with as good facilities as the University is able to provide, toward the educational objectives of the institution.

Consultation among administrative officers is a regular practice. The various units of the University provide the means of coordinating related teaching, research, and service. The principal administrative officers, such as the academic deans and directors; the Provost's Council; the Faculty Senate; the Faculty Status Committee; and appropriate other committees advise and recommend on various matters. The organization of the principal administrative units is shown in the chart published on page__ in this Manual. This chart represents the normal channels for consideration of University business, including problems of individual departments or of persons. However, any employee has the ultimate right to submit any matter to the President and through the President to the Board of Regents.

Policies, procedures, and regulations relating solely to individual units may be adopted if not inconsistent with institutional policies established by the Board of Regents or by state law. They will not become effective if disapproved by the principal administrative officer. The decision of such officer may be appealed to the appropriate Vice President or to the President and, thereafter, to the Board of Regents.
A. BOARD OF REGENTS

The laws establishing Washington State University created an autonomous Board of Regents. As defined by the Session Laws of 1891, the Board of Regents was to consist of five members appointed by the Governor, with approval of the Senate, each for a six-year term. The Session Laws of 1949, amending the original act, provided for seven instead of five members. The Session Laws of 1985 increased the number of Regents to nine. The Governor serves as an advisory member ex officio without vote or the right to hold office on the Board. An appointment to fill a vacancy on the Board of Regents caused by death, resignation, or other causes is made for the unexpired term.

The schedule of meetings of the Board of Regents is set annually. This schedule is published in the *Washington State Register*. Special meetings may be called from time to time during the year as determined by the Board.

The duties and powers of the Board include general management of the University with all its constituent parts, the care and preservation of all property, the construction of needed buildings, and the custody and expenditure of all moneys. The Board may contract both for services and for materials. The Board has the power to delegate authority. In large measure, this delegation is to the President of Washington State University.

The approach to the Board of Regents is through the President of the University, who is secretary ex officio of the Board. Any University committee or individual shall be accorded the opportunity to present a direct appeal to the Board of Regents through this channel.

B. EXECUTIVE OFFICERS

1. President

In addition to being designated by law as secretary ex officio of the Board of Regents, the President as general agent of the Board is the chief executive officer of Washington State University. The President administers the policies approved by the Board of Regents, serves as adviser to the Board on policies and operations, and is the agent through whom representations to the Board are regularly made. Other functions of the chief executive officer include:

a. Leadership in developing policies and organization for teaching, research, and extension programs.

b. Public representation of the University, including representation before the Legislature and other state agencies.

c. Responsibility for the general welfare of students; the development, operation, and maintenance of buildings, lands, and equipment; financial matters pertaining to development, operation, and maintenance of the University; and the administration of regulations adopted by the Board of Regents.

d. Responsibility, delegated by the Board of Regents, for all appointments, promotions, salaries, leaves, resignations, and dismissals.
e. Presiding at meetings of the general faculty.

2. Provost and Academic Vice President

The Provost and Academic Vice President is directly responsible to the President and serves in the chief executive officers stead as requested. Specific responsibilities include general administration of teaching departments, research units and extension services, general administration of the faculty personnel program, and general administration of the operating budget. There are five Vice Provosts who report directly to the Provost and Academic Vice President. The Vice Provosts have administrative responsibility in academic affairs, human relations and resources, learning and technology, research, and student affairs. In addition to the academic colleges, administrative and academic offices reporting to the Office of the Provost and Academic Vice President include Admissions, Aerospace Studies, Assessment, Career Services, Center for Human Rights, Center for Teaching and Learning, Children’s Center, Compton Union, Conflict Resolution, Counseling Services, Gay, Lesbian, Bisexual and Allies Program, General Education, Grant and Research Development, Health and Wellness Services, Honors, Human Resource Services, Information Technology, Intellectual Property Administration, Intensive American Language Center, Interinstitutional Research Centers, International Education, International Program Development, Military Science, Multicultural Student Services, Museum of Art, Naval Sciences, Ombudsman, Registrar, Residence Life, Student Advising and Learning Center, Student Publications, Summer Session, University-wide Research Centers, Washington State University at Spokane, Washington State University at Tri-Cities, Washington State University at Vancouver, and Women’s Resource Center.

3. Vice President for Business and Finance

The Vice President for Business Affairs is responsible for all the business and finance functions and policies of the University and directs the activities of the following units: Benefits and Risk Management, Controller’s Office, Contract Administration, Environmental Health and Safety, Facilities Development, Housing and Dining Services, Internal Audit, Material Resource Management, Physical Plant, Procedures and Forms, Procurement (including Central Stores, Purchasing, Shipping, Receiving and Delivery), Public Safety (including Police, Fire and Parking) and Real Estate.

4. Vice President for Extended University Affairs

The Vice President for Extended University Affairs is responsible for developing and administering institutional advancement programs involving constituencies important to the University, both within the University community and off-campus. The Vice President’s role also involves direction of the state-wide Washington Higher Education Telecommunications System (WHETS), Distance Education Programs, and state-wide Cooperative Extension Education which includes Learning Centers throughout the state. Units reporting directly to the Vice President for Extended University Affairs include: Alumni Relations, University Development/WSU Foundation, University Relations/News and Information Services, Educational Telecommunications and Technology, Publications and Printing and WSU Press, and Cooperative Extension.
5. **Vice President for University Advancement**

The Vice President for University Advancement is responsible for all programs that seek to involve alumni and friends in advancing and supporting the academic and service priorities of the university. As such, the Vice President oversees the WSU Foundations, the WSU Alumni Association, and Advancement Services. The Foundation is the philanthropic arm of the University, a non-profit organization that raises and manages gifts from individuals, corporations, and foundations for the benefit of WSU. The Alumni Association provides an avenue through which alumni of all ages and interests can interact and become participants in planned activities and programs. Advancement Services compiles and manages all alumni and donor university databases and serves as the gift processing unit of the University.

6. **Legal Counsel**

The State Attorney General, through appointed Assistant Attorney Generals, serves as legal counsel to Washington State University to provide legal advice and representation in legal matters.

**C. PRINCIPAL ADMINISTRATIVE OFFICERS**

1. **Vice Provosts**

   a. **Vice Provost for Academic Affairs**
   The Vice Provost for Academic Affairs has administrative responsibility for university wide activities and serves as the primary liaison to those units responsible for academic programs of the university. Included among these responsibilities are the following: assessment; accreditation; Faculty Senate; academic program reviews; new degree proposals; Higher Education Coordinating Board; academic appeals; Step III grievance procedures; educational workshops, conferences, etc; extended academic programs (liaison); faculty development; other academic issues and concerns.

   b. **Vice Provost for Human Relations and Resources**
   The Vice Provost for Human Relations and Resources was created in 1992 to assume leadership of the area and work directly with the President, Provost, and Board of Regents to advance campus diversity. The division also encompasses the units responsible for personnel administration and development, affirmative action, and diversity programming. The purpose of this area is to coordinate implementation of action plans developed to enhance diversity and to support the diversity vision for the state and the university. A framework has been created consisting of five broad goals including identified strategies to assist in achieving these goals. Units reporting to the Vice Provost for Human Relations and Resources include Human Resource Services, Center for Human Rights, Conflict Resolution Program, Disability Resource Center, Multicultural Student Services, Women’s Resource Center, Diversity Education, and the Gay, Lesbian, Bisexual and Allies Program.
c. Vice Provost for Student Affairs
The Vice Provost for Student Affairs is responsible for administering all departments within the division of Student Affairs. The Vice Provost is responsible for providing leadership in the development and coordination of student academic support services, student development programs and personal support services. The Vice Provost is also responsible for acting as liaison with other administrative offices and faculty overseeing the University’s student conduct and crises management programs.

d. Vice Provost for Research
The Vice Provost for Research is responsible for the administration of the research programs in all areas of the University. Specific responsibilities include general administration of research units other than those organized within a college, intramural grant-in-aid funds, federal and other extramural research grants and contracts, and intellectual property administration and the transfer of technologies.

2. Deans and Campus Executive Officers

a. Academic Deans
The Academic Dean reports directly to the Provost and Academic Vice President and thereby is responsible for the timely and effective implementation of university policy at the college level. The Dean provides college level leadership for planning, budgeting, implementing programs of research, instruction and service. The Dean is responsible for ensuring the quality and diversity of students, faculty, staff and curricula. The Dean is responsible for college level faculty evaluation processes, including appointment, tenure, promotion and salary. The Dean is responsible for the evaluation and oversight of college department chairs, the relationship of the college to external constituencies, and development activities of the college. The colleges include the following:
Agriculture and Home Economics
Business and Economics
Education
Engineering and Architecture
College of Nursing
Liberal Arts
Pharmacy
Sciences
Veterinary Medicine

b. Campus Executive Officer and Campus Dean
The Campus Executive Officer and Campus Dean is the chief administrator and academic official for the branch campuses. The role of the CEO is to oversee daily operations of the campus and to coordinate academic programs at the campus. The branch campuses are:
WSU Spokane
WSU Tri-Cities
WSU Vancouver
c. Graduate School
The Dean of the Graduate School is responsible for the administration of the graduate programs in all areas of the University. Specific responsibilities include general administration of the Graduate Faculty other than those organized within a college.

3. Directors

a. Libraries
The Director of Libraries is responsible for the general supervision of all libraries within the Washington State University system.

b. Center for Human Rights
The Director for the Center for Human Rights is responsible for developing and monitoring the University’s equal opportunity and affirmative action programs. The Center has two roles: proactive and reactive.

Proactive Role
Gathering and analyzing workforce data on all applicants, new hires, promotions, terminations, demotions, and other items, conditions and privileges of employment that affect protected group persons to determine under-utilization, under-representation, and other barriers to the program;

Training of Equal Opportunity/Affirmative Action liaisons for every office and department;

Training of and consulting with search committees and signatory officers regarding affirmative action goals and equal opportunity commitments;

Conducting education workshops and seminars that focus on equal opportunity issues;

Serving as consultant to deans, department chairs, supervisors and managers regarding issues of illegal discrimination;

Reactive Role
Serving as a clearing house and investigate office for complaints regarding harassment and various forms of illegal discrimination.

c. Admissions
The Director of Admissions is responsible for undergraduate student admission and evaluation, including new freshmen, advanced standing students, international students, and former students returning. This officer also has responsibility for public relations with high schools, colleges, and prospective students.
d. Registrar
The Registrar is responsible for the duties and functions related to on-line, interactive student records, including schedule of classes production, registration, classroom assignments, grade reports, commencement ceremony, graduation processing, transcript maintenance and production, enrollment certification processing, certification of student athletic eligibility, certification of veterans, student data reporting, and information support for all academic units, the university administration, and the Higher Education Coordinating Board, and publications of the undergraduate catalog. The Registrar chairs multiple committees and task forces, and serves as a member of and/or provides faculty support from the Registrar's Office to Faculty Senate and other university committees. The Registrar also serves as the institutional security officer for the on-line, interactive student record system.

e. International Program
The Director of International Programs directs the international programs and activities of the University related to Education Abroad and Student International Experiences, International Students and Scholars, Development Cooperation, the Intensive American Language Center and Communications. The various activities are carried out in support of the teaching, research and outreach activities related to international perspectives.

f. Honors Program
The Director of the University Honors Program (UHP) is responsible for Honors education in all areas of the University. Specific responsibilities include: overseeing the four-year structured Honors curriculum that replaces the General Education Requirements (GERs) for Honors students; selecting, orienting, and evaluating Honors faculty, overseeing admissions to the UHP and advising of students; working with departments, colleges, and Student Affairs to expand Honors courses and activities for academically-talented students; and certifying students to graduate with a Certificate of Completion of the UHP. The director also is an ex-officio member of Honors Council.

g. General Education
The Director of General Education is responsible for the World Civilization Program and the Writing Program (apart from the English composition sequence), and coordinates the General Education Program, including the review and assessment of courses in the curriculum.

h. Extended University Services
The Director for Extended University Services is responsible for distance education programs, specialized academic program support for students outside WSU’s four campuses, conferencing services, and professional training opportunities. This officer oversees the divisions of Extended Degree Programs, Conferences and Institutes, and the TriCities University Center for Professional Education.
4. REVIEW

a. Annual Review of Principal Administrative Officers

Principal Administrative Officers will be reviewed annually by the Provost and Academic Vice President. These reviews will include at a minimum of statement from the administrator that includes both a retrospective view of the previous year and a prospective statement of future goals and objectives. The administrator will receive a written evaluation of performance and this review and the documents which form the substance of the review, including any response the administrator has made to the review, will become a part of the record reviewed during the five-year unit evaluation.

b. Annual Review of Deans and Directors

Annual review of deans and directors will include:
1. A statement from the dean/director that includes a retrospective of the past year and goals for the coming year.
2. Solicitation of input from direct reports (in the case of college deans, the department chairs would be asked for input.)
3. Written evaluation provided by the Provost.
4. Optional oral discussion if requested by the dean/director.

c. Review of Academic Deans, Campus Deans and Director of Libraries

It is the policy of the University that a periodic review of the performance of each Academic Dean, each Branch Campus Dean and of the Director of Libraries be carried out at five-year intervals of service. This performance review follows procedures which use, as a principal point of reference, the position description and the mission statements of the University and the major unit.

This review is conducted by an ad hoc committee, including faculty, department chairs, students, experienced administrators of other units or from other institutions, and, where appropriate in terms of the duties of the dean, persons from outside the University representing constituencies to whom the officer has important responsibilities.

Reviews will include the unit(s) reporting to the dean/director. For example, reviews of campus deans will include attention to the local community, relationships with other campuses in the system, and long-range strategic planning. Reviews of deans on the Pullman campus will include attention to individual unit reviews, accreditation reviews, long-range strategic planning. The goal of the five-year review will be broader than the annual review.

Specific guidelines for the review procedure are available from the Office of the President. The recommendations of the committee are transmitted as a confidential report to the President.
**d. Review of Administrative Units**

Administrative units are organized by the President on behalf of the Board of Regents. Like academic units, these administrative units should be reviewed on a regular basis to assess the need for the unit’s function and the efficiency and effectiveness with which that function is accomplished. The biennial program review conducted in conjunction with the budget allocation process is one form of such review. It is also appropriate, however, to undertake periodically a more thorough review of all of the units within a particular administrative area.

Identified units shall be reviewed according to the following procedures, on approximately a five-year review cycle. The reviews shall be undertaken by an Ad Hoc Review Committee appointed and charged by the President and consisting of:

(a) No fewer than five and no more than ten non-student members selected as follows:
   
- (1) Forty percent (or the nearest number to 40 percent), including the chair, selected by the President. These may include chairpersons, deans, directors, faculty members, representatives of other campus units, and persons outside the university whose interests impinge upon the unit(s) under review.
- (2) Sixty percent (or the nearest number to 60 percent) selected by the Faculty Senate.

(b) Two students, one appointed by the President of GPSA and the other appointed by the President of ASWSU.

In carrying out its review, the Committee shall consult with administrators and staff of the unit under review, and with faculty, staff, and students affected by the unit’s activities. It shall make use of a detailed description of unit functions and accomplishments as provided by the unit administrator. It shall also consider all appropriate documentation, such as external reports or professional studies and analyses. It is expected that within six months of its appointment, the Committee shall prepare a written, confidential report including an executive summary. The report should include suggestions for changes in the unit’s function or methods of execution where such suggestions may benefit the university. The entire report shall be transmitted to the President, with copies to the Academic Vice President and Provost and to the cognizant vice president and/or vice provost. Simultaneously, a confidential copy of the entire report, including executive summary, will be transmitted to the officers of the Faculty Senate.

The President shall review the committee findings and recommendations, together with the comments of the Academic Vice President and Provost and the cognizant Vice President and/or Vice Provost, consult with the Faculty Senate officers, and meet with any other faculty, staff, or students as may be appropriate. The President is not bound by the Committee’s report, but will give it careful consideration. The executive summary of the report, together with any other information and/or remarks the President deems relevant, will be shared in timely fashion with the university community, in general, and with the Faculty Senate, in particular.
D. ACADEMIC UNITS

Each college, school, department, or academic program which administers a degree granting program is considered an academic unit. Each college, school, department or special 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 (main campus, branch campus, learning center, research center, overseas, etc.). 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.

1. Designation of Academic Unit

(a) A college is an organization of schools, departments, special programs and other units which have broad, common instructional and research interests (i.e. Business and Economics). The administrative head of a college is a Dean.
(b) A school is a combination of two or more departments, programs or curricula that functions as an alternative to a department. Requirements and procedures for the establishment of a school are given in the Educational Policies and Procedures Manual. The administrative head of a school is a Director.
(c) A department is defined as an academic unit with a faculty which performs the regular duties of instruction, research, and service of the unit in all matters relating to curricular and educational policies of the unit, subject to approval of the Faculty Senate. Requirements and procedures for the establishment of an academic department are given in the Educational Policies and Procedures Manual. The administrative head of a department is a Chair.
(d) An academic program (interdepartmental) is defined as a program which envisages 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. Requirements and procedures for the establishment of a special program are given in the Educational Policies and Procedures Manual. The administrative head of an academic program is a Director.

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:
1) Recommend to the Faculty Senate:
   (i) Standards of admission to the unit.
   (ii) Curricula and courses to be offered and the amount of credit for each course.
   (iii) Requirements for graduation.
2) Consider the appropriation requests.
3) Consider the candidates for appointment to positions within the unit.
4) Consider the apportionment of work of the unit.
5) Consider the policies of the unit.

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

3. Chairs of Departments and Directors of Schools

This section refers equally to Chairs of Departments or to Directors of Schools even if both terms are not used in every instance.

Directors of special programs have academic responsibilities for the program and coordinate activities associated with the program. They are appointed by and are responsible to the Dean who has jurisdiction over the special program.

(a) Duties

Subject to the approval of the dean of the college, a department chair or school director is responsible for organizing and supervising the courses of instruction offered by the department, for distribution of the teaching and research load, for care of equipment and facilities assigned to or in the custody of the department, and for supervision of department funds.

When a department or school has teaching and/or research programs at sites remote from the location of the headquarters of the department or school, some of the responsibilities rest with or are shared with the Campus Dean 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.

The department chair makes recommendations to the dean for appointments, promotions, and salaries of members of the department, and transacts official department business with deans, other administrators, and students. In the case of faculty at remote units, the department chair shares information and coordinates recommendations with the Campus Dean or Director.

A department chair is expected to provide leadership in the formation of departmental policies and to hold meetings with all available members of the faculty on matters of policy. Except as limited by applicable general regulations and policies or as otherwise directed by the dean or by the
Provost and Academic Vice President, it is the department chair's responsibility to execute the policies determined by this procedure. When this is not done, he or she should notify the administrative superior and the members of the faculty of the action being taken and the reasons therefore. However, department chairs must have sufficient latitude to permit the making and the execution of day-to-day operating decisions and the exercise of leadership responsibilities.

(b) Eligibility
Service as a department chair or school director is limited to professors and associate professors in departments in which three or more persons have such rank. If there are fewer than three, assistant professors are also eligible. Eligibility is not dependent upon nor restricted by academic seniority nor is it limited to members of the present staff.

Persons eligible to express their preferences for department chair are department faculty members of all ranks on permanent appointment with the University, regardless of the location of their assignment, including those on leave who have been members of the department faculty for more than one semester. Faculty on courtesy appointments, faculty who have resigned, been terminated, or been notified that they will not be reappointed, and faculty who are retiring at the close of the academic or fiscal year shall not be eligible to express their preferences for department chairs.

(c) Nomination
Department chairs or school directors are appointed by the Provost and Academic Vice President in consultation with the President and reported to the Board of Regents after consideration of preferences expressed as follows:

Each eligible member of a department faculty, regardless of location, including those on leave, shall first be provided a form on which to express a preference for selecting a chair from inside the unit or outside the University.

If on the first form a majority expresses a desire to select a chair from inside the department, and the Dean and Provost and Academic Vice President concur, then a second form shall be provided to each eligible faculty member on which to express a preference from among eligible faculty members of the unit. If no candidate is clearly the department's choice on the second form, then, with the concurrence of the Dean and Provost and Academic Vice President, faculty members shall be asked to express their preference again using the same procedure.

If on the first form a majority expresses a desire to select a chair from outside the department, but the Dean and Provost and Academic Vice President do not concur, then a second preference form will be distributed as in the preceding paragraph.
If on the first form a majority expresses a desire to select a chair from outside the department and the Dean and Provost and Academic Vice President concur, or if a majority expresses a desire to select a chair from inside the department but the Dean and Provost and Academic Vice President do not concur, then a committee of department faculty members will be appointed by the Dean of the unit concerned to prepare a list of candidates for department consideration. The Provost and Academic Vice President in consultation with the President may, after consulting with the Dean and the department, appoint an acting chair while the search for one from off campus goes on in order that the search need not be conducted in haste. Members of the department will then be given the opportunity to express their preferences from among the names submitted by the committee. If no off-campus candidates acceptable to the department can be identified or if no acceptable candidates indicate an interest in the position, faculty members will be asked again to express their preference from among eligible members of the department.

All preference forms shall ordinarily be provided by the Dean of the unit concerned. Each person filling out a preference form shall be allowed at least one week to consider a decision. Forms will be returned directly to the Dean. Within one month after the department has indicated each preference, a summary of the results shall be reported by the Dean to the department faculty, the Provost and Academic Vice President, and the President. Each summary reported to the Provost and Academic Vice President shall be accompanied by the preference forms, which must be retained in the University files for only one year.

(d) Appointment
In all cases, the Provost, after consideration of these preferences and consultation with the appropriate administrative officers, will take any one of the following actions: (1) appoint as chair one of the two persons having the highest preference as indicated by the preference forms; (2) appoint an acting chair pending additions to the departmental faculty and further consideration; or (3) appoint as chair a person not recommended, but only after consultation with the department faculty members and with the dean concerned.

(e) Term of Office
Except under special circumstances, department chairs and school directors are appointed for terms of four years. Terms commence August 16 for those on academic-year appointments and for those on annual appointments in programs with preponderantly academic-year faculty. Terms commence July 1 for those on annual appointments in programs with preponderantly annual faculty. When a department chair is appointed effective on some other date, the four-year period shall be computed, for subsequent review purposes, from the preceding August 16 or July 1 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.
A department may initiate consideration for a change in its leadership, upon written request direct to the Provost and Academic Vice Provost, of one-fourth of its members (but not fewer than two persons). Upon receipt of such request, the Provost will arrange for an expression of opinion on such question by all eligible members of the departmental faculty.

Upon request of the Provost, the Faculty Status Committee will appoint an adviser to the President 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 disability, incompetence, negligence, or equivalent cause if, in the judgment of the Provost, the best interests of the department or the University require such change.

Unless otherwise prescribed in individual cases, the term of office expires on August 15, or June 30 four years from the beginning of the appointment. The cognizant dean, in consultation with the department, shall request preference recommendations from faculty six to nine months preceding the expiration of the term of office.

The above policies and procedures apply equally to the chair of an academic program, although the chair of a program may be appointed for a two-year term when the program chair is responsible to more than one dean.

(f) Payment for Services as Department Chair or School Director
A department 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.

E. FACULTY ORGANIZATION

The faculty and staff include all employees, except student employees, of Washington State University, regardless of their location, who have received official appointments. There are three classifications of employees: Faculty, Administrative and Professional Personnel, and Classified Staff. Administrative and Professional personnel are non-academic employees who are not members of the Classified Staff. Affiliated personnel who hold courtesy appointments are considered non-voting members of the faculty. Whenever questions arise about the classification of an individual, the final decision will be made by the President in consultation with the administrative officers concerned.
1. The Faculty
The Faculty includes Academic Faculty, Extension Faculty, Library Faculty, and Student Affairs Faculty. Its statutory duty, which may not be delegated, is to recommend to the Board of Regents the candidates for suitable degrees and certificates.

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

   a. Academic Faculty
      The Academic Faculty consists of ranked faculty assigned to degree granting units; including those individuals with Graduate Faculty status.

   b. Extension Faculty
      Administrative officers and ranked faculty assigned to Extension, Continuing Education or Public Service.

   c. Library Faculty
      The Director of Libraries and professional personnel of the Library.

   d. Student Affairs Faculty
      The Vice Provost for Student Affairs, administrative officers, and professional personnel concerned with Student Affairs.

2. Meetings
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, and the meeting will be called if the majority of the Steering Committee vote in favor of holding the meeting. Also, a petition signed by a minimum of ten 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 and the Graduate 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.

3. 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.
a. **Legislative Powers**

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

1. Standards of admission;
2. Curricula and courses to be offered and the amount of credit for each course;
3. Standards of scholarship;
4. Requirements for graduation;
5. The academic calendar;

b. **Power of Recommendation**

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

1. Development and review of plans and policies to strengthen the educational program of the University;
2. Review of the budget of the University to assess its general conformity with policies and priorities established or endorsed by the Senate;
3. Review of the master plan for the physical and educational development of the University;
4. Protection and enhancement of academic freedom of members of the University community;
5. Preservation and extension of academic responsibility of members of the University community;
6. Promotion of the general welfare of the University community;
7. Review of policies concerning the University's relations with its supporting community throughout the state of Washington;
8. Review of policies concerning the University's relations with outside agencies;
9. Review of rules and procedures of the University concerning the conduct of its members.

The Faculty Senate will include a Steering Committee, the duties of which shall include matters relating to agenda, referral, voting, and elections. The Steering Committee shall also act as an emergency advisory council to the President, and it may serve as a Summer Executive Committee to carry out functions delegated to it by the Senate. Numerous other permanent Faculty Senate committees and sub-committees consider issues and make recommendations to the Faculty Senate for action.

4. **Faculty Status Committee**

Functions of the Faculty Status Committee are:

1. Reviews, mediates, and/or adjudicates disputes within the faculty and between the faculty and the administration.
2. Makes recommendations to Faculty Affairs Committee and to the President concerning policies about faculty affairs which arise out of its conciliatory and judicial functions.

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

4. Reviews any problem within its jurisdiction brought to it by any member of the faculty.

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

The Faculty Status Committee is responsible to the faculty. It has nine members, each serving for three years. Three members retire annually at the beginning of the last week of instruction prior to final examinations in the spring semester and are not eligible to succeed themselves immediately.

Any member of the faculty may bring a problem to the attention of the committee.

Nominations. At a meeting of the faculty, to be held within the last two weeks of February, a nominating committee composed of two members of the Faculty Status Committee and three other members of the faculty designated by the Faculty Status Committee submits to the faculty a list of six nominees for the three vacancies to be filled at the beginning of the last week of instruction prior to final examinations in the spring semester. This committee of five shall request nominations from the faculty through the *WSU WEEK* and/or other appropriate means at least two 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 also submit two nominations for each vacancy. Nominations from the floor at a regular faculty meeting may also be made.

If membership on the committee falls below seven during any one year, a special election is 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. The election of Faculty Status Committee members is by mail ballot. This ballot is to be mailed to the faculty prior to March 15. The ballot carries the six names presented by the nominating committee, any additional names nominated in the faculty meeting, and space to write in the names of any other candidates. This ballot is to be marked to indicate the three choices for the three vacancies and returned within three weeks of the mailing date from Pullman. The three nominees receiving the greatest number of votes are elected to the three-year positions. The nominee for each additional vacancy caused by death or resignation during the previous year (see Nominations section above) who receives the greatest number of votes is elected for the remainder of the term of that vacancy and begins serving at the same time as incoming three-year members.
Leave of Absence. If a member of the Faculty Status Committee goes on leave for a period of four months to a year or for any reason is unable to participate in the work of the committee for a similar period of time, the committee is empowered to appoint a replacement for the period of absence. A member who anticipates a longer absence should resign so that the vacancy may be filled at the annual election.

Powers of the Committee. The Faculty Status Committee has power to elect its own officers, fix dates of its meetings, make its own rules of procedure, designate other members of the faculty to assist in its work, and make reports and recommendations to the faculty and to the President. The functions of the Faculty Status Committee shall include the conciliation and adjudication of disputes within the faculty and between members of the faculty and the administration. The committee shall make periodic reports (at least annually) to the Senate and to the faculty concerning its operations.

After giving reasonable notice, it may call special meetings of the faculty or any component thereof. The chair of the committee presides at such meetings.

Assessments. For defraying necessary expenses of the Faculty Status Committee, the faculty may vote such assessments as may be necessary. These are payable to the treasurer of the committee.

5. 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. See the current Washington State University Committee Manual for names, structure, and functions of permanent committees which contribute to the shared governance of Washington State University.

SECTION III   FREEDOM, RESPONSIBILITY AND DISCIPLINE

A. 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. A copy of the statement is available in the Faculty Senate Office. The introduction to the statement is 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 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.

B. FREEDOM OF EXPRESSION AND ACCOMPANYING RESPONSIBILITIES

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.

2. Policy

It is the policy of Washington State University to support and promote all individuals’ rights to express their view 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.

C. FACULTY RESPONSIBILITIES

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, and their students to perform in a conscientious manner all instructional tasks assigned to them.

2. Duties

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly standards of their disciplines. 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 assure that their evaluations of students reflect their true merit. They respect the confidential nature of the relationship between professor and student. They avoid 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 its 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 requisites of State and Federal Law. When considering interrupting or terminating their services, they recognize the effects of their decisions upon 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.

D. ETHICS IN PUBLIC SERVICE

The Ethics in Public Service Law, RCW 42.52, establishes a single code of ethics
applicable to all state officers and state employees. WSU faculty members are state
employees and are subject to the ethics law and rules, as well as WSU ethics policies.
The basic provisions of the state ethics law are described below. When questions arise
regarding potential ethics issues, the resources listed at the end of this subsection should
be consulted.

The basic principle of the law is that public employment may not be used for personal
gain or private advantage. RCW 42.52.900. The law prohibits state employees from
having a financial interest or engaging in business activities that are in conflict with the
proper discharge of their official duties. RCW 42.52.020. In addition to this general
prohibition, the law prohibits a number of specific activities where one might receive
improper private benefit is a result of state employment. The following only
summarizes some basic provisions of the state ethics law:

1. Use of Public Property or Equipment for Private Purposes

State employees may not use state property, equipment, or other resources for their
private benefit, except as authorized by rules adopted by the Executive Ethics Board.
RCW 42.52.160. The state Executive Ethics Board adopts rules from time to time which
describe permitted and prohibited activities involving use of state property such as
telephones, computers, e-mail, and consumables such as paper and envelopes.

2. Gifts

A state employee may not solicit or receive a gift from any person if it could reasonably
be expected to influence the performance of official duties. RCW 42.52.140. In
addition, an employee may not accept a gift in excess of $50 in a given year from any
one person or source. Certain items are specifically excluded from the $50 limit such as
unsolicited floral arrangements or food and beverages consumed at hosted receptions
where attendance is related to the employee’s official duties. RCW 42.52.150(2), (5).

3. 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 WSU, 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 (i) 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 WSU; and (ii) 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 his or her supervisor to obtain guidance as to whether or not the arrangement is proper. The WSU honoraria policy is included in the WSU Business Policies and Procedures Manual.

4. Compensation for Outside Activities

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 WSU 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 conditions listed in the law are met:

a. the contract is bona fide and actually performed; and
b. is not within the course of the employee’s official duties; and
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; and
d. is neither performed for nor compensated by any person who is regulated by WSU or seeks to provide goods or services to WSU (same as person from whom the employee would be prohibited by RCW 42.52.150(4) from receiving a gift); and
e. is not expressly created or authorized by the employee in his or her official capacity; and
f. would not require unauthorized disclosure of confidential information.

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

a. there was an open and competitive bidding or selection process in which more than one bid or grant application was received; or
b. there was an open and competitive bidding or selection process in which the employee’s bid or proposal was the only one received and the employee has been advised by the state Executive Ethics Board that the contract or grant would not be in conflict with the proper discharge of official duties; or
c. there was no open and competitive process but the employee has been advised by the state Ethics board that the contract or grant would 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 30 days of execution.

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

*Also refer to additional requirements in Section V, subsection D, Policy on Compensated Outside Service by Faculty Members—Consulting, and subsection E, Extended Professional Activities.

5. Financial Interest in Contracts or Transactions

A state employee may not be beneficially interested in a contract that is made by, through, or is under the supervision of the employee, in whole or in part, or accept compensation or reward from any other person beneficially interested in the contract. A beneficial interest is the right to enjoy profit, benefit, or advantage from a contract or other property. For example, a beneficial interest includes the community property interest one spouse has in the other’s earnings. RCW 42.52.030

6. Disclosure and Use of Confidential Information

State employees may not disclose confidential information by reason of their official position or otherwise use such information for their personal gain or benefit, nor may they disclose confidential information to any person not entitled or authorized to receive it. RCW 42.52.050

7. Failure to Release Public Records

It is a violation of the ethics law for state employees to intentionally conceal a record if they know the record is required to be released under the public disclosure law, 42.17 RCW. This prohibition applies if the employee is under a personal obligation to release the record and the decision to withhold is not made in good faith. RCW 42.52.050(4)

8. Information Resources Regarding State Ethics Law

Information resources regarding state Ethics Law are available in the various administrative offices and in Holland Library. They include:

Chapter 42.52 RCW (Revised Code of Washington) Ethics in Public Service Rules of the state Executive Ethics Board Advisory Opinions of the state Executive Ethics Board WSU Business Policies and Procedures Manual (online on WSU Homepage)
E. FACULTY RESPONSIBILITIES RELATED TO ACADEMIC INTEGRITY

All members of the university community share responsibility for maintaining and promoting the principles of academic integrity. To guide execution of this responsibility, the university has set a policy defining academic dishonesty and the process to be followed when it is alleged, for undergraduate and graduate students alike. The cognizant instructor, chair, or dean may seek the advice of the University Ombudsman or the Office of Student Affairs at any stage of the process described below.

Academic integrity violations include cheating, falsification, fabrication, multiple submission, plagiarism, abuse of academic materials, and complicity or misconduct in research. Definitions are found in the Student Handbook and in WAC 504-25-310. When there is an allegation or evidence of an academic integrity violation, the cognizant faculty member must conduct a prompt and careful investigation. Physical evidence should be retained and interviews with persons who may have knowledge of the events conducted. Students are required by the Code of Student Conduct to cooperate with such investigations and are prohibited from assisting in academic dishonesty (WAC 504-25-015, 504-25-120, 504-25-135). The accused must be afforded the opportunity to present evidence, preferably in writing, and the responsible faculty member may require other students to answer questions material to the investigation. The responsible instructor then determines, by the preponderance of the evidence, whether or not a violation has occurred. The instructor then assigns an appropriate academic consequence and notifies the student. The instructor must notify the Office of Student Affairs by memo of any finding that a violation has occurred, including the nature of the violation, student’s name and ID number, and the action taken. If there is an appeal to the department chair, the dean or provost, the burden shifts to the student to prove by a preponderance of the evidence that the offense did not occur or that the academic sanctions were too severe. If the appeal is successful, a report must be filed with the Office of Student Affairs.

If the violation is a first offense, the Office of Student Affairs will take no further action unless requested to do so by the instructor, chair or dean. In that case, the student judicial process described in the Student Handbook is followed. Knowingly false statements by the accused or by any witness constitute additional violations of the Conduct Code.

F. CONDUCT SUBJECT TO UNIVERSITY DISCIPLINE

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

1. Violation of the policy on Freedom of Expression.
2. Failure to uphold academic standards.
3. Misconduct in research, defined as:
   a. Fabrication or falsification of data, plagiarism, or other serious deviations from accepted practice in proposing, implementing, or reporting on research.
b. Failure to comply with federal, state, or University requirements 1) for protecting researchers, human subjects, and the public during research and 2) for insuring the welfare of laboratory animals.
c. Use of research funds, facilities, or staff for unauthorized and/or illegal activities.

_Procedures for investigating allegations of misconduct in research are set forth in Part H of this Section._

4. Forgery, alteration, or misuse of University documents or identification.
5. Falsification of information submitted to any University official or agency, or the offering of an intentionally false statement in any University disciplinary proceeding.
6. Theft of, or intentionally damaging or defacing University property or property belonging to, any member of the University community or campus visitor.
7. Illegal use, possession, or purveying of narcotic or dangerous drugs on University property. University policy is consistent with state and federal laws which regulate the possession, use, sale, and distribution of drugs.*
8. Illegal possession, use, or sale of intoxicating beverages on University property.*

(*WSU’s policies and programs for drug and alcohol abuse and a drug-free workplace are available at Central Stores, #51197.)

9. Discrimination against any person based on race, sex, religion, age, color, creed, national or ethnic origin, physical, mental or sensory disability, marital status, sexual orientation, or status as a Vietnam-era or disabled veteran which deprives that person of civil rights, employment opportunities, or housing, or which, in any way, impedes, hinders, delays, or restricts the individual's membership or subsequent full participation in any activities of the recognized organizations of the University.
10. Possession by a faculty member, on his or her person or otherwise, of a firearm, explosive, or other dangerous weapon within any office, laboratory or classroom building, lecture hall, residence hall, or sports arena on University property, and any immediately contiguous grounds, walkways and malls, except as follows:
   a. Those faculty members who also are authorized law enforcement officers shall be permitted to carry arms while on duty and engaged in regular activities of law enforcement.
   b. Faculty members with firearms in their possession shall be permitted to travel en route to or from the University-provided storage facilities. Such facilities shall be available 24 hours per day for short- or long-term firearm storage.
   c. Activities requiring use of the prohibited items by faculty members may be conducted upon approval by the Board of Regents.
   d. Nothing in this article is intended to restrict the lawful possession by faculty members of firearms in privately owned vehicles on the University campus, within University-owned housing other than residence halls, or on other University property not specifically indicated above.
11. Unlawful acts which 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.

12. Illegal entry, attempted entry, or entry in violation of Washington State University rules of University-controlled property, or University-related property, such as fraternities, sororities, or co-op houses.

13. Intentional disruption of the educational processes and functions of the University, including classroom and laboratory activities, offices, services, meetings, or ceremonies.

14. Intentional and unauthorized obstruction or restriction of free movement of persons or vehicles on the campus or other University property. Peaceful picketing is permitted, but such activity must be confined to the outside of University buildings and must not interfere with or restrict the free flow of traffic and from any University building. Picketing of the Wilson Compton Union must be confined to the lobbies or to the outside of the building.

15. Detention or physical abuse of any person or conduct which threatens imminent bodily harm or endangers the health or safety of any person on any property owned or controlled by the University, or in connection with approved University functions.

16. Any sexual advances by males or females which indicate or imply that compliance is a condition for hiring, job retention, job promotion, grades, pay increases, or letters of recommendation.

Faculty members should be aware of conduct regulations for campus guests and visitors as follows:

The rules and regulations of the University will be observed by guests and visitors 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.

G. DISCIPLINARY ACTION

Adherence to the Faculty Code of Professional Ethics and to the Conduct Regulations is the responsibility of the individual faculty member. The principles implicit in these procedures are for the benefit of all who are involved with or are affected by the rules and regulations of Washington State University.

If a faculty member is accused of violating the Faculty Code of Professional Ethics and the Conduct Regulations, academic due process shall be observed so as to preserve academic freedom and integrity of the institution and will be ensured by the following described below. (For emergency situations see Section IV.F.3; for physical and mental health reasons see Section IV.F.5). Sanctions that may be imposed include warning, censure, suspension, termination, and in emergency situations summary suspension.
1. Discipline

Examples of conduct by faculty that may be cause for disciplinary action after academic due process include all conduct seriously prejudicial to the University by reason of deliberate or repeated infraction of law or of commonly accepted standards of morality. Conduct seriously prejudicial to the University also includes incompetence, deliberate and repeated neglect of duty, dishonesty, violation of University policies and regulations concerning freedom and responsibility, and deliberate and repeated acts of discrimination because of race, sex, national origin, religion, language, age, handicap, or physical appearance. The Conduct Regulations also specify various forms of improper conduct that may subject faculty to disciplinary action.

2. Informal Conciliation Procedures

It shall be the prerogative of the chair of the department (or immediate administrative official, if no chair,) or, if called upon, the University Ombudsman, to attempt to resolve a disciplinary problem. If this is unsuccessful, the faculty member may refer the case to the Faculty Status Committee which shall attempt to reach a satisfactory resolution of the matter through conciliation. The procedures may well include direct discussion between the parties involved concerning the alleged misconduct. If satisfactory resolution is attained, there shall be no further action. Such informal resolution may include sanctions, but only if agreed to by the faculty member. If satisfactory resolution is not obtained, further action may occur.

In cases where the Faculty Status Committee has sufficient reason to believe that a physical or mental health condition is the underlying cause of the disciplinary problem, procedures described in Section IV.G.5.

3. Statement of Charges

The Provost and Academic Vice President may initiate a Statement of Charges after information has reached his office. However, if a complainant group files a petition for Statement of Charges with the Provost, the Provost shall within 21 calendar days either serve the accused faculty member with a Statement of Charges or respond in writing to the complainant group, stating the reasons for not proceeding with a Statement of Charges. A complainant group shall be comprised of at least one-fourth, but not fewer than three, of the faculty members of the accused faculty member's department or comparable organizational unit.

The Statement of Charges shall include the following:
   a. A reference to those portions of the Faculty Code of Professional Ethics, Conduct Regulations, or other particular rules or policies the faculty member is alleged to have violated.
   b. A short and plain statement of the matters asserted. If the matters cannot be stated in detail at the time the Statement of Charges is served, the initial Statement of Charges may be limited to a statement of the issues involved. Thereafter, upon request, a more definite and detailed Statement of Charges shall be furnished.
A petition for Statement of Charges shall include the same material as required above for a Statement of Charges.

4. Initial Mediation

Once a Statement of Charges has been served as provided above, the University normally must begin an adjudicative proceeding under RCW 34.05. If the parties agree to it, however, the University will first attempt to resolve the matter through an informal mediation procedure using the Faculty Status Committee. If that Committee has been previously involved in the matter, before the Statement of Charges was served, it may under such mutual consent continue its involvement in an effort to resolve the issue. The parties shall in such a case agree that the Faculty Status Committee may fully investigate the matter, including taking statements of testimony from witnesses and collecting other evidence. If the Faculty Status Committee has not previously been so involved, it shall offer to mediate the dispute as described in this paragraph. If one or all parties decline the Committee’s offer to begin or continue mediation efforts under this paragraph, it shall promptly so notify all parties, and shall so report to the Provost, who shall thereupon proceed with a formal hearing under this section of this Manual. If all parties agree to such mediation, the Committee shall undertake that role. In all cases in which it becomes involved, the Faculty Status Committee shall make a report of its activities, the facts it has uncovered and its recommendations to the Provost.

All testimony, statements or other evidence obtained by the Faculty Status Committee in the course of its efforts under this section, whether obtained from a party to the dispute or a third party, shall be regarded as confidential and shall not be discloseable, either in subsequent discovery in the course of a formal hearing or in any legal action related to the dispute, without the express permission of the person providing such testimony or evidence to the Faculty Status Committee. Nor may any such material be employed in such proceedings for collateral or impeachment purposes without such permission.

Nothing in this policy shall preclude the parties and/or the University from at any time reaching an informal resolution of the dispute described in the Statement of Charges via any other mutually agreed-on method, including stipulation, agreed settlement, consent order, or through the default of a party.

5. Formal Hearings

Formal hearings are adjudicative procedures under RCW 34.05. The University has developed its procedures to comport with the requirements of that 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.

(a). Proceeding to Formal Hearings.
   A formal hearing may be commenced via any one of the following procedures.
(1) The Faculty Status Committee, if it has failed to resolve a dispute through the informal resolution method set forth above, shall notify the parties of its failure, and make a recommendation to the Provost as to whether or not formal disciplinary proceedings should be commenced. Final decision on whether to commence such a proceeding, however, shall lie with the Provost. If the Provost decides not to convene a formal hearing against the recommendation of the Faculty Status Committee, the Provost shall provide the Committee with written explanation of that decision. If the decision is made to hold such a hearing, the Provost shall promptly notify the faculty member, the Faculty Status Committee and appropriate persons. This is not the same as service of a Statement of Charges as described above, but a separate notice of the University’s intent to commence a formal disciplinary hearing based on the allegations contained in a Statement of Charges.

(2) Once a Statement of Charges has been served, without regard to informal conciliation efforts by the Faculty Status Committee or any other person or entity, the faculty member charged with misconduct in the Statement may request a formal hearing. This prerogative is not intended to denigrate the faculty member’s right or opportunity to engage in informal efforts to resolve the dispute before taking such action. Requesting a formal hearing, however, shall operate to terminate any informal mediation efforts by the Faculty Status Committee, the Provost, or any other persons, organizations, or groups (though less formal efforts at resolution may be undertaken at any time).

A request from a faculty member for a formal hearing shall be directed to the Provost and to the Faculty Status Committee. This request shall be delivered to the Provost and the Faculty Status Committee not later than (i) twenty days after the Faculty Status Committee has notified the faculty member and the University of its failure to effect an informal resolution of the matter as set forth above; or (ii) within twenty days of the faculty member’s receipt of the Statement of Charges, if he or she desires to proceed directly to a formal hearing without utilizing mediation available through the Faculty Status Committee—whichever alternative is later.

(3) After the Provost has issued a Statement of Charges, whether on his or her own initiative or by forwarding such a Statement filed by a complainant group, the Provost or the complaining group may request a formal hearing upon (a) the exhaustion or termination of efforts by the Faculty Status Committee to effect an informal resolution of the matter, as provided above, or (b) within thirty days after issuing the Statement. This latter interval is intended to give the accused faculty member a full opportunity to undertake mediation efforts through the Faculty Status Committee.
(b.) Formation of the Hearing Committee.
Within ten days of (i) receiving notice from the Provost that a formal hearing is required, or (ii) receiving a request for a formal hearing from the faculty member, a complainant group, or the Provost, the Faculty Status Committee shall appoint a hearing committee. This Committee shall be comprised of five tenured faculty members, with one member designated as responsible to convene the Committee. Two alternate members shall also be named. The institutional representative(s) and the faculty member shall have the opportunity to disqualify up to two members without stated cause. Both parties shall also be allowed such further challenges to the Committee’s membership, based on articulable cause, in the discretion of the Faculty Status Committee. The Committee shall have sole authority to rule on any request for disqualification for cause. That Committee’s charge in this regard shall be to take all reasonable steps to ensure that the composition of the hearing committee avoids both the presence and the appearance of any impropriety, bias, or prejudice toward either party. Committee members who, whether challenged or not, believe that they have a bias or conflict of interest regarding the matter at issue shall disqualify themselves. Should it become necessary to add new people to the Committee due to such recusals or disqualifications, the Faculty Status Committee shall name new members as needed, with those newly named members subject to the same scrutiny and possessed of the same authority as those originally named. The President shall authorize this Committee to conduct the formal hearing upon its being duly constituted and agreed to by all parties.

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 with regard to those charges. No Committee member shall make or receive any 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. 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 Committee member outside the hearing shall be immediately reported to both the remainder of the Committee and to all other parties. The provisions of RCW 34.05.455 shall apply in full with regard to necessary ex parte matters and improper ex parte communications.

The faculty member delegated responsibility by the President to convene the Committee shall do so within twenty days of receiving his or her charge from the President. The Committee at that first meeting shall elect a Chair to preside over its hearings, and shall promulgate any specific procedural rules it may deem necessary or proper for the orderly conduct of the hearing. Those rules shall be consistent with this section of the Manual and with applicable Washington law.
(c.) Notice of Hearing.

The Committee shall, upon determining the date for its hearing and verifying its convenience with all parties, serve all parties with a Notice of the hearing to be held. This Notice shall be served upon all parties not less than ten calendar days before the set hearing date (fifteen if served by mailing). The faculty member shall have the right to a maximum of twenty additional days in which to prepare for the hearing, as he or she may request. Either side may seek further time extensions at the discretion of the Committee, and the Committee may itself continue the hearing date in the interests of justice.

The Notice of Hearing shall include the following information:

(i) The names and addresses of all persons to whom the Notice is sent, and of their respective representatives or attorneys (if any);

(ii) The name(s), title(s), and mailing address(es) of the University official(s) who will appear on behalf of the institution at the hearing;

(iii) The name of the matter in which the proceeding is being held (usually the name of the faculty member);

(iv) The names, titles, and campus mailing addresses of the Committee members, including a designation of the Committee Chair;

(v) A statement of the time, place, and nature of the proceeding;

(vi) 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 Chapter 28B RCW, and pursuant to this Manual;

(vii) A statement of the rules, policies, or other portions of this Manual, the Faculty Code of Professional Ethics or other University regulation(s) the faculty member is alleged to have violated;

(viii) A short and plain statement of the matters asserted by the University or complainant group and involved in the hearing. If these matters cannot be asserted in detail at the time Notice is served, the Notice may contain only the statement provided in subparagraph (vii) above. In such case the Committee shall provide a more definite and detailed statement upon request by the faculty member, and the faculty member shall be entitled to such time to prepare for the hearing as if the more definite statement was the initial material provided for him, as set forth above in this section. The Committee shall be the sole and final judge of the adequacy of this statement.

(d.) Response to Notice of Hearing: Pre-Hearing Issues

The faculty member may, in response to the Notice of Hearing, waive a hearing or respond to the charges contained in the Statement of Charges and/or the Notice of Hearing at any time before the date set for the hearing. If the faculty member waives a hearing, but denies
the charges or asserts that the charges do not constitute a violation of the Faculty Code of Professional Ethics or any other applicable University policy or regulation, the Committee will evaluate available evidence and rest its recommendation upon that record.

The faculty member, and the University, shall be entitled to file with the Committee such memoranda, position statements, objections to proffered evidence, and other procedural materials as the Committee may in its discretion allow. The Committee’s charge on this matter is to ensure that all parties have a full and fair opportunity to be heard while simultaneously upholding the parties’ mutual interest in expeditious proceeding.

Depositions and other forms of civil discovery shall not be permitted in formal proceedings under this Manual. Such methods of eliciting information are expensive, burdensome, time-consuming and inconsistent with the collegial nature of an academic institution. Nonetheless, the Committee shall be charged with taking appropriate steps to see that each party is apprised of the evidence and witnesses relied on by the other party(ies) to the proceeding. The parties shall have the opportunity to obtain and present evidence and witnesses. The institution shall use its best efforts to secure the cooperation of witnesses and make available such documents as are under its possession, custody, and control. All parties shall diligently share information, documents, and other relevant facts to ensure against unfair surprise at the hearing. Material intended for use for impeachment purposes, however, need not be disclosed. The Committee may issue subpoenas as authorized under RCW 34.05.446, and shall make such reasonable orders as may be proper to effect the intent of this paragraph.

6. Conduct of the Hearing

The Committee shall conduct its proceedings with as much dispatch as possible, while recognizing the parties’ right to adequate time to prepare for the hearing. While no definitive time limit is appropriate given the wide variety of fact situations that may develop, the University expects that a hearing will normally be concluded within 60 days of the Committee issuing its Notice of Hearing.

The University regards faculty disciplinary and employment issues as being of the highest sensitivity. Accordingly, the Committee is empowered to exclude the public from all or any portion of the hearing pursuant to RCW 34.05.449(5), and should open the hearing only if the parties agree that no prejudice or other damage would be likely to result, either to the hearing process itself or to any of the parties. The Committee and parties shall refrain from public comments or statements regarding the hearing, its conduct, and the evidence presented before it.
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 institution. If the Notice of Charges has been presented by a complainant group, that group shall likewise have the right to be present and to have counsel.

At any party’s request, including the Committee’s, a representative of a responsible educational association shall be permitted to attend the hearing as an observer. The Committee shall have discretion to determine if any other persons may attend the hearing, as an observer or otherwise. This shall include the power to exclude witnesses at the request of any party and at the Committee’s discretion.

The Committee shall cause the hearing proceedings to be recorded by such method as to them shall seem most efficacious, and shall preserve any exhibits or other materials received during the hearing. A copy of these items shall be made available upon request to any Committee member or party to the hearing, at the University’s expense.

The Committee 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 it in its deliberations.

Formal rules of evidence shall not apply at the hearing. The Committee may accept into evidence hearsay and other material not normally admissible in a court of law, based on its belief that such evidence is of the type normally relied on by reasonably prudent persons and/or has probative value to the proceeding. Documentary evidence may be received by copy, excerpt, or incorporation by reference in the Committee’s discretion. The Committee shall have the power to exclude any evidence whose disclosure would violate an evidentiary privilege (e.g. the attorney-client privilege) recognized in this state, and any material it considers irrelevant, immaterial, or unduly repetitious. The Committee shall generally afford all parties the opportunity to respond to charges, to examine witnesses, to present evidence and argument.

All parties to the hearing will have the right to confront and cross-examine all witnesses.

7. 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, Conduct Regulations, or some other regulation or policy of the University. This burden must be satisfied by clear and convincing evidence.

All findings and recommendations of the Committee shall be based solely on the hearing record. The Committee shall in all cases issue a decision which 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 or imposed 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 rules governing freedom of expression.
The sanctions available for recommendation to the President if the Committee finds a violation of the Faculty Code of Professional Ethics, the Conduct Regulations, or other regulation or policy are limited to:

a. Warning
   Written notice to the faculty member from the Provost that he or she has violated the Code or other regulation or policy, and that continued or additional such conduct may lead to more severe sanctions in the future.

b. Censure
   Written reprimand from the Provost regarding such violation(s).

c. Suspension
   Any one of or combination of the following measures: temporary release from or reduction in assigned responsibilities, reduction or suspension of pay, suspension of an opportunity for a salary increase, or denial or postponement of an opportunity for a professional promotion within the University, or for professional leave from the University. A summary suspension is also possible, as set forth in G.10 of this Section.

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

The Committee will notify the President or his or her designee within 30 days after completion of the hearing of its findings, conclusions, and recommendations. This notice shall be in writing, and shall be supported by its analysis and decision in the matter, as described above. This report shall also include a full record of the proceeding.

If the Committee determines that no violation or cause for sanction has been adequately established, it shall so indicate this conclusion in its report to the President. If the President concurs, a statement to that effect will be provided to the faculty member, signed by the Provost and all Committee members.

If the Committee determines that sanctions are appropriate, it will so indicate in its decision, recommend appropriate sanctions, and provide its reasoning for that recommendation. If the Committee recommends termination, it shall further recommend relevant terms of such a termination, such as effective date and salary payments beyond that date, if any are regarded as proper.

All reports, findings, conclusions, and recommendations as described in this paragraph shall be made available to all parties to the hearing in addition to the President. Those persons shall treat that document as confidential, and shall not disclose it except as expressly required by law.
8. **Action By The President**

Upon receipt of the Committee’s findings, conclusions, and recommendations, the President shall respond to the Committee within twenty days. If the President objects to or disagrees with any portion of the Committee’s report, he or she shall indicate those objections or disagreements in writing and provide them to the Committee and to the faculty member. The Committee, and the faculty member, shall have ten days to respond in writing to the President’s objections and disagreements.

Final authority to take action and impose sanctions if appropriate lies with the President. He or she shall review the Committee’s findings, conclusions, and recommendations, and shall either adopt them or inform it of his or her objections as set forth above. After receipt of any responses to those objections or disagreements, the President shall take final action. He or she shall issue a Decision, including findings of fact, conclusions, 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.

9. **Action By The 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 within twenty days after the faculty member’s receipt of the Decision.

The Board of Regents’ review shall be based on the record of the Committee hearing, its findings, conclusions, and recommendations to the President, and the Decision. The Board shall afford the faculty member and the University the opportunity to present written and/or oral argument. The Board will either sustain the Decision or return it to the President with specific written objections. This decision shall be reached as soon as practically 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 Committee for such further hearing as it may deem proper. Whichever method is used, a revised final Report shall thereafter be prepared for the Board addressing its concerns and recommending action by the Board. The Board shall thereafter issue the University’s Final Decision in the matter within sixty days of receipt of that revised Report. In all stages of this process, opportunity for notice, to be heard, to present evidence, and to confront and cross-examine witnesses shall be afforded to all parties as specified throughout these formal proceeding regulations.

10. **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 preceding sections of the disciplinary regulations.
However, in emergency situations, if immediate danger exists 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 President or an authorized designee may summarily suspend the faculty member. Salary shall continue during such summary suspension. In all such emergency cases, the faculty member is thereafter entitled to all of the several hearing processes and rights as provided in this section on faculty discipline. There shall be the same need for a Statement of Charges, and the initiating party shall be the Provost and Academic Vice President or his authorized designee. Procedures shall be initiated by the Provost as soon as possible upon imposition of a summary suspension, and all parties shall use their best efforts to complete appropriate processes as expeditiously as is feasible.

The notice of summary suspension shall be served on 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 findings, conclusions, and policy 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, such notice not necessarily to be simultaneous with the notice of summary suspension.

H. ADMINISTRATIVE PROCEDURES FOR MISCONDUCT IN RESEARCH

Hereafter "misconduct" means misconduct in research and scholarship as defined above. Misconduct does not include honest error or honest differences in interpretations or judgments of data. This policy pertains to original research and scholarship only and is not intended to replace other policies dealing with academic conduct, such as integrity in class or course work.

1. INQUIRY

An inquiry will be made immediately into allegations or evidence of possible misconduct. “Inquiry” means information gathering and initial fact-finding to determine whether an allegation or apparent instance of misconduct warrants investigation. The Vice Provost for Research shall normally be in charge.

The Dean of a college or the Vice Provost for Research may receive allegations of misconduct in research and scholarship (typically in writing). However, the President of the University, through the Provost and Academic Vice President (hereafter referred to as Provost) and Vice Provost for Research, is ultimately responsible for all research programs and activities conducted at the University. Therefore, the Provost through the Vice Provost for Research shall be informed by the Deans of all allegations of misconduct in research and scholarship. Furthermore, the Vice Provost for Research shall consult with the University's Office of the Attorney General on all inquiries and investigations, and this Vice Provost is responsible for directing inquiries into and investigations of misconduct in research and scholarship, and in meeting all reporting requirements established by federal and non-federal agencies.
The procedures of this policy are not exclusive of other mechanisms for the review of misconduct. In the case of review of allegations of misuse of funds, the University's Internal Auditor, and in some cases outside auditors, shall investigate and report to the proper administrators. In the case of illegal activities, the President retains the power to direct investigations, take interim measures, and request reports on alleged violations. Where an investigation of misconduct under this Policy may be duplicative, and where issues of the proper conduct of scientific research are lacking, the Vice Provost for Research may decide not to conduct an investigation under this policy.

a. An inquiry must be completed within 60 calendar days of its initiation unless circumstances warrant a longer period. A written report shall be prepared that documents the evidence received, including summaries of interviews, and the conclusions reached. The individuals against whom the allegation was made shall be given a copy of the report of inquiry. If they comment on this report, their comments will be made part of the record. If the inquiry takes longer than 60 days, the record of the inquiry shall include documentation of the reasons for exceeding the 60-day period.

b. The privacy of those who have reported apparent misconduct will be protected to the fullest extent possible.

c. The affected individuals will receive confidential treatment to the fullest extent possible; they are also entitled to a prompt and thorough inquiry, and they will have an opportunity to comment on allegations and the findings of the inquiry.

d. If it is determined that an investigation is not warranted, records will be maintained in sufficient detail to permit subsequent assessment of that determination. Such records will be kept in a secure manner for a period of at least three years after the termination of the inquiry, and shall, upon request and where relevant, be provided to authorized personnel.

e. A decision on whether to proceed to a formal investigation shall be made by the Vice Provost for Research and the Provost. If an investigation is deemed unwarranted, the Vice Provost for Research will take steps to protect the party or parties who made the allegation, and the individual(s) charged with misconduct. Also, the Vice Provost for Research and the Provost will take steps to repair any damage done to the reputation of individuals falsely accused.

f. In case of apparent false and malicious accusations, an inquiry will be initiated (as noted under 1.a.) of the accuser(s).

2. Investigation

*If warranted, an investigation will begin following the inquiry as described above. "Investigation" means the formal examination and evaluation of all relevant information to determine if misconduct has occurred.*

a. Investigations will begin, within 30 days of the completion of the inquiry, by a committee appointed by the Vice Provost for Research, and composed of at least three faculty members familiar with the research or scholarship included in the alleged misconduct; and, including at least
one faculty member from a relevant area of research or scholarship, and whose academic appointment is outside of the college of the accused individual(s).

b. The investigation will include examination of all pertinent documentation, publications, and correspondence, and any memoranda related to telephone calls. Whenever possible, interviews will be conducted with all individuals involved in making the allegation, or against whom the allegation is made, or other individuals who might have information pertinent to the allegations. Summaries of the interviews will be prepared, provided to the interviewed parties for comment or revision, and included as part of the investigation file.

c. Precautions will be taken to prevent real or apparent conflicts of interest on the part of those involved in the investigation.

d. Diligent efforts will be made, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct when allegations are not confirmed, and also to undertake efforts to protect the positions and reputations of those persons who have made allegations in good faith.

e. Documentation will be prepared and maintained to substantiate the investigation's findings.

f. An investigation of misconduct will be completed within 120 days of its initiation. This includes conducting the investigation, preparing a report of the findings, and making the report available for comment to the subjects of the investigation.

g. When allegations of misconduct have been substantiated, appropriate sanctions will be applied as prescribed by the Faculty Manual, Student Code of Conduct, the State of Washington Higher Education Personnel Board rules and regulations, and the present document.

3. When Federal Funds Are Involved

When allegations of misconduct in research and scholarship involve the use of federal funds, the following additional steps will be followed:

h. The Vice Provost for Research will notify the relevant federal agency prior to an investigation and within 30 days following the completion of an inquiry. If there is indication of criminal violations, the Vice Provost for Research will notify the relevant federal agency within 24 hours of obtaining appropriate evidence.

i. When appropriate, documentation of the investigation's findings will be made available to a relevant federal agency.

j. The University will be responsible for notifying relevant federal agencies if any of the following exist during an inquiry or investigation: an immediate health hazard; an immediate need to protect extramurally obtained funds or equipment; an immediate need to protect any parties involved; or, if the incident is going to be reported publicly, in the case of possible criminal violation.

k. Interim administrative actions will be taken, as appropriate, to protect federal funds and insure that the purposes of federal financial assistance are carried out.
l. The University will keep the relevant federal agency apprised of any developments during the course of the investigation which may affect current or potential funding for the individual under investigation or are necessary for the federal agency to protect the public interest.

m. The report of the investigation, completed within 120 days, will be submitted to the relevant federal agency along with the final outcome of the investigation.

n. While the University is primarily responsible during the period of inquiry and investigation, a relevant public agency may perform its own investigation at any time prior to, during, or following the university's investigation and may impose sanctions determined by its own investigation.

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A motion to add the following two sentences to Section III Freedom of Expression 4th paragraph after the first sentence:

“In that vein, expressions which physically intimidate members of the community would not be appropriate. Also inappropriate is speech which in itself constitutes an attempt to censor a different point of view.”

Seconded. Amendment passed.

A motion was made to remove D. 4. From Section III until the section on Compensation for Outside Service is compatible. Motion carried.

A motion was made to remove the section on library faculty in Section II and include library after research under Academic Faculty. Motion carried.

A motion was made to postpone Section II until the first meeting of second semester. Motion carried.

A friendly amendment was made to put a disclaimer at the beginning of Section III that states the word teacher refers to all members of the academic community. Amended Section III minus D. 4 was approved.

2. Recommendation from Faculty Affairs Committee for WSU Electronic Policy, WSU Appropriate Use Computing Resources and Freedom of Expression (Disclaimer) Exhibit C is as follows:

MEMORANDUM

TO: Faculty Senate
FROM: John Crane, Chair, Faculty Affairs Committee
DATE: September 30, 1997
SUBJECT: Electronic Publication Policies
The Faculty Affairs Committee discussed the WSU Electronic Publishing Policy, WSU Use of Computing Resources, Information Technologies and Networks and the Freedom of Expression disclaimer at the meeting of September 23, 1997. It was the consensus of the Committee that these polices were ready to be forwarded to the Faculty Senate for debate and approval. These documents will be added to Section V of the revised Faculty Manual but the Committee felt they should be debated before being added to the section. At this time Senate approval is recommended.

Draft (8/137)

WSU Electronic Publishing Policy

The quality of information published and communicated by Washington State University plays an important role in maintaining the strong reputation and image of the University. The University recognizes the value and potential of publishing on the Internet, and so allows and encourages students, staff, and faculty to publish information electronically. Members of the university community may create electronic home pages, publication pages, or other electronic publications that carry out official University business in support of the University's mission. In general, electronic publications are subject to the same University policies and standards as print publications. Because electronic publications are viewable by all Internet users, their quality reflects upon all members of the University community.

The contents of all electronic publications must be consistent with Washington State University policies as well as state and federal laws. Electronic publishers should consult the WSU Appropriate Use of Computing Resources, Information Technologies, and Networks document. When it comes to the attention of the University that a computer account or network infrastructure service is being used in a way that violates state or federal law or university policy, the University may take all remedial steps necessary to attain compliance with law or policy. This may include terminating the account, terminating network access, taking disciplinary action, and in the case of individual web pages, interposing a warning.

Copyright laws apply to electronic publishing as well as to print publishing. Electronic publishers must be permitted by law or the publisher must have permission to publish the information, graphics, cartoons, photographs, or other copyrighted information on their pages if the publisher is neither the author nor the creator.

The Internet offers access to all forms of information including images that are commonly judged as obscene. The deliberate display of obscene images and direct hypertext links to obscene material are prohibited.

Washington State University resources may not be used to create web pages primarily for personal business or personal gain, except as permitted by other University policies.

The State of Washington prohibits discrimination. WSU resources cannot be used to discriminate in any way on the basis of age, sex, marital status, race, creed, color, national origin, sensory, mental or physical disability, or sexual orientation.
Official University Electronic Publications

There are two general types of home pages and other electronic publications at Washington State University. Institutional web pages are the responsibility of university units and are intended for official university activities. Individual professional web pages are the responsibility of their developer.

All unit home pages and other electronic publications are the equivalent of a printed publication or an official communication. They are official Washington State University publications. WSU web graphic identity guidelines are available and all academic and administrative units are encouraged to use them. Each official electronic page, cluster of linked pages, or other electronically published information will contain the unit or person's name, university position or affiliation, e-mail address, date of development, expiration date, and the link to the WSU Disclaimer page. There may be additional requirements, such as the inclusion of the equal opportunity statement, set by the units publishing their own electronic information. A unit may decide whether it is of benefit to link to the individual electronic pages of their faculty, staff, or students.

Individual Electronic Publications

The University allows an individual to create home pages and other electronic publications that provide information relevant to that individual's role at the University. Each official electronic page, cluster of linked pages, or other electronically published information will contain the unit or person's name, university position or affiliation, e-mail address, and the link to the WSU Disclaimer page. The University respects the first amendment for freedom of speech rights, including academic freedom, of artists and scholars. Therefore the University does not restrict the contents of the staff, faculty, and student professional home pages and other electronic publications beyond the restrictions inherent in complying with University policies, state (e.g., State Ethics Law) and federal law.

The work on these individual home pages and electronic publications represents the work of the individual artists, scholars, and authors who created them, and is not intended to represent Washington State University. As such, the University bears no responsibility for the content of the individual professional web pages. The University reserves the right to remove from any WSU server a web page or electronic publication that is found to be in violation of the law or University regulations, policies, or procedures.

Draft (8/13/97)

WSU Appropriate Use of Computing Resources, Information Technologies, and Networks

This appropriate use policy governs the use of computing resources, information technologies, and networks at Washington State University. Computer and network users are responsible for reading, understanding, and behaving in a manner consistent with the objectives of this document. All uses inconsistent with these objectives are considered to be inappropriate use and may jeopardize further access to services.
Washington State University is dedicated to meeting the educational demands and needs of its constituencies by providing an environment that promotes intellectual curiosity, integrity, and a high sense of moral responsibility among all its students, staff, faculty, and administrators.

Access to Information Technologies

In support of academic instruction, research, public service, and administrative functions, the University encourages the use of, and provides access to, information technologies and network resources. This enables University users access to global information resources, as well as the ability to communicate with other users worldwide. In keeping with its role and values, Washington State University supports the use of electronic communication for the conduct of official University business and for individual professional purposes related to an official University purpose. The potential uses of electronic communication are quite broad and variable. Such open access is a privilege and requires that individual users act responsibly.

Access by WSU users to information available through electronic means may only be limited in accordance with legal restrictions (State or Federal law and University policy) or by the availability of resources. In the event of limited infrastructure capacity, the process by which selections are made shall follow University procedures including specified evaluation criteria and removed only in accordance with University guidelines and procedures.

Rights and Responsibilities

Access to the information infrastructure both within the University and beyond, sharing of information, and security of the intellectual property of the community, all require that each and every user accept responsibility to protect the rights of the community. Users must respect the rights of other users, respect the integrity of the information technology systems and related physical resources, and observe all relevant laws, regulations, and contractual obligations. Any activity disrupting the educational and support functions of the information technology systems is prohibited. Since electronic information is easily reproduced, users must exercise care in acknowledging and respecting the work of others through strict adherence to software licensing agreements and copyright laws.

Enforcement

The University expects ethical and responsible behavior of its faculty, students, and staff. Willful misuse of WSU information technology resources or network services can result in termination of access privileges, university disciplinary action, and/or civil and criminal penalties. These policies also extend to non-university individuals and entities accessing University information technology resources. Violations of the University Appropriate Use Policy are treated like any other ethical violations outlined in the Student Handbook, Faculty Manual, and Staff Handbook.
Network and system administrators are expected to treat the contents of electronic files as private and confidential. Any inspection of electronic files, and any action based upon such inspection, will be governed by all applicable U. S. and Washington laws and by University policies.

Freedom of Expression (disclaimer)

Washington State University respects the first amendment rights of freedom of speech, including academic freedom, of artists and scholars. Therefore, Washington State University does not restrict the contents of the staff, faculty, and student "individual professional" Home Pages linked to the official Washington State University Home Page beyond the restrictions inherent in complying with state law. These "individual" home pages represent the work of the individual artists, scholars, and authors who created them and not Washington State University.

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A motion was made to change paragraph 6 under WSU Electronic Publishing Policy to read “WSU resources cannot be used to discriminate in any way prohibited by the state of Washington.

Call for a quorum resulted in adjournment.

3. Recommendation from Academic Affairs Committee for Undergraduate and Professional Major Change Bulletin #4 (Exhibit C from 11/13/97 Agenda PLEASE BRING TO THIS MEETING and New Exhibit D)—J. Evermann

4. Recommendation from Graduate Studies Committee for Graduate Major Change Bulletin #4 (Exhibit D from 11/13/97 Agenda PLEASE BRING TO THIS MEETING and New Exhibit E).—J. Cote

Agenda Items (Discussion Items).

1. Recommendation from Graduate Studies Committee to Drop the MS in Geological Engineering (Exhibit F).—J. Cote

2. Recommendation from Academic Affairs Committee for Revision to Rule 6 Transfer Credit (Exhibit G).—J. Evermann

3. Recommendation from Academic Affairs Committee for the “School of Accounting, Information Systems and Business Law” (Exhibit H).—J. Evermann

Constituents' Concerns.

Adjournment.

The meeting adjourned at 5:55 pm.

Thomas A. Brigham, Executive Secretary