

**Washburn University**  
**Meeting of the Faculty Senate**

September 10, 2007  
3:30 PM Kansas Room, Kansas Room

- I. Call to Order
- II. Approval of Minutes of the Faculty Senate meeting of May 7th, 2007.\* (pp. 2-3)
- III. President's Opening Remarks.
- IV. Report from the Faculty Representatives to the Board of Regents.
- V. Faculty Senate Committee Reports.\*
  - A. Faculty Affairs Committee meeting minutes of May 8th, 2007. (p. 4)
- VI. University Committee Minutes.\*
  - A. Research Grant Committee meeting of April 25, 2007. (pp. 5-6)
  - B. International Education Committee meeting of May 3, 2007. (p. 7)
  - C. Assessment Committee meetings of October 12, 2006, November 16, 2006, February 14, 2007, and April 10, 2007. (pp. 8-13)
- VII. Old Business.
- VIII. New Business.\*
  - A. Establishment of a policy relating to the review of student "research." (07-04) (p. 14)
- IX. Information Items.\*
  - A. Comparison of the proposed process and procedure Conflict of Interest policy and current Grievance policy. (pp. 15-21)
- X. Discussion Items.
- XI. Announcements.\*
  - A. Faculty Senate Committee assignments for the 2007 – 2008 academic year. (p. 22)
- XI. Adjournment.

\*Attachments

**Faculty Senate**  
**Washburn University**

*Minutes of May 7, 2007 Meeting*  
*Kansas Room, Memorial Union*

Present: Bayens, Boyd, Camarda, Concannon, Croucher, DePue, Dick, Dinkel, Elisha, Evans, Ginzburg, Jackson, Jacobs (President), Liang, Lockwood, Manske, Martin, Meador, Nobo, Ockree, Palmer, Patzel, Pownell, Prash, Ramirez, Ray, Renn-Scanlan, Roach, Rodriquez, Russell, C. Schmidt, S. Schmidt, Sharafy, L. Smith, Stone, C. Sullivan, Tate (Assoc. VPAA)

- I. The meeting of the Faculty Senate was called to order at 3:31 PM.
- II. The minutes of the April 9th, 2007 Faculty Senate meeting were approved.
- III. President's Opening Remarks.
  - A. President Jacobs announced that the third candidate for the VPAA position was on campus today. Those present were encouraged present to attend each of the candidate open forums.
  - B. President Jacobs also announced that Deborah Moore, Director of Human Relations, was out of town and will be meeting with the Faculty Senate in the fall to discuss changes in TIAA-CREF.
  - C. Lastly, President Jacobs announced that, given the large amount of business on the day's agenda, it may be necessary to extend the meeting beyond the established 5 PM adjournment time.
- IV. Report from the Faculty Representatives to the Board of Regents. The Regents did not meet since the previous Faculty Senate meeting.
- V. Faculty Senate Committee Reports.
  - A. The minutes of the Academic Affairs Committee (AAC) meeting of 04/16/2007 plus an addendum were accepted.
  - B. The minutes of the Faculty Affairs Committee meeting of 04/16/2007 were accepted.
  - C. Meador (Chair of the Electoral Committee) provided a verbal report of the Spring elections. It was reported that the elections were complete and without incident.
- VI. University Committee Minutes.
  - A. The minutes of the Library Committee meeting of April 19, 2007 were accepted.
  - B. The minutes of the International Education Committee meeting of April 5, 2007 were accepted.
- VII. Old Business.
  - A. The motion was made, and seconded, to table the recommendations of the AAC (07-03 a-h) until the Fall. The motion failed. Those in attendance agreed to review

each recommendation individually. The results were that action items 07-03f and 07-03h were not approved, action item 07-03g was withdrawn from consideration, and action items 07-03 a-e were amended and approved.

VIII. New Business.

- A. Faculty Senate officer elections were held. Russ Jacobs was re-elected President. Richard Martin was re-elected Vice-President. Bill Roach was elected Parliamentarian. Mike Russell was re-elected Secretary.
- B. Elections to the Faculty Senate Executive Committee (FSEC) were also held. In addition to the four officers mentioned previously, Shirley Dinkel (SoN) and Janet Jackson (Law) were elected to the FSEC.
- C. In order to form the subcommittees of the Faculty Senate (Academic Affairs committee, Faculty Affairs committee, Electoral committee), continuing and newly elected Senators were asked to email their committee preferences to Mike Russell (Secretary).

IX. Discussion Items.

- A. Mike Gunter discussed a number of issues with those in attendance. With regard to Administrative access to computers, Gunter stated that the ability to download was limited for the sake of security (e.g., minimizing viruses). Also discussed was the issue of limiting faculty access to WUAD. Gunter reported that by having a single unit, the security of the server would be enhanced and updates would be more efficiently handled. Those in attendance voiced concern that the WUAD system was significantly slower than desktop computers. It was also feared that stored items are inaccessible and their ability to work is impaired whenever the system is down.

X. The meeting was adjourned at 5:00 PM.

Respectfully submitted by Mike Russell, Secretary to the Faculty Senate

**Washburn University**  
**Faculty Affairs Committee**

Minutes of May 8, 2007 Meeting  
10:30am Mosiman Room, Memorial Union

Present: Brenda Patzel (Chair), Brad Borden, Lee Boyd, Andrew Evans, Mo Godman, Park Lockwood, Kandy Ockree, Mike Russell.

- I. The meeting was called to order.
- II. Sabbatical application procedures and guidelines were discussed. Academic and Sweet Sabbatical application forms and documents were reviewed in detail. It was determined that the information presented in certain sections of these documents was either irrelevant or unclear, therefore, revision was necessary. The FAC completed their discussion of the necessary revisions, which will be incorporated into the document and distributed to all FAC members prior to the first FAC meeting of the fall semester. Upon one final review, these guidelines will be presented to the Faculty Senate.
- III. Conflict of Interest Policy and Promotion and Tenure were briefly discussed. Discussion regarding these topics was tabled until the first meeting of the fall semester.
- IV. Meeting was adjourned at 12:00pm.
- V. Next meeting TBA.

Submitted by Park Lockwood, Secretary of the Faculty Affairs Committee

**NOTES****Research Grant Committee Meeting**

April 25, 2007

## Members Present:

Nancy Tate, Chair

Courtney Sullivan

Cynthia Turk

Karen Camarda

Martha Imperato

Maryellen McBride

Brad Borden

Wanda Hinton, secretary

## Members not Present but gave Comments:

Kim Harrison

Nancy welcomed and thanked everyone for attending the meeting today. She informed the committee that today's meeting is the first review for FY 2008. The budget for the fiscal year is \$46,000.00.

**MAJOR RESEARCH APPLICATIONS**

Wagner/Wagner: Requested funds in the amount of \$10,436.18 for research project, "Lactate Kinetics: Effect of Carbon Dioxide on the Transport of Lactate into Erythrocytes." Application approved in the amount of \$10,000.

ARTERBURN: Requested funds in the amount of \$8,750 for research project, "Molecular Genomics of Wheatgrass Species." Application approved fully.

CREWS/CREWS: Requested funds in the amount of \$11,140.00 for research project, "Citizen and officer perceptions of community policing in Ghana: A Police Service of the People, By the People, and for the People, or just TO the People." Both of the investigators have received funds last year. Application not approved at this time. The applicants are invited to re-submit for reconsideration this Fall.

SHARAFY: Requested funds in the amount of \$10,301.51 for the creation of an Interactive Smart-Object/Image and Audio Based multi-lingual installation art piece embedded with intercultural components. Application not approved at this time. The applicants are invited to re-submit for reconsideration this Fall.

#### SMALL RESEARCH APPLICATIONS

BEATTY/PETERSON: Requested funds in the amount of \$3,000.00 for research project, "The Distinguished Member from Kansas".

Application not approved at this time. The applicants are invited to re-submit for reconsideration this Fall.

THOMAS: Requested funds in the amount of \$1,000 for research project, "Atmospheric Effects of a Nearby Supernova".

Application approved fully.

STONE: Requested funds in the amount of \$3,000.00 for project, "Literary Biography of Argentina's Mempo Giardinelli".

Application not approved due to the fact that the travel and workshop is prior to July 1, 2007. The Committee did think the project is worthy. Nancy will talk with Kenton to see if he could travel after July 1<sup>st</sup>. If daes can be adjusted, application is approved fully.

WAGNER/WAGNER: Requested funds in the amount of \$2,190.00 for research project, "Effect of Carbon Dioxide on the Maximal Steady State Lactate level in Young and Master Aged Elite Athletes".

Application not approved at this time. The applicants are invited to re-submit for reconsideration this Fall.

JOHNSON: Requested funds in the amount of \$2,861.00 for research project, "Firearms Assaults on Police Officers at Domestic Violence Calls: A Descriptive Analysis".

Application approved partially in the amount of \$800 to be used for supplies.

YOUNG: Requested funds in the amount of \$3,000.00 for undergraduate student research on SeaHorse Key, FL.

Application not approved at this time. The applicants are invited to re-submit for reconsideration this Fall.

GONZALEZ-ABELLAS: Requested funds in the amount of \$2,900.00 to publish, "Visiones Del Exilio: Para Leer A Zoe Valdes"

Application approved fully.

The amount of funds awarded is \$23,450.00. If Kenton Stone can reschedule his travel for after July 1, the committee will fund his project up to the amount of \$3,000. This would then leave a balance of 19,550.00 for Fall awards.

**International Education Committee  
May 3, 2007, International House**

In attendance: Azyz Sharafy, Dmitri Nizovtsev, Kent Stone, Brian Ogawa, Betsy Campbell for Shirley Dinkel, Matt Arterburn for Vic Landrum, Alex Glashausser, and Baili Zhang.

1. Minutes of April 5 '07 meeting were approved as corrected.
2. Zhang reported that in recent weeks WU hosted delegations from France, China, and India. Several members of the IEC were involved in the reception. Zhang also reported that Phi Beta Delta inducted four new members: Shirley Dinkel, Tom Prash, Bassima Schbley, and Courtney Sullivan. IEC members were encouraged to seek membership.
3. Zhang requested that all members whose terms expired this year return for the 07-08 year to maintain continuity to ensure continuity and smooth WTE implementations.
4. Faculty international travel requests were reviewed. The following proposals were recommended for funding:
  - Kim Morse: \$713 to Canada
  - David Freeman: \$1,200 to England
  - Ed Navone: \$1,028 to Ireland
  - Susie Proyer: \$1,200 to China
  - Nan Sun: \$500 to Canada
  - Cecil Schmidt: \$403 to Canada
  - Brad Borden: \$1,200 to Germany

Dmitri Nizovtsev's proposal was suggested to be funded using a different source because of the nature of the trip. Angela Crews' and Gordon Crews' proposals were tabled because a major piece of the initial funding (the major research grant) had not been secured. Re-filing in the fall was suggested unless proof of adequate funds could be shown by May 10, in which case, the committee would review them and vote by email.

Respectfully submitted,

Baili Zhang

**MINUTES**  
**ASSESSMENT COMMITTEE**  
Thursday, October 12, 2006  
Cottonwood Room  
1:30 p.m.  
(Approved by Committee 11/16/06)

The following members were in attendance: Donna LaLonde (chair), Nancy Tate, Denise Ottinger, Joanne Altman, Patti Bender, Jane Carpenter, Melodie Christal, Jim Hoogenakker, Catherine Mallett, Diane McMillen, Kandy Ockree, Bassima Schbley, Don Vest, and CJ Crawford (secretary).

**ASSESSMENT WEB SITE**

Donna showed and talked about the Assessment web site. The Mission Statement should relate to the program's mission concerning student learning, and should be in both the catalog and online. There should be consistent language in the Mission Statement from department to department. Donna asked the members talk to the departments/areas they represent and encourage them to review their current Mission Statement. Donna will forward a sample of a template previously worked on by the committee to the members.

The plan for the web page is that it will be the system that will capture goals, objectives, the method of assessment, and the plan. It is recommended that when developing the plan, the areas should think about what is reasonable for them.

There is an evidence area which would be preferred to have available from the public side as long as the information is in summary form. It was suggested that templates should probably be provided on how evidence should be collected. If any of the members are in an area or know of one that has a way of good method for collecting evidence, please share it with the committee. The most important thing to capture is the feedback loop. Program changes need to be documented.

Donna suggested that the Department liaison structure be revitalized, and that the Department Chair and the liaison would have update access for the web page. Committee members are asked to help identify who the liaisons are for the departments/areas they represent and forward these names to CJ Crawford (cj.crawford@washburn.edu) by November 1.

**OASIS**

This is the new Assessment Office for HLC. They have instituted an academy, and participation is a four-year commitment. By participating in the academy, assessment of student learning will be addressed through the OASIS project, and will provide the evidence for Criterion 3 related to student learning. Washburn has been accepted and will start with the academy in February. Ron Wasserstein and Donna LaLonde are going to a workshop in January and will know about the structure and have more information after that visit. For the academy, the most important Assessment needs for Washburn were identified as General Education and WTE.



**CLA – Collegiate Learning Assessment**

This is for testing general knowledge, and Washburn is going to pilot the writing assessment in the spring, which may replace the EN300 placement exam. A representative is also speaking to KBOR at a meeting next week.

**CAPSTONE FOCUS GROUPS**

Melodie and Denise are looking for volunteer senior classes again this year. The group session is about ninety minutes, and the questions are aligned with NSSE.

Departments/areas can also add specific questions. The results of general questions from last year still need to be summarized and haven't yet been distributed. The answers to specific questions were sent back to the area. The results from the first year were given to this committee and sent back to the departments. If anyone is interested in having a senior class participate, contact Melodie Christal.

**BUDGET –**

Donna asked members to talk with the units they represent regarding budget needs – are there outside things they aren't using due to cost? Donna would like a report back from committee members about concerns of the areas they represent. There was a question about time for faculty who serve on the Assessment Committee or as Assessment liaisons.

A WTE Assessment Committee has been formed and is chaired by Cindy Hornberger.

CJ will send an email to the members to determine their availability for the November meeting on either 11/9 or 11/16 at 2:00 p.m.

The meeting adjourned.

**MINUTES**  
**ASSESSMENT COMMITTEE**  
Thursday, November 16, 2006  
Cottonwood Room  
2:00 p.m.  
(Approved by Committee 2/14/07)

The following members were in attendance: Donna LaLonde (chair), Nancy Tate, Denise Ottinger, Joanne Altman, Patti Bender, Melodie Christal, Jim Hoogenakker, Catherine Mallett, Diane McMillen, Susie Pryor (for Kandy Ockree), Patricia Renn-Scanlan, Bassima Schbley, Don Vest, and CJ Crawford (secretary).

The committee approved the minutes of October 12 as distributed.

A list of assessment liaisons was handed out. Donna said that she had received positive feedback from some departments about revitalizing the department liaison structure.

**ASSESSMENT LIAISON WORKSHOP**

An Assessment Liaison Workshop has been scheduled for Friday, January 26, 2007 at 3:00 p.m. While this would cause a conflict for a few of the liaisons, the committee members felt that it would be best to leave it on that date instead of moving it to the preceding Friday. Moving the workshop to the following Friday would conflict with the Faculty Development Workshop.

The focus of the workshop will be to inform the liaisons about the local expertise and provide an opportunity for departments with common challenges to get into working groups. Donna suggested that a couple of the local experts could make presentations about something that has worked well for them (Potential presentations include: Catherine Mallett could give a brief presentation on the development and implementation of rubrics, Patti Bender could talk about curriculum mapping, the School of Nursing could talk about portfolios and the use of external exams to inform curriculum decisions) The liaisons would be asked to bring their top three challenges and top three successes. Refreshments will be served and the Assessment committee is invited.

It was suggested that while many of the liaisons are also department chairs, it may be best to invite all department chairs as this will help them to understand what the liaisons will need from them. It was also recommended to invite the deans and associate deans to the first part of the workshop involving the presentations.

After a discussion, it was decided to ask the liaisons to submit a summary of their department's or unit's assessment process and their three challenges for assessment prior to the workshop. The committee could then review them to help identify the most common topics for presentation and to determine how to break up the liaisons into working groups. CJ will send out an email on November 17 to all liaisons and the information will be due back by Tuesday, November 28. It will then be sent to the committee members to review around November 29, and their comments will be due

back to CJ by December 8. It was suggested that a copy of the mission goals and objectives and a mission template be handed out at the workshop. It was also recommended that some type of chart be developed and distributed showing the structure of the Assessment Committee and the relationships of the committee members and liaisons.

### **ASSESSMENT WEB PAGE**

The Assessment tab was added during the last MyWashburn upgrade – the tab is now displayed to anyone who has the faculty or advisor role. The Assessment site is designed so liaison, department chair, and department secretary will all have edit/upload privileges; and the rest of the faculty will have view only privileges. The functionality of the site will be discussed at the January workshop.

### **MISCELLANEOUS**

The efforts and significant time (both professionally and personally) that people are putting into assessment are really recognized.

Donna noted that Ron Wasserstein is conducting focus groups with faculty regarding the NSSE survey results.

A question was raised about getting a template for the mission statement. Nancy Tate said that it had been discussed with the deans at their meeting and they were somewhat reluctant to make it a standard because it would take away from the uniqueness of the mission.

The Assessment link on the VPAA page needs to be removed as it is now obsolete.

Donna asked for suggestions on how to make this committee more active and functional – the committee's role is advisory. She suggested that possibly the committee could pick topics they would like to have someone make a presentation about. Other suggestions:

- Poster session on what other units are doing in terms of assessment – sharing of ideas.
- Possibly the committee could review the assessment part of the program review documents.
- Cumulative assessments – what are examples, what do they look like?
- How to develop a rubric.
- Gather information from departments on the process they are using, assembling it and distributing it to departments for reference.

The meeting adjourned.

**MINUTES**  
**ASSESSMENT COMMITTEE**  
Wednesday, February 14, 2007  
Cottonwood Room  
3:00 p.m.  
(Approved by Committee 4/10/07)

The following members were in attendance: Donna LaLonde (chair), Denise Ottinger, Joanne Altman, Melodie Christal, Catherine Mallett, Kandy Ockree, Patricia Renn-Scanlan, Bassima Schbley, Don Vest, and CJ Crawford (secretary).

The committee approved the minutes of November 16 as distributed.

Donna thanked Cathy Mallett, Patti Bender, Jane Carpenter and Debbie Isaacson for their presentations at the liaison workshop. There has been very positive feedback on the workshop from attendees.

From the questions and discussions during the workshop, it appeared that there was interest in the development of rubrics. Donna asked if a workshop should be held just for rubric development for those who have an interest and also those with expertise. After discussion, it was decided to hold a workshop on Saturday, March 31 from 9:00 a.m. to 12:00 p.m. with a brunch. Bassima offered assistance with the menu. Donna will draft an email invitation to be distributed to all faculty.

Due to many conflicts, the liaison workshop for Friday, February 16 has been canceled. One of the items to be covered at the next liaison workshop scheduled for Friday, March 16 is to present the form for standardizing summary data. Donna will send the agenda items for the March workshop to CJ to distribute.

It was recommended that a job description be developed for Assessment liaisons.

The meeting adjourned.

**MINUTES**  
**ASSESSMENT COMMITTEE**

Tuesday, April 10, 2007

Shawnee Room

3:00 p.m.

The committee approved the minutes of February 14 as distributed.

Donna LaLonde said that the Rubrics and Rolls workshop went very well with a good turnout. Most disciplines were represented. There was one concrete thing that came from the workshop – the attendees agreed that Howard Faulkner, Margy Stewart, Brad Siebert, Roy Sheldon, and other members of the English Department should be invited to either an Assessment Committee meeting or an OASIS Team meeting to explore the potential to develop a common writing rubric which could be used across campus. The goal would be to have a draft for consideration early in the fall. They felt it would establish a level of standards and professors would feel supported so level teaching remains consistent across campus.

The committee members in attendance agreed that some members should meet with Howard and members of the English Department before the end of the spring semester. CJ will send out an email to committee members asking about their availability for the week of April 30.

Donna said that next fall and spring we are going to pilot the Collegiate Learning Assessment (CLA) with 100 freshmen and 100 seniors.

After discussion, the committee agreed to hold another Rubrics and Rolls workshop in the fall. CJ will email open Saturdays between Labor Day and the end of October to the committee members for their availability.

WTE Assessment Committee would appreciate help from committee members to gauge willingness from those programs that do focus groups or surveys to add a WTE question. Committee members will survey their areas to see which departments may do qualitative surveys and report back to the Assessment Committee.

Due to conflicts, the Assessment Liaison Workshop on April 13 is being canceled. Donna will offer to meet with individual departments if they have questions or need assistance.

The committee decided to hold Assessment Liaison workshops once a month in the fall and spring on Friday afternoons – the committee would have a pre-meeting from 1:30 – 2:00 p.m., then the workshop would be from 2:00 p.m. – 3:30 p.m., and then the committee would have a post/planning meeting from 3:30 p.m. – 5:00 p.m. CJ will get the dates set up and send out an email to all committee members and liaisons.

The committee also decided to have a planning meeting the week before fall classes begin, to include lunch.

The meeting adjourned.

## FACULTY SENATE AGENDA ITEM

Date: July 27, 2007

Number: 07-04

Subject: Establishment of a policy relating to the review of student “research”

Description: For various reasons, research involving human subjects is regulated by the federal government and is reviewed by an Institutional Review Board (IRB). According to the Office for Human Research Protections, an agency of the U.S. Department of Human and Health Services, research is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” Within academe, a number of departments/schools offer courses within which an instructor will require students to conduct a research project as part of the course. In many instances, completion of the student project requires the participation of individuals not enrolled in that course and who may not be enrolled at Washburn University. If it is the case that the student project and findings are not presented in a public forum, then the project is not considered “research” and thus would not require IRB review/approval. Nonetheless, the possibility exists that a project may offend or cause harm to the participants and, thus, negatively impact the student, the faculty member, and Washburn University. The question of interest here is whether IRB review/approval should be required for projects conducted as part of a course assignment and which involves individuals (students and/or nonstudents) beyond the classroom.

Financial Implications: None.

Requested Action: The Faculty Senate derive and approve a formal policy as to whether (and under what circumstances) course required projects, while not officially designated as “research,” should be reviewed and approved by the IRB.

Originated by: Nancy Tate, Associate Vice President for Academic Affairs

## Appendix IX: **Grievance Policy & Procedure**

### [A. Terminology](#)

### [B. Access](#)

### [C. Termination of the grievance](#)

### [D. Advice and counsel](#)

### [E. Scope](#)

### [F. Grievance procedure](#)

#### [F.1. Written complaint](#)

#### [F.2. Administrative resolution of the written grievance](#)

#### [F.3. Grievance Hearing Committee](#)

#### [F.4. Grievance Hearing](#)

### [G. Miscellaneous provisions](#)

*It is the policy of Washburn University of Topeka that disputes concerning the terms and conditions of employment of faculty members be resolved, if possible, within the University community and in the best interests of the grievant and the University. A procedure providing a mechanism for the resolution of complaints concerning the terms and conditions of a faculty member's employment is hereby adopted. It shall be the responsibility of all concerned in the grievance process to exercise good faith efforts to resolve grievances in the best interests of the grievant and the University.*

### **A. Terminology**

1. "Faculty member" includes any member of the General Faculty as defined in the University Bylaws.
2. "Grievant" refers to a faculty member who files a grievance.
3. "Respondent" refers to a University employee whose perceived actions or omissions gave rise to the grievance or to a university employee designated by the Vice President for Academic Affairs to respond to the grievance.
4. "Parties" refers to grievants and respondents (and no others).
5. "Unit" refers to each of the School of Law, School of Business, School of Applied Studies, Division of Continuing Education, School of Nursing, the Library, Social Science Division, Humanities Division, Natural Sciences Division, Creative and Performing Arts Division, and Education-HPED Division.

### **B. Access**

Access to the grievance process is a faculty right. Any faculty member may file a grievance. No person shall be penalized for submitting or proceeding with a grievance. No restraining, coercive, discriminatory, or retaliatory action will be taken against a faculty member because of the faculty member's initiation or

participation in a grievance.

### **C. Termination of the grievance**

The grievant may terminate the grievance process at any time by withdrawing the petition. All parties may jointly terminate the grievance by mutual consent. Withdrawal or termination will be in writing and sent to the grievant's immediate administrative supervisor with copies to all parties.

### **D. Advice and counsel**

Each party to a grievance may designate one consenting faculty member to act as an advisor and to assist in the preparation of a grievance or response. Each party may also be represented by counsel.

### **E. Scope**

The grievance procedure provided may be used for any complaint concerning the terms and conditions of a faculty member's employment; provided, however, (a) the policy and procedure shall not extend to complaints concerning petitions for promotion, tenure, termination or non-reappointment and (b) the policy and procedure shall not be applicable to complaints under the jurisdiction of the university's Affirmative Action Policy

### **F. Grievance procedure**

#### **1. Written Complaint**

A faculty member who has a grievance will file a written complaint with the immediate administrative supervisor 1) within 30 calendar days of the date the faculty member knew, or should have known through due diligence, of the situation giving rise to the grievance or 2) as extended by timely attempts to exhaust available informal administrative remedies. The written complaint will include:

- a. Name of the grievant;
- b. Statement of facts giving rise to grievance;
- c. Identification of individuals (if known) whose actions or commissions resulted in the situation giving rise to the grievance;
- d. Identification of provisions of written policies involved;
- e. Date on which the act or omission occurred and the date on which the grievant first gained knowledge of act or omission;
- f. The date of the initial submission of the grievance;
- g. The relief sought.

Once a grievance is filed, it may not be amended.



## 2. Administrative Resolution of the Written Grievance

A faculty member who has a grievance must attempt to resolve the matter through University administrative channels. This attempt should start with the faculty member's immediate administrative supervisor. (This supervisor may or may not be a party to the grievance.) If the grievance remains unsettled, relief shall be sought at the next higher level in the administrative structure, ending with the grievant's Vice President. At each administrative level, the administrator will notify all parties in writing of actions taken. This notification will be given within 14 days of the administrator's receipt of the grievance. If at any administrative level, the grievant considers the matter resolved, the grievant and the administrator will sign a memorandum outlining the complaint and its resolution. A copy of the memorandum will be sent to each party and to each previous administrative level. If the grievant does not consider the matter resolved or if the administrator fails to respond within 14 days, the grievant will, within seven days, notify the administrator and will forward the grievance to the next higher administrative level. The administrator will forward a summary of his/her action to the next high next higher administrative level. Should the grievant fail to notify the administrator within seven days, the grievant is deemed to have accepted the administrator's action (if any) as a final resolution of the grievance. In such a case, the administrator will notify in writing each party and each previous administrative level. Should the matter remain unresolved at the Vice President's level, the Vice President will refer the grievance to the chairperson of the Personnel Committee, who shall convene a grievance hearing as indicated below. The Vice President will also send the grievance, with a summary of actions taken, to the President.

## 3. Grievance Hearing Committee

### a. Committee Selection

Grievance Hearing Committees will be established to hear individual grievances. They will be selected by random draw from the tenured members of the General Faculty and librarians with more than six years service. The President, Vice Presidents and individuals reporting directly to a vice president shall not be eligible for selection. The members of the committee will be informed of the nature of the grievance and the parties named. Members may remove themselves from the committee for bias or conflict of interest. Should any member remove him/herself, the Chair of the Personnel Committee shall draw additional name(s).

Each party, beginning with the most senior in terms of administrative rank, shall exercise one challenge thereby reducing the committee to three members. Should any party not exercise its challenge within three days, the Chair of the Personnel Committee will exercise that challenge without further consultation.

In selecting committee members:

- i. No member will be from the same unit as any party and, in the event that a Dean is a party, no member will be from the Dean's School or College.
- ii. No member will be on a committee currently hearing another grievance.
- iii. No more than one member will be from a single unit.
- iv. The Chair of the Personnel Committee will randomly select three more names than the number of parties to the grievance.

#### b. Committee Chair

Each Grievance Hearing Committee will elect a chairperson from among its members.

#### c. Committee Responsibilities

The Grievance Hearing Committee has the following responsibilities:

- i. To attend all meetings called by the Chair of the Grievance Hearing Committee;
- ii. To ensure that fair and proper procedures are followed;
- iii. To consider all pertinent and relevant evidence in the case;
- iv. To determine matters of fact, to interpret policies and procedures, and to recommend actions to the President.

### 4. Grievance Hearing

Within fourteen (14) days of receipt of an unresolved grievance from the Vice President for Academic Affairs, the Personnel Committee will arrange for the Grievance Hearing. The purpose of the hearing shall be to receive evidence concerning the act complained of by the grievant and to recommend to the President a just resolution of the grievance. The Grievance Hearing Committee shall not be found to follow the rules of evidence governing trials in the state and federal courts but shall take steps to ensure the hearing is conducted in an impartial and fair manner. The Committee Chairperson shall rule upon all procedural matters subject to the objection of a majority of the committee.

All parties to the grievance shall have the right to be represented by counsel and to present evidence and testimony of witnesses. Witnesses may be cross-examined by the parties and the Hearing Committee members. Upon completion of the testimony and submission of the evidence, both parties shall have the right to make a closing statement.

If a member of the Grievance Hearing Committee is unable to continue because of illness or for other good and sufficient reasons, a replacement will be randomly drawn from the tenured members of the general faculty by the Chair of the Personnel Committee, or the Grievance Hearing Committee may continue to operate with fewer than three members if agreeable to all parties. The Grievance Hearing Committee shall deliberate in private in order to review the information presented and arrive at its recommendation.

Within 14 calendar days of the close of the hearing, the Grievance Hearing Committee shall formulate a recommendation based upon the evidence adduced at the hearing. The opinion of the Grievance Hearing Committee shall be reduced to writing and shall include, at a minimum:

- a. Findings of fact on the issues presented in the grievance;
- b. The University policies and procedures applicable to resolution of the grievance and including the committee's interpretation of the policies and procedures; and
- c. Its conclusions as to the allegations of the grievant.

Any member of the Grievance Hearing Committee may submit a minority opinion. The recommendation of the committee and all minority opinions will be forwarded to all parties, and to the President. The President will render the final decision within 14 calendar days. The decision from the President shall be in writing and shall state the reasons for the decision. The President's decision shall be sent to all parties and to all administrators who had previously received the grievance.

#### **G. Miscellaneous provisions**

Grievance hearings will not be started after the beginning of final exams of the Spring Semester in the College of Arts and Sciences until the date of registration of the College for the Fall Semester, unless all parties agree otherwise. Grievances filed during that period will be processed after the date of registration of the Fall Semester.

Following grievance any party can appeal within 30 days to the President of the University and then within 30 days to the Board of Regents. The President and Board of Regents each will respond within 30 days. The appeal to the Board of Regents will constitute the final step in the internal remedies available to the faculty.

**Process and procedure for faculty violation of Washburn University's Conflict of Interest policy:**

If a faculty member is informed of a potential violation of the Washburn University Conflict of Interest Policy, he/she may reach an agreement with the Vice President of Academic Affairs (VPAA) for an acceptable resolution of the issue at hand; if so, then no additional action is necessary. In those instances when the faculty member involved is unable to resolve the issue with the VPAA, then events will proceed as outlined below. At any point in the described process, the accused individual(s) may terminate the process and accept the proposed resolution offered by the VPAA. The accused individual may, at their own choosing, attend any meeting(s) at which the report will be discussed and may obtain legal representation who may accompany the accused to all meetings.

In the following, the phrase "majority" refers to the majority of those physically present. Proxy votes will not be permitted.

1. A *detailed* written report must be submitted by the accuser containing a description of the alleged offense(s) and the manner in which the offense constitutes a conflict of interest. In addition, a written response by the accused must be filed. Both reports must be sent to the Vice President for Academic Affairs. Any documents and physical evidence must be included. Once the report is completed, no additional documentation may be added.
2. A grievance committee composed of representatives from each School and College (selection method to be determined) will be formed to consider the charge(s).
  - a. The task of the grievance committee will be to evaluate the report and to reach a decision as to whether a conflict of interest has occurred
  - b. The committee, by majority vote, can (i) dismiss the allegation that a conflict of interest violation occurred, or (ii) agree that a conflict of interest has occurred and then may impose a penalty. The decisions of the grievance committee may be appealed to the Faculty Senate.
3. If the decision of the grievance committee is appealed, the evidence presented to the grievance committee will be forwarded to the Faculty Senate for consideration.
  - a. If the accused or accusing individual is a member of the Faculty Senate, the accused or accusing individual will not be allowed to vote in Faculty Senate proceedings related to this matter.
  - b. The task of the Faculty Senate will be to confirm or refute that a conflict of interest occurred. Should the decision of the grievance committee be confirmed, the Faculty Senate has the right to modify the penalty proposed by the grievance committee.
  - c. If the Faculty Senate finds by majority vote that a violation of Washburn University's Conflict of Interest policy has occurred and upholds the penalty imposed or imposes a new penalty, the accused may accept the penalty proposed. The decisions of the Faculty Senate may be appealed to the President and/or Board of Regents.

4. The President and/or Board of Regents may uphold or dismiss the conflict of interest violation charge(s) forwarded to them.
  - a. The President and/or Board of Regents, by majority vote, can dismiss the charge of conflict of interest and any and all charges brought in the current matter will be dismissed.
  - b. The President and/or Board of Regents may uphold or alter the proposed penalty. A more severe penalty can only be imposed if approved by a majority of the Faculty Senate.
  - c. If the President and/or Board of Regents upholds the previous findings, the accused will be subject to the penalty imposed and cannot reject or appeal the imposition of penalty.
  - d. If the President and/or Board of Regents by majority vote reject the recommendation of the Faculty Senate, all charges in the current matter will be dismissed.
  
5. Previous changes of conflict of interest can only be used to demonstrate a pattern of Conflict of Interest behavior.

**Faculty Senate Committee Appointments 2007-2008**

**Academic Affairs Committee**

Caren Dick  
Frank Chorba  
Pat Munzer  
Jorge Nobo  
David Pownell  
Patricia Renn-Scanlan  
William Roach  
Karen Camarda  
Tom Prasch

**Faculty Affairs Committee**

Lee Boyd  
Mary Ramirez  
Barbara Ginzburg  
Karen Ray  
Park Lockwood  
Kandy Ockree  
Linda Croucher  
Brenda Patzel  
Mike Russell  
Sharon Sullivan

**Electoral Committee**

Gary Baker  
Gerald Bayens  
Raquel H. Rodriguez  
Courtney Sullivan  
Michelle Shipley  
Rosemary Walker