



**===== FACULTY HANDBOOK =====**

**17th Edition**

**===== FOREWORD =====**

The Faculty Handbook is designed to provide members of the faculty with general information about Western Kentucky University's history, philosophy, organization, policies and procedures, faculty responsibilities and benefits, and various services and facilities. In the interests of brevity and economy, duplication of information available in other University publications is held to a minimum, and references are made to other sources such as the Western Kentucky University undergraduate and graduate catalogs. It is suggested that faculty members familiarize themselves with these other publications in order to be better informed about Western

As the institution is changing constantly, so must the policies and procedures of the University. The current edition of this handbook is available on-line at the Academic Affairs web site. A concerted effort is made to keep the faculty informed of such changes. Suggestions on how future editions of the Handbook can be made more informative may be submitted at any time to the Office of the Vice President for Academic Affairs.

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## ==== INTRODUCTION ====

**History of Western** - As a public institution of higher learning, Western Kentucky University came into existence in 1906 when a bill was enacted by the Kentucky General Assembly creating a state normal school in Bowling Green, headed by Dr. Henry Hardin Cherry. The name of the institution was changed by the Legislature in 1922 to Western Kentucky State Normal School and Teachers College. In 1930 the school's name was changed to Western Kentucky State Teachers College, and in 1948 it was changed to Western Kentucky State College. It became Western Kentucky University in 1966. At various points in the University's history, the separate institutions known as Potter College for Young Ladies, Ogden College, and Bowling Green Business University were incorporated and later memorialized in the titles of three of the University's colleges.

From its beginning as a small state normal school with about 300 students and a dozen faculty members, Western has grown in both size and scope of academic programs. Enrollment has increased from less than 1,700 in the fall of 1955 to over 15,000 students in the fall of 2000. The faculty has grown from fewer than 100 in 1955 to over 560 in 2000 and the number of teaching faculty holding the earned doctorate or other terminal degree has advanced from under 25% to more than 85%. In 1955 Western offered two undergraduate degrees and one graduate degree; currently the University offers four associate degrees, six baccalaureate degrees, five masters degrees, the specialist degree, and cooperative doctoral programs with the University of Kentucky and the University of Louisville. The number of fields in which students may pursue studies has increased substantially during the same period. (For more complete information on degrees and areas of study available see the current Western Kentucky University undergraduate and graduate catalogs).

The physical facilities of the University have undergone tremendous growth, expanding from a few classrooms and offices in one building in 1906 to a main campus of more than 66 modern buildings on approximately 200 acres today. In addition, the University maintains instructional, research, and recreational facilities at the South Campus, the University Farm, the Glasgow Campus, and extended campus centers in Owensboro and Ft. Knox/Elizabethtown.

Extended campus offerings have become an integral part of the educational mission of Western Kentucky University. In 1978, the Council on Higher Education assigned Western Kentucky University the responsibility for an extended campus coordinating area. In the Council's 1989 guidelines, this area is referred to as the Designated Service Area (DSA). Western's DSA includes 27 counties and extends from the Ohio River to the Tennessee border and from the western boundaries of McLean, Muhlenberg, and Todd Counties to the eastern borders of Adair, Russell, and Clinton Counties. The DSA includes three extended campus centers, each having an administrative office with its own director and support staff. The offices are located in Owensboro, Elizabethtown/Ft. Knox, and Glasgow. The extended campus centers are administered through the Office of Academic Affairs of the university.

Many of the ideals upon which the University was founded were expressed by Western's first President, Dr. Henry Hardin Cherry, and are still guiding principles today. For example, Dr. Cherry articulated these goals for Western:

- I. To be a live school and to impart to its students a burning zeal to do and to be something.
- II. To let the reputation of the school be sustained by real merit.
- III. To lead the student to understand that a broad and liberal education is essential to the highest degree of success in any endeavor in life.

Through the years the school has striven constantly to provide its students with varied educational opportunities within an academic climate intended to promote the legitimate objectives of liberal education, democratic citizenship, character development, and the pursuit of excellence.

An interesting and more detailed historical background of Western may be found in Lowell Harrison's book, Western Kentucky University (Lexington: University Press of Kentucky, 1987).

**Vision\*** - Western Kentucky University aspires to be the best comprehensive public institution in Kentucky and among the best in the nation.

**Defining Character\*** - Western Kentucky University shall be the "University of Choice" for students and faculty who are dedicated to academic excellence.

True to the Western spirit, the University offers an inviting, nurturing, and challenging environment, which is responsive to the intellectual, social, and cultural needs of a diverse learning community. Western's success is reflected in the success of its alumni, who are known for their leadership, adaptability, and commitment to Western.

**Mission\*** - Western Kentucky University shall produce nationally and globally competitive graduates and shall provide optimum service and lifelong learning opportunities for its constituents.

\*Drawn from Challenging the Spirit, Western Kentucky University Strategic Plan 1998-2003.

## UNIVERSITY ORGANIZATION AND ADMINISTRATION

**Board of Regents** - the governing body of Western Kentucky University, as provided by Kentucky Revised Statute 164.350. This board is composed of eleven members, eight appointed by the Governor, one elected by the faculty, one elected by the students and one elected by the staff.

**President** - the chief executive officer to whom the Board has delegated authority, as its agent, to direct, govern, and manage the affairs of the University and to make day-to-day decisions and judgments necessary to carry out that responsibility. (See the Appendices for detailed organizational charts.)

**Administrative Council** - the organization that includes officials of the major administrative units of the University: the President, who serves as chairperson; the Provost and Vice President for Academic Affairs; the University Counsel; the Vice President for Development and Alumni Relations; the Vice President for Information Technology; the Vice President for Student Affairs and Campus Services; the Chief Financial Officer; the Chief Public Affairs Officer; the University Athletic Director; and the Associate Vice President for Campus Services and Facilities.

**Provost and Vice President for Academic Affairs** - the administrative officer responsible for academic instruction, research, public service and related support offices. The Associate and Assistant Vice Presidents for Academic Affairs report to the Provost and Vice President for Academic Affairs.

**Vice President for Information Technology** - the administrative officer responsible for the achievement of the University's mission through computing and telecommunications technologies.

**Vice President for Development and Alumni Affairs** - the administrative officer responsible for development and external and alumni relations.

**Vice President for Student Affairs and Campus Services** - the administrative officer responsible for supervision of administrative programs relating to student life and student services.

**Academic Deans** - the administrative officers responsible for the leadership and administration of the academic colleges/areas of the University. Includes the deans of the Gordon Ford College of Business; the College of Education and Behavioral Sciences; the Ogden College of Science and Engineering; the Potter College of Arts and Letters; Graduate Studies and Research; the Bowling Green Community College; and the University Libraries. The Council of Academic Deans is composed of the Provost and Vice President for Academic Affairs (who serves as chairperson), the college deans and Dean of Libraries, the Associate Vice President for Academic Affairs (Academic Programs and Personnel), the Associate Vice President for Academic Affairs (Enrollment Management), and other administrators reporting to the Provost

who may be designated to serve on the Council. The Council provides leadership and coordination for the academic affairs of the university.

**Academic Department Heads (including department co-chairs and division chairs)** - the administrative officers responsible for the leadership and administration of the academic departments of the University. Academic department heads report to the appropriate academic dean. For more information, see the [Handbook for Department Heads](#).

**University Senate** - the agency for the articulation and presentation of the views of the faculty within a collegial system of university governance. In a collegial system authority and responsibilities are shared among colleagues, some of whom have duties as faculty and others as academic administrators. The University Senate functions as the official representative voice of the faculty, advising and making recommendations to the President and Provost/Vice President for Academic Affairs concerning academic programs, requirements and policies, faculty responsibilities and welfare, and other matters of importance to the faculty. The Senate also includes representation from the students, staff, and administration of the university. The complete Charter of the University Senate is included in the Appendices.

**University Curriculum Committee** - a standing committee of the University Senate with responsibilities to review existing programs and new program proposals in light of the university's mission statement; to review any academic matters such as degree and graduation requirements, standards of scholastic achievement, and rules and regulations governing faculty-student relations; to review existing courses and new courses having significant consequences that cross college lines; to study any curricular matter it chooses; and to study matters assigned to it by the Executive Committee of the Senate.

**General Education Committee** - a standing committee of the University Senate with responsibilities to develop and review general education guidelines, performance standards, and course criteria; to review existing courses and to consider new courses proposed for general education; to engage in a continuing evaluation of the effectiveness of the General Education program; to study all matters it chooses pertaining to general education; and to study matters assigned to it by the Executive Committee of the Senate.

**Faculty Welfare and Professional Responsibilities Committee** - a standing committee of the University Senate with responsibilities to make recommendations concerning the responsibilities and obligations of the faculty in their roles as scholars and teachers; to make recommendations on policies, criteria, and procedures for faculty recruitment, appointments, re-appointments, promotions, tenure, post-tenure review, salary, workload, working conditions, summer teaching, sabbatical leaves, leaves of absence, professional travel expenses, off-campus teaching and service, and consulting activities; to furnish advice on policies and procedures relating to retirement programs, insurance plans, sick leave, tenure, and other matters relating to faculty welfare; to study any matter pertaining to faculty responsibilities and welfare it chooses; to make recommendations concerning policies and procedures related to faculty grievances; to establish a pool from which faculty members will be chosen to serve on Faculty Grievance and Continuance Committees; and to study matters assigned to it by the Executive Committee of the Senate.



**Graduate Council** - the body that has general supervision and control over matters of graduate instruction, including admission and degree requirements, curricula, graduate faculty membership, and general academic regulations. The Graduate Council submits recommendations concerning initiation or revision of graduate courses and programs through the University Senate to the Provost/Vice President for Academic Affairs for forwarding to the President and the Board of Regents when appropriate. The Council is composed of the Dean of Graduate Studies and Research as chairperson, three faculty members elected by and from the graduate faculty of each of the academic colleges offering graduate courses, and four students - one graduate student member elected by and from the graduate students of each of the academic colleges offering graduate courses.

**University Teacher Education Committee** - the body that reviews and approves all matters, curricular or otherwise, relating to teacher education programs prior to consideration by the Graduate Council or the University Curriculum Committee. The University Teacher Education Committee is composed of the Dean of the College of Education and Behavioral Sciences, chairperson; the head of the Department of Middle Grades and Secondary Education; the head of the Department of Elementary Education; the head of the Department of Special Instructional Programs; the Director of Teacher Certification; the University Registrar; one academic director from the graduate professional education programs (currently the Associate Dean for Administration and Graduate Programs); one department head or academic director from other professional education programs (rotated annually); one faculty member from each college curriculum committee; one member from the Graduate Council; one member from the University Senate; one undergraduate student; one graduate student; and two public school teachers (appointed by the Kentucky Education Association). All other academic deans have associate membership on the Committee.

**College Curriculum Committees** - the bodies that initially consider proposals for curriculum expansion or revision from academic departments or curricular areas within the undergraduate colleges. Each college curriculum committee is composed of the dean of the college (or designee), the department heads within the college, the directors of other divisions or offices within the college, and one elected faculty member from each department in the college. The college curriculum committees make recommendations to the University Curriculum Committee or the University General Education Committee, and then to the University Senate. Each college also has a graduate curriculum committee to review graduate related matters and make recommendations to the Graduate Council and then to the University Curriculum Committee and the University Senate.

Numerous other departmental, college and university committees also function as part of the academic organization of the university. Information concerning these can be obtained from the administrative offices involved.

## ===== **FACULTY APPOINTMENTS AND RESPONSIBILITIES** =====

**Faculty Appointments** - Appointments of faculty and staff are made by the Board of Regents. Interim appointments may be made by the President subject to ratification by the Board of Regents if the appointment has not been previously so approved. Recommendations to the Board for new faculty and staff member appointments are developed through a cooperative procedure involving department faculty, department heads, college deans, the Provost and Vice President for Academic Affairs, and the President. Incumbent faculty members are involved in the interview phase of recruitment. Normally, recommendations to the Board are made only after the candidates are interviewed; recommended by the search committee, the department head, the college dean, and the Provost and Vice President for Academic Affairs; and approved by the President. The university is an Affirmative Action/Equal Opportunity Employer. What is generally referred to as the contract, outlining the specific terms of employment at WKU, actually consists of the complete correspondence between the President and the prospective faculty member. Unless otherwise specifically stated in writing, new faculty members receive temporary probationary appointments for the duration of one academic year. Faculty members in non-tenure track status may be appointed to annual or multi-year contracts. Notice of appointment is by letter from the President. Enclosed with the letter is a form to be signed by the recipient and returned to the President indicating acceptance or rejection of the terms of employment.

**Faculty Members Appointed to Doctoral Positions Prior to Completing the Doctoral Degree** - Before a faculty member working on the doctorate is appointed by Western to a position requiring a doctorate, the faculty member's graduate advisor should send a letter to Western stating the faculty member's progress and the probable date of completion of the doctoral degree. If the faculty member is hired before completing the degree, the original contract should state that a review separate from the regular annual evaluation will be held during the fall semester of the second year at Western (if the faculty member is still employed at the time) to determine progress toward the completion of the degree. A final review concerning doctoral progress will be held during the fall semester of the third year. If the degree is not completed by the end of the third year, the faculty member will not be rehired for a doctoral position for the fourth year.

**Completion of Doctorate** - Adjustments in salary are effective only twice a year for faculty completing a doctorate where it is a requirement for eligibility for tenure and promotion. They will be made only after unconditional certification has been provided to the Office of Academic Affairs. Appropriate documents are either a transcript indicating the degree has been awarded or an official letter from the graduate office of the doctoral-granting institution clearly stating that all requirements have been met and noting the date when the doctorate will be conferred. A minimum annual salary adjustment of \$1,200 will be added to the salary base effective either July 1 or January 1. In cases where the degree is completed between January 1 and August 15, the adjustment will be made effective or retroactive to July 1. In cases where the degree is completed between August 16 and December 31, adjustment is made effective January

## Faculty Load Responsibilities -

1. Among the components of the total work load of the faculty member are classroom and laboratory instruction; scholarly activities including research and creative endeavors; student consultation and advising; assisting in the administration of the work of the department or college; service on departmental, college or University committees; representing the University in a service or consultative role to schools, governmental or outside agencies; and other duties incidental to the above or as assigned by the head of the department, dean of the college, Provost and Vice President for Academic Affairs, or the President. Faculty members will participate in the evening (or Saturday or extension) instructional program(s) upon request of the department head.
2. The contract requires faculty members to fulfill completely their responsibilities to the academic objectives of the University, college, department, and discipline. Outside responsibilities or personal activities and interests must in no way conflict with the primary obligations of the faculty member to the University. Outside professional obligations such as paid consulting or similar contractual endeavors may be assumed only upon the approval of the department head, the dean of the college, the Vice President for Academic Affairs and, when necessary, the President (see **Outside Employment and Consultation Policy**, p. 19). These activities should in no way interfere with faculty members' meeting their obligations to the University. Personal obligations that interfere with faculty members' fulfilling total faculty responsibilities must be avoided unless provision is made in a special, less-than-full-time contract.
3. The University provides faculty members with office space to facilitate meeting professional responsibilities. These responsibilities include participation in departmental and college business; consulting with, assisting, and advising students; and scholarly activities. The maintenance of office hours for these purposes is a professional responsibility, and hours should be sufficient to fulfill the aforementioned obligations.
4. The typical teaching load for University faculty members is 12 hours per semester or 24 hours per academic year. A 12-hour teaching load represents approximately 75% of the total workload of the faculty member; with the remaining 25% devoted to research and service. Typically, Community College faculty members teach 15 hours per semester or 30 hours per academic year. A 15-hour teaching load represents approximately 90% of the total workload of the faculty member, with the remaining 10% devoted to service. This is based on a total workload of sixteen units.
5. Graduate faculty members have teaching assignments of 18-24 hours per academic year. Within this range, teaching loads less than the maximum must be justified by productive research or creative activity equivalent to the load reduction involved. Graduate faculty members requesting load adjustments must present to the department head a comprehensive written outline and statement of objectives for the research or creative activity on which the adjustment is to be based. The department head and college dean

will assess the proposed project according to the specific criteria applied to scholarly and creative achievements. At the conclusion of the academic year in which a load adjustment has been granted, the faculty member must submit a full progress report to the department head and college dean. This report will be included as a part of the faculty member's annual review and will be taken into consideration when further load adjustments are under discussion.

6. Teaching load for laboratory courses and for special instructional programs in which semester hour equivalents are not applicable is computed according to an approved formula established by the University after the circumstances of the particular course of study are evaluated. Factors taken into consideration are the supervision required of the instructor, the number of laboratory assistants available, the level of instruction, and similar factors. Twenty-four contact hours in laboratory-type classes constitute a full-time teaching load for a semester. Teaching load for the supervision of special readings, research and independent/directed study courses may be assigned on the basis of one hour for each three students enrolled in a three credit hour course (9 student credit hours). Typically, one three-hour load assignment is awarded for directing three completed theses or specialist projects.
7. For the improvement of instruction and for the professional advancement of the faculty through research and service activities, special faculty assignments may be approved on a limited basis in accordance with the following guidelines:
  - In evaluating the justification for teaching load adjustments or assignment of special assistance as a means of instructional improvement, the department head and dean of the college may consider such factors as total student load, level of instruction, contact hours, number and complexity of course preparations, and other similar factors. The department head shall initiate and justify all recommendations for load reductions in this category that are submitted to the dean of the college for approval. The dean of the college shall carefully evaluate the impact of such assignments on the educational program and class schedule of the department. If it is determined that a direct budgetary allocation is necessary, the approval of the Provost and Vice President for Academic Affairs will be required.
  - The dean of the college shall carefully evaluate the impact of such assignments on the educational program and class schedule of the department. If it is determined that a direct budgetary allocation is necessary, the approval of the Provost and Vice President for Academic Affairs will be required.
  - Requests for a special assignment for research or service activity are initiated by the faculty member, who is required to present to the department head a comprehensive outline and statement of objectives for the proposed project. At the conclusion of a semester during which a special assignment has been pursued, the faculty member shall submit a full progress report to the department head and the college dean. The college dean shall submit each semester a summary of these reports to the Provost and Vice President for Academic Affairs. For the guidance of the department head

and the dean of the college the following factors are to be considered in addition to more specific merits of the research or service proposal:

- The contribution that the activity will make to the professional career of the individual or to the educational mission of the University.
  - The usefulness of the project for teaching, including the involvement of students in an educational context.
  - The benefit of the proposal to the university community or to the service region and the patrons of the university.
  - The potential for acquiring outside financial support for the project as a result of the special assignment.
- To insure relative uniformity of the application of these guidelines, the following provisions shall apply to this category of faculty assignments:
    - Within a month after the conclusion of registration, all such assignments shall be reported to the Provost and Vice President for Academic Affairs by the dean of the college.
    - All special assignments for research and service activities shall be made on a tentative basis not later than two months prior to the registration date for the next semester. Such assignments may be finalized during the registration process. Preference shall be given to those projects that may be pursued during the semester of least enrollment for the particular department.
  - Special faculty assignments that involve an adjustment of teaching load for administrative responsibilities within a department or college fall in a separate category and must be approved in advance by the dean of the college and the Provost and Vice President for Academic Affairs.
8. Depending upon the size and complexity of the program and staff in the department, department heads typically teach twelve semester hours each year . Special circumstances may justify deviation from this guideline, in which case the dean of the college should provide proper justification. Academic deans normally are expected to teach one class or perform the equivalent in other duties each semester. Associate and assistant deans teach from one to two classes each semester depending upon the extent of their responsibilities.
9. Typically, six hours is considered a full teaching load for the summer (period between the end of spring semester and the beginning of fall semester). An additional three hours may be assigned if required by the department to meet a special need. Faculty are reimbursed for teaching during the summer as follows:

3 hrs. - 7 1/2% of their base salary with a cap of \$3,250

6 hrs. - 15% of their base salary with a cap of \$6,500

**Academic Freedom** - The University subscribes to the following principles: (1) faculty members are entitled to freedom in the classroom in discussing their disciplines and in selecting

teaching aids and library materials; (2) faculty members are entitled in their areas of specialization to freedom in research and investigation and in the publication of results; and (3) faculty members are entitled to freedom in participating as responsible citizens in community affairs.

The above statement is not to be interpreted as protective of an incompetent or negligent faculty member, nor does it prevent the University from evaluating the work of each faculty member. Faculty members should not introduce into their teaching controversial issues that have no relation to the subject matter. As representatives of a learned profession and of the University, they should remember that the public may judge the profession and the University by their utterances and behavior. Therefore, they should strive at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to indicate that in voicing their personal opinions they do not represent the institution. Faculty members should recognize the right and responsibility of their departmental colleagues to review the selection of teaching materials to insure quality and uniformity of instruction and to insure that budgetary limitations are acknowledged.

**Professional Growth** - It is the policy of the University to encourage the continuous professional growth and development of its faculty members through additional graduate study, research, membership in professional organizations, and attendance at professional meetings and workshops. Requests for leaves of absence for continued study or professional improvement are carefully considered and have normally been approved when feasible. Persons with less than the generally recognized terminal degree in their area of specialization are encouraged to continue work toward that degree whenever possible. In general, the University expects individual faculty members to take the initiative in identifying and meeting their own professional growth needs.

**Professional and Learned Societies** - The University encourages faculty members to join and participate in the activities of professional organizations, associations, and societies. It is not the policy of the University, however, to allow departmental funds to be used for individual membership fees, dues, or other assessments of such groups.

**Research and Publication** - The University encourages faculty members to engage in research and to publish their scholarly efforts whenever possible. Faculty members are completely free to undertake scholarly investigations in their area of specialization. However, research for outside agencies and for pecuniary return must not interfere with regular University duties, and the department head and the college dean should be informed of such activities. Limited funds for faculty research are available through the Faculty Scholarship Committee, and the University encourages faculty to seek external research grants and contracts. The Office of Sponsored Programs is available to assist faculty in locating external funding sources.

**Faculty and Staff Meetings** - Meetings of the faculty and staff are held periodically. These meetings are devoted to matters of professional interest, announcements, and business affairs of concern to the University. Called meetings are held as circumstances require. It is an assigned responsibility for each member of the faculty and staff to be present at these meetings.

**Commencement and Other Convocations** - All faculty members are expected to participate in the formal convocations of the University and to wear academic regalia when appropriate. Specifically, each full-time faculty member should participate in at least one of the two annual commencement ceremonies.

**Course Syllabi and Grading Procedures** - Copies of current course syllabi are to be kept in the department office and are to be available on-line at the department website. The scope and content of multi-section courses taught by more than one instructor are expected to be coordinated by the department head to insure relative uniformity. At the beginning of each course, the instructor will inform each student in writing of the factors to be considered in determining grades and the specific weight to be assigned to each of the factors. In addition, if the course carries general education credit, the syllabus must describe how the course fulfills general education requirements.

**Class Rolls** - Class rolls are made available by the Registrar's Office periodically throughout each term. The first official roll is typically made available by 7:00 a.m. on the first day of each term to the academic departments for distribution to faculty. Students whose names do not appear on the roll are not officially registered. If a student is attending class and the name is not on the class roll, it is extremely important that the instructor send the student to the Registrar's Office. A final class roll, issued just prior to the end of the term, is used for reporting final grades.

**Grading** - In the system of grading employed by the University, the letters A, B, C, D, F, and X are used by faculty members to indicate the achievement or status of students in their courses; in addition, the letters W, NR, NG and P are used in certain specific circumstances. These letters have the following meanings:

- A -Excellent, valued at four quality points for each semester hour
- B -Good, valued at three quality points for each semester hour
- C -Average, valued at two quality points for each semester hour
- D -Below average, unsatisfactory, indicates deficiency, valued at one quality point for each semester hour, but gives credit for graduation provided that with such credits the student's overall scholastic standing is 2.0 or more. In some departments, a course in which a grade of D was awarded may not be counted toward major or minor requirements.
- F -Failure, valued at no semester hours completed and no quality points
- X -Incomplete
- W -Withdrew
- NR -No report (A grade was not submitted by faculty member. Due to extenuating circumstances, the instructor was unable to submit final grades for the entire class. The designation "NR" is not to be used as a grade for individual students).
- NG -Used for certain laboratory experiences and for maintaining matriculation during the thesis writing process.
- P -Pass, Credit is awarded toward a degree, but no quality points are assigned.
- IP -In Progress, restricted to specific courses designed to span more than one term.

Unless approved otherwise, an IP designation unresolved at the end of one year after its assignment will be converted to an F.

Credit for a course in which a grade of "F" has been received can only be earned by repeating the course in residence at Western unless prior approval is given by the head of the department in which the course is taken.

A grade of X (incomplete) is given only when some relatively small amount of work is not completed because of illness or some other reason satisfactory to the instructor. A grade of X (incomplete) will automatically become an F unless removed within 12 weeks of the beginning of the next full semester regardless of whether the student re-enrolls. The grade is not to be used under any circumstances as a substitute for F.

At the graduate level, grades lower than C may not be used in meeting degree or non-degree program requirements. Except in the case of theses or specialist projects, the grade of X (incomplete) becomes F on the student's transcript if the work is not completed within 12 weeks of the beginning of the next full semester. Thereafter, the grade point average will include the F. In the case of theses (599) and specialist projects (699), a grade of X must be reported for each enrollment period prior to submission of the approved thesis or specialist project to the Office of Graduate Studies and Research, after which the grade may be changed.

A student's grades become a part of the official record at the University and are treated confidentially. Except at the student's request, grades will be available only for faculty advisement or other professional uses.

**Grade Reporting** - It is the responsibility of each faculty member to assign and report a grade for each student who is enrolled in class by the deadline specified on the semester calendar. All grades are reported to the Registrar's Office on the final class roll and in accordance with instructions issued by the Registrar. Typically, once reported, a grade may be changed only in case of error in reporting by the instructor and the change must have the approval of the department head. Such changes must be made on the official form provided and available in the Registrar's Office.

Grades will be recorded in the Registrar's Office as reported by the instructor. Students who drop a class within the period indicated for this purpose in the University Calendar will have no grade recorded. After the date on which students may withdraw from a class without a grade, they will be given W or F for the time during which they were in the class as reported by the instructor. In all cases, students withdrawing from classes must secure official permission. In the absence of an official withdrawal, a grade of F will be recorded regardless of the quality of work being done by the student at the time of withdrawal.

In accordance with the Family Educational Rights and Privacy Act (see Appendices), grades may not be posted using the student's name, social security number or other personally identifiable information. Instructors who desire to post final grades or grades for an assignment must use a system by which the student's unique identifier is known only to the student and the instructor.



Grades are a part of the official class record of each instructor. It is a policy of the University that an accurate account be kept of the attendance, grades, and other data of the instructor's choosing that will give an account of the progress students. Grade records should be turned in to the department head if work at the University is terminated. Grade records must be retained for one year and then may be destroyed.

**Tests and Examinations** - Testing and examining procedures are left largely to the individual faculty member.

A schedule of final examinations is provided in the official class schedule bulletin at the beginning of each semester. All finals must be conducted at the periods scheduled unless different arrangements have been made with the department head and approved by the dean of the college concerned.

**Academic Advising** - Faculty advisors are assigned to new students prior to the initial registration. Students who have chosen a major field of study are assisted by faculty advisors from the college and academic department that offers the major. Undeclared students are typically advised by their Freshman Seminar instructors until they declare a major.

The Director of the University Academic Advising Center facilitates academic advising among undergraduate colleges and departments.

Advisors assist students in selecting courses each semester to fulfill general education requirements, pre-major requirements, and major and minor requirements for graduation.

Students desiring to change majors and/or change advisors should obtain an official change form in the University Academic Advising Center.

Students are expected to work with a faculty advisor in preparing an official "Undergraduate Degree Program" form. For baccalaureate students this form is to be submitted after completing 60 credit hours and before completing 90 credit hours. For associate degree students this form should be submitted before completing 30 credit hours of course work. Listed on the form are all courses "completed" and all courses "to be taken" to complete the course requirements for a degree.

**Field Trips** - Fields trips that are listed as part of the course description in the University Catalog are considered "regular field trips" and require only that the department head, the college dean, and the Dean of Student Affairs be notified and provided a list of students making the trip. Trips not listed as part of a catalog course description are "special field trips" and require approval through a "Request for Special Field Trip Approval" form. Copies of this approval form may be obtained from the departmental or college office.

It is important that each faculty member supervising any field trip ascertain that the trip constitutes an authorized University activity in accordance with the above paragraph. Participation in a non-authorized activity would expose the faculty member to the risk of personal legal liability.

**Extra-Curricular Duties** - Faculty members are expected to contribute to the university community by participating in extra-curricular functions, by serving on campus committees, by acting as faculty sponsors and advisors to student organizations, etc.

**Office Hours** - Faculty members are expected to post class schedules and office hours. Faculty members have a responsibility to provide to the department head and students each semester their office hour schedule. Inability to meet classes or to maintain office hours should be reported to the department head.

**Absence from Work** - All faculty members are expected to meet their classes regularly and promptly at the scheduled time. The department head should be notified immediately of illness, death in the family, or other emergencies necessitating absence from the campus. Sick leave and annual leave are not provided for nine-month faculty appointments.

**Policy Against Sexual Harassment** - (Adopted in 1992 and revised in 1998 by WKU Board of Regents.) Western Kentucky University is committed to providing a working and learning environment that is free from sexual harassment, and it is the policy of this University that sexual harassment in any form will not be tolerated. Management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent sexual harassment. All members of the University community, employees, and students are required to promptly report conduct that could be in violation of this policy.

The University will take measures to periodically educate and train employees regarding conduct that could constitute a violation of this policy. All management and supervisory personnel are expected to participate in such education and training and to be knowledgeable concerning the University's policy.

All members of the University community are required to comply with the policy and procedures outlined to address complaints. In addition to the procedures outlined herein, discrimination and harassment complaints may be filed with the U.S. Equal Employment Opportunity Commission or U.S. Department of Education, Office for Civil Rights. Any complaint of sexual harassment filed under the University's policy shall be processed even if the complainant also files a complaint or suit with an outside agency, U.S. Equal Employment Opportunity Commission, or U.S. Department of Education, Office for Civil Rights. Retaliation against anyone who makes a complaint or participates in the complaint process will not be tolerated.

The University will (1) respond to every complaint of sexual harassment reported, (2) take action to provide remedies when sexual harassment is discovered, (3) impose appropriate sanctions on offenders in a case-by-case manner, and (4) protect the privacy of all those involved in sexual harassment complaints to the extent it is possible. The above actions will apply to the extent permitted by law or where personal safety is not an issue.

## Definition of Sexual Harassment

Sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
3. such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially interfering with, an individual's work or academic performance by creating an intimidating, hostile, or offensive working or educational environment.

Harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the University's educational mission.

## Reporting Suspected Sexual Harassment

Any individual who believes he/she may have experienced sexual harassment, or who believes that he/she has observed sexual harassment taking place, should **report** this information immediately to one of the following "**reporting officials**":

1. Equal Opportunity / 504 / ADA Compliance Officer  
Room 445, Potter Hall / 745-5121
2. The Director of Human Resources  
Room 42, Wetherby Administration Bldg. / 745-5360
3. The Dean of Student Life  
Room 442, Potter Hall / 745-2791
4. The Associate Vice President for Academic Programs and Personnel  
Room 239, Wetherby Administration Bldg. / 745-5468

Reports/complaints, whether informal or formal, received by the Director of Human Resources, the Dean of Student Life, or the Associate Vice President for Academic Programs and Personnel must, in turn, be immediately reported to the Equal Opportunity / ADA Compliance Office.

University Ombudsmen: The University has designated six (6) individuals to serve as University Ombudsmen. Information concerning the names, addresses and telephone numbers of these individuals is available in each of the offices listed above. **Ombudsmen are available to**

**provide only information and clarification regarding the University's policy and are not authorized or designated to receive, investigate, or resolve complaints, or otherwise participate in the complainant process. Information disclosed to an Ombudsman by any person is confidential and therefore will not be forwarded to the official(s) listed above.** If a complainant desires to report a complaint of sexual harassment, he/she must do so to at least one of the four reporting officials listed above, in accordance with this policy.

Unless otherwise provided herein, investigation of sexual harassment complaints shall be the responsibility of the Equal Opportunity / ADA Compliance Office ("investigator").

**Outside Employment and Consultation** - Normally, the primary responsibilities of the faculty member include classroom teaching, student advisement, research and writing, work on faculty committees and similar duties. However, faculty members may undertake responsibilities above and beyond these duties with prior approval of the university. A standard university form is available for submission of requests for such approval. It is assumed that preparation for and involvement in such activities will not interfere with the faculty member's primary responsibility to the university and that care will be taken to insure proper fulfillment of these obligations. The following guidelines govern such additional workload activities:

- A. Extra-university consulting and other professional activity - Institutions of higher education and their professional employees are obligated to encourage and assist with the transfer of knowledge from the university community to society in general. Activities such as those which are the subject of this policy are a primary means of accomplishing this goal. In addition, such activities provide the opportunity for individual professional development and enhancement of job satisfaction by those participating in them.

It is the purpose of this policy to establish as an integral part of the university program a means by which faculty and other personnel may participate in professional consulting and service activities while full-time employees of the university.

Approval to participate in such activities will be granted according to procedures outlined below, provided the purposes of the activity are clearly identified and are found to be consistent with this and other university policies.

Definitions: For the purpose of this policy, extra-university consulting and other professional activity shall include those professional services provided by an individual employee to an individual, agency, or firm for a salary or for a fee. Such activity will not normally involve the use of university material, equipment, or services; neither shall the name or image of the university be used in any manner to suggest institutional endorsement or support of a non-university enterprise. Requests for participation in outside professional assignments that **do involve use** of other university personnel, facilities, material, or equipment should be performed on a contractual basis through the university rather than on an **individual consulting basis**.

Excluded from this policy are outside summer consulting and employment activities by nine-month faculty members who have no summer term teaching responsibilities and

who seek to participate in such activities during the period after spring commencement and prior to the beginning of the ensuing fall term.

Also excluded from this policy are those "occasional or incidental" professional activities that do not conflict with the spirit or intent of this policy and the procedures for implementing it. "Occasional or incidental" professional activities are one-time activities or services to organizations other than the university, such as participation on agency proposal review panels; site visit teams' voluntary services to professional organizations; delivery of occasional lectures or seminars at other institutions; office or telephone consultations of a brief duration or nature; reading and evaluation of manuscripts or writing reviews; and serving as an expert witness or rendering of professional opinions in depositions. Since consulting activities may be a component of faculty evaluation in the area of public service, it is the responsibility of the individual employee to report consulting activities to the administrative unit head regarding involvement in such occasional and incidental services.

Procedures: The variety of outside employment and consulting situations available to the professional and the potential of these activities to detract from the services contracted to the university require that each applicant and his or her superior examine carefully each opportunity on an individual basis.

Written approval to participate in activities covered by this policy will be provided when all of the following conditions are met:

1. The purposes of the activity contribute to and are consistent with those programs of the participant's department or unit.
2. Other normal university duties and responsibilities can be met without reassignment to others.
3. There is no conflict of interest involved.

To initiate the request for approval, the employee must complete the standard form designed for that purpose. The following information must be provided: the specific nature of the work to be performed and its relationship to ongoing university purposes; an estimate of the amount of time involved; the duration (and, if appropriate, the frequency) of the services to be provided (hours, days, or months); and the specific hours, days or months involved.

The request for prior approval shall be submitted for review to the participant's administrative unit head, who will subsequently forward it through channels with a recommendation to the appropriate vice president. Such requests shall become a matter of university record maintained in the office of the Provost and Vice President for Academic affairs. That office shall review each request and the accompanying recommendations and approve them, provided they are consistent with the provisions of this and other university policies and related administrative procedures. The participant and those reviewing the request will be provided written notification of action by the vice president.

Semiannually the Provost and Vice President for Academic Affairs shall report to the President a summary and analysis of requests received including a list of those approved and disapproved.

When activities covered by this policy are of a continuous or prolonged nature (one semester or more) or when one person requests participation in more than one such activity during an academic term, careful consideration must be given to the proposed schedule of services as they relate to designated responsibilities of the university employee. Any long-term involvement is subject to periodic review by the university, and a request for approval must be filed at least annually (preferably at the start of each academic year). The frequency and duration of professional activities shall be the primary considerations in the review process.

Limitations: Individuals subject to this policy whose annual working appointments are for a period of 9 or 10 months are provided up to four (4) working days per full calendar month for participation in the activities covered by this policy during their annual appointment. For individuals holding a nine- or ten-month annual appointment who assume summer term responsibilities with the university, one additional day per full calendar week employed during the term of summer is available to participate in activities covered by this policy.

University personnel subject to this policy who receive annual appointments of 11 or 12 months are allowed up to four (4) working days in the calendar month to participate in the activities covered by this policy. Because of the importance of persons holding executive, administrative, and managerial positions to the daily operation of the university, these persons are urged to limit such activities to periods when the university is not in session and their services are less likely to be required.

Implementation and interpretation: It is the intent of this policy to provide a framework within which decisions regarding the use and availability of university resources can be made. The employee-employer relationship that exists between the university and its duly appointed personnel also provides a basis for decisions regarding activities which are the subject of this policy. It is, therefore, the obligation of each person seeking to participate in such activities and his or her supervisors to share the responsibility for following the procedures outlined above.

#### B. Internal consulting, participation in funded projects, and supplemental pay.

This policy establishes a means by which faculty and other professional staff may participate in intra-university consulting and service activities while full-time employees of the university. Activities such as those which are the subject of this policy provide the opportunity for individual professional development of those participating in them and are strongly encouraged.

Policy: It is the policy of the university that incidental internal consulting is normally considered to be included in the base pay of faculty, professional non-faculty, executive,

administrative, and managerial personnel. Additional or supplemental compensation is allowable in those unusual cases when all of the following circumstances exist:

- Services are performed in addition to those associated with the person's salaried employment.
- Services are provided across departmental lines.
- Prior approval of the University has been obtained.

The rate of compensation for intra-university consulting must be consistent with the fee or rate that normally would be paid to persons from outside the university with equivalent credentials who would provide the same services. In setting the rate of compensation, careful consideration must be given to possible sources of documentation that will indicate that the fee recommended for the university employee is not more than that charged by external consultants.

Procedures: All requests for advance approval of internal consulting must be submitted to the administrative unit head or director and forwarded through the appropriate dean or supervisor to the appropriate vice president. The President will act upon the request after receiving the recommendations provided by the vice president.

Supplementary pay for responsibilities accepted that relate to the program and operation of a departmental unit during the summer term is covered under other policies and procedures.

Except as cited above, all other supplemental pay, including that for participation in funded projects, shall be processed as a part of the regular payroll distribution system (including appropriate withholding and university contributions). For faculty members and others covered by this policy who participate in projects funded by a state, federal, or other external agency, prior approval of the university must be obtained through the established administrative channels.

When considering requests for involvement in activities for which supplemental pay will be provided, the faculty member and each administrator must carefully examine the extent of the involvement in view of other university responsibilities, extra-university consulting, and other professional activities. In the event that the total professional involvement of the participant will equal or exceed the normal university load by 25 percent over a period of any one semester, an adjustment in workload will be made or the request will be denied. In either event, a written justification will be forwarded to the President for final consideration. A record of action and justification will be placed in the university official files maintained by the appropriate vice president.

**Faculty Evaluation** - Each faculty member is evaluated by the department head on the bases of effectiveness as a teacher; relationship with students and with colleagues; cooperation in departmental, college and university activities; research; university and public service; and continuing professional development. The department head forwards a recommendation relative to salary increment, promotion, and/or tenure to the college dean, who makes a similar

evaluation and forwards his/her recommendation and the recommendation of the department head to the Provost and Vice President for Academic Affairs. The President receives a recommendation from the Provost and Vice President for Academic Affairs and forwards his/her own recommendation to the Board of Regents, which makes the final decision on such matters.

All non-tenured and tenure-track faculty are evaluated annually. For tenure-track faculty a specific evaluation of their progress toward tenure is also completed each year. For tenured faculty an annual post-tenure review is carried out.



## **===== FACULTY PROMOTION AND TENURE =====**

**This policy was revised and approved by the Board of Regents on April 29, 2005**

### **Rank and Promotion Requirements**

#### **I. Rank and Promotion**

Faculty rank and promotion in rank at Western Kentucky University are based on criteria adopted by the Board of Regents.

##### **A. General Principles**

1. Rank is granted on the basis of academic qualifications, experience, and demonstrated achievement. The criteria stated below will serve as guides in assigning academic rank. Exceptions to these criteria may be made in situations where the candidate shows exceptional credentials based upon (a) academic qualifications; (b) experience; or (c) demonstrated achievement in teaching effectiveness, research/creative activity, and university/public service.
2. The department head and departmental faculty within each academic unit have the responsibility of developing specific criteria for determining what constitutes "demonstrated achievement" for each rank. These criteria must conform to minimum university standards listed below and must be distributed to each faculty member. Guidelines for all ranks must be recommended by the department head, the academic dean, the Provost and Vice President for Academic Affairs, and the President and approved by the Board of Regents.

#### **II. Criteria for Individual Ranks**

##### **A. Professor**

1. Academic Qualifications: The earned doctorate or the appropriate terminal degree in the profession.
2. Experience: A minimum of five years' service at the rank of associate professor.
3. Demonstrated achievement appropriate for this rank in teaching effectiveness, research/creative activity, and university/public service.

##### **B. Associate Professor**

1. Academic Qualifications: The earned doctorate or the appropriate terminal degree in the profession.
2. Experience: A minimum of five years' service at the rank of assistant

professor.

3. Demonstrated achievement appropriate for this rank in teaching effectiveness, research/creative activity, and university/public service.

OR

1. Academic Qualifications: Master's degree plus advanced graduate study equivalent to all courses except dissertation (ABD) in the appropriate discipline.
2. Experience: A minimum of ten years' service at the rank of assistant professor.
3. Demonstrated achievement appropriate for this rank in teaching effectiveness, research/creative activity, and university/public service.

C. Assistant Professor

1. Academic qualifications: The earned doctorate or the appropriate terminal degree in the profession, or the master's degree plus at least twenty-four semester hours' graduate work related to the faculty member's academic area.
2. Experience: A minimum of three years' service at the rank of instructor (maybe waived for persons holding the doctorate).
3. Demonstrated achievement appropriate for this rank in teaching effectiveness, research/creative activity, and university/public service.

D. Instructor

1. Academic Qualifications: Master's degree or demonstrated ability in the field in which the candidate is employed.

III. Criteria for Promotion Recommendations

A. General

Promotion decisions at Western are made at six levels: recommendations from department peer review, the department head, the academic dean, the Provost and Vice President for Academic Affairs, the President, and approval by the Board of Regents.

Review at all levels will apply the standards for promotion set by the University. The academic deans will establish and preserve for the various disciplines levels of achievement that equalize the rigor with which candidates from different departments are judged. The standards developed by each academic department must be in compliance with the standards stated here and should serve to state explicitly the requirements for promotion within a specific department.

University policy requires the following for promotion at every rank:

demonstrated achievement appropriate for this rank in teaching effectiveness, research/creative activity, and university/public service.

Demonstrated achievement will be considered only as it is relevant to the individual's area of professional competence. Only contributions since the last promotion will be considered for the next promotion. It is the responsibility of the candidate seeking promotion to provide promotion committees with the appropriate evidence on which to base a decision. **Departments will develop specific quantitative and qualitative criteria appropriate to their disciplines, and evaluation of all areas, both at the departmental and at the academic deans' levels, will take these criteria into consideration.**

B. Academic Qualifications

1. See University Rank and Promotion Requirements (pages 23 and 24).
2. In some areas professional certification and the related license to practice may be required.

C. Areas of Performance

1. Teaching Effectiveness--Evidence in this area may include, but is not limited to, the following:
  - a. An evaluation of both the systematic organization of appropriate materials for presentation and communication to students of course objectives, plan of study, and means of student performance evaluation.
  - b. An evaluation of the effectiveness of presentation by lecture, discussion, assignment and recitation, demonstration, laboratory exercise, practical experience, consultation, field trips, computer-assisted instruction, reading lists, filmed or videotaped materials, simulations, games, etc.
  - c. An evaluation of assessment procedures such as tests, grading practices, and clinical performance.
  - d. An evaluation of professional responsibilities such as in meeting classes; holding office hours; providing academic advising to students; returning materials in a timely fashion; making clinical assignments; supervising students; and treating students in a fair, impartial, and respectful manner.
  - e. An evaluation of the effectiveness with which students are

stimulated to develop critical and/or creative abilities and intellectual curiosity by such means as independent study or thesis projects.

- f. An evaluation of the knowledge of recent discoveries and literature in the field; the use of the latest scientific/technological innovations; participation in professional activities, such as training programs, technical seminars, self-study programs.
- g. Student feedback from course appraisals (e.g., SITE); student performance on departmental exams; comments from peers, students, and alumni.
- h. An evaluation of cooperation in developing, scheduling, and teaching general undergraduate and graduate courses on and off campus.
- i. An evaluation of the development of textbooks, workbooks, manuals, tapes, slides, online materials, other print and non-print learning resources developed primarily for classroom use.
- j. An evaluation of the success of students on uniform examinations, in acceptance to graduate and professional programs, in winning awards, in job placement, or in other highly significant achievements.
- k. Documentation of direct assistance in helping students find appropriate employment.
- l. Development or use of web-based courses.

Research/Creative Activity--Evidence in these areas may include, but is not limited to, the following:

- a. Publication of books, monographs, articles, maps, bibliographies, indexes, catalogs, textbooks, and papers in professional journals; production or direction of non-print media work; reports to federal, state, or local agencies; cases.
- b. Presentations of papers, cases, media productions, etc., at professional and other scholarly meetings.
- c. Participation in studies, programs, creative activity supported by extramural funds.
- d. Production and display of musical compositions, paintings,

sculpture, ceramics, weaving, photographs, graphics and other works of art; recitals, choreography, stage design and construction, costuming, direction; production of film and videotaped materials.

- e. Inventorship or co-inventorship leading to U.S. and/or other patents.
- f. Participation in the development of innovative curricular materials such as curriculum guides, computer-assisted instruction, online resources, software, lab equipment, videotapes, films and film strips, manuals, workbooks, tools, or models which break new ground and successfully advance concepts, ideas and approaches that transcend ordinary instructional material.
- g. Invitations to conduct research at other universities or research-oriented agencies; to prepare questions for professional examinations.
- h. Continuation of current research or other creativity not yet resulting in publication, performance, or display.

University/Public Service--Evidence in these areas may include, but is not limited to, the following:

- a. Service on departmental, college, and university committees, councils, and senates; in appropriate professional organizations as officers, editors, or referees; to local, state, and/or national governmental and advisory boards, agencies, commissions; to business and industry or private citizens as technical expert or member of policy advisory committees; as organizers/directors of seminars, workshops and/or other conferences.
- b. Participation in meetings, symposia, conferences, workshops; in radio and/or television by developing and presenting materials for public awareness; conducting or performing.
- c. Work with schools through contact with teachers, administrators, students; through participation in science fairs, college day programs, lectures, performance, in-service programs; through advice on curricular matters, pedagogy, and the like.
- d. Direction of internships, cooperative education, practica; learning laboratories; professional clubs and other organizations.
- e. Advisement to student organizations.

- f. Preparation of grant proposals for instruction, research, and administrative support activities.
- g. Provision of professional services to individuals, groups, and the community.

#### D. Levels of Performance

##### 1. Promotion to Full Professor

- a. Teaching Effectiveness--consistently above the average level of performance according to departmental standards.
- b. Research/Creative Activity--a record of significant and high-quality productivity.
- c. University/Public Service--a record of significant and high-quality productivity.

##### 2. Promotion to Associate Professor

- a. Teaching Effectiveness--attainment of at least the average level of performance according to departmental standards.
- b. Research/Creative Activity--tangible evidence of high-quality productivity.
- c. University/Public Service--tangible evidence of high-quality productivity.

#### IV. Procedures for Recommending Promotion

- A. To initiate consideration of candidates for promotion, the head of the department annually informs all faculty members that a promotion review is forthcoming and invites candidates to supply relevant information by a specific date if the candidates believe they qualify for consideration under the criteria stated above.
- B. If there are candidates for promotion, the academic department establishes a Rank and Promotion Committee composed of all tenured faculty members in the department holding an academic rank higher than that of the candidate. The committee elects a chair. The department head serves as an ex-officio, non-voting member of the committee, except in cases where the department head is a candidate for promotion. For departments with fewer than six tenured faculty members holding academic rank higher than that of the candidate, a sufficient number of tenured faculty of the same rank as the candidate will be added to bring the committee to six. These faculty will be selected based on seniority in that

rank at Western Kentucky University. If a department has fewer than six tenured faculty members of the same or higher rank as the candidate, the committee will consist of all tenured faculty in the department of the same or higher rank as the candidate. Committee members who are candidates for promotion are not permitted to be present during deliberations on their rank.

- C. The department's Rank and Promotion Committee reviews all evaluation materials, votes on the candidate, and provides a written recommendation to the department head. This recommendation must include the actual vote count and may also provide additional information deemed relevant to the committee's decision. The department head also reviews all relevant evaluation materials and produces an individual written recommendation. The department head's recommendation, the Rank and Promotion Committee's recommendation, and all evaluation materials, are forwarded to the college dean who, in turn, forwards an individual written recommendation, the recommendations of the department head, and Rank and Promotion Committee, and all relevant evaluation materials to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs reviews these items and completes a written recommendation, which is forwarded along with all other written recommendations to the President. The President reviews these recommendations and forwards to the Board of Regents his or her recommendations for promotion. The decision of the Board of Regents is final.
  - D. If a recommendation to promote is disapproved at any level, this fact must be reported back to the preceding levels. The department head must inform the faculty member in writing that disapproval has occurred. Any related appeal must be initiated in writing by the faculty member to the department head within thirty days after receiving notification from the department head. The purpose of the Advisory Committee on Faculty Grievance is to review the file to insure that established procedures were followed in considering the faculty member for promotion. The grievance committee does not attempt to judge the academic qualifications or achievements of the candidate.
- V. Administrative Regulations for Implementing Board of Regents Policy on Promotion
- A. Faculty are given the opportunity to apply for promotion in September with a deadline of **October 1** for application.
  - B. Departments are to make their recommendations to their respective deans by **November 1**. In case of a negative vote by the departmental rank and promotion committee, the faculty member has the option of withdrawing the application or requesting that it be forwarded to the department head. If the department head concurs with the negative committee recommendation, faculty members may withdraw the application or appeal the negative recommendation to the college level.

- C. Deans will make their recommendations to the Provost and Vice President for Academic Affairs by **December 1**. In case of a negative recommendation by the college dean, the faculty member may withdraw the application or appeal to the Provost and Vice President for Academic Affairs.



- D. The Provost and Vice President for Academic Affairs will notify deans of any disagreement with their recommendations by **January 2**.
- E. The Provost and Vice President for Academic Affairs will make recommendations to the President by **January 15**. In case of a negative recommendation, faculty members may withdraw the application or request a review of their credentials. Faculty members also have the option to file a formal grievance, after all reviews and appeals have been exhausted, in accordance with the procedures outlined in the Faculty Handbook. The President will send recommendations for approval to the Board of Regents, typically at the April meeting.

## **Tenure Policy -**

### **I. Introduction**

- A. Tenure is a means to achieve such goals as:
  - 1. Freedom of teaching and research (for the university's statement on academic freedom, see page 12).
  - 2. A sufficient degree of economic security to make the profession attractive to men and women of ability.
  - 3. Institutional continuity and stability through a substantial contingent of faculty with long-range commitment to Western Kentucky University.
- B. The development and retention of an increasingly competent faculty is an objective of Western Kentucky University to which tenure makes a significant contribution. While length of service determines one's eligibility to be recommended for tenure, tenure will be granted only to those faculty members with the rank of assistant professor or above at Western who have attained the educational qualifications specified for the positions they hold and who demonstrate outstanding performance in carrying out their professional responsibilities during the probationary period.

### **II. Faculty Tenure Appointment Policy**

Decisions concerning tenure will be based on performance in the following categories: instructional activities, other scholarly activities, and service to and for the University. It is understood that the faculty member should cooperate in working with colleagues in carrying out the University's educational mission. The following general statements will serve as guidelines for evaluating the faculty member's performance in assigned responsibilities.

The evaluation of instructional performance considers factors including knowledge of subject matter, teaching effectiveness, academic advisement, and curriculum development.

The evaluation of other scholarly activities considers factors including the individual's activities and achievements in areas such as research, publications,

program participation at professional meetings, creative activity, and work toward a terminal degree (if the degree is a requirement for the position).

The evaluation of service to and for the University considers factors including committee work, student-related activities, and public and community service. Public and community service should be related to the special competencies of the individual and be an extension of the faculty member's role as a scholar-teacher.

New faculty members will be informed about the tenure review process and grievance appeal process at the beginning of the first year. These processes are described at the university level in the Faculty Handbook, and in the guidelines for tenure and promotion issued by the faculty member's department.

A. Policies and Procedures for Evaluation of Non-Tenured Faculty and for Tenure Recommendations

The procedures to be followed in continuance and non-continuance recommendations are:

Full-time faculty members holding the rank of assistant professor, associate professor, or professor and eligible for tenure are appointed with the understanding that there will be a probationary period. Faculty members appointed at the rank of instructor are employed on an annual or multi-year contract and are not eligible for tenure.

In addition to the regular annual evaluations of all faculty, untenured faculty will be evaluated in the second through fifth year of their probationary period on their progress toward tenure.

At the beginning of each fall semester department heads will submit to the dean of the college a cumulative evaluation of faculty in their second to fifth year of probation. The purpose of this evaluation is to determine whether there has been sufficient progress toward tenure to justify continuation of the faculty member. In making the evaluations on progress toward tenure, department heads shall consult with the tenured faculty in the department and shall evaluate the faculty member specifically in the areas of teaching, research/creative activity, and university/public service. Any deficiency in performance will be clearly stated, and the faculty member under review will be given a copy of the evaluation with an opportunity to respond.

The department head's evaluation and recommendation will be submitted to the college dean no later than **September 10**. In case of a negative recommendation, the department head will inform the faculty member in writing. The dean's response and recommendation shall be submitted to the Provost and Vice President for Academic Affairs no later than **September 20**. In case of a negative

recommendation, the dean will notify the faculty member. The Provost and Vice President for Academic Affairs will submit any negative recommendation to President and to the faculty member by **September 25**. The President will notify the faculty member of any decision for non-continuation on or before **October 1**.

The probationary requirement may be satisfied through full-time faculty service for six years as an assistant professor or above at Western Kentucky University. Under exceptional circumstances, the university may consider tenure in less than the usual probationary time. Authorized leaves of absence will not be credited toward eligibility for tenure unless otherwise specified at the time they are taken.

The procedures to be followed in tenure recommendations are:

1. The department head will be responsible for notifying probationary faculty of the date for consideration of mandatory tenure. A faculty member who has applied for tenure before the sixth year of service at Western may withdraw from the process at any time without prejudice. However, a tenure review must occur in the sixth year. A faculty member may withdraw a tenure application at any stage of the review during the review process prior to final action by the Board of Regents, but withdrawal of the application at any point during the sixth-year review constitutes a *de facto* resignation from Western, effective at the end of the academic year.
2. Faculty members being considered will be responsible for providing the tenured faculty by **October 1** with all materials that they wish to be considered in the tenure decision.
3. Before **November 1** the department head will convene all tenured faculty and preside at the election of a chair of the tenure committee. The tenured faculty in executive session will discuss the credentials of all faculty eligible for tenure and make appropriate recommendation(s) based upon the department, college, and university standards to the department head. The tenured faculty will vote by secret ballot to tenure or not to tenure. The department head may attend the meeting but is not eligible to vote. Faculty members who are unable to be present at the meeting must notify the department head in advance and with the consent of the department head may submit a sealed envelope with a secret ballot enclosed for each person under review. The chair of the Tenure Committee will confidentially apprise the members of the Tenure Committee of the results at the meeting. The written recommendation of the Tenure Committee to the department head must include the actual vote count and may include any additional information deemed relevant to this outcome. The department head will then notify the faculty candidate for tenure of the recommendation of the Tenure

Committee. In the case of a negative recommendation by the Tenure Committee, the faculty member will have the option of withdrawing the application.

4. By **November 1**, the department head will forward to the dean a written recommendation on each faculty member for tenure as well as the written recommendation of the Tenure Committee. The department head will advise the candidate in writing of the department head's recommendation by **November 15**.
5. The dean will make a written recommendation to the Provost and Vice President for Academic Affairs and forward the recommendations of the department's tenure committee and the department head by **December 1**. The dean will notify the candidate in writing of the dean's recommendation by **December 15**.
6. The Provost and Vice President for Academic Affairs will make a written recommendation to the President by **February 1** and will forward the recommendations of the department's tenure committee, the department head, and the dean. The Provost and Vice President will inform the candidate in writing of the Provost and Vice President for Academic Affairs' recommendation by **February 15**. In the case of a negative recommendation by the Provost and Vice President for Academic Affairs, the faculty member has the option to file a complaint in accordance with the procedures outlined in the Faculty Handbook, Section IV.
7. The President will make recommendations to the Board at the April meeting. Faculty members will be notified of the final tenure decision by **May 15** and, in case of a negative one, will be allowed an extension of one year only.

### III. Advisory Committee on Faculty Continuance and Tenure

The President is authorized to establish an Advisory Committee on Faculty Continuance and Tenure. Its functions and duties shall be those outlined in the Procedure for Review of Non-Reappointment and Negative Tenure Recommendations and the Procedures for Termination (see sections IV and V).

A list of eligible tenured faculty members assigned to full-time teaching, research, and/or academic service duties, other than the faculty regent, shall be selected as follows:

- Every two years, each academic department shall elect one eligible faculty member.
- Nominees shall be elected by secret ballot by all members of the faculty unit holding academic rank as defined in the Faculty Handbook.

- The election of nominees shall be conducted under rules and procedures developed by the University Senate.
- Persons elected as nominees eligible for appointment shall remain on the eligible list for a period of two academic years, and may be re-elected.

The committee shall be a standing committee consisting of five (5) tenured faculty members. Membership on the committee shall be selected annually from the list by lot. Faculty members shall not participate in a case involving a faculty member from the same department; and members chosen shall remove themselves on their own initiative, if they deem themselves disqualified because of bias or interest. In addition, each party shall have a maximum of two (2) challenges without stated cause. Supplementary selections and lists shall proceed in the same manner until an accepted committee is constituted.

The committee shall designate one (1) member as chair.

#### IV. Procedure for Review of Non-Reappointment and Negative Tenure Recommendations

Each appointment of a faculty member during the probationary period continues only for the limited term specified in the appointment document. There is no obligation to appoint for another such term. Each such appointment terminates without further action on the expiration date specified in the appropriate document, unless renewed.

##### A. Non-Reappointment or Negative Tenure Decisions

If a decision is made not to reappointment of a probationary faculty member or not to recommend tenure for a faculty member upon completion of the probationary period, the Provost and Vice President shall provide the affected faculty member official written notice of the recommendation:

- By **February 15** of the faculty member's tenure review year;
- By **March 1** of the first appointment;
- By **October 1** of the second appointment; and thereafter.

The University is not obligated to furnish a statement of reasons for the decision not to recommend reappointment of a faculty member for another term during the probationary period, and it is the policy of the University not to furnish a written statement of reasons for such a decision. It is the policy of the University that, upon request of the faculty member, the department head and dean of the college and Academic Vice President will arrange a conference with the faculty member to discuss informally the circumstance surrounding the non-reappointment. If this conference fails to satisfy the faculty member, the President will have a related conference with the faculty member upon request. However, written reasons for a negative tenure decision will be furnished if the faculty member requests them in writing.

##### B. Complaint Filed by Faculty Member

If a non-tenured faculty member has received official notice of a decision not to recommend reappointment or a recommendation not to grant tenure and the faculty member has factual information as grounds upon which it is claimed that the decision not to recommend reappointment or tenure was arbitrary or capricious, violated standards of academic freedom, or was based on considerations that violate constitutionally protected rights or interests (e.g., consideration of race, sex, national origin, exercise of free speech, association, etc.), a complaint may be filed with the department head or office to which the faculty member is assigned. Copies of the complaint are to be sent to the college dean, the Provost and Vice President for Academic Affairs and the President.

The complaint shall be in writing and be filed within thirty (30) days after receipt of official notice. It shall be accompanied by a written, signed statement that the faculty member agrees that the university representatives who made the decision not to recommend reappointment or tenure may present information in support of the decision for the purpose of confidential consideration by members of the Advisory Committee on Faculty Continuance and Tenure in the event the complaint is referred to it. The University appeals process must continue even if outside legal action is undertaken by the faculty member appealing the tenure decision.

#### C. Advisory Committee on Faculty Continuance and Tenure

The President may cause the complaint to be set for formal evidentiary hearing. As an alternative, the President may refer the complaint to the Advisory Committee on Faculty Continuance and Tenure for preliminary inquiry, consultation, and its reasoned advice and recommendation. The committee will seek to settle the matter by preliminary inquiry, consultation, discussion, and confidential mediation.

If the difficulty is unresolved informally within three weeks from the receipt of the complaint, the committee shall furnish the President with a written report containing its advice and recommendations as to whether or not the President should cause the matter to be set for formal evidentiary hearing. The report shall include a statement of the committee's specific reasons in support of its advice and recommendation.

#### D. Ad Hoc Committee on Continuance and Tenure

Upon the recommendation of the committee, the President shall cause the matter to be heard by an ad hoc committee. The faculty member making the complaint herein is responsible for stating the specific grounds upon which the allegation is based and the burden of proof shall rest upon the complainant.

The ad hoc committee shall consist of five (5) members chosen by lot from the list of eligible individuals provided for in Part III. In addition, two alternates will be selected by lot to substitute for any Ad Hoc Committee members who remove themselves if they deem themselves disqualified because of bias or interest. The alternates may not be from the same department as any of the five Ad Hoc Committee members. None of the members will have served on the Advisory Committee that had earlier heard the case. In addition, each party shall have a maximum of two challenges with or without stated cause. If the list shall be exhausted before an acceptable committee has been obtained, supplementary list selections will be made following

the initial procedure. The committee shall select its own chair. The committee will adhere to the following procedures:

- The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence; and the university will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.
- The faculty member and the university will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the committee determines that the interests of justice require admission of his/her statement, the committee will identify the witness, disclose his/her statement and if possible provide for written interrogatories.
- The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- Although both parties may seek outside advice as needed, neither will be formally represented by legal counsel in these hearings.
- The hearing committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
- The findings of fact and the decision will be based on the hearing record, which will include documentary evidence submitted by the faculty member and the university as well as testimony by witnesses during the Committee's proceedings.
- Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or the university representatives will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Regents.

Upon conclusion of the hearing, the committee must accept or reject the complaint by the faculty member. The Ad Hoc Committee must make a written recommendation to the President.

#### E. The President

The President must accept, reject or revise the recommendations of the Ad Hoc Committee.

#### F. The Board of Regents

The Board of Regents is charged with accepting or rejecting the recommendation of the President's decision relative to the faculty member's complaint. Its decision is final.

The following table summarizes the appeal process and specifies the action to be taken when the President and Board of Regents accept or reject the recommendation presented to them:



Faculty Member	Advisory Committee	AD HOC Committee	President Accepts Recommendation	President Rejects Recommendation	Board of Regents
Faculty member files a complaint concerning a non-continuance or negative tenure decision.	President refers the complaint to the Advisory Committee on Faculty Continuance	President appoints Ad Hoc Committee.	(1) Ad Hoc Committee recommendation was to accept the faculty member's complaint. The faculty member's complaint is <u>accepted</u> and the case is closed.	(1) Ad Hoc Committee recommendation was to reject the faculty member's complaint. The faculty member's complaint is <u>accepted</u> and the case is closed.	(1) Board of Regents accepts the President's decision. The faculty member's complaint is <u>rejected</u> and the case is closed.
	(1) The complaint is resolved.	Ad Hoc Committee makes recommendation to the President to accept faculty member's complaint or reject faculty member's complaint.	(2) Ad Hoc Committee recommendation was to reject the faculty member's complaint.	(2) Ad Hoc Committee recommendation was to accept the faculty member's complaint.	(2) The Board of Regents rejects the President's decision. The faculty member's complaint is <u>accepted</u> and the case is closed.
	(2) The complaint is unresolved, The committee makes recommendation to the President on whether or not a formal evidentiary hearing should be set.		The faculty member <u>does not request</u> an appeal of the President's decision. The faculty member's complaint is <u>rejected</u> and the case is closed.  The faculty member <u>does request</u> an appeal of the President's decision. The case is reviewed by the Board of Regents.	The faculty member <u>does not request</u> an appeal of the President's decision. The faculty member's complaint is <u>rejected</u> and the case is closed.  The faculty member <u>does request</u> an appeal of the President's decision. The case is reviewed by the Board of Regents.	

## V. Procedures for Termination

A tenured appointment of a faculty member results in a commitment to successively reappoint the faculty member, except that tenured status of a faculty member may be terminated:

- By retirement;
- By resignation and acceptance thereof;
- By a dismissal for cause;
- By a decision of the Board of Regents that termination is necessary because of financial exigencies of the institution; or
- By a decision of the Board of Regents that termination is necessary due to changed academic program needs resulting in a situation so that there is no longer a teaching position available within the University for which the faculty member is qualified.

The term of a faculty appointment for one year may be terminated prior to the stated expiration date:

- By resignation and acceptance thereof, or
- By a dismissal for cause.

Causes for dismissal specified in Kentucky Revised Statutes, KRS 164.360, are incompetence, neglect of or refusal to perform duties, or immoral conduct.

### A. Procedure for Dismissal for Cause

A faculty member who has tenure or an unexpired probationary appointment may be dismissed only for cause. Statutory cause sufficient to support dismissal consists of incompetence, neglect of or refusal to perform duties, or immoral conduct. Under the provisions of KRS 164.360, Board of Regents' proceedings for dismissal of a faculty member can be initiated only upon written charges preferred by the President and shall be decided upon in the manner provided therein.

In any case in which the President of the University has personal knowledge of information sufficient to make an informed judgment that a faculty member should be dismissed for cause, after informal notification of the faculty member involved, charges may be brought without further consultation as provided by KRS 164.360(3).

Any member of the university community other than the President who desires to initiate charges in support of a proposed dismissal of a faculty member shall initiate the proposed dismissal with the department head or office to which the faculty member is assigned. The proposed dismissal shall be in the form of a written signed statement of the facts relied upon to support one or more of the statutory grounds for the proposed dismissal.

After informal notification of the faculty member involved, the department head shall evaluate the proposal and submit a written recommendation to the dean of the college. The dean of the college shall make an independent evaluation of the proposal and submit a written recommendation to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs shall make an independent evaluation and submit to the President of the University a written recommendation together with the entire file.

If the President of the University determines that dismissal for cause charges should be brought, charges shall be preferred as provided herein.

If the President of the University determines that additional information is needed in order to make an informed judgment as to whether or not to file charges, the file may be referred to the Advisory Committee on Faculty Continuance for preliminary inquiry, consultation, and its reasoned advice and recommendation.

A genuine effort will be made by the Committee to resolve the entire matter by informal methods of preliminary inquiry, consultation, discussion, and confidential mediation. If the difficulty is unresolved informally within the three weeks after receipt of the file, the Committee shall furnish the President with a written report containing its advice and recommendation as to whether or not the President should prefer charges of dismissal for cause. The report shall contain a statement of the Committee's specific reasons in support of its advice and recommendation.

In any case in which the President decides that procedures for dismissal for cause are appropriate, the President shall forward to the Board of Regents a written recommendation of dismissal. The President's letter to the Board of Regents recommending dismissal is to be accompanied by a formal written complaint setting forth specifically the nature of the factual information constituting grounds for dismissal. A copy of the complaint will be sent to the faculty member who is being charged. In transmitting a copy of the complaint to the faculty member being charged, the President shall advise the faculty member of the following:

- That the attached charges have been preferred against the faculty member to the Board of Regents;
- That a written answer to the charges is required to be filed with the Secretary of the Board of Regents;
- That the faculty member's answer to the charges may be either an admission or a denial of the charges; and
- That the faculty member has a right to be heard by the Board of Regents and to present testimony personally or through counsel.

If the charged faculty member fails or refuses to file the required written answer to the charge with the Secretary of the Board of Regents within ten (10) days after

receipt of notice of the charges, or if the faculty member's answer admits the charges, proceedings will terminate and an order of dismissal will be entered.

If a faculty member being charged files an answer denying the charges, a hearing by the Board will be set and heard at a designated place, time, and date, but not sooner than three weeks after written notice of the charges has been received by the faculty member.

The proceedings at the hearing shall be transcribed and permanent record kept of the charges, notices, and other actions.

The proceedings are not governed by formal, legal rules of procedure and evidence. The Board may consider any information of a kind that has a probative value. The following agenda will be maintained:

- Entry of appearances of the parties and witnesses;
- Statement of charges by counsel for the University;
- Entry of the faculty member's denial of the charges;
- Presentation of evidence by the President or a designated representative;
- Opportunity for the faculty member or counsel to present evidence refuting the charges;
- Summation or statement on behalf of the University by the President or a designated representative or counsel; and
- Summation or statement by the charged faculty member or counsel;
- Decision and vote in executive session by the Board of Regents;
  - Exonerating faculty member, or
  - Approving the President's recommendations to dismiss faculty member, or
  - Other appropriate sanctions.

If the Board of Regents decides to apply sanctions, the President shall issue a formal letter of notification and shall advise the appropriate officials of the University.

#### B. Procedure for Termination Due to Financial Exigency

The Board of Regents has a paramount statutory duty to the people of Kentucky to maintain a quality educational program, but within the means of available financial resources as determined by the Council on Higher Education, the Governor, and the General Assembly. Accordingly, determination of the existence of financial exigency requiring economy measures is a prerogative reserved for the Board and will not be delegated.

However, the Board is fully aware of the fact that adjustments to the financial crisis that include lay-off or termination of tenured faculty members is a matter of gravity and requires deliberate and thoroughly considered balancing of the public

and private interests. Misunderstandings and disputes in such situations tend to dissipate the purpose, spirit, and academic climate of the institution, and to increase costs in time and money. Therefore, the Board of Regents will exercise its prerogative to terminate tenured appointments because of financial exigency only under severe conditions, and after a determination that alternative economy measures to maintain a quality educational program are not feasible under the prevailing circumstances.

Determination that a financial exigency exists of sufficient severity to require layoffs and terminations will be made by the Board upon the basis of a thorough analysis of institutional needs and requirements and available resources especially prepared by the President.

In making specific recommendations for termination of individual tenured faculty appointments required by financial exigency, the President shall take into account the following equitable considerations:

1. If funded vacancies exist, reasonable effort will be made to offer the tenured faculty member concerned another existing position within the institution for which the tenured faculty member is qualified by education and experience.
2. In the event of the termination of a tenured faculty member, that faculty member will not be replaced:
  - For a period of two years by another person of comparable qualifications at the same or higher salary without first offering reinstatement to the terminated tenured faculty member and allowing a reasonable time for acceptance;
  - By another person at a reduced level of compensation without first offering the opportunity to continue at the reduced compensation to the tenured faculty member concerned and allowing a reasonable time for acceptance.
3. In the event of decisions to terminate faculty as a result of financial exigency, unless serious program distortion would result, tenured faculty members will have preference of retention over non-tenured faculty members. The following sequence will be observed:
  - Tenured faculty of superior academic rank will have preference of retention over tenured faculty of lesser rank.
  - A faculty member who had attained tenure prior to another faculty member of the same rank would have preference of retention over the latter faculty member.
  - If tenure and rank considerations are the same for two faculty members, i.e., they both were tenured on the same date and

were promoted to their current rank on the same date, the faculty member with the longer period of employment with Western would have retention preference.

The President shall send to each tenured faculty member recommended for termination because of financial exigency a written notice of the Board's initial decision to make such a termination. The notice shall include:

- A statement of the basis for the initial decision to terminate tenured faculty members;
- A description of the manner in which the decision to terminate this particular tenured faculty member was made; and
- A statement that the tenured faculty member will be provided an opportunity to have the particular decision affecting the faculty member reconsidered by the President with the advice of the Advisory Committee on Faculty Continuance.

The President shall also provide for disclosure to each such tenured faculty member and to the Advisory Committee on Faculty Continuance information and data upon which the institution based its initial decision that financial exigency required termination of tenured faculty members.

A tenured faculty member who receives official notice of termination because of financial exigency may secure reconsideration of the decision by filing a request with the President within thirty (30) days after receipt of notice.

A request shall be in writing and state facts that, if proved, would show that, given the chain of decisions which preceded the ultimate decision designating that tenured faculty member by name for termination, the ultimate decision was nevertheless arbitrary, capricious, or unreasonable.

The President shall refer the request to the Advisory Committee on Faculty Continuance for its reasoned advice and recommendation. The Advisory Committee on Faculty Continuance shall proceed to consider the information furnished by the President to the tenured faculty member and provide the tenured faculty member an opportunity to furnish written information or statements tending to prove the accuracy and correctness of the facts stated in the case.

A genuine effort will be made to resolve the entire matter by informal methods of preliminary inquiry, consultation, discussion, and confidential mediation. No formal evidentiary hearing of an

adversary nature will be conducted on such a complaint. If the difficulty is not resolved within three weeks, the Committee shall submit to the President a written report containing its advice and recommendation with a supporting statement of its specific reasons. After consideration of the report, the President shall make a recommendation to the Board.

C. Procedure for Termination or Lay-off Due to Changing Program Needs

As in the case of the determination of the existence of financial exigency, the Board of Regents is also aware that adjustments to program need changes require deliberate and thoughtful planning and discussion. Therefore, the Board of Regents will terminate tenured faculty appointments because of program need changes only after a determination that such changes are necessary and desirable.

In making specific recommendations for termination of individual tenured faculty appointments required by changing program needs, the President shall take into account the following considerations:

1. If funded vacancies exist, reasonable effort will be made to offer the tenured faculty member concerned another existing position within the institution for which the tenured faculty member is qualified by education and experience; and
2. In the event of the termination of a tenured faculty member, that faculty member will not be replaced;
  - For a period of two years by another person of comparable qualifications at the same or higher salary without first offering reinstatement to the terminated tenured faculty member and allowing a reasonable time for acceptance;
  - By another person at a reduced level of compensation without first having offered the opportunity to continue at the reduced compensation to the tenured faculty member concerned and allowing a reasonable time for acceptance.
3. In the event of decisions to terminate faculty as a result of changing program needs, unless serious program distortion would result, tenured faculty members will have preference of retention over non-tenured faculty members. The following sequence will be observed:
  - Tenured faculty of superior academic rank would have preference of retention over tenured faculty of lesser rank.

- A faculty member who had attained tenure prior to another faculty member of the same rank would have preference of retention over the latter faculty member.
  - If tenure and rank considerations are the same for two faculty members, i.e., they both were tenured on the same date and were promoted to their current rank on the same date, the faculty member with the longer period of employment with Western would have retention preference.
4. Tenured faculty shall be given at least a one-year advanced notice of termination or layoff due to changing program needs.

The President shall send to each tenured faculty member recommended for termination because of program need changes notice of the Board's decision to terminate. The notice shall include a statement that the tenured faculty member will be provided an opportunity to have the particular decision affecting the tenured faculty member reconsidered by the President with the advice of the Advisory Committee on Faculty Continuance.

The President shall also provide for disclosure to each such tenured faculty member and to the Advisory Committee on Faculty Continuance information and data upon which the institution based its initial decision that changed program needs required termination of tenured faculty members.

A tenured faculty member who receives official notice of termination because of changed program needs may secure reconsideration of the decision by filing a request with the President within thirty (30) days after receipt of notice.

The request shall be in writing and state facts that, if proved, would show that, given the chain of decisions which preceded the ultimate decision designating that tenured faculty member by name for termination, the ultimate decision was nevertheless arbitrary, capricious, or unreasonable.

The President shall refer the request to the Advisory Committee on Faculty Continuance for its reasoned advice and recommendation.

The Advisory Committee on Faculty Continuance shall proceed to consider the information furnished by the President to the tenured faculty member, and provide the tenured faculty member an opportunity to furnish it written information or statements tending to prove the accuracy and correctness of the facts stated in the request.



A genuine effort will be made to resolve the entire matter by informal methods of preliminary inquiry, consultation, discussion, and confidential mediation. No formal evidentiary hearing of an adversary nature will be conducted on such a request. If the difficulty is not resolved within three weeks, the Committee shall submit to the President a written report containing its advice and recommendation with a supporting statement of its specific reasons. After consideration of the report, the President shall make a recommendation to the Board.

**Post-Tenure Review - (Adopted by WKU Board of Regents May 19, 2000)**

Western Kentucky University recognizes that the purposes of post-tenure review are achieved through a continuing review process designed:

- to commend and recognize superior performance through merit pay;
- to encourage and facilitate improvement wherever necessary;
- to maximize opportunities for continuing professional development;
- to advance attainment of institutional goals.

The post-tenure review process should acknowledge good work, point out areas for improvement, identify most productive uses of faculty members' talents and expertise, and identify opportunities to energize all faculty members to reach new levels of achievement.

**Post-Tenure Review Process -** The post-tenure review process at Western Kentucky University will incorporate and build upon the existing system of annual performance reviews. Key elements of the review process will include annual activity reports submitted by each faculty member, results of student (SITE) evaluations of faculty, and department head evaluations of each faculty member. These elements will encompass:

- annual activity reports that will be consistent in format and will include activities and endeavors in the categories of teaching, research/creative activity, service, and contributions to the university mission, as well as the individual faculty member's long-range goals in each of the above categories;
- results of student (SITE) evaluations for each course taught by the faculty member during the preceding year;
- department head annual evaluations that will explicitly address the post-tenure review goals of commending and recognizing superior performance, encouraging and facilitating improvement wherever necessary, maximizing

opportunities for continuing professional development, and advancing attainment of institutional goals.

The results of the annual post-tenure review process will be provided to the college dean and the Provost/Vice President for Academic Affairs and will be incorporated into recommendations for merit salary increases and university recognition and awards. If areas needing improvement are identified, the department head will work with the faculty member in developing a plan for improvement and will monitor progress during the following year.

Any dispute involving an individual faculty member's evaluation under the post-tenure review process will be resolved, if possible, at these levels (in order): department head; college dean; Provost/Vice President for Academic Affairs. Any unresolved disputes may be submitted to the Faculty Grievance Committee through the President.

Insofar as possible, the post-tenure review process will follow a similar structure and format throughout the university. Only minor department-specific adjustments may be made to this policy and those may be made only by majority vote of the tenured and tenure-track faculty of the particular department and approved by the college dean and the Provost/Vice President for Academic Affairs.

Two years after implementation of this policy, the University Senate will conduct a study of the policy to determine if it has accomplished its stated purposes. The Senate will report its findings to the Provost/Vice President for Academic Affairs.

#### **Faculty Grievance Procedure -**

- A. **Purpose** - To provide an individual faculty member with a procedure for presenting grievance, without fear of reprisal, and having it considered in an expeditious and orderly process. The procedure is advisory and not adjudicatory.
- B. **Definition of Grievance** - An allegation that there has been a violation misinterpretation, or improper application of existing policies, rules, regulations, practices, and/or procedures or a complaint that a faculty member has been treated unfairly or inequitably or has been unreasonably hindered in the performance of duties.
- C. **Appeal Through Administrative Channels** -
  - Informal Review - Every effort should first be made to resolve the matter informally by conversation with the department head, college dean, or Provost and Vice President for Academic Affairs.
  - Formal Grievance - If the matter cannot be resolved informally, the faculty member may file a formal grievance in writing with the department head within ninety days of the alleged violation. If the grievance cannot be resolved at the nearest administrative level, a faculty member may request review at successively

higher administrative levels - college dean and Provost and Vice President for Academic Affairs.

**D. Appeal Through Advisory Committee on Faculty Grievance -**

- Establishment of Committee - The committee shall be drawn from the same pool chosen for the Advisory Committee on Faculty Continuance (see p.34). The committee shall consist of five (5) tenured faculty members selected by the University Senate by lot annually from a list of elected faculty members. A faculty member shall not participate in a case involving a faculty member from the same department. Faculty members chosen to serve on the committee shall remove themselves, either at the request of one of the parties, or on their own initiative, if they deem themselves disqualified because of bias or interest. Each party shall have a maximum of two (2) challenges with or without stated cause. The committee shall select its own chairperson.
- Procedures - Faculty members who have been unable to achieve satisfactory resolution of a formal grievance through administrative channels may request a review by the Advisory Committee on Faculty Grievance through the President. The request for a review must be submitted in writing, together with a statement of the grievance. Upon receipt of the grievance, the President shall have the committee convene through the procedures described above. The committee will not review in this way matters for which other formal procedures have been specifically outlined in the Faculty Handbook. The committee after a preliminary investigation, and upon a vote of a majority of its members, may rule that a particular grievance does not merit review by the committee. If it determines that the grievance lies within the scope of the committee, the chair shall initiate a committee review by notifying all appropriate parties of the review procedure to be followed. The committee shall be empowered to request any and all parties to submit evidence related to the grievance. This review shall be completed within 45 days, excluding official holidays and vacations. At the conclusion of the review, the committee will forward a written report of its findings to the President and to the faculty member. The written decision of the President shall be forwarded to the chair of the committee and to the faculty member. If the President does not accept all or part of the findings and recommendations of the committee, the President will include in the decision the reasons for not doing so. The decision of the President is final.

**E. Annual Report -**

At the end of each academic year, the President shall provide a written report to the Board of Regents regarding the number and type of cases presented in the preceding year. The report shall include the committee's recommendations for each case and its final disposition.

## ===== **SPECIAL FACULTY APPOINTMENTS** =====

Program Revisions Approved by the Council of Academic Deans, September 10, 2001  
Approved by the Board of Regents, October 25, 2002

**Distinguished University Professorship** - The Distinguished University Professorship program is designed to recognize faculty members who have served the university with distinction and have compiled an outstanding record of achievement in teaching, research, and service. By providing additional support for their work, the program seeks to enable recipients to pursue more professional opportunities and to increase the leadership role of the faculty at Western Kentucky University.

### I. Eligibility

To be eligible for appointment as a Distinguished University Professor, a faculty member must have:

- held the rank of professor for at least five (5) years.
- completed ten (10) or more years of service to Western Kentucky University.
- compiled a record of sustained achievement in teaching, research/creative activity, and service.

Department heads, chairs, directors, and area coordinators are eligible for appointment. Individuals holding Distinguished University Professorships who are promoted into administrative positions of Dean or higher will retain the title of Distinguished University Professor but will not receive the annual stipend or the professional development funds.

### II. Selection Procedure

Faculty can be nominated for a Distinguished University Professorship by a faculty member, department head/chair, or dean, or they can self-nominate. Candidates must submit a letter indicating acceptance of the nomination with a curriculum vitae and three letters of support. Candidate materials will be:

- reviewed by the tenured faculty in the department or discipline and comments or recommendations forwarded to the department head and then the dean for review
- evaluated by outside peer review through submission of reports from two/three outside evaluators selected by the Distinguished University Professorship Committee
- recommended by the Distinguished University Professorship Committee to the Provost/Vice President for Academic Affairs
- recommended by the Provost/Vice President for Academic Affairs for approval by the President and the Board of Regents

Normally, no more than two Distinguished University Professors are appointed during a single year, with a maximum of 10 serving currently at a given time selected from the Academic Colleges and the University Libraries. (Does not include Community College).

The Distinguished University Professorship Committee is chaired by an assistant or associate vice president and consists of the deans of the Academic Colleges and the University Libraries. There will be one Distinguished University Professor from each college and the libraries or a selected faculty representative if no Distinguished University Professor or former Distinguished University Professor is available from that college. The college deans serve on the committee by virtue of their office. Distinguished University professors or faculty representatives are appointed by the Provost annually on a rotating basis.

Nominees will be kept in the applicant pool for 3 years, unless a specific request is made to withdraw the application. Applicants in the pool will be given an opportunity to update their resumes if they wish to do so.

### III. Term of Appointment

Distinguished University Professors (DUP) will be appointed for a designated term of five (5) years, during which they will be eligible to receive the benefits described below (see V). After the five-year appointment term has been completed, the DUP will retain the Distinguished University Professor title designated with the years of appointment (e.g. Name, DUP, 1996-2001). Upon full retirement, former Distinguished University Professors will carry the title Distinguished University Professor, emeritus/emerta.

### IV. Responsibilities

Faculty named as Distinguished University Professors will be expected to:

- demonstrate sustained excellence in teaching, research/creative activity, and service;
- provide leadership for innovative and/or interdisciplinary efforts in teaching/creative activity, and service;
- conduct annually a faculty seminar and participate in colloquia as appropriate;
- serve on at least one major advisory committee in the University; and
- provide advice to the President and Provost as requested.

### V. Benefits

Faculty members named Distinguished University Professors will receive:

Faculty members named Distinguished University Professors will receive:

- A total annual award package of \$5,000 for each year of the five (5) year term.

Option #	Salary Stipend Amount	Est Univ Benefit Amount	Professional Development Funds	Total Package
1	\$0	\$0	\$5,000	\$5,000
2	\$2,000	\$450	\$2,550	\$5,000
3	\$4,090	\$910	\$0	\$5,000

Faculty members may apply or be nominated for a Distinguished University Professorship. Nominations or letters of intent to apply must be submitted to the Distinguished Professorship Committee, Office of Provost and Vice President for Academic Affairs, Wetherby Administration Building, Room 239 no later than November 20<sup>th</sup>. Formal applications with supporting documentation will be due in the department head offices no later than December 11<sup>th</sup>.

**Graduate Faculty** - All courses offered for graduate credit at Western Kentucky University must be taught by graduate faculty.

- I. Requirements for graduate faculty appointment: Nominations and recommendations are based on evidence of teaching effectiveness, scholarly or creative achievement, and university and public service.
  - a. Teaching effectiveness: Department heads and deans recommending a candidate for graduate faculty membership will submit a written endorsement of the candidate's teaching effectiveness. Candidates may supplement this endorsement with such evidence as assessments routinely included in the process for promotion, tenure, and salary recommendations or student evaluation results. Membership is limited to demonstrably conscientious and effective teachers.
  - b. Scholarly and creative achievement: Productive scholarship or creative activity is a special requisite for graduate faculty membership. Appointees must have a record of consistent productivity in their academic areas and must have made contributions to their professional fields. Credentials of applicants will be examined for documented evidence of high-quality attainments such as relevant books and articles in respected journals and anthologies; papers read at professional meetings; artistic or performance achievements; or technical or non-print credits.
  - c. University and public service: Candidates for membership will be expected to show a history of involvement with campus committees and councils and/or service to the wider public where their professional training makes such service particularly appropriate.

II. Categories of Membership

- a. Regular membership: To qualify for regular membership on the graduate faculty a faculty member must:
  - hold an appropriate terminal degree in the teaching field;
  - hold the rank of associate professor or above; have at least three years' full-time teaching experience at the senior college or graduate level;
  - have a solid record of effective teaching;
  - present a record of high-quality scholarly and creative achievement;
  - have a history of acceptable university and public service.
- b. Associate membership: To qualify for associate membership on the graduate faculty, a faculty member must:
  - hold an appropriate terminal degree in the teaching field;
  - hold the rank of assistant professor or above;
  - have at least one year's full-time teaching experience at the senior college level or provide evidence of appropriate related experience;
  - show evidence of effective teaching;
  - present evidence of high-quality scholarly and creative achievements;
  - be involved in university and public service.
- c. Adjunct membership: Individuals who do not have regular appointments to Western Kentucky University may be approved for adjunct membership on the graduate faculty. Candidates for appointment to adjunct membership must either meet the requirements for associate or regular membership or present equally notable qualifications based on education and experience specific to the assignment. Appointees approved on the basis of professional experience must be recognized for their high-quality contributions to their field of expertise and must be able to share knowledge that reflects the viewpoint of the professional practitioner.

III. Appointment Procedures: Recommendation is initiated by the department head with the concurrence of the graduate faculty of the department. Graduate faculty membership and professorial rank are dependent upon the same indicators of success in teaching, research/creativity, and public service. Therefore, there is a direct relation between the two processes for faculty who are involved in graduate programs.

- a. Regular graduate faculty appointment is automatic with appointment/promotion to the rank of associate or full professor.
- b. Associate graduate faculty appointment is automatic with appointment/promotion to the rank of assistant professor.

IV. Term of appointment: Regular membership appointments expire at the end of six years. Associate membership appointments expire at the end of four years. Adjunct membership appointments expire at the end of the term(s) or course(s), as specified in

the appointment, or, at the latest, two years after appointment.

- V. Requirements for reappointment: Requirements and procedures for reappointment are the same as those for the original appointment.
- a. Reappointment resulting from professorial promotion: As specified above, some appointments and reappointments will result from the review associated with promotion. The department head will be responsible for informing Graduate Studies of these actions, thereby permitting a record of graduate faculty membership to be maintained for accreditation purposes and for listing in the Graduate Studies Catalog.
  - b. Reappointment resulting from Graduate Council review: When the graduate faculty membership term expires other than at the time of promotion, (i.e., between assistant and associate, associate and full, or subsequent to full professor promotion), review will be conducted by the academic department, college dean, graduate dean, and Graduate Council.

The candidate's record during the previous term on the graduate faculty will be given primary consideration in deciding on reappointment. Candidates for reappointment as regular or associate should show evidence of involvement in graduate programs including teaching graduate classes, directing theses/specialist projects, and serving as major advisor and/or committee member for graduate students. Reappointment considerations for adjunct members will be based upon the candidate's academic record and/or the continued involvement and growth in the profession during the previous two-year period.

- VI. Any graduate faculty appointment/reappointment made other than as provided herein shall require written justification from the department that such action will serve the best interest of the graduate program and shall have support of the college dean, graduate dean, and Graduate Council.

**Visiting Professor** - This is a special appointment designed particularly for academic personnel who are qualified for such a position at Western Kentucky University by virtue of educational service elsewhere. Participation in a retirement system is determined according to eligibility and whether vesting would be possible. This is a one-year appointment subject to renewal.

**Distinguished Visiting Professor** - This is a special appointment designed for academic persons of particularly outstanding service elsewhere. Participation in a retirement system is determined according to eligibility and whether vesting would be possible. This is a one-year appointment subject to renewal.

**Appointee in Residence** - The individual receiving this appointment, designed for persons particularly distinguished in their fields, is designated as, for example, artist in residence, author in residence, etc.



**Adjunct Professor** - This appointment enables a person of established reputation or distinction in his/her field to work with graduate students, to work as a member of a special research team, or to offer special instruction in the discipline. Adjunct Professors receive no salary unless it is separately contracted and are not entitled to tenure or other faculty benefits unless specifically authorized. Appointments are on an annual basis and subject to renewal.

**Part-Time Faculty** - This is a special appointment for qualified individuals who are employed on a part-time basis to teach university classes. The University's regular guidelines for faculty rank and tenure and the provisions of the retirement system do not apply to these employees.

The following guidelines are to be applied in the employment of these personnel:

**GRADE I** Persons employed in this category should hold at least a bachelor's degree and have a minimum of three years related experience or hold the master's degree.

**GRADE II** Persons employed in this grade should hold at least the master's degree and have three to five years teaching experience or have other special training and experience related to the teaching position.

**GRADE III** Persons employed in this grade should hold at least the master's degree and have five years or more teaching experience, hold other degrees or certifications (Ed.S., CPA, CPE, etc.) or special qualifications, or hold the doctorate.

**GRADE IV** Persons employed in this grade should hold the doctorate and have a minimum of seven years teaching experience or other special qualifications applicable to their teaching role.

In the establishment of equivalent experience for purposes of stipend determinations, the teaching of eight courses (24 semester hours) as a part-time faculty member constitute one year's experience. Years of service as a part-time faculty member do not count toward consideration for tenure.

Special Benefits:

- I.D. card for Library and Bookstore privileges.
- eligibility for a temporary faculty-staff parking permit.
- partial tuition waivers.
- eligibility for membership in the Raymond B. Preston Health and Activity Center.

Maximum Load:

Part-time personnel shall not be employed to teach more than 9 semester hours at the undergraduate or 6 semester hours at the graduate level per semester.

Evaluation:

Part-time teaching faculty are employed to provide instruction in specific courses. In that capacity, they are expected to provide instructional quality comparable to that provided by full-time faculty. Instructional performance of part-time faculty may be evaluated using the same standards and procedures.

**Faculty on Optional Retirement** - In 1989, the Western Kentucky University Board of Regents adopted a plan that permits the reemployment on a special part-time basis of faculty members who retire from full-time service.

- a. Faculty interested in participating in the Optional Retirement Program should make a written request to the head of the department, who will forward it with a recommendation to the dean of the college. The request and the recommendation of the dean are transmitted to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs sends to the President those requests that are recommended for funding.
- b. Under this program a faculty member may be offered the opportunity to teach a minimum of 6 and a maximum of 12 semester hours per year (as permitted by KTRS). For each credit hour taught, compensation shall be at a rate of three and one-eighth percent of his or her nine-month salary base prior to participation in the modified program. At such a rate retirees could earn up to 37.5% (or 3-1/8 times 12 hours) of their previous full-time salary. Faculty on Optional Retirement could be assigned other duties, such as supervision of student teachers or academic advising, if these assignments better serve the needs of the department and the university. Participants in the Optional Retirement Program are subject to an annual performance review of their teaching or related assignments, and annual increases in their salary would be based on that review.
- c. Those accepted in the retirement program will be placed in a special tenured faculty category for a maximum period of five years. During this period the faculty member will receive, in addition to the aforementioned salary, appropriate staff benefits. After the special tenured faculty category period, the faculty member will be fully retired.
- d. Faculty candidates for optional retirement should be given priority in receiving summer teaching assignments during the summer before the year of retirement.

The Board of Regents considers the requests recommended by the President. The best interest of the University, as related to its educational programs and mission, must be considered in the application of this policy.

## **Faculty Emeritus/a Implementation**

Western Kentucky University will honor select faculty members, upon full retirement, as emeritus/a faculty. These individuals will be granted certain rights and privileges in recognition of their honored roles in the university community and their ongoing potential for contributions to the intellectual and cultural life of the university.

To be awarded emeritus/a status, faculty must have served the university for at least 10 years. Faculty should have attained the rank of Professor, Associate Professor, or Assistant Professor (under exceptional circumstances Instructors may be considered). Requests for emeritus/a faculty appointments will be initiated at the department level, will be considered by the tenured faculty in the home department and will proceed through administrative channels to the President, who will make recommendations to the Board of Regents for action. Such recommendations will be based on the record of achievement and service of the faculty member during his/her career at the university.

If the recipient is a male faculty member, the title Emeritus will follow his rank upon retirement (e.g., Professor of History, Emeritus); if the recipient is a female faculty member, the title Emerita will follow her rank upon retirement (e.g., Professor of History, Emerita).

Emeritus/a faculty will be eligible for the benefits from the university accorded to retired faculty members, including such things as a university identification card, library privileges, computing services, an email account, a parking permit, access to university recreational facilities, the on-campus dental and outpatient medical services available to other faculty members, purchase of tickets to academic and athletic events at the prevailing faculty rate, enrollment in university classes under the faculty-staff scholarship plan, purchase of items at the University Bookstore at the prevailing prices for faculty and staff, eligibility to apply for internal research grants, and continued use of the university as an agent for external grant applications. Emeritus/a faculty may attend meetings of the University Senate, may participate in university academic processions and ceremonial events, and are eligible to have their names included on the faculty lists in the *University Catalog Issue*.

## ==== **OTHER FACULTY POLICIES** ====

**Faculty Awards** - The University annually recognizes outstanding faculty achievement in the areas of teaching, research/creativity and public service. The Potter College of Arts, Humanities, and Social Sciences; the Ogden College of Science, Technology, and Health; the Gordon Ford College of Business; and the College of Education and Behavioral Sciences each selects an award winner in each area. University Libraries selects awardees in research/creativity and public service, and the Bowling Green Community College selects awardees in teaching and public service. University-wide award winners are chosen from among the college awardees by a student/faculty/alumni committee chaired by the Provost and Vice President for Academic Affairs, and winners receive an engraved silver bowl and cash stipend.

**Sabbatical Leaves** - University policy provides for the granting of sabbatical leaves for the purpose of professional improvement of the faculty. Such leaves are not automatic with tenure or the accumulation of years of service and are regulated by budgetary, legal and other considerations.

To be eligible for a sabbatical leave, a faculty member shall have the rank of assistant professor or above, shall have tenure, and shall have completed six continuous full academic years of service at the University. Normally, sabbatical leaves are granted for either one semester at full pay or two semesters at one-half pay. Summer sabbaticals may be granted only with special approval in exceptional cases.

Applications for leaves must be submitted in writing during the fall semester of the academic year preceding the date the leave would begin by a date specified annually by the Office of Academic Affairs. The application must include a general outline of the applicant's proposed activities for the period of the leave, including some indication of their contribution to professional improvement, and must be endorsed by the department head.

Applications are forwarded to a College Sabbatical Review Committee composed of one representative elected from among the tenured faculty members of each department in the College. These committees will evaluate proposals and submit to the respective college deans recommendations as to the relative merits of the proposals. The deans shall then submit their recommendations to the Provost and Vice President for Academic Affairs for review. After consultation with the respective deans, the Provost and Vice President for Academic Affairs shall make recommendations to the President, who is responsible for final recommendations to the Board of Regents for official approval.

Any major modification of plans by a leave recipient must be approved by the College Sabbatical Review Committee. Faculty members with approved academic-year sabbaticals may not change to one-semester sabbaticals.

Faculty members holding administrative positions are eligible for sabbatical leaves. The Council of Academic Deans serves as a review committee for administrative applications prior to their submission to the President for consideration.

Within thirty (30) days after completion of the sabbatical leave, the faculty member shall submit a written report to the College Sabbatical Advisory Committee with copies to the Provost and Vice President for Academic Affairs and the appropriate dean and department head on the activities engaged in during the leave period.

**Leaves of Absence** - Leaves of absence may be granted for special assignments, professional improvement programs, additional study, or for personal reasons. Special consideration is given to applications from persons desiring leaves to pursue advanced degrees. Each application for leave is considered on its individual merits. Typically, the University does not grant leaves of absence for more than one year.

**Additional Guidelines for Sabbatical and Paid Leaves** - Faculty and administrators on either a sabbatical or paid leave are expected to return to the university for at least one academic year following the conclusion of the year in which the sabbatical or leave is taken. Those on a summer sabbatical must return for the academic year following the summer in which the leave is taken. Failure to comply obligates the individual to repay the university for the compensation received. This policy will prevail in all cases unless otherwise stipulated.

**Summer Fellowships** - Faculty members holding regular, full-time positions at Western are eligible to apply for fellowships for the summer term. Such fellowships are awarded on a competitive basis.

Proposals for the summer fellowships are considered once a year by the Faculty Scholarship Committee and are to be submitted in the fall semester by a date specified annually by the Office of Academic Affairs. Awards will normally be announced by February 1. Fellowships may be renewable for a consecutive summer if deemed justified by the Faculty Scholarship Committee.

Faculty members on leave status are not eligible to apply for a summer fellowship. Summer fellowships are not to be used for preparing theses or dissertations to meet degree requirements.

Summer fellowships are granted in the form of salary.

**Faculty Development Funds** - The University, through the college faculty development committees, makes limited monetary assistance available to full-time faculty. Guidelines and application forms are available upon request in the college deans' offices.

**Faculty Research Grant Funds** - To encourage participation in research and contributions to knowledge, the Faculty Scholarship Committee administers University funds that have been made available for faculty research and development projects. Applications for these funds should conform to general guidelines available in the Office of Graduate Studies and

Research. Grants are awarded on a competitive basis in two categories: Regular Faculty Research Grants of variable amounts, awarded monthly; and Summer Fellowships awarded annually.

**Junior Faculty Research Program** - To assist new faculty members in establishing their research programs, the Faculty Scholarship Committee administers university funds that have been made available for faculty appointed at, or promoted to, the assistant professor level. Junior Faculty Research grants provide two types of support: start-up funding and a one semester, three-hour teaching load reduction. These grants are awarded on a competitive basis, are limited to one per faculty member, and are available only during the first three years following appointment as assistant professor. Guidelines and application forms are available from the Office of Graduate Studies and Research.

## ===== GENERAL ACADEMIC SUPPORT INFORMATION =====

**Registration** - Students will register for courses on the days designated in the University Calendar for this purpose. Detailed instructions are printed in each term's schedule bulletin.

**Scheduling of Classes** - Most of the classes of the university meet on a standard schedule with 50-minute class meetings on Monday-Wednesday-Friday or 75-minute class periods on Tuesday-Thursday. Classes are also scheduled at varying times in the late afternoons and evenings, and on Saturdays.

**Protection of University Personnel and Property** - The university maintains a full-time security force of trained and experienced security and law enforcement officers under the direction of the WKU Police Department. These officers are responsible for security of all university property and personnel on campus. The security office may be reached at 745-2548 on the university phone system. In emergency situations the security automobiles may be reached by radio through the Bowling Green City Police Headquarters.

**Public Relations** - The overall direction and supervision of the university's public relations efforts is the responsibility of the Division of Public Affairs. The division is charged with informing the public concerning significant developments at the university and with gathering and channeling university news to the news media. In addition, Public Affairs is responsible for the university's crisis communication program, and faculty should keep Public Affairs informed during times of crisis or controversy so that appropriate, and correct, information can be shared with the news media. Information about the division, the crisis communication plan, news release information form and photo request form are available from the division's web page.

**Student Records** - The Registrar's Office maintains a current record on each student's academic progress at the university. These records are confidential but are available to the faculty member on-line for advisement or other professional purposes. Faculty members should be familiar with the Educational Rights and Privacy Act (FERPA) and Western's guidelines (see Appendices).

**Student Assessment of Teaching** - During the fall and spring semesters the university administers a student assessment of teaching (the Student Input to Teaching Evaluation-SITE) in each university course offered on- or off-campus. All faculty members participate in the assessments.

**University Counseling and Testing Center** - The University Counseling and Testing Center has a professionally trained staff to work with students experiencing educational, vocational, or personal-social problems. Faculty members are encouraged to identify and refer to the center students in need of such help. The center also administers a testing service for a wide range of standardized examinations.

**Student Academic Offenses** - The maintenance of academic integrity is of fundamental importance to the University. Thus it should be clearly understood that acts of plagiarism or any other form of cheating will not be tolerated and that anyone committing such acts risks punishment of a serious nature. The University Disciplinary Committee holds hearings and recommends action in cases of alleged academic dishonesty. The Committee functions through the Dean of Student Life. Procedural guidelines are outlined in the current issue of Hilltopics: A Handbook for University Life.

**Academic Dishonesty** - It is the responsibility of each faculty member to maintain at all times conditions that discourage academic dishonesty in any form. Faculty should be careful to insure that class records and examinations are not accessible to those not entitled to such information and should make every effort to inspire in students the proper attitude and respect for honesty in academic work. The Dean of Student Life is available for assistance in dealing with cases of dishonesty.

**Plagiarism** - To represent ideas or interpretations taken from another source as one's own is plagiarism. Plagiarism is a serious offense. The academic work of students must be their own. Students must give the author(s) credit for any source material used. To lift content directly from a source without giving credit is a flagrant act. To present a borrowed passage after having changed a few words, even if the source is cited, is also plagiarism.

**Cheating** - No student shall receive or give assistance not authorized by the instructor in taking an examination or in the preparation of an essay, laboratory report, problem assignment, or other project that is submitted for purposes of grade determination.

**Disposition of Offenses** - Students who commit any act of academic dishonesty may receive from the instructor a failing grade in that portion of the course work in which the act is detected or a failing grade in the course without possibility of withdrawal. The faculty member may also present the case to the University Disciplinary Committee through the Office of the Dean of Student Life for disciplinary sanctions. Students who believe a faculty member has dealt unfairly with them in a situation involving alleged academic dishonesty may seek relief through the Student Complaint Procedure.

**Other Types of Academic Dishonesty** - Other types of academic offenses, such as the theft or sale of tests, should be reported to the Office of the Dean of Student Life for disciplinary action.

**Student Complaint Procedure** - The four-step procedure for resolving a student's complaint concerning a faculty member is outlined below:

- Step 1 (Faculty Member Level) - The first step is for the student to discuss the complaint with the faculty member involved. If the faculty member is no longer employed by the University, the student should go directly to the department head who will contact and represent the former faculty member. If the complaint involves a grade, the student must take the complaint to the faculty member within the first two weeks of the first regular semester (fall,



spring) following the assignment of the grade. It is hoped that the complaint may be satisfactorily resolved at this level.

Step 2 (Departmental Level) - If the student and the faculty member are unable to resolve the complaint, the student may take the complaint to the faculty member's department head. Written notification of the complaint must be given to the department head within two weeks after meeting with the faculty member (Step 1). It is the responsibility of the department head to arrange for a conference where the student, faculty member, and the department head will be present for discussion. Neither the faculty member nor the student will be allowed representation at the conference. The department head shall hear both sides of the complaint and shall attempt to mediate a settlement. The department head shall keep a written record of the proceedings, including the recommended solution. The department head's recommended solution is to be considered by both the faculty member and the student as a recommendation and not as a decision that is binding.

Step 3 (College Level) - Should the student be unable to receive the satisfaction desired at the departmental level, the complaint may be taken to the college level. Written notification of the complaint must be submitted to the college dean or dean's designated representative within two weeks after the conference with the department head (Step 2). Upon receipt of the notification, the college dean or the dean's representative shall provide the student with a copy of the procedural guidelines to be followed by the College Complaint Committee. The procedural guidelines shall provide for a conference with both the student and the faculty member present for joint discussion of the complaint with the Committee.

The student must submit a written complaint to the College Complaint Committee. The Committee will be responsible for scheduling the conference within two weeks following the submission of the written complaint. The written complaint should clearly state what are considered to be unreasonable and/or unfair practices or procedures and may include as much detail as the student wishes to include. Neither the faculty member nor the student will be allowed representation at the conference. The College Complaint Committee shall hear both sides of the complaint and render a decision. The decision shall be sent in writing to the Provost and Vice President for Academic Affairs, with copies being sent as a matter of record to the student, to the faculty member, and to the faculty member's department head and college dean. The Office of the Provost and Vice President for Academic Affairs shall be responsible for enforcing the decision of the college committee but shall not enforce the decision until two weeks after the decision is made by the college committee, providing either the student or the faculty member an opportunity to submit a formal written notice of appeal to the University Complaint Committee.

Step 4 (University Level) - Should the student or the faculty member desire to appeal the decision of the College Complaint Committee, a formal written notice of appeal may be submitted within two weeks following the decision to the University Complaint Committee chair, with a copy to the Provost and Vice President for Academic Affairs. The chair of the University Complaint Committee will provide the student and the faculty member involved with a copy of the University Complaint Committee's Procedural Guidelines. The University Complaint Committee, after securing copies of the written proceedings from the department head and the College Complaint Committee, will schedule a conference where the faculty member and the student jointly discuss the issue. Neither the faculty member nor the student will be allowed representation at the conference. The committee's decision will be sent to the Provost and Vice President for Academic Affairs, with copies being sent as a matter of record to the student and faculty member and to the faculty member's department head and college dean. The Office of the Provost and Vice President for Academic Affairs will see that decisions of the University Complaint Committee are carried out. The University Complaint Committee's decisions are final.

**Office Assistants or Associates** - Academic departments are provided with office assistants or associates, either on a full-time or part-time basis as the need justifies. The availability of the office staff to perform work for individual faculty members will be determined by the department head.

**Part-Time Student Employees** - Each department head is allocated funds for the hiring of students through the various student aid and work-study programs. The number of students, their work schedules, and the allocation among the department members are left to the discretion of the department head. Individual faculty members desiring student assistance should contact their respective department heads. Normally students cannot work in excess of 15 hours per week.

**Teaching Facilities and Classroom Supplies** - Each departmental budget includes an allocation of funds for classroom equipment and supplies. Requests for supplies, equipment, and repairs should be made through the department head. The planning for needed equipment and teaching aids takes place when the annual departmental budget is being prepared, usually in the spring of each year. All funds, regardless of their source, must be expended through the use of an official purchase order. The university is not responsible for any purchase made by faculty or staff members without proper approval and issuance of an official purchase order.

**Office Facilities** - The university provides full-time faculty with offices, computers, telephones, and furniture. Requests for additional office equipment, such as bookcases, file cabinets, etc., should be made through the department head.

**Campus Bookstore Facilities** - The University Bookstore is located in the Downing University Center and supplies textbooks and other instructional materials. Normally, textbook requests are submitted to the bookstore through the department head or on-line. The bookstore

will also receive orders on textbooks and supplementary materials from faculty members. Upon presentation of their identification card, faculty and staff are granted a 10 percent discount on most materials purchased at the bookstore.

**Grant and Contract Services** - The basic function of the Office of Sponsored Programs is to develop the grant and contract program for Western Kentucky University. The Office of Sponsored Programs is part of the Academic Affairs area of the University.

The services provided are as follows:

- identification of funding sources for specific needs and programs;
- consultation on and guides in the development of grant and contract proposals;
- processing of proposals and contracts;
- dissemination of information to faculty and staff concerning grant sources, guidelines, and the administration of specific programs;
- maintenance of central grants record file;
- liaison with off-campus agencies;
- assistance with incidental costs associated with proposal development and publication of project results.

Sponsored Program Activities - Sponsored Programs activities (those funded by federal, state, local, or private agencies, including foundations) are administered through the Office of Sponsored Programs (OSP). A faculty member may engage in sponsored programs activities in instruction, research, and public service in his/her field of specialization in addition to teaching responsibilities. The faculty member needs to determine with the department head and dean of the college that these activities do not require so much time as to interfere with the primary assignment.

An appropriate reduction of teaching load will be made when approved sponsored programs activities require more than one-fifth of the faculty member's time. These activities must have the prior approval of the University administration and the federal, state, local, or private sponsor. (See Participation in Sponsored Programs Projects below).

Directorships of Special Projects, Institutes, and Centers, or Direct Involvement in Sponsored Programs Activities as Assistants, Internal Consultants, etc. - With prior approval of the University, a faculty member may engage in sponsored programs activities in addition to full-time faculty responsibilities. Again, the faculty member needs to plan with the department head and the dean of the college to ensure that such involvement does not interfere with the primary assignment. An appropriate reduction of the teaching load will be made when such activities require more than one-fifth of the faculty member's time.

Administration of Sponsored Programs Proposals and Awards (Grants, Contracts, and Cooperative Agreements) - As a center of learning, Western Kentucky University encourages faculty members to engage in scholarly and service activities that are consistent with the University's educational mission and college and departmental goals. Whenever possible, such

activities should complement the instructional and research programs, and in all cases they must relate to the faculty member's area of professional expertise.

Instruction, research, and service activities that are funded by external sponsors require special prior approval by University officials to insure that there will be no conflict with regular assigned responsibilities of the faculty member to the students, the department, the college, or the University. Approval is obtained by discussing a proposal for an external sponsor with the department head, dean, and the Office of Sponsored Programs well before the submission deadline; and by completing the grant proposal signoff sheet available on the Office of Sponsored Programs web site.

The one-page form is used for grants, contracts, or cooperative agreements and should be submitted with the proposal to the Office of Sponsored Programs five days prior to the submission deadline.

Participation in Sponsored Programs Projects - Participation in funded sponsored programs activity may be authorized by Western Kentucky University. Upon the signed approvals of the department head and dean, the Director of the Office of Sponsored Programs authorizes proposals for federal, state, local, and private sponsors. Kentucky Revised Statutes state the following in relation to federal funding:

*164.288 Power of State Universities and Colleges to Accept Federal Aid.* Any of the state colleges or universities of Kentucky or the state on behalf of any of the colleges or universities may accept federal aid in the form of services, equipment, supplies, materials or funds by way of gift, grant or loan for the purpose of higher education including student loans. Any of the state colleges or universities acting through its president or its governing board is hereby authorized to receive such services, equipment, supplies, materials, and funds as are now available or may be made available.

Grants and Contracts Sought by Western Kentucky University - Policies and procedures for preparing sponsored programs proposals are given in "The Guide to the Preparation of Grants and Contracts," posted on the Office of Sponsored Programs (OSP) web site.

Grants, contracts, and cooperative agreements sought by the University are for basic and applied research, instructional programs (workshops and institutes), instructional and research equipment, grants to students, student affairs, training and administrative projects involving students and professionals, and for program development and enrichment.

Cooperative relationships are encouraged that have the promise to develop programs between academic disciplines and to benefit the public. Before proposal activity is undertaken, projects should be discussed with the department head, the dean of the college, and the OSP.

The OSP is staffed to help faculty members find funding opportunities, develop proposal ideas, prepare budgets, obtain information and application forms, review proposals in keeping with sponsor guidelines, and provide a cycle of grant development and post-award administration workshops, which are offered each semester.

The OSP can submit the project electronically (required of all proposals to the NSF) or by overnight mail. The OSP Director is the authorized signatory on all pre- and post-award forms submitted to the sponsor after the signatures of the department head and dean are obtained.

Acceptance of Grants, Cooperative Agreements, and Contracts Awards - The authority to accept a grant, contract or cooperative agreement has been delegated by the Provost and Vice President for Academic Affairs to the OSP Director, who negotiates and signs all award documents on behalf of the University.

Budget Preparation for Project Activities - The assistance of the OSP is available to the faculty for the preparation of budgets for project activities. Before any budget is submitted, whether in preliminary or final form, it must be approved by the Director of the OSP. Facilities and administrative (indirect) cost rates are established by negotiations with the Division of Cost Allocation at the Department of Health and Human Services, WKU's cognizant agency. Indirect costs represent actual expenses of the University, and these funds may not be committed or obligated by the project directors. Unless explicitly prohibited by the sponsor, the University requires indirect cost returns on all awards. A percentage of these costs is returned to the deans and faculty or staff members responsible for awards. Another percentage is used to provide additional support to the research base.

The current year salary and fringe benefit rates are used to calculate personnel costs. Standard state and institutional rates are used in the preparation of a budget. A 5% increment is used for preparing project budgets with multiple years. Many of these rates may be found on the OSP web site.

The designation of faculty members to participate in funded research or project activity must have the approval of the department head, college dean, and OSP Director.

Conflict of Interest/Conflict of Interest Committee - Federal statutes and institutional policy require that all faculty members submitting grants, contracts, or cooperative agreements check that they have read and understand the institutional conflict of interest policy.

The Conflict of Interest Policy may be found in the Appendices.

University Responsibility - Western Kentucky University exercises its responsibility for the supervision and administration of all grants, contracts, and cooperative agreements in which it is engaged. Formulation of budgets and fiscal responsibility, as well as the preparation of appropriate reports, is the responsibility of the University through the OSP. Specifically, the University exercises the following types of organizational and administrative action to provide for the proper administration of grants and contracts:

- The establishment of accounting procedures to insure that funds are expended in accordance with award obligations.

- The establishment of procedures for the proper execution of award obligations in which professional faculty and staff members participate.
- The formulation of regulations governing university staff and faculty in the conduct of business relating to sponsored funds.
- The provision of advice and guidance to the faculty regarding problems that may arise as a result of outside financial arrangements.

All funds received by the University from external agencies are handled in the same manner as, and are subject to the regulations applied to, general funds of the University. Externally-awarded funds are expended in accordance with the terms and conditions specified by the sponsor or contracting agency. Funds may not be expended before or beyond the dates of the grant or contract unless approved under Expanded Authorities or through a no-cost extension. All funds received from outside the University are subject to both internal and external audit. Such funds may be expended only within the specified categories of the award.

Sponsored Programs Travel Expenses - Grants, contracts, and sponsored project activity often require travel as a condition of the activity. Anticipated expenses for travel should be included as part of the projected or approved budget. Regulations of the University and the Commonwealth governing travel apply equally to all grants, contracts and cooperative agreements. Detailed information on travel and travel expenses may be obtained from the OSP staff.

Protection of Human Subjects - The university has provided the National Institute of Health with an overall statement that certifies that Western will maintain a standing committee to review research protocols and oversee the conduct of sponsored research that involves human subjects. While this committee is formalized for only externally supported efforts, guidelines developed by the Public Health Service (PHS) are considered appropriate for all university sponsored research. The Office of Sponsored Programs can provide copies of those guidelines.

Animal Welfare - The university has provided the Public Health Service with an overall certification that: (1) Western will comply with PHS regulations that relate to care and use of vertebrate animals in testing, research and training, and (2) a standing committee will oversee the research protocols of sponsored research efforts and will insure the humane treatment and maintenance of laboratory animals. The Office of Sponsored Programs can provide assistance in obtaining information on animal welfare requirements.

**University Libraries** - Western Kentucky University Libraries offer services through the Helm-Cravens complex (consisting of the Margie Helm Library and nine-story Cravens tower) located near the center of campus, two branch libraries, the Kentucky Museum, extended campus library services and the Glasgow campus library. Additionally, electronic services and extensive information about the WKU Libraries are available through the Libraries' web page.

Helm-Cravens Library houses the major portion of the WKU Libraries' collection. The Helm Library contains these specialized collections: (1) government services, consisting of

government documents and the law collection on the ground floor; (2) the reference area on the first floor, comprising both print and electronic resources; and (3) the periodicals and microforms collection on the second floor. The Cravens building houses administrative offices on the first floor, the circulation and reserve areas and the leisure collection on the fourth floor, and the circulating book collection on floors five through nine.

The two branch libraries include the Educational Resources Center, located on the third floor of Tate C. Page Hall, and the Kentucky Library, located on the second floor of the Kentucky Building. The Educational Resources Center contains materials of particular use to education majors: methodology books, curriculum materials, and a children's and young adult literature collection. Most of the collection circulates, and there is a Reserve Desk in the Center.

The Kentucky Library contains a non-circulating collection of materials relating to the history of Kentucky. Along with the Kentucky library, the Kentucky Building houses Special Collections, Manuscripts, the Folklife Archives, University Archives, and the Kentucky Museum. The Museum contains permanent and rotating exhibits relating to Kentucky life and history. It also sponsors workshops, lectures, receptions and exhibit openings throughout the year.

The Glasgow campus library, located on the WKU Glasgow campus, is a reference center providing access to a small print collection of reference materials, along with access to WKU Libraries' electronic resources. Circulating materials from the main campus libraries can be requested through the Extended Campus Library Service and will be sent to the Glasgow campus library via courier for student use.

Extended Campus Library Services provide library support to students taking classes at all remote class sites. A part-time library assistant works in the computer lab at the Owensboro Longfellow Center to help students locate resources using TOPCAT and other electronic resources.

Materials in the WKU Libraries may be located by using the TOPCAT online catalog that is available across campus via WKUNet and remotely through the Libraries' web page. Assistance in finding and/or using library materials is available at the following locations in the library: (1) Reference Services, first floor, Helm; (2) Periodicals & Microforms Desk, second floor, Helm; (3) Circulation Desk, fourth floor, Cravens; and at each branch library. Assistance is also available via telephone by calling 745-6125 (Reference Desk) or 745-3951 (Circulation). The Reference Room on the first floor of Helm provides the most concentrated collection of resources, both print and electronic, for students conducting research, along with personnel to assist students, faculty, and others with the research process.

Below are some details of specific services for faculty:

#### Circulation (Cravens 4th floor)

Faculty ID card is required to check out materials, and faculty have a semester loan period, except for leisure books and audiovisual materials. Materials may be renewed in person or by returning overdue notice to Circulation with request to

renew. Hold, search, and recall services are available. Any recalled item should be returned immediately because borrowing privileges may be revoked.

#### Reserve (Cravens 4th floor)

Faculty may leave materials to be placed on reserve, along with the request form, at the Circulation Desk; three to five days are required to process the materials before they can be available to students. Because of space, there is a limit of 50 books and 100 file folders per faculty member. Reserve materials may be Room Use Only, or may have limited circulation. Materials not being used should be removed at the end of each semester. Faculty are responsible for providing photocopied materials which are to be placed on reserve. Copyright compliance must be maintained.

#### Adding to Libraries' Collections

Library materials may be recommended for purchase through each department's library liaison. Library faculty subject specialists will be happy to work with faculty in obtaining needed resources for classes and/or research.

#### Research Instruction

Library faculty specializing in specific disciplines are available to provide research instruction classes. Faculty members should call the library to arrange instruction for a class.

#### Departmental Photocopying (Cravens 4th floor)

Faculty may leave library materials to be photocopied, along with a completed request form, at the Reserve desk. Library student assistants will make copies for later pick-up, or they can be sent to faculty offices via campus mail. Copying costs will be charged to departments. Service will comply with copyright law.

#### Interlibrary Loan (Helm 107)

Interlibrary Loan (ILL) services are available for faculty and graduate students to borrow materials from other libraries. Undergraduates may use this service with a faculty signature. For convenience, electronic Interlibrary loan forms are available on the Libraries' web page and can be submitted electronically. Print forms are also available at the Reference Desk and the ILL office. Materials are generally received in two to four weeks.

#### Document Delivery

The library will check out books, copy articles from journals which are held in the library, and deliver to campus offices on request. Faculty members should call Document Delivery at the number above, or use the web page.

#### Extended Campus Services

The Library offers services to students studying at extended campus sites. A full-time Extended Campus Librarian is available to teach students how to access and search the Libraries' electronic resources, and how to request materials from the library,



which can be sent to students via fax, courier, or mail. Extended Campus services and policies are outlined on the web page.

**Center for Teaching and Learning** - The purpose of the Center for Teaching and Learning (located on the first floor of Cravens Library) is to provide activities and opportunities that support and enhance individual excellence in classroom instruction. The Center's programs are available to regular faculty of all ranks, part-time faculty, and graduate teaching assistants. Some of the resources offered include workshops and seminars, self-assessment, fliers, books and videos on instruction, and assistance in the design and production of instructional materials, such as transparencies. A variety of computer resources (Macs and PCs), including a scanner, laptops, and clip-art, is available for check out.

**Information Technology** - The Information Technology Division supports the University's mission through the application of computing and telecommunications technologies.

Academic Technology - The Academic Technology area provides support for instruction and research through the general computing systems (DEC Alpha and SUN) as well as 10 general access student computer labs.

The Student Technology Center, located on the second floor of the Helm Library, is the principal service facility and provides student access to both computer and media resources. Microcomputers with popular applications programs and terminals providing access to academic computers are located there and in nine other general access computing laboratories in locations throughout the campus. Faculty may place materials on reserve for student access. Operating hours approximate those of the library.

A wide variety of programming languages and programs supports the majority of research projects. Highly specialized computing resources, including a super computer, are available through the Kentucky Educational Computing Network. Internet connections allow communications with hundreds of other colleges and universities.

While the principal responsibility for research design and data analysis rests with the individual researcher, consultation on design, statistical analysis, and computer use is available to students and faculty. Western's subscriptions to the Inter-university Consortium for Political and Social Research and other data archives provide a rich source of research materials.

Administrative Computing - Administrative Computing is located on the second and third floors of Wetherby Administration Building. The office provides: information technologies and services for all administrative functions and University Libraries; state of the art data networking; implementation and maintenance of the University's administrative applications; and the University-wide fiber optics-based network.

Network Computing and Microcomputing - The Network services organization is located on the third floor of Wetherby Administration Building. This office maintains the campus network infrastructure, provides troubleshooting for faculty and staff desktops, and manages the student e-mail system. A help desk is also located in this area, and can be reached at 745-7000.

The IBM mainframe computer, located on the third floor of the Wetherby Administration Building, is operated 24 hours a day, seven days a week. Access to mainframe services is available through a number of terminals, and through personal computers connected to WKUNET, the University wide local area network. Remote dialup access is also provided.

WKUNET, operated and supported by Administrating Computing and the Microcomputing Services, provides users easy Windows-based access to a comprehensive suite of services including electronic mail, calendaring, popular applications programs (Word, Powerpoint, Access, etc), Internet, WKU Libraries - TOPCAT, and mainframe applications.

Microcomputing Services, part of Network Services, provides comprehensive support of microcomputing for academic and administrative offices. A professional staff supports a range of services, including analysis and recommendations for potential applications, training, installation and repair, and consultation regarding specific applications and problems.

Educational Telecommunications - Educational Telecommunications Services consists of the Educational Television Services and the Public Radio Service. Located in the Robert Cochran Wing of the Academic Complex and in Tate C. Page Hall, the Educational Telecommunications area provides a variety of services in support of the University's mission.

a. Educational Television Services

The unit operates interactive television facilities linking WKU with the Owensboro, Fort Knox, and Glasgow extended campus classroom sites; provides satellite teleconference reception and origination; produces television programs for classroom instruction and statewide distribution on the KET network as well as for national distribution to public television stations; operates Western's public television station -- WKYU-PBS -- providing telecourses for credit as well as the only local public television service for south-central Kentucky; provides television laboratory and instructional facilities for students in the University's Broadcasting and Communication program; and operates Western Cable, which serves all residence hall rooms with educational and entertainment cable programming, and the Academic Cable, which provides programming to classrooms.

b. Public Radio Service

Western's Public Radio Service, through its four radio stations ( WKYU-FM, Bowling Green; WDCL-FM, Somerset; WKPB-FM, Henderson/Owensboro; and WKUE-FM, Elizabethtown) provides music, information, news and public affairs programs 24-hours per day to over sixty percent of the Commonwealth, plus extensive areas of north-central Tennessee and southern Indiana.

An important aspect of Western's Public Radio Service is the access it provides to develop and maintain awareness of the resources of Western Kentucky

University. This awareness is developed through the participation of faculty, staff and students in special programs; through the involvement of special campus guests in programs; and through the regular reporting of news relevant to activities at the University.

This unit also operates the student radio station -WWHR 91.7 mhz - in conjunction with the Department of Communication and Broadcasting. WWHR serves as a laboratory for students pursuing a career in broadcasting and serves the student body with a college-oriented music format.

Center for Instructional Technology - Located in the center of the first floor of Tate C. Page Hall, with regular operating hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, the Center for Instructional Technology provides a variety of instructional support services for faculty, staff, graduate assistants and students, including media equipment, films, and videotapes for instructional use. A variety of photographic, graphic, and audio/video consultation, design and production service is also provided. Student assistants are available during operating hours to provide assistance to users, and pickup and delivery services are available.

The Faculty Technology Center, located in Tate C. Page Hall, is equipped with multi-media computers for teachers' use in the production of instructional and professional materials. The services available within the Center include desktop publishing, basic graphic production (such as overhead transparencies), VHS video editing, and photographic copying.

Telecommunications - Western Kentucky University owns and operates its own telephone system serving approximately 4,800 lines. All faculty and staff offices have telephone services. Residence halls have one telephone jack per room, and students furnish their own telephones. Long distance service is provided for faculty, staff, and students through outside vendors. The telephone switch and administrative offices are located in Van Meter Hall.

## **PERSONNEL POLICIES, BENEFITS, AND OTHER SERVICES**

**Disclaimer** - This information is intended to provide a general overview of benefits available to employees of Western Kentucky University. Due to changing business conditions, federal and state laws, and organizational needs, benefits are subject to change without prior notice. Nothing in the above statements relating to personnel policies, benefits, and services should be considered as a contract or a guarantee.

**Salary Checks** - Faculty members employed on a nine-month basis receive twelve salary checks, payable at the end of each month. The academic year runs from August 16 to May 15 with payments made July 1 to June 30. Salary checks are distributed through departmental offices. New faculty employed by August 15 receive their first check at the end of August and receive 2/12 of their annual salary at that time.

**Payroll Deductions** - Mandatory payroll withholding includes federal income tax, state income tax, city occupational tax, county occupational tax (if applicable), Social Security, and retirement. Voluntary elections for medical insurance, dental insurance, United Way Fund contributions, group life insurance, tax sheltered annuities, U.S. Savings Bonds, cafeteria plan options, Preston Center memberships, parking, direct deposits, WKU Foundation and College Heights Foundation contributions may be deducted.

**Medical Insurance** - All faculty members who are employed on a full-time regular basis have the opportunity to select medical insurance coverage for themselves and for their dependents from among plans offered by the university. The university contributes a fixed amount per month toward each employee's selected plan. Faculty members should consult with the Department of Human Resources for the latest information about terms and conditions of available plans.

**Group Life Insurance** - The university provides a \$10,000 term life insurance policy for all full-time employees at no cost. Faculty members may purchase additional amounts of insurance up to a maximum of \$300,000 in multiples of \$10,000 increments. New employees are guaranteed up to \$100,000 of coverage without evidence of insurability; to qualify employees must enroll within 31 days of employment and must not have been hospitalized within 30 days of employment. An accidental death and dismemberment benefit is included in conjunction with the term life policy.

Faculty members may also purchase spousal life insurance up to \$50,000 (in multiples of \$10,000) or an amount equal to one-half of the employee optional coverage amount. Spousal life insurance is guaranteed for \$10,000 without evidence of insurability. Employees may select a \$5,000 policy on all dependent children. An accidental death and dismemberment benefit is included in conjunction with the term life policy.

Premiums for employee optional insurance can be tax-sheltered under the pre-tax benefit plan. Premiums for spouse and dependent insurance cannot be tax sheltered. Group term life

insurance provides no cash value or loan value. This policy may be converted to an individual whole life policy upon terminating employment with the university.

**Flexible Benefits Plan (Section 125)** - This plan allows full-time employees to use pre-tax dollars to pay for certain premiums, dependent care (up to \$5,000 per year), and unreimbursed medical expenses (up to \$4,000 per year).

**Retirement** - Full-time faculty may be enrolled in a defined benefit retirement plan, administered through the Kentucky Teachers' Retirement System (KTRS), or through the Optional Retirement Plan, a defined contribution plan. Faculty in the KTRS program are vested after five years of service. Vesting also entitles faculty to membership in one of the retirement system's group medical insurance plans. The KTRS retirement plan is not portable. Any premature withdrawal of retirement contributions will result in substantial penalties (unless transferred to a qualified program). Several different payout options are available upon retirement. Faculty members employed after July 1, 1996, may make an irrevocable election to join the defined benefit plan offered through KTRS or one of the defined contribution plans offered by Aetna, TIAA-CREF, or VALIC.

**KTRS** - The Kentucky Teachers' Retirement System (KTRS) is a retirement program available to faculty and professional non-faculty employees. Employees contribute 6.16% and the University contributes 13.84% of the covered employee's salary each month. The typical retirement age is 60 or after 27 years of service regardless of age. Retirement income is determined by the following formula: years of service x 2.0% x the average salary of the highest three salary years.

**Optional Retirement Vendors** - Optional retirement plans offered through Aetna, TIAA-CREF, or VALIC are defined contribution plans which are portable and offer immediate vesting. Employees contribute 6.16% and the University contributes 10.76% of the covered employee's salary each month. This selection must be made within the first 30 days of employment or the employee will be enrolled in KTRS. The optional retirement plans **do not** have the disability retirement options or retiree group medical coverages available through the state retirement plans.

**Social Security** - The university and employees contribute to the Social Security Program, including Medicare. Contact the Payroll Office at 5352 for details concerning payroll withholding amounts.

**Tax-Sheltered Annuities** - Faculty members may make voluntary, tax-sheltered contributions to a supplemental retirement program as defined by section 403(b) of the Internal Revenue Code. Current providers offered by the university include seven vendors from which to choose. The supplemental retirement program is an individual contract between the employee and the servicing company. The university provides only payroll deduction and transmittal of payments to the contracted company. No investment advice or other account servicing is provided by university employees. A 457 Supplemental Retirement Program is also available for voluntary, tax-deferred contributions.

**Tuition Scholarships** - Full-time employees are eligible to have tuition and mandatory fees remitted for up to six (6) credit hours per semester or summer term at WKU or any other Kentucky post-secondary educational institution. Spouses of faculty members are eligible for a 50% discount for the same number of courses. A grade point average of 2.0 on a 4.0 grade scale must be maintained.

**Employee Dependent Child Grants** - The university provides a grant for up to 50% of in-state tuition and fees for the dependent children of full-time faculty and retirees. Each applicant must be a full-time undergraduate degree-seeking student of Western Kentucky University and must maintain a minimum WKU grade point average of 2.0.

**Direct Deposit** - Employees may have their pay deposited directly to any financial institution that participates in the Automated Clearing House (ACH) direct deposit system. Employees may have two direct deposit accounts, but the total of both accounts must equal 100% of net pay.

**Disability** - The university provides a Long-Term Disability (LTD) policy at no cost to faculty members. The policy has a 90-day exclusion period. On the 91st day, the policy will pay 60% of the salary up to a maximum of \$3,000 per month contingent upon approval from the vendor. The disability payment is offset by certain other payments the individual may be receiving (Social Security, Workers' Compensation, etc.) and is paid until age 65 or until the individual is no longer disabled.

**Workers' Compensation** - Western faculty are covered by the university's Workers' Compensation policy. This policy provides for medical benefits and lost time payments for valid, on-the-job injuries.

**Smoking** - In accordance with state fire and insurance regulations, it is a University policy that there be no smoking in buildings and all other areas designated by no smoking signs. Department heads and all other faculty members are charged with the responsibility of enforcing this regulation in their respective areas.

**Cultural and Recreational Opportunities and Benefits** - The following examples provide some idea of the great variety of activities available to Western faculty and staff:

- The Department of Music sponsors a number of musical presentations including special seasonal concerts. In addition, many faculty and student recitals are given throughout the year.
- The Department of Theatre and Dance and the Western Players present a series of programs during the academic year. A small fee is charged for admission to major productions; however, there is no admission charge for one-act plays produced by the department.
- The University Gallery in the Ivan Wilson Center for Fine Arts presents a variety of historical and contemporary exhibits.
- The University Library facilities, as well as the Bowling Green Public Library, are available for recreational reading.

- The Preston Health and Activities Center is available to faculty members and their families through individual and family memberships that are offered at modest cost.
- Western holds membership in the Sun Belt Conference, the Gateway Conference (football), the Missouri Valley Conference (men's soccer) and the National Collegiate Athletic Association. The schedule of intercollegiate athletic contests includes a variety of sports. Season tickets (maximum of two) for basketball, football, soccer, volleyball, and baseball are available to the faculty and staff at a reduced (50%) rate.
- A number of lakes and reservoirs are within driving distance of Bowling Green, and fishing and boating are popular activities for many faculty members.
- A 10 percent discount in university cafeterias and on most materials purchased at the College Heights Bookstore is offered to faculty and staff.
- The recreational facilities in the Downing University Center are available for use by faculty and staff.

**Official Travel** - Each department has budgeted funds for travel. Authorization for travel must be made by the department head before the trip is made. Travel expenses are usually borne by the individual, who is later reimbursed after filing an expense voucher. Department heads have copies of the travel regulations that are contained in the Personnel Manual.

**Identification Cards** - The university provides identification cards for all regular employees. The card is designed for use in the University Libraries, Business Office, University Book Store, cafeterias, recreational facilities, etc. Faculty and staff members should contact the University I.D. Center to have identification cards prepared.

**Retired Personnel** - The university values the continued support and assistance of those who have retired from teaching, research, administrative, and staff positions. Upon retirement under the existing university retirement system, university personnel are entitled to the following benefits: a University Identification Card, library privileges, computing services, a parking permit, access to university recreational facilities, dental and outpatient medical services that are available to other faculty members, purchase of tickets to academic and athletic events at the prevailing faculty rate, and enrollment in university classes under the faculty-staff scholarship plan.

Retired faculty are also eligible to apply for research grants, to request office space when it is available, to attend without voting privileges meetings of the University Senate, to participate in academic processions, to be appointed to represent the university at academic ceremonies at other universities, to take part in all ceremonial functions of the university, and to have their names included in faculty lists in the University Catalog.

Retired personnel are entitled to additional benefits from affiliated organizations including purchases at the University Bookstore at the prevailing prices for faculty and staff and the continuation of membership in the Service One Credit Union, Inc.

**Service One Credit Union** - The University has an agreement with Service One Credit Union to provide on-campus banking services for students, faculty and staff. Individuals may invest in regular share accounts, share certificates, money market certificates, and holiday club accounts. Interest-bearing share draft (checking) accounts are available to members as well as ATM cards that can be used state-wide. Loans are available for automobiles, boats, home improvement, personal items, educational expenses, etc. All accounts are insured to \$100,000 by the National Credit Union Association. For further information stop by the Credit Union offices located in the Garrett Conference Center, on the US 31W By-Pass, or on Campbell Lane.

**Dental Hygiene Services** - The Dental Hygiene Program of the Department of Allied Health and Human Services is an academic unit that provides preventive dental care for Western Kentucky University students, staff, faculty and their families at a minimal cost. The services include: a complete dental examination, oral prophylaxis, fluorides, radiographs and sealants.

**Student Health Service** - The Student Health Service provides outpatient facilities for students. For faculty and staff, the limited services include first aid, allergy injections, and certain immunizations.

**Use of University Stationery and Postage** - The use of official university stationery and of the mailing service is restricted to faculty members, officers, and departments carrying on officially recognized and authorized business of the university. Stationery and metered postage are provided for official correspondence only.

**Building Security** - Faculty and staff members are urged to use good judgment to insure security of keys to University buildings and to individual offices.

Faculty members may obtain keys by a request through the department head, who in turn submits a written request to the Assistant Director of Facilities Management. If employment at the University terminates, or a faculty member is away on leave of absence, keys must be returned to the Physical Plant building.

**Food Services** - The Aramark Corporation has a contract with the university to provide cafeteria and other food services. Faculty and staff are cordially invited to use these facilities. In addition, vending services can be found in convenient locations for use by students, faculty, and staff.

**Institutional Publications** - In addition to this handbook the university has a number of other publications that provide helpful information.

The Western Kentucky University Catalog is the most complete publication on the university and its operations. Normally published biennially, the university Catalog contains descriptions of the various degree programs, curricula and course offerings of the university, requirements for graduation, rules and regulations, course descriptions and listings of faculty. All faculty members should familiarize themselves with this publication.



The Graduate College Catalog contains descriptions of the graduate programs, curricula and course offerings, regulations of Graduate Studies and Research, course descriptions, and listings of graduate faculty. All graduate faculty and students should familiarize themselves with this publication.

The College Heights Herald is a campus publication issued under the supervision of the faculty and staff in the Office of Student Publications. In 1925 the Board of Regents authorized the establishment of the College Heights Herald. The Herald provides laboratory experiences in journalism for students interested in developing skills and responsibilities in the practical application of the established standards of professional journalism.

Class Schedule Bulletins are published through the Academic Affairs Division for each semester and the summer term. Each bulletin contains the university calendar, course offerings, and all other data pertaining to registration and class scheduling for the specific term.

On Campus is prepared and distributed periodically by the Division of Public Affairs. On Campus is the campus magazine for faculty and staff.

University Master Calendar The Division of Public Affairs collects and records information from each office and department on campus. The University Master Calendar is available on Western On-Line, and faculty members should consult it to avoid scheduling conflicts.

Zephyrus is a fine arts magazine affording students of Western Kentucky University the opportunity to have their creative work published.

The Student Honors Research Bulletin, published annually by the University Honors Program, includes articles chosen from among papers written by students and submitted by their instructors.

The Western Scholar is published semiannually by the Office of Graduate Studies and Research, the Office of Sponsored Programs, and the Division of Public Affairs for members of the public interested in scholarship and research at Western Kentucky University.

**Faculty Lounges** - Faculty lounge areas are available in most of the classroom buildings. The Faculty House, located near Cherry Hall, provides facilities for fellowship and recreation for faculty members and their spouses.

**Parking Facilities** - Parking for faculty members is provided in designated areas on campus. Some of the lots are available for reserved parking only and some are available on a first come-first served basis. Official faculty and staff parking permits authorize use of faculty/staff parking lots. These permits are available through the WKU Police Department upon payment of a registration fee. Faculty/Staff permits allow free parking in the Parking Structure during athletic events.

**Mail Service** - A contract station of the U.S. Post Office is located on the ground floor of the Downing University Center. Faculty members may rent private mail boxes or may use the campus mail service which is provided for each department. Campus mail service may be used for official University mailing without postage attached. The College Heights Post Office operates on the following schedule during the regular terms: 8:30 a.m. - 4:00 p.m. Monday through Friday. Outgoing mail leaves the post office two times daily, at 2:30 p.m. and 3:30 p.m. During holiday and vacation periods a special schedule is followed. Faculty and staff members are notified of the hours the post office is open during these holiday and vacation periods. All postal services offered by the downtown post office (stamps, money orders, insured and registered mail, c.o.d., and special deliveries) are available at the campus post office.

The University provides a Campus Mail Service to aid in the internal administrative efficiency of the University. This service, which provides for the delivery of written communications that pertain to recognized and authorized official University business, may be used only by members of the University faculty, the administrative staff, the Students Government Association, and other organizations budgeted by the University.

## **APPENDIX 1**

# **Charter of the University Senate** **Western Kentucky University** **May, 2001**

### **Preamble**

We, the faculty of Western Kentucky University, are committed to a collegial system of university governance. In a collegial system, authority and responsibilities are shared among colleagues, some of whom have duties as faculty and others as administrators. The Statement on Government of Colleges and Universities jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges (as adopted by the AAUP in 1966 and revised in 1990), outlines general principles governing the respective roles of governing boards, faculties, and administrators. In accord with the general principles outlined in this document, we subscribe to the goal of a system of governance in which there are appropriately shared responsibilities and cooperative action.

In a collegial system, decision-making power is delegated to the collegial group most expert in or responsible for the area in which a decision is made. The faculty has primary responsibility for areas such as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life relating to the educational process. The final decision on these matters is by statute lodged with the Board of Regents and may be delegated by the Board to the President. We believe that in these matters faculty advice should be welcomed and encouraged and if not accepted, the rationale communicated to the faculty. Whenever possible, the faculty should have the opportunity to consider the matter further and to convey its view to the appropriate administrator. In other areas that affect academic programs,

such as the selection of the President and other administrators, the organization and structure of departments, institutional budget priorities, and the like, the appropriate faculty bodies should be consulted.

This Charter sets forth a structure through which the faculty as a whole at Western Kentucky University can exercise its collegial responsibility. Every faculty member shall have the opportunity to participate in university governance—either directly by serving in the Senate or on a Senate committee or indirectly by electing colleagues to represent her or him.

## **I. The Function of the University Senate**

The University Senate is the agency for the articulation and presentation of the views of the faculty. While departments, colleges, schools, and programs are empowered to make decisions in many areas, the need remains for consultation and cooperation on academic and professional matters that pertain to the university as a whole. Hence, the University Senate shall function as the official representative voice of the faculty, advising and making recommendations to the President and Provost/Vice President for Academic Affairs concerning academic requirements and policies, faculty responsibilities and welfare, and any other matters of importance to the faculty.

## **II. The Membership of the University Senate**

### **A. Composition**

1. The term “faculty” for purposes herein is defined as all persons in the full-time employ of the University who hold faculty rank, instructor and above, excluding visiting or adjunct professors. The two exceptions are the extended campus and the part-time representatives selected to serve on the Professional Responsibilities and Faculty Welfare Committee who must be members of the group they are to represent, but need not have faculty status as defined above.
2. Each college and library department shall have one representative. A departmental alternate shall have the full rights and privileges of an elected senator when substituting for a regular representative. Department heads shall be eligible to serve on the Senate.
3. Each college and the library shall select as many at-large alternates as required so that the total of departmental and at-large representatives is equal to ten (10) percent (rounded to the nearest whole number) of the unit's total faculty. An equal number of alternates shall be selected by each unit. An at-large alternate shall substitute for an at-large senator and shall have the full rights and privileges of an elected senator.
4. Non-voting advisory members of the University Senate include: the President of the University, the Provost, the Academic Deans, the Dean of Graduate Studies, the Dean of Libraries, the Faculty Regent (the Faculty Regent cannot also be an elected Senate representative), and a representative from the Staff Council.
5. Student Membership: three students shall be members of the University Senate. They and their alternates shall be selected by the Student Government Association and shall serve one-year terms.

### **B. The Officers and Their Functions**

1. The University Senate shall have a Chair, a Vice-Chair, and a Secretary elected annually by the membership of the University Senate. A Parliamentarian, who need not be a Senator, shall be appointed by the Chair in consultation with the Executive Committee.
2. The Chair shall conduct the meetings of the Senate and serve as the chair of the Executive Committee.
3. The Vice Chair shall perform all the duties of the Chair in the absence of the Chair.
4. The Secretary shall keep minutes of all Senate meetings and make the minutes available to members of the Senate and the entire faculty by posting them on the Senate Website within five work days. The Secretary shall keep a membership list and record of attendance. The Secretary shall also keep minutes of the meetings of the Executive Committee.
5. The officers of the University Senate shall serve in their respective positions for a period of one year or until successors are elected. They shall be eligible for reelection.
6. The terms of the Chair, Vice-Chair, and Secretary shall begin with their election at a meeting held near the end of the spring semester.

7. The constitutional officers of the Senate may be removed for cause, following the guidelines established in the most recent edition of Sturgis' *The Standard Code of Parliamentary Procedure*.

### **C. Elections**

1. Departments shall hold elections for departmental Senators during the first week of March. The results shall be forwarded to the Secretary of the Senate who shall prepare the roster for the new Senate. Each department shall also elect an alternate to attend Senate meetings when the regular representative is unable to attend.
2. Election of at-large members shall be conducted by the Vice-Chair of the Senate, assisted by College representatives on the Executive Committee. The election shall proceed as follows: in the first week of March each department may nominate up to three faculty members to a pool from which its college's at-large representatives shall be chosen. (The same procedure shall be used by the library.) The list of nominees for each college shall be published and voting by ballot shall be in the offices of the college deans and/or other designated place at a time determined by each college. Each eligible voter shall be permitted to vote for as many persons as positions being filled. Those with the highest number of votes shall be declared elected. In the event of a tie, a drawing to determine the winner shall be conducted by the Vice-Chair. The runners-up shall be placed in a pool from which replacements will be selected when vacancies occur. In each case, the person with the highest number of votes shall be selected. Among the runners-up, a number equal to those elected shall be declared alternates for at-large representatives.
3. In conjunction with the organizational meeting of the new Senate, the representatives from each college and the library shall caucus separately to elect from their number representatives to each of the standing committees.
4. If a departmental senator resigns, then the department's alternate shall become the department's representative. If an at-large senator resigns, the first eligible alternate from that college/library shall replace that person.
5. If a senator is absent from two regularly scheduled Senate meetings during an academic year and fails to provide an alternate, then the Chair of the University Senate may declare the senator's position vacant. If the position of a departmental senator is declared vacant, the department shall hold a new election. The Vice Chair of the University Senate shall keep a complete record of the votes for at-large senators for each college. If the position of an at-large senator in a college is declared vacant, the next eligible person in the at-large pool for that college shall become senator.

### **D. Term of Office**

Each elected member shall serve for a term of two years beginning August 1 of the first year and ending July 31 of the second year. Members shall be eligible for reelection for a second consecutive term, but ineligible for further reelection until one year has elapsed. Elections to fill vacancies shall be conducted by the department where the vacancy has occurred and shall be only for the unexpired term. Fractions of terms of less than one year served in fulfilling an unexpired term shall not prevent the individual from being elected for two additional successive terms.

### **III. Senate Meetings and Rules of Procedure**

- A.** The University Senate shall meet once a month during the academic year unless the frequency of meetings is changed by a vote of the Senate. The date, time, and place of the meetings are to be determined by the Executive Committee.
- B.** The agenda shall be distributed to the members of the Senate at least seven days prior to the meeting. For action items, appropriate information shall be distributed with the agenda. For items on the information only/consent agenda, information shall be made available on the Senate Website at least seven days prior to the meeting.
- C.** A special meeting may be called by the Chair, with the concurrence of the majority of the voting members of the Executive Committee. A special meeting must also be called by the Chair upon written request of at least ten members of the University Senate.
- D.** If a departmental senator and the departmental alternate senator cannot attend a Senate meeting, the departmental senator can send any member of the department to the Senate meeting.
- E.** A quorum of the University Senate shall be a majority of the voting membership of the Senate. Business conducted up to the point that an absence of a quorum is established and announced by the chair is assumed to be conducted with a quorum present.
- F.** Procedural matters brought before the Senate shall require only one reading; substantive matters shall require two readings. Any senator may make a resolution which, if seconded, shall be addressed by the Senate.
- G.** The University Senate shall use the most recent edition of Sturgis' *The Standard Code of Parliamentary Procedure* to govern its meetings.
- H.** All meetings of the University Senate shall be open to all members of the faculty and other interested parties. Visitors shall be permitted to address the Senate at the discretion of the chair.

### **IV. The Organization of the University Senate**

The University Senate shall act on all proposals received either from its committees or from its members. In addition, the Senate shall hear and rule on any appeal from a college curriculum committee and shall forward its recommendation, along with the relevant materials, to the Office of the Vice President for Academic Affairs.

The University Senate shall also act through its committees, receiving for information reports of committee actions. However, the Senate may vote to review a committee action. The committee shall be informed of the review, and the matter shall be placed on the agenda of the next Senate meeting. The Senate shall forward its recommendation to the Office of the Vice President for Academic Affairs.



## **A. Standing Committees of the Senate**

The standing committees of the Senate are the following: the Executive Committee, the University Curriculum Committee, the General Education Committee, and the Professional Responsibilities and Faculty Welfare Committee. The composition and duties of the standing committees are as follows:

### **1. The Executive Committee**

The Executive Committee shall be composed of the Chair, Vice-Chair, and Secretary of the University Senate, the Chairs of the other standing committees, and one Senate member from each undergraduate college and the library. The Provost and the Faculty Regent shall be non-voting advisory members of this committee. The Secretary of the Senate shall function as Secretary of the Executive Committee.

*The functions of the Executive Committee shall be:*

- a. to set the time and place of regular meetings and to prepare the agenda for each meeting
- b. to function as liaison between the Senate and the President and Provost/Vice President for Academic Affairs, meeting with each one at least twice a semester
- c. to respond to requests from the President and Provost for the formation of an ad hoc committee to study a particular issue or to recommend faculty members to serve on a university committee
- d. to assist the Chair of the Senate in assigning issues to the appropriate committee for study and possible action
- e. to make recommendations to the Senate concerning Senate rules and by-laws, proposed amendments, and procedural changes.
- f. to conduct elections for Faculty Regent

### **2. The University Curriculum Committee**

The University Curriculum Committee shall consist of voting members and alternates as well as non-voting advisory members. Voting members will be selected as follows: one senate representative and one alternate from each college and the Library shall be selected by Senate colleagues from the same college. One curriculum committee representative and one alternate shall be elected from each of the college undergraduate curriculum committees, the college graduate curriculum committees, and the Graduate Council. To ensure adequate representation three faculty members and three alternates shall be appointed by the Executive Committee; the appointed members should normally be Senators, but non-Senators may be appointed. One student senator and one student alternate shall be selected by the Student Government Association to serve on the committee. The Registrar, a representative of the Office of the Vice President for Academic Affairs, and the deans (or their representatives) of the undergraduate colleges, the Library, and Graduate Studies and Research shall be advisory members.

*The functions of the University Curriculum Committee shall be:*

- a. to review existing programs and new program proposals in light of the university's mission statement

- b. to review any academic matters such as degree and graduation requirements, standards of scholastic achievement, rules and regulations governing faculty-student relations
- c. to review existing courses and new courses having significant consequences that cross college lines
- d. to study any curricular matter it chooses
- e. to study matters assigned to it by the Executive Committee

The University Curriculum Committee shall have two types of responsibilities: 1) to make proposals to the University Senate concerning university-wide academic policies, and 2) to review particular programs and courses to determine whether they meet established standards. The latter includes both action and consent items received from college curriculum committees.

University-wide academic policies include such matters as admission requirements, undergraduate degree and graduation requirements, and all similar matters that have application or significance beyond a single college, except matters pertaining to General Education. The University Curriculum Committee shall make recommendations concerning these matters to the University Senate for its approval. Upon Senate approval such items shall be forwarded to the Office of the Vice President for Academic Affairs.

The University Curriculum Committee shall place on its agenda the following items. In his/her report to the Committee, the Chair shall inform the Committee of all information items submitted by the college curriculum committees. (See Appendix A for a definition of “information item.”) All consent items submitted by the college curriculum committees shall be placed on a consent agenda. (See Appendix A for a definition of “consent item.”) Any member of the University Curriculum Committee shall have the option of removing a consent item from the consent agenda and placing it on its action agenda for regular review. All action items submitted by the college curriculum committees shall be placed on an action agenda. (See Appendix A for a definition of “action item.”) Any action item that the Curriculum Committee rejects shall be returned to the college curriculum committee that submitted it, accompanied by a rationale for the rejection. All consent and action items that the Committee approves shall be placed on the University Senate's consent agenda and upon its approval shall be forwarded as a recommendation to the Office of the Vice President for Academic Affairs.

### 3. The General Education Committee

The General Education Committee shall consist of the following voting members: senators, one from each undergraduate college, shall be selected by Senate colleagues from the same college; members, one from each undergraduate college, shall be elected by the curriculum committees of the respective colleges; to ensure adequate representation three faculty members shall be appointed by the Executive Committee. (The appointed members should normally be Senators, but non-Senators may be appointed.) One student senator shall be selected by the Student Government Association to serve on the committee. A representative of the Office of the Vice President for Academic Affairs and the General Education Coordinator shall be non-voting advisory members.

*The functions of the General Education Committee shall be:*

- a. to develop and review general education guidelines, performance standards, and course criteria
- b. to review existing courses and to consider new courses proposed for general education
- c. to engage in a continuing evaluation of the effectiveness of the general education program
- d. to study all matters it chooses pertaining to general education
- e. to study matters assigned to it by the Executive Committee

The General Education Committee shall function as the faculty review body to make recommendations regarding matters pertaining to general education. The General Education Committee shall have two types of responsibilities: 1) to make proposals to the University Senate concerning the structure and content of general education, and 2) to review courses proposed for general education to determine whether they meet established standards.

The oversight of the general education program includes such matters as establishing standards for general education and monitoring the effectiveness of general education. Proposals concerning such matters shall be submitted to the University Senate for approval. Upon Senate approval, they shall be forwarded to the Office of the Vice President for Academic Affairs.

The General Education Committee shall also review all courses submitted to it by college curriculum committees for general education credit. Information regarding approved courses shall be placed on the University Senate's consent agenda and upon its approval shall be forwarded as a recommendation to the Office of the Vice President for Academic Affairs. Any proposal that the General Education Committee rejects shall be returned to the appropriate college curriculum committee, accompanied by a rationale for the rejection.

#### 4. The Faculty Welfare and Professional Responsibilities Committee

The Faculty Welfare and Professional Responsibilities Committee shall consist of fifteen voting members. The Gordon Ford College of Business, the library, and the Bowling Green Community College shall each have one voting member. The College of Education and Behavioral Sciences, Ogden College of Science, Technology and Health, and Potter College of Arts, Humanities, and Social Sciences shall each have two voting members. All members are to be selected by Senate colleagues from his/her unit. To ensure adequate representation three faculty members shall be appointed by the Executive Committee. (The appointed members should normally be Senators, but non-Senators may be appointed.) A faculty member from extended campus and a part-time faculty member shall also serve as voting members of this committee. (These members shall be selected by rotation among the off-campus centers in the case of the extended campus member and rotated among the colleges for the part-time faculty member.) One student senator shall be selected by the Student Government Association to serve on the committee. A representative from the Office of the Vice-President for Academic Affairs shall be a non-voting advisory member of this committee.

*The functions of the Faculty Welfare and Professional Responsibilities Committee shall be:*

- a. to make recommendations concerning the responsibilities and obligations of the faculty person in his/her role as scholar and teacher
- b. to make recommendations concerning faculty evaluation and the recognition of outstanding performance in teaching, scholarship (research), and university service
- c. to make recommendations on policies, criteria, and procedures for faculty recruitment, appointment, reappointment, promotion, tenure, post-tenure review, salary, workload, working conditions, summer teaching, sabbatical leave, leave of absence, professional travel expenses, off-campus teaching and service, and consulting activities
- d. to furnish advice on policies and procedures relating to retirement programs, insurance plans, sick leave, tenure, and other matters relevant to faculty welfare
- e. to study any matter pertaining to faculty responsibilities and welfare it chooses
- f. to make recommendations concerning policies and procedures related to faculty grievances
- g. to establish the pool from which faculty members will be chosen to serve on Faculty Grievance and Continuance Committees
- h. to study matters assigned to it by the Executive Committee

## **B. Rules of Standing Committees**

1. Meetings—Standing committees shall meet at least once each month during the academic year. Special meetings may be called by the committee chair upon the request of a majority of the committee members.
2. The day, time, and place of all meetings shall be published so that interested parties may attend a committee meeting. Visitors shall be permitted to address the committee at the discretion of the chair.
3. Quorum—A quorum shall consist of a simple majority of voting members of the committee.
4. Voting requirements—A simple majority of the quorum is required for a legal vote.
5. Each committee, except the Executive Committee, shall elect its own chair. The chairs of all standing committees shall be members of the Senate.
6. Appointed members of committees who are not members of the Senate shall have the right to speak on the floor of the Senate when matters related to their committee are being debated, but they shall not have voting rights. In committee sessions they shall have the same rights as Senate-elected members of the committee.

## **C. Ad Hoc Committees**

The Executive Committee shall have the right to appoint an ad hoc committee in response to a need which it has identified or to an administrative request. The composition of such a committee shall be determined by the situation. Where appropriate, the rules for Standing Committees shall govern the organization and operation of an ad hoc committee. An ad hoc committee shall be disbanded after it has completed its investigation and reported its findings to the University Senate.

#### **D. Faculty Representation on other University Committees**

In addition to academic and faculty responsibility and welfare matters, there are many activities in the university that affect academic programs. Examples include the selection of the President and Executive Officers, institutional budget priorities, building priorities and design of academic facilities, goals and objectives of major fund raising efforts as related to academic matters, scholarship policies, selection of major non-academic administrators, support services related to academic functions, general policies regarding intercollegiate athletics, campus safety, transportation and parking policies, etc. In these matters it is appropriate that faculty opinion be considered along with that of others. Where feasible, the appropriate faculty body should be consulted. In other cases, the appropriate form of faculty input may be through having one or more faculty members serve on the committee in question. When committee appointments are appropriate, the President or delegated administrative officer shall request the University Senate Executive Committee to recommend as many faculty members as needed to serve on such committees. This applies both to standing committees such as the Budget Committee, Athletic Committee, and the like, and ad hoc committees formed to study and make recommendations on any issue of special importance to faculty.

Faculty members representing the Senate on a standing university committee shall normally serve for two years, but may serve for a longer term to conform to the norm for that committee. On ad hoc committees, Senate-recommended members shall serve until the committee has completed its task and is dismissed. One faculty representative from the Senate who serves on a standing university committee or an ad hoc committee shall report to the Senate and shall keep the Senate abreast of the activities of the committee on which he/she is serving.

#### **V. Charter Amendments**

A proposed amendment to the Charter of the University Senate may be submitted to the Executive Committee by Senate members or by a committee of the Senate. The Executive Committee shall present the proposal, along with its own recommendation, to the membership of the Senate. An amendment must have two readings and be approved by a two-thirds majority of the membership present.

#### **VI. Implementation**

The University Senate shall be established and this Charter adopted when approved by the Board of Regents of Western Kentucky University and shall replace the current Academic Council and Faculty Senate.

## **Functions of the College Curriculum Committees**

Each college shall have undergraduate and graduate curriculum committees to review all curriculum-related matters, including the determination of degree requirements and standards of scholastic achievement. Departments shall submit to their college curriculum committees all proposals for changes in their academic programs.

If a proposal is approved by a college curriculum committee and it has significant implications for departments in other colleges, then it shall be forwarded to the University Curriculum Committee as an action item. Proposals with significant implications include the following: proposals for new programs (majors, minors, certificate programs), significant changes in programs, new courses, multiple changes to existing courses, changes in course credit hours, changes in course numbers with changes in level (e.g. PSY 342 becomes PSY 453), multiple offerings of "one-time only" courses, and academic policies and regulations.

If a proposal does not have significant implications beyond the college, then it shall be forwarded to the University Curriculum Committee as a consent item. Proposals that do not have significant implications for programs in other colleges typically include the following: proposals to change program (major, minor, certificate) titles, replace one intradepartmental course in a program with another, delete programs, suspend programs, delete courses, suspend courses, change course titles, change course catalog descriptions (as long as course content is not changed), change course numbers without changing level (e.g. PSY 342 becomes PSY 353), change course prerequisites, or create community college equivalent courses. Any member of the University Curriculum Committee shall have the right to remove a proposal from a college curriculum committee's list of consent items and to treat it as an action item. If a member of the University Curriculum Committee does so, the Committee may postpone review of the item until the next meeting of the University Curriculum Committee.

One-time only course offerings and proposals to change course prefixes shall be forwarded to the University Curriculum Committee as information items.

If a new course is also being recommended for inclusion in general education, then the proposal shall first be forwarded to the University Curriculum Committee for approval. If approved, the proposal shall be forwarded simultaneously to the University Senate for consent and to the General Education Committee for review.

If the University Curriculum Committee or the General Education Committee rejects a proposal from a college curriculum committee, the college curriculum committee shall have the opportunity to revise its proposal and to resubmit it to the same committee. If the proposal is rejected a second time, the college curriculum committee shall have the right to appeal its case to the University Senate. It shall submit the proposal to the Chair of the Senate to be placed as an action item on the Senate agenda. If the University Senate rules in favor of the college curriculum committee's proposal, the proposal shall be forwarded as a recommendation to the Office of the Vice President for Academic Affairs.

## Bylaws

### **Bylaw 1 (supplementing II.C.4. and II.D. of the Charter of the University Senate).**

The election of departmental senators will be conducted during odd years (e.g., 2001, 2003...). The election of at-large senators will be conducted during even years (e.g., 2002, 2004...). To make this possible, departmental senators will have a one-year term for the 2000/2001 academic year and a special election will be conducted for departmental senators during the spring of 2001. This one-year term will not be counted towards successive terms and any reelected departmental senator will be eligible for a second consecutive term of two years. This would give a departmental senator elected in 2000 the possibility of three terms in office (one term of one year and two terms of two years for a total of five years in office). After the spring 2001 elections, all senators will have two-year terms as described in the Charter

## APPENDIX 2

### FACULTY REGENT ELECTION

1. A written notice of the election shall be distributed by the University Senate via campus mail to each faculty member at least twenty (20) working days prior to the initial ballot. This letter shall indicate:
  - Times and voting locations for the initial ballot;
  - Criteria concerning eligibility of candidates and the voting electorate;
  - A schedule of public posting for a list which designates those members of the faculty deemed eligible to vote as well as those eligible to serve as Faculty Regent;
  - A procedure by which issues of eligibility shall be resolved;
  - The procedures by which a faculty member may have his or her name included on the initial ballot;
2. A list including the name of each faculty member eligible to vote shall be prepared by the Office of the Provost and Vice President for Academic Affairs. An asterisk shall be used to designate those faculty members eligible to vote but not eligible for election. At least twenty (20) working days prior to the initial ballot, a copy of the eligibility list should be given to each department's faculty senator with instructions to check the eligibility list for his/her area, report errors and omissions to the Senate Executive Committee, and post the list on the department's bulletin board within twenty-four hours after receiving it. Candidates and those whose names are added to or deleted from the original eligibility list by the Senate Executive Committee should be so informed.
3. Issues of voter eligibility by members of the faculty must be reported in writing to a member of the Senate Executive Committee at least ten (10) working days prior to the initial ballot.
4. Any eligible faculty person may declare candidacy for the Faculty Regent position and/or any eligible faculty person may be nominated by other faculty members. If an eligible faculty member is nominated by other faculty, such nomination shall be accompanied by a statement of consent to serve signed by the person being nominated. All nominations are to be submitted to the Chairperson by the Senate Executive Committee at least ten (10) working days prior to the election.
5. The Senate Executive Committee shall meet at least eight (8) working days prior to the election to certify the eligibility list and prepare an initial ballot.
6. Any person wishing to vote absentee must either obtain a ballot directly from the Senate Executive Committee member representing his or her college and sign the official voter list or write a letter requesting a ballot with the signature on the letter constituting the signing of the eligibility list. The ballot must be returned in person or by mail to the Senate Executive Committee member in double



envelopes before 8:00 a.m. the day before the election. The Senate Executive Committee shall put the date and time of receipt on the unopened absentee ballot.

7. The election shall take place on a single week day, between the hours of 8:00 a.m. and 4:00 p.m.
8. Locked and secure ballot boxes shall be provided for the initial vote in each college dean's office. The key to the ballot box shall be retained in the possession of a Senator of the Senate Executive Committee.
9. The number of paper ballots provided shall coincide with the number of eligible voters. To receive a ballot, each eligible voter shall show his or her official university identification card and sign next to his or her name on the official eligible voter list. An area shall be provided at the voting location for the ballot to be marked in secret. Each voting location shall be supervised at all times by university personnel designated by the Senate Executive Committee.
10. Each person shall vote for one candidate only.
11. Immediately upon the closing of the polls, the ballot box shall be locked. The Senate Executive Committee shall meet and count the ballots.
12. Upon conclusion of the vote tabulation, the committee members shall certify the outcome of the election by affixing their signatures to the tabulation results.
13. If a simple majority is obtained by any single individual, that person shall be the duly elected Faculty Regent.
14. If a simple majority is not obtained on the first ballot, subsequent balloting shall take place in each college dean's office. Policies and procedures of the initial election shall apply to subsequent balloting.
15. Ballots subsequent to the first shall take place in not less than five (5) nor more than ten (10) working days from the previous election.
16. The Senate Executive Committee shall inform all faculty by campus mail of the next election. The letter shall include the time and place of voting, names of the candidates that are to appear on the next ballot, provision for absentee ballots, and the names of the members of the Senate Executive Committee by college who should be consulted for clarification of rules and procedures.
17. Names of the candidates shall be placed on the ballot in an order determined by a drawing conducted by the Chairperson of the Senate Executive Committee. The candidates or their designated representatives shall participate in the drawing.
18. The second ballot shall include those individuals receiving the highest number of votes and whose votes total fifty (50) percent of the votes cast.

19. Balloting shall continue according to established procedures until one candidate receives a simple majority.
20. The final certified results as attested by the Senate Executive Committee shall be delivered immediately to the President of the University by the Chairperson of the Senate. The results of the election shall be held in strict confidence by members of the Senate Executive Committee until the results are officially released by the President of the University.
21. The first ballot is to be completed on or before October 1.
22. The Faculty Regent will be sworn in at the fourth quarterly meeting and serve a three-year term from the time the oath of office is taken.

## **APPENDIX 3**

### **WESTERN KENTUCKY UNIVERSITY POST-TENURE REVIEW POLICY**

(Adopted by Western Kentucky University Board of Regents, May 19, 2000)

#### **PURPOSES**

There has been a marked growth in interest in the subject of post-tenure review among institutions of higher education in the United States. There are many factors serving as an impetus to implementing post-tenure review policies at colleges and universities. In Kentucky, in addition to institutional self-study, the impetus has come, in part, from the state legislature. In 1998, Senate Bill 11 was passed by the Kentucky General Assembly calling on all state universities to develop post-tenure review policies. The Council on Postsecondary Education was charged with monitoring the efforts of universities to implement such policies.

The post-tenure review policy described herein is the product of extensive study by a special faculty committee, commentary by the faculty at large and the Faculty Senate, suggestions by the Faculty Regent, and review by the Provost/Vice President for Academic Affairs and President. Among other things, the policy is intended to: (1) respect important academic values and practices, specifically including academic freedom and tenure; (2) recognize good performance and encourage professional development; and (3) allow intervention in those cases in which there is a demonstrated need for improvement. Western Kentucky University recognizes that the purposes of post-tenure review are achieved through a continuing review process designed:

- to commend and recognize superior performance through merit pay and university awards;
- to encourage and facilitate improvement wherever necessary;
- to maximize opportunities for continuing professional development;
- to advance attainment of institutional goals.

The post-tenure review process should acknowledge good work, point out areas for improvement, identify most productive uses of faculty members' talents and expertise, and identify opportunities to energize all faculty members to reach new levels of achievement.

#### **PROCESS**

The post-tenure review process at Western Kentucky University will incorporate and build upon the existing system of annual performance reviews. Key elements of the review process will include annual activity reports submitted by each faculty member, results of student (SITE) evaluations of faculty, and department head evaluations of each faculty member. These elements will encompass:

- annual activity reports that will be consistent in format and will include activities and endeavors in the categories of teaching, research/creative activity, service, and contributions to the university mission, as well as the individual faculty member's long-range goals in each of the above categories;
- results of student (SITE) evaluations for each course taught by the faculty member during the preceding year;
- department head annual evaluations that will explicitly address the post-tenure review goals of commending and recognizing superior performance, encouraging and facilitating improvement wherever necessary, maximizing opportunities for continuing professional development, and advancing attainment of institutional goals.

The results of the annual post-tenure review process will be provided to the college dean and the Provost/Vice President for Academic Affairs and will be incorporated into recommendations for merit salary increases and university recognitions and awards. If areas needing improvement are identified, the department head will work with the faculty member in developing a plan for improvement and will monitor progress during the following year.

Any dispute involving an individual faculty member's evaluation under the post-tenure review process will be resolved, if possible, at these levels (in order): department head; college dean; Provost/Vice President for Academic Affairs. Any unresolved disputes may be submitted to the Faculty Grievance Committee through the President.

Insofar as possible, the post-tenure review process will follow a similar structure and format throughout the university. Only minor department-specific adjustments may be made to this policy and those may be made only by majority vote of the tenured and tenure-track faculty of the particular department and approved by the college dean and the Provost/Vice President for Academic Affairs.

Two years after implementation of this policy, the University Senate will conduct a study of the policy to determine if it has accomplished its stated purposes. The Senate will report its findings to the Provost/Vice President for Academic Affairs.

## IMPLEMENTATION

The post-tenure review policy will go into effect beginning with the 2000-2001 academic year. All tenured faculty members are subject to this review.

Each academic department will review its current post-tenure review evaluation criteria to ensure consistency with the adopted post-tenure review policy. Changes in existing departmental criteria will be adopted through a majority vote of all tenured and tenure-track faculty members in the department and will be approved by the college dean and the Provost/Vice President for Academic Affairs. For the initial year of implementation, this process should be completed at the department level and the college dean's level by October 5, 2000, and at the Provost/Vice President for Academic Affairs level by October 30, 2000.

It is recommended that departments refer to existing criteria for faculty evaluation described in the Faculty Handbook (15th edition, pages 10-17, 34, and 38-41). Materials required for the review will include the individual faculty member's annual activity reports (which will follow a consistent university format), student (SITE) evaluations, department head evaluations, and the faculty member's long-range goals in each of the four areas of responsibility.

Post-tenure review will be built upon the existing process of annual performance reviews of faculty. Reviews during the initial year will be scheduled for completion by February 15, 2001 so that the results can be incorporated into the University's system of annual merit salary increases and other recognitions of performance. A similar schedule will be followed in subsequent years.

When areas of needed improvement have been identified through these reviews, the department head will work with the individual faculty member to develop a professional development plan to address those needs. The plan should be based on a clear timetable and should incorporate explicit steps to be taken by the faculty member to achieve the necessary improvement.

## APPENDIX 4

### COMPUTING ETHICS POLICY

(Adopted by the WKU Academic Council, July 23, 1987)

The general standards of conduct expected of members of an educational institution also apply to the use of University computing resources. These resources include:

1. "Hardware" -- physical equipment used for processing or data communications.
2. "Software" -- programs, programming languages, instructions, or routines which are used to perform work on a computer.
3. "Data" -- information such as records or textual material stored on or accessible through a computer.

University computing resources are made available to individuals to assist in the pursuit of educational goals. It is expected that users will cooperate with each other so as to promote the most effective use of computing resources and will respect each other's ownership of work even though it is in electronic rather than printed form. Individuals and organizations will be held no less accountable for their actions involving computers than they would be in other situations.

Rules prohibiting theft or vandalism apply to computing resources that are the property of the University including software and data as well as physical equipment. Conduct which violates the University's property rights with respect to computing resources includes:

1. Copying University-owned or licensed software or data to another computer system for personal or external use without prior written approval.
2. Attempting to modify University-owned or licensed software or data without prior written approval.
3. Attempting to damage or disrupt operation of computing equipment, data communications equipment, or data communications lines.
4. Using University computing resources for purposes other than those intended by the University body granting access to these resources including:
  - a. Allowing access to them by unauthorized persons even if they are members of the University community.
  - b. The use of University computing resources in external consulting unless approved in accordance with University procedures, except for "occasional or incidental" professional activities (as defined in the Faculty Handbook under "Professional Responsibilities," subsection, "Extra-University Consulting and Other Professional Activities"). When approved, such use is limited to the specific resources allocated for the purpose, and fees may be charged for such use.

The University seeks to protect the civil, personal, and property rights of those actually using its computing resources and seeks to protect the confidentiality of University records stored on its computer systems from unauthorized access. Conduct which involves use of University computing resources to violate another's rights includes:

1. Invading the privacy of an individual by using electronic means to ascertain confidential information.
2. Altering University software or data files by electronic means without proper authorization.
3. Copying another user's software or data without permission of its owner.
4. Knowingly accepting or using software or data which has been obtained by illegal means.
5. Abusing or harassing another user through electronic means.
6. Using the University's computing facilities in the commission of a crime.

Some of the University's computer systems require that each user have a unique identity, protected by a password, to gain access to the system. The computer identity is used to represent a user in various system activities, to provide access to certain software and data based on his credibility and purpose for requiring such access, and to associate his own software and data with his identity. As such, this computer identity is another instrument of identification and its misuse constitutes forgery or misrepresentation. Conduct which involves misuse of computer identities includes:

1. Allowing an unauthorized individual to use the identity.
2. Using another individual's computer identity without his express permission, even if the individual has neglected to safeguard it.

The management of University computing resources is distributed among many University bodies. Rules and regulations governing specific resources are available through the individual governing bodies.

Abuses of University computing resources will be referred to the appropriate instructor or supervisor for consideration under the University's disciplinary processes. This referral may be accompanied by a temporary suspension of computing privileges awaiting outcome of the disciplinary process. In addition, Kentucky law contains specific statutes with respect to improper use of computers in state agencies. Therefore, improper use of University computing resources may be subject to criminal or civil legal action in addition to University disciplinary action.

## APPENDIX 5

### INTEGRITY IN RESEARCH AND OTHER SCHOLARLY ACTIVITIES

#### I. INTRODUCTION

Individual integrity in science, research, and scholarly activities is an important component of a viable and energetic academic community. The following policy on integrity and the guarding against misconduct in research and scholarly activities applies not only to externally funded investigative projects but to all scholarly efforts that involve faculty, staff, and students at Western Kentucky University.

Misconduct in university research activities undermines the research enterprise and is harmful to the university community, the research community generally, and the public. Institutions such as Western Kentucky University have the responsibility not only to promote a healthy research environment but also to establish policies and procedures deal effectively with allegations or evidence of misconduct. This document deals with the university procedures for handling allegations of misconduct.

By way of introduction the basic principles which guide the institutional review process are as follows:

- Individual integrity in academic research is the expected norm.
- Faculty, staff, and students have an obligation to report misconduct in research when there is evidence that the misconduct is intentional.
- Universities should provide vigorous leadership in the pursuit and resolution of all charges of misconduct in research.
- Universities must take care that the process pursued to resolve allegations of misconduct not damage research itself.
- Universities should treat all parties with justice and fairness and be sensitive to the reputations and vulnerabilities of all parties.
- Procedures for dealing with allegations of misconduct must preserve the highest attainable degree of confidentiality compatible with an effective and efficient response.
- The integrity of the process must be maintained by painstaking avoidance of real or apparent conflict of interest.
- The procedures should be as expeditious as possible.
- Universities should document the pertinent facts and findings at each stage of the process.



- Universities should recognize and discharge their responsibilities after resolving allegations of misconduct--internally, to all involved individuals; and externally, to the sponsors of research, the research literature involved, and other appropriate groups or agencies.

## II. DEFINITION OF RESEARCH MISCONDUCT

As used in this policy statement, the term "research misconduct" includes four categories of unacceptable actions:

- A. An intentional act of deception by the researcher (faculty member, staff, postdoctoral associate, or student) in proposing, conducting, or reporting results of research. It is different from the honest error and the ambiguity of interpretation that is inherent in the research process and which is normally corrected by attempts at replication. Examples are:
  - 1. Falsification of data--ranging from outright fabrication to deceptively selective reporting, including the purposeful omission of conflicting data with the intent to falsify results.
  - 2. Plagiarism--representation of another's work as one's own.
  - 3. Misappropriation of others' ideas--the unauthorized use of privileged information (such as violation of confidentiality in peer review), however obtained.
- B. A deliberate failure to comply with University and/or sponsoring agency requirements affecting specific aspects of a research project, e.g., the protection of human subjects, the welfare of laboratory animals, or the use of recombinant DNA techniques.
- C. A clear lack of adequate supervision of students and other research personnel by faculty for insuring that data are appropriately collected and reported.
- D. A major and deliberate failure to comply with other legal requirements governing research.

## III. PROCESS FOR HANDLING ALLEGATIONS OF RESEARCH MISCONDUCT

The University process for handling allegations of research misconduct involve three stages: inquiry, investigation, and resolution.

### Initiation of an Inquiry

Western Kentucky University has a responsibility to pursue an allegation of research misconduct fully and to resolve questions regarding the integrity of research. In the inquiry and any investigation which may follow, the University will attempt to focus on the substance of the issues and be vigilant not to permit personal conflicts between colleagues to obscure the facts.

In order to address all allegations of research misconduct expeditiously, the University designates the dean of the appropriate college as the administrator to whom allegations are to be reported. If the dean has a conflict of interest with a case, the allegation will be pursued by another administrator designated by the Vice President for Academic Affairs.

The dean of the college involved will pursue all allegations to resolution. The dean will consult in confidence with any individual who comes forward with an allegation of research misconduct. If the dean determines that the concern is addressed appropriately through policies and procedures designed to deal with misconduct in research, the subsequent inquiry and investigation procedures will be discussed with the individual who raised the questions about the integrity of a research project. If individual chooses not to make a formal allegation, but the dean believes there is sufficient cause to warrant an inquiry, the matter will be pursued; in such a case, there is no "complainant" for the purposes of this document.

#### IV. INQUIRY

##### A. Purpose

Whenever an allegation of misconduct is filed, the dean will initiate an inquiry—the first step of the review process. In the inquiry stage, factual information is gathered and expeditiously reviewed to determine if an investigation of the charge is warranted. An inquiry is not a formal hearing; it is designed to separate allegations deserving of further investigation from frivolous, unjustified, or clearly mistaken allegations.

##### B. Structure

The inquiry process may be handled with or without a formal committee, at the discretion of the dean. Regardless of the approach chosen, it is the responsibility of the dean to ensure that the inquiry is conducted in a fair and just manner.

If individuals are chosen to assist in the inquiry process, they should have no real or apparent conflicts of interest with the case in question, be unbiased, and have an appropriate background for judging the issues being raised. If the alleged research misconduct is a failure to comply with regulations regarding the use of human subjects, laboratory animals, or recombinant DNA in research, these individuals will be selected by the dean from the compliance committee dealing with the issue.

##### C. Process

Upon initiation of an inquiry, the dean will notify the respondent (accused of misconduct) in writing within a reasonable period of time of the charges and the process that will be followed. If the committee method is to be used, the committee members will be appointed and convened.

Whether a case can be reviewed effectively without the involvement of the complainant depends upon the nature of the allegation and the evidence available. Cases that depend specifically upon the observations or statements of the complainant cannot proceed without the open involvement of that individual; other cases that can rely on documentary evidence may permit the complainant to remain anonymous.

The respondent will be given copies of written documents (if any) that support the allegations. To ensure the safety and security of any written documents associated with the allegation, committee members will be asked to review a copy of such documents within the office of the appropriate dean.

When the inquiry is initiated, the respondent will be reminded of the obligation to cooperate in providing the material necessary to conduct the inquiry. Uncooperative behavior is unacceptable, and may result in immediate implementation of a formal investigation. The respondent will be invited to present a written response to the allegations, and this response will become part of the case file maintained in the office of the dean.

Due to the sensitive nature of an alleged case of research misconduct, the university will strive to resolve each case expeditiously. The inquiry phase will normally be completed and a written report of the findings filed for the institution's own record within thirty (30) days of written notification to the respondent. A thirty-day period meets the federal regulatory requirements. If the committee anticipates that the established deadline cannot be met, a report, citing the reasons for the delay and progress to date, will be filed with the dean, and the respondent and appropriately involved individuals will be informed.

#### D. Findings of the Inquiry

The completion of an inquiry is marked by a determination of whether or not an investigation is warranted. There will be written documentation to summarize the process and conclusion of the inquiry. The complainant and respondent will be informed by the dean of the outcome of the inquiry. Allegations found to require investigation will be forwarded to the investigative body discussed below. At this point, any agency sponsoring the research will be notified of a pending investigation.

If an allegation is found to be unjustified but has been submitted in good faith, no further formal action other than informing all involved parties will be taken. The proceedings of the inquiry, including the identity of the respondent, will be held in strict confidence to protect the parties involved. If confidentiality is breached, the university will take reasonable steps to minimize the damage to reputations that may result from inaccurate reports.

If an unjustified allegation is found to have been maliciously motivated, disciplinary actions will be recommended to the Vice President for Academic Affairs.

## V. INVESTIGATION

### A. Purpose

An investigation will be initiated only after an inquiry issues a finding that an investigation is warranted. The investigation's purpose is to explore further the allegations and determine whether there has been research misconduct. At any time during the investigation the respondent may be represented by legal counsel. In the course of an investigation, additional information may emerge that justifies broadening the scope of the investigation beyond the initial allegations. The respondent will be informed in writing when significant new directions of investigation are undertaken. The investigation will focus on accusations of misconduct as defined previously and examine the factual materials of each case. The investigation will look carefully at the substance of the charges and examine all relevant evidence.

### B. Structure

Except in the circumstance discussed in the next paragraph, the investigating body will be a five-person ad hoc committee appointed by the Vice President for Academic Affairs to handle the investigation. Members of the investigative committee may be chosen from within or outside the university. Those investigating the allegations will be selected in full awareness of the closeness of their professional or personal affiliation with the complainant or the respondent. Any prospective member who has a conflict of interest in a case will not be permitted to be involved in that case. It is important, however, that the committee have appropriate research expertise to assure a sound knowledge base from which to work.

If the alleged research misconduct is a failure to comply with regulations involving the use of human subjects, laboratory animals or recombinant DNA in research, the appointed committee will be the full university compliance committee on that subject at the time of the investigation, rather than the five-person committee indicated above.

### D. Process

Upon receipt of the inquiry finding that an investigation is warranted, the dean will ask the Vice President for Academic Affairs to initiate the investigation promptly. The complainant and respondent will be notified in writing of the investigation; the written summary of the inquiry stage will be included with this notification. All involved parties are obligated to cooperate with the proceedings in securing additional data related to the case. All necessary information will be provided to the respondent in a timely manner to facilitate the preparation of a response. The respondent will have the opportunity to address the charges and evidence in detail.

In the interim, the university will, if necessary, act to protect the health and safety of research subjects, patients, students, or any other persons at risk. Administrative action could range from complete suspension to slight restrictions in the activities of the

respondent. Interim administrative action will be taken in full awareness of how it might affect other individuals and the ongoing research within the institution.

The written record for the investigative stage will be handled in the same manner as for the inquiry stage, i.e., one copy of the record will be given to the respondent, a second, maintained by the Office of the Vice President for Academic Affairs, will be available for inspection by the committee.

All significant developments during the investigation, as well as the final findings of the committee, will be reported to any sponsor of the research. When the investigation is concluded, all entities initially notified of the investigation will be informed of its final outcome.

The university will attempt to complete an investigation within 120 days. If the deadline cannot be met, an interim report will be submitted by the committee to the Vice President for Academic Affairs with a request for an extension.

#### E. Findings of the Investigation

The findings of the investigative committee will be submitted in writing to the Vice President for Academic Affairs. The respondent will receive the full report of the investigation.

#### F. Appeal/Final Review

In the event of a finding of research misconduct, the university will provide the respondent with an appeal opportunity. A written appeal of the investigative committee's decision is to be addressed to the Vice President for Academic Affairs and should be restricted to the body of evidence already presented. The appeal must be filed within two weeks of a finding of research misconduct.

### VI. SPECIAL CONDITIONS

The institution is responsible for notifying the funding agency if it ascertains at any stage of the inquiry or investigation that any of the following conditions exist:

1. There is an immediate health hazard involved;
2. There is an immediate need to protect Federal funds or equipment;
3. There is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as co-investigators and associates, if any;
4. It is probable that the alleged incident is going to be reported publicly;

5. There is a reasonable indication of possible criminal violation. In that instance, the institution must inform the funding agency within 24 hours of obtaining that information.

## VII. RESOLUTION

### A. No Finding of Misconduct

When the investigation finds no support for allegations of research misconduct, all federal agencies, sponsors, or other entities initially informed of the investigation will be notified promptly by the Vice President for Academic Affairs. The findings of the investigation will be retained in a confidential and secure file within the Office of the Vice President for Academic Affairs.

If unjustified allegations of misconduct were found to have been maliciously motivated, appropriate disciplinary actions will be recommended to the Vice President for Academic Affairs. If the allegations, however incorrect, were found to have been made in good faith, no disciplinary measures will be taken and efforts will be made to prevent retaliatory actions.

### B. Finding of Misconduct

#### 1. Notification

In the event of a finding of misconduct, the investigative committee will provide the Vice President for Academic Affairs with a recommendation as to the agencies to be notified. All federal agencies, sponsors, or other entities initially informed of the investigation will be notified promptly of the finding of misconduct.

Consideration will also be given to formal notification of other involved parties. The following list of such parties is illustrative but not exhaustive.

- Co-authors, co-investigators, collaborators
- Editors of journals in which fraudulent research was published
- Sponsoring agencies and funding sources with which the individual has been affiliated
- Professional societies

#### 2. Disciplinary Action

In the event of a misconduct finding, the investigative committee will provide the Vice President for Academic Affairs with a recommendation as to the disciplinary action to be taken. University disciplinary action will be in proportion to the misconduct. The following list of possible university actions is illustrative:

- Removal from a particular research project

- Letter of reprimand
- Suspension
- Salary reduction
- Rank reduction
- Special monitoring of future work
- Probation
- Termination of employment

The recommendation will be forwarded to the President for final action. If the President does not agree with the recommendation, an alternative course of action may be taken and an explanatory statement must be filed with all involved parties including the respondent.

## APPENDIX 6

### PATENT POLICY

As a public institution of higher education, Western Kentucky University has broad responsibility in the areas of instruction, service, and research. Faculty engaging in research may make significant discoveries which have commercial application. Income resulting from patents is to be regulated in the public interest by procedures set forth in this policy.

**Scope of the Policy Statement** - This policy statement is defined to include any member of the faculty, staff, or student body of Western Kentucky University.

**General Policy** - An invention or patent which is the result of the use of staff, materials, equipment, time, or facilities shall be owned and controlled by Western Kentucky University.

**Patents and Research Sponsors** - Sponsors for research may wish to retain partial or total control of inventions and patents which are the result of the sponsored research. Unless agreed to in advance of the research, all patent rights from sponsored research shall be owned and controlled by Western Kentucky University.

#### **Relationship of the Faculty, Staff, or Student Body and Western Kentucky University in Regard to Patents -**

1. Faculty, staff, or students having a joint interest with Western Kentucky University in an invention or discovery shall assign patent rights to Western Kentucky University.
2. Faculty, staff, or students of the University have the responsibility to report in writing to the Committee on Patents any invention or discovery of patentable value. Faculty, staff, or students are not obligated to apply for a patent unless such expenses are borne by Western Kentucky University. Faculty, staff, or students must agree to cooperate with Western Kentucky University in patent application procedures. Faculty, staff, or students may have an interest in a patent application and may share in the returns, as determined by the Committee on Patents.
3. Interest of the University in all cases involving invention or discovery shall be determined by the standing Committee on Patents appointed by the President of Western Kentucky University. Faculty, staff, or students engaged in patent deliberations shall be present or may be represented in discussions before the Committee on Patents. The decision of the Committee shall be final and shall determine the interest of the parties in the invention or discovery. The Committee on Patents shall act in accordance with the following general principles:
  - a. If the Committee on Patents finds that an invention or discovery made by faculty, staff, or students was not related to employment by Western Kentucky University and was not the result of the use of staff, materials, equipment, time, or facilities owned or controlled by Western Kentucky University, Western Kentucky University shall have no interest in the invention or discovery.
  - b. If the Committee on Patents determines that an invention or discovery is related to employment or the use of the resources of Western Kentucky



University, patent rights shall be assigned to Western Kentucky University with the faculty, staff, or student member having an interest in the invention or discovery and sharing in the returns, as determined by the Committee on Patents.

- c. To determine the interest which the faculty, staff, or student shall have, the Committee on Patents shall consider whether Western Kentucky University paid, or did not pay, for time spent on the research which led to the invention or discovery. The Committee on Patents shall determine the extent to which University resources were used in research. The Committee on Patents shall determine the involvement in advice and assistance given to the inventor by associates of Western Kentucky University. The Committee on Patents shall determine the relationship which existed between the invention or discovery and the responsibilities of the faculty, staff, or student member.
4. Should Western Kentucky University not initiate a patent search within nine months **or a patent application within eighteen months** of the receipt of a written report of an invention or discovery, the individual faculty, staff, or student member may apply for a patent and shall own all rights.
5. In case of sponsored research, the contract between Western Kentucky University and the sponsoring agency shall be binding on the faculty, staff, or student members engaged on the project the same as if each were a party to that agreement.

## APPENDIX 7

### INTELLECTUAL PROPERTY POLICY

(Approved by the WKU Board of Regents on January 28, 2000)

#### I. PREAMBLE

Universities are essentially institutions committed to the creation and dissemination of knowledge. They are society's means for encouraging, fostering, and protecting both individual and collective scholarship, research, and creativity, and for sharing the results as widely as possible. Universities bear the important intellectual and cultural role of transmitting and perpetuating traditions of inquiry which society has found valuable, and of protecting them from encroachments that would obviate or distort them, or make them inaccessible to other inquirers. Universities are therefore committed to the academic life in the broadest sense of the word, beginning with their students but ultimately including all of humankind.

Notwithstanding their legal and economic status, and the accompanying privileges and responsibilities of those roles, the primary goal of universities is not financial gain. Moreover, their relation to the faculty is not a simple employer-employee relationship but rather a collaborative association in which the university serves as catalyst, facilitator, and capacitor of professionals committed to pedagogical, scholarly, and service activities. That is, the crucial and definitive interactions take place laterally among faculty members, students, and the larger intellectual and cultural world, and not vertically or hierarchically between the university and individual, isolated employees.

WKU's intellectual property policy respects these basic relationships and affirms the university's commitment to academic freedom and the fostering of a rich and vibrant public sphere in which it can flourish. Pursuit of these goals includes the recognition and protection of the intellectual property rights of faculty, staff, students, and the university, and the acknowledgment of the supportive, enabling role of the academic community. It also requires the fair distribution of any benefits arising from activities in which the university and its members are jointly engaged, including public recognition and, where appropriate, financial remuneration. The following policy attempts to articulate and balance these sometimes competing interests in a fair, manageable, and productive way.

#### II. OBJECTIVES

- A. to make clear the university's values with regard to intellectual property
- B. to encourage research, scholarship, and a spirit of inquiry, thereby generating new knowledge
- C. to facilitate the dissemination of knowledge and technology for the benefit of the University community and the larger society
- D. to provide an administrative system to assist faculty and staff members in bringing new discoveries and developments into public use

- E. to provide an administrative system to evaluate, where appropriate, the commercial significance of new discoveries and developments
- F. to provide for the equitable disposition of interests in shared intellectual property among the author, creator, developer, the university and, where applicable, the external sponsor
- G. to provide incentives to creators in various forms, including professional development, recognition, and financial compensation
- H. to safeguard intellectual property, so that it may receive adequate and appropriate legal protection against unauthorized use

### III. COVERAGE & DEFINITIONS

- A. This policy covers all intellectual property conceived, first reduced to practice, written, or otherwise produced by faculty, staff, or students of WKU using WKU funds, facilities, or other resources.
- B. Intellectual property, for the purpose of this policy, is defined as the tangible or intangible results of scholarship, research, development, teaching, or other intellectual activity. Intellectual property may include but is not limited to the following categories:
  - 1. Inventions, discoveries, or other new developments which are appropriate subjects of patent applications.
  - 2. Written materials; exhibits; sound, video, and other media productions; computer programs; computer-based instructional materials; works of art including paintings, sculptures, and musical compositions; and all other material which may be copyrightable.
  - 3. Tangible research materials including biological, chemical, physical, and technological products; as well as analytical procedures and laboratory methods. These may or may not be patentable or copyrightable.

The three categories above are not mutually exclusive; a given article of intellectual property may include aspects of all three categories.

### IV. GENERAL POLICY

By law, all rights to intellectual properties defined in Section III, except those exempted hereafter, shall be owned and controlled by WKU. When a WKU faculty member, staff member, or student creates an item of intellectual property which, under the terms of this policy may be owned and controlled by WKU, the creator shall report the intellectual property to the Intellectual Property Committee (IPC) by completing a Disclosure Form (Attachment 1). The creator shall also: cooperate in the execution of legal documents and in the review of literature

and prior art (e.g., patent searches); be given the opportunity to assist in the further commercial development of the intellectual property as defined in Section VI; and have an interest in and share in any income derived from the commercialization of such property.

- A. In accord with the commitments expressed in the Preamble, traditional products of scholarly activity which have customarily been considered to be the unrestricted property of the author or creator are exempted from this general policy. Such traditional products include books, monographs, articles, reviews, and works of art (including paintings, sculptures, plays, choreography, musical compositions); and individual course materials such as syllabi, exams, transparencies, study guides, workbooks, and manuals. Also included are instructional software, webpages, and internet-based instructional materials developed by faculty members in the course of their usual scholarly, pedagogical, and service activities. The latter include projects undertaken during sabbatical leaves, faculty fellowships, and other special assignment periods intended for such activities.

The exemption is also understood to encompass works produced by students, either alone or with the assistance of WKU faculty or staff, if they fall under the foregoing description. WKU will not claim ownership rights to such traditional works, and it specifically disclaims any potential rights to do so under the "work made for hire" provisions of the U.S. Copyright Act, unless there is a predetermined written agreement.

The U.S. Copyright Act defines a "work made for hire" as:

- (1) a work prepared by an employee within the scope of his or her employment;  
or  
(2) a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire. For the purpose of the foregoing sentence, a "supplementary work" is a work prepared for publication as a secondary adjunct to a work by another author for the purpose of introducing, concluding, illustrating, explaining, revising, commenting upon, or assisting charts, tables, editorial notes, musical arrangements, answer material for tests, bibliographies, appendixes, and indexes; and an "instructional text" is a literary, pictorial, or graphic work prepared for publication and with the purpose of use in systematic instructional activities.
- B. Works produced in certain WKU support units (non-academic departments) whose mission includes the production of works for instructional, public service, or administrative use, and which employ designated staff or faculty for the purpose of producing such works (e.g., Career Services, Sponsored Programs, Recruitment & Admissions, Alumni/ae Relations, Center for Instructional Technology, and similar units), are deemed to be works made for hire and, therefore, the property of WKU. Such works may include brochures, films,

videotapes, telecourses, recordings, displays, drawings, slides, models, computer programs, and the like. WKU shall own and control all such works produced in such units for such purposes. Income from the use of such works shall be subject to WKU resource management and budgeting policy.

The utilization of WKU support units in order to prepare instructional materials does not automatically transform such materials into work made for hire or deprive faculty of ownership rights. Rather, it generally continues the university's traditional role of facilitating the faculty's usual teaching activities and thus falls under the exemption in IV.A. above. However, due to technical advances and other circumstances, new and exceptional cases may arise. When they do, disposition shall be made by the IPC according to the following factors: the initiation of the creative effort, control over the work's content and form of expression, and the amount of extraordinary or non-usual support afforded by the university. Creators should consult with their immediate administrative superiors in order to determine whether an official disclosure of such materials is required. The WKU support unit should discuss with the creator the ownership, use, and disposition of all instructional materials prior to their creation.

Arrangements for expertise or talent from other units, or from outside WKU, may include payments based on sales or usage of such works. Such payments are considered to be a part of the costs of production. Commercialization of such works outside WKU must be through assignment to WKU, which shall be responsible for the commercial development as defined in Section VI.

However, in recognition of the differences among these units and regular academic departments, different and unique revenue-sharing arrangements may be made with the approval of the President of WKU or his/her designated representative. Nothing in this paragraph shall limit the rights of the employees of such units to works produced or developed outside the scope of their employment and not involving the use of WKU facilities or resources.

- C. WKU shall own and control the rights to intellectual property resulting from sponsored projects. In some instances, the provision of additional or unusual funding, background information, product samples, or confidential proprietary data by a sponsor may create a situation in which the sponsor may claim partial or complete ownership of intellectual property that might result from the sponsored project. In such cases, final disposition of the property may be negotiated as a part of the sponsored project agreement.
- D. In those cases where the final disposition of the property has not been negotiated as part of a sponsored project agreement, WKU will proceed as described in Section VI.

## V. ADMINISTRATIVE PROCEDURES

- A. The legal interests of WKU and its faculty members, staff members, and students in any intellectual property, except traditional products of scholarly activity as

described in Section IV.A., shall be determined in accord with this policy by the Intellectual Property Committee (IPC).

- B. The IPC shall be a standing committee appointed by the Chief Academic Officer in consultation with the Executive Committee of the Faculty Senate. Its members shall be members of the faculty and staff chosen to provide broad technical expertise across various disciplines, and an outside member with relevant expertise. Additional expertise may be sought by the IPC as needed in the consideration of a particular intellectual property matter.
- C. All intellectual property not exempted in IV.A. shall be disclosed by the creator to the Intellectual Property Committee (by completing Attachment 1) prior to public disclosure.
  - 1. If the IPC determines that the intellectual property under consideration is exempted under IV.A., it shall release the property to the creator and WKU shall not claim the property.
  - 2. The IPC may determine that WKU has a legal interest in the property but that the chances of successful commercialization are minimal or that the costs of pursuing such commercialization outweigh the income potential. In such cases the IPC shall, in writing, release the property to the creator as above.
  - 3. If the IPC determines that WKU has a legal interest in the property and judges that there is a reasonable chance for successful commercialization, it shall:
    - a. inform the creator in writing that WKU claims ownership rights to the property;
    - b. determine and record the rights of the creator to share in any income with WKU in accord with Section VII; and
    - c. refer the matter to the Chief Academic Officer together with its recommendation as to appropriate courses of action.
    - d. The creator shall execute an acknowledgment and, where applicable, an assignment of ownership rights to WKU. (See Attachment 4.)
- D. The IPC will have the responsibility for valuing the intellectual property so that WKU's interests in any subsequent negotiations are protected. The process for licensing, selling, or otherwise conveying intellectual property will comply with any applicable federal or state statutes. With close consultation and collaborations with the creator, the IPC shall determine the appropriate method of protection of the property and, where appropriate, obtain such protection. All costs associated with these actions shall be borne by WKU, except that such costs

shall be offset against future income in accord with Section VII.C. WKU will distribute any net income from commercialization in accord with this policy and the determinations of the IPC.

- E. In some cases the IPC may find that WKU has an ownership right in the creation but that the creation has not been developed to the point where a decision as to patentability or commercialization is possible. In such cases, the IPC shall place the creation in a pending status, provide the creator with reasons for taking such action and with suggestions as to additional information or data that might be helpful, and request that the creator report back to the IPC at some specified date.
- F. Except for Section V.E., if the IPC takes no action within six months after receiving the initial report of the new creation, the right to the creation shall be deemed to be released to the creator. The IPC shall keep the creator informed about its actions.
- G. WKU faculty, staff, or students may request that WKU accept, for management and commercialization, intellectual properties not originally subject to this policy. Given such a request, the Chief Academic Officer, with the advice of the IPC, shall determine if there is a reasonable expectation that the property can be commercialized successfully. If WKU accepts management and commercialization responsibilities for such intellectual property, the intellectual property shall become subject to, and shall be treated in accord with, all provisions of this policy.
- H. Intellectual property referred to or offered to WKU by third parties (“off the street”) shall be treated as any other gift offer and shall be channeled through the WKU Office of Development in coordination with the IPC. If accepted by the Office of Development, the property shall be assigned to the IPC for management in accord with appropriate parts of this policy and the terms of the gift agreement.

## VI. COMMERCIALIZATION

- A. For purposes of protection and commercialization of intellectual property assigned to WKU, patent or copyright coverage may be sought, or the property may be treated as proprietary information, technical know-how, or trade secret.
- B. In seeking and developing commercialization of intellectual property, WKU, through the IPC, shall be guided by the following principles:
  - 1. The primary objective and responsibility of WKU shall be to assure that the products of its intellectual activity are brought into the widest possible use for the general benefit of society.
  - 2. Intellectual property should be treated as an asset and an appropriate return should be sought.

3. Active creator participation in all commercialization efforts shall be vigorously sought.
- C. In an effort to commercialize the intellectual property, WKU will seek a variety of arrangements such as licenses, outright assignment or sale of rights, partnerships, and joint ventures. The selection of particular arrangements will depend on the circumstances of each.
  - D. In some situations it may be in the best interest of WKU, the general public, and the creator to enter into commercialization arrangements with entities wholly or partially owned or controlled by the faculty, staff, or students who originated the property. Due to the potential of such arrangements for contributing to the economic development of the state and local areas, such arrangements may be considered and accepted, provided they are not specifically prohibited by law and that adequate provisions, including full disclosure of interests, are made to avoid or otherwise protect against conflict of interest on the part of those involved.
  - E. Commercialization of intellectual property by WKU may involve discussions and negotiations over months and sometimes years. Based on national data, the process more often fails than succeeds. If no commercialization has occurred within two years after the property has been transferred to WKU, the creator may request that all rights be transferred.

Such requests should be directed to the IPC, which shall explain what efforts have been made, what additional efforts are planned, and shall make a recommendation to the Chief Academic Officer as to disposition. If the Chief Academic Officer, in consultation with the IPC, determines that there is little chance of successful commercialization, all rights shall be transferred to the creator, and WKU shall no longer claim any rights to the property. If the Chief Academic Officer determines that WKU has undertaken reasonable efforts to commercialize and that further WKU efforts offer reasonable chances of success, the creator's request shall be denied. Such denials will be accompanied by a report summarizing the factors considered by the Chief Academic Officer in arriving at the decision. The creator may request a review of the disposition in accordance with this paragraph annually. Such requests should be directed to the IPC, which will forward a recommendation to the Chief Academic Officer.

## VII. ROYALTY INCOME-SHARING POLICY

- A. Net revenue is defined as gross receipts (royalties, license fees, and other such payments received by WKU on behalf of the creator and WKU) minus necessary deductible costs (e.g., mailing or courier costs, patent enforcement, necessary travel, and auditing fees). Gross receipts refers to agreed-upon payments specified in a license or other commercialization agreement. WKU shall reserve the rights to suspend distribution of revenue when there is reason to believe that substantial deductible costs will be incurred in the future. The creator shall be informed of such decisions. An annual detailed accounting of revenue and costs shall be made available to the creator.



- B. Except as otherwise provided through supplementation under Section VII.C., net revenues as defined in Section VII.A. derived from the commercialization of intellectual property covered by this policy shall be shared as follows: 40% to the creator and 10% to the Office of Sponsored Programs. The remaining 50% will be distributed as follows: 25% to the General Fund and 25% to the college/department or equivalent administrative unit of the creator (these two percentages may be negotiated based on actual expenditures).
- C. The department's share shall be retained in a separate account and shall be available for expenditure by the department in accord with a budget to be approved by the Chief Academic Officer. Such funds may be allowed to build across fiscal years.
- D. The creator's rights to share in revenue as stated above (but not including the department's share) shall remain with the individual or pass to the individual's heirs and assigns for so long as net income is derived from the property.
- E. When two or more individuals have made substantial creative contributions to intellectual property, such persons will determine among themselves, in writing, the individual share each will receive. A copy of the agreement will be filed with the IPC at the time of disclosure. In the event that they cannot reach such agreement, each individual will have the opportunity to present written and oral statements to the IPC. After such presentations, the IPC will make a final determination.
- F. In certain WKU units, because of conditions of employment and the nature of work assignments, and the fact that units often assume continuing responsibilities for maintenance and periodic revision of the property, an alternate distribution of net income of employees may be appropriate. Units wherein these situations may occur should propose appropriate modifications to the distribution scale in Section VII.B. Upon approval by the Chief Academic Officer, such modifications shall be added to this policy as unit supplements. Such modifications may not increase the combined shares of the creator and the department as specified in Section VII.B., except in unusual and very specific circumstances.
- G. Creators may make a gift of all or part of their income shares to the Office of Academic Affairs to support WKU creative activities. Upon request by a creator, WKU will retain all or part of the creator's share in a separate account within the Office of Academic Affairs for expenditure in accord with the creator's wishes. The creator may restrict such gifts to any particular program or unit of WKU, as permitted by applicable law. Such requests may be limited in duration to a specific time period or to some specific future event (e.g., the creator's retirement or resignation from WKU) and may be cancelled or modified by the creator at any time.
- H. This policy shall not change revenue-sharing agreements entered into prior to the adoption of this policy.

## VIII. SHARING OF RESEARCH MATERIALS

There is a long tradition in some fields of sharing research materials. WKU encourages this cooperation. However, commercialization rights and product liabilities make it advisable that there be a written agreement among the parties prior to entering into any type of sharing arrangement. A suggested form letter agreement is included in this policy as Attachment 2. When significant costs to WKU are involved in producing the material, provision for the recovery of those costs not covered by sponsor support shall be considered in making a sharing agreement. A copy of any such agreement shall be maintained by the Office of Sponsored Programs.

## IX. CONSULTING AGREEMENTS

- A. Any faculty or staff member engaged in consulting work or in business is responsible for ensuring that clauses in the individual's agreements are not in conflict with this policy, with WKU's Consulting Policy, or with WKU's commitments or agreements with third parties; and that WKU's rights and the creator's obligations to WKU are in no way abrogated or limited by the terms of such agreements. Questions about potential conflicts should be directed to the Office of Sponsored Programs.
- B. Faculty and staff members shall make clear to those with whom they make such agreements their obligations to WKU and shall ensure that other parties to the agreement are provided with a current copy of this policy.

## X. BINDING NATURE OF THIS POLICY

The policies set forth herein constitute an understanding which is binding on WKU faculty, staff, and students as a condition of their participation in WKU research, teaching, and service programs and for their use of WKU funds, facilities, or other resources.

## XI. REVISIONS AND MODIFICATIONS TO THIS POLICY

This policy and any associated attachments are subject to ongoing assessment and future modification in the light of actual experience. The version of this policy in effect at the time of disclosure is binding. Faculty members and others are therefore expected to acquaint themselves with the current version, which is kept on file at the library and the Office of Sponsored Programs, and posted on the OSP web site at <http://www.wku.edu/Dept/Support/SponsPrg/grants/>.

## APPENDIX 8

### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records, including:

1. The right to inspect and review the student's education records within 45 days of the day the university receives a request for access.

Students should submit to the Registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) they wish to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

1. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write the university official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

2. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent, including:
  - a. Disclosure without the student's consent is permissible to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- b. FERPA allows the institution to routinely release information defined as “directory information”. The following student information is included in the definition: the student’s name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, photography, dates of attendance, enrollment status (including full-time, part-time, not enrolled, withdrawn, and date of withdrawal), degree and awards received, and the most recent previous education agency or institution attended by the student. When a student wants any part of the directory information to remain confidential, an official request form must be completed in the Office of the Registrar within the first five days of class of each school term.
3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Western Kentucky University to comply with requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4604

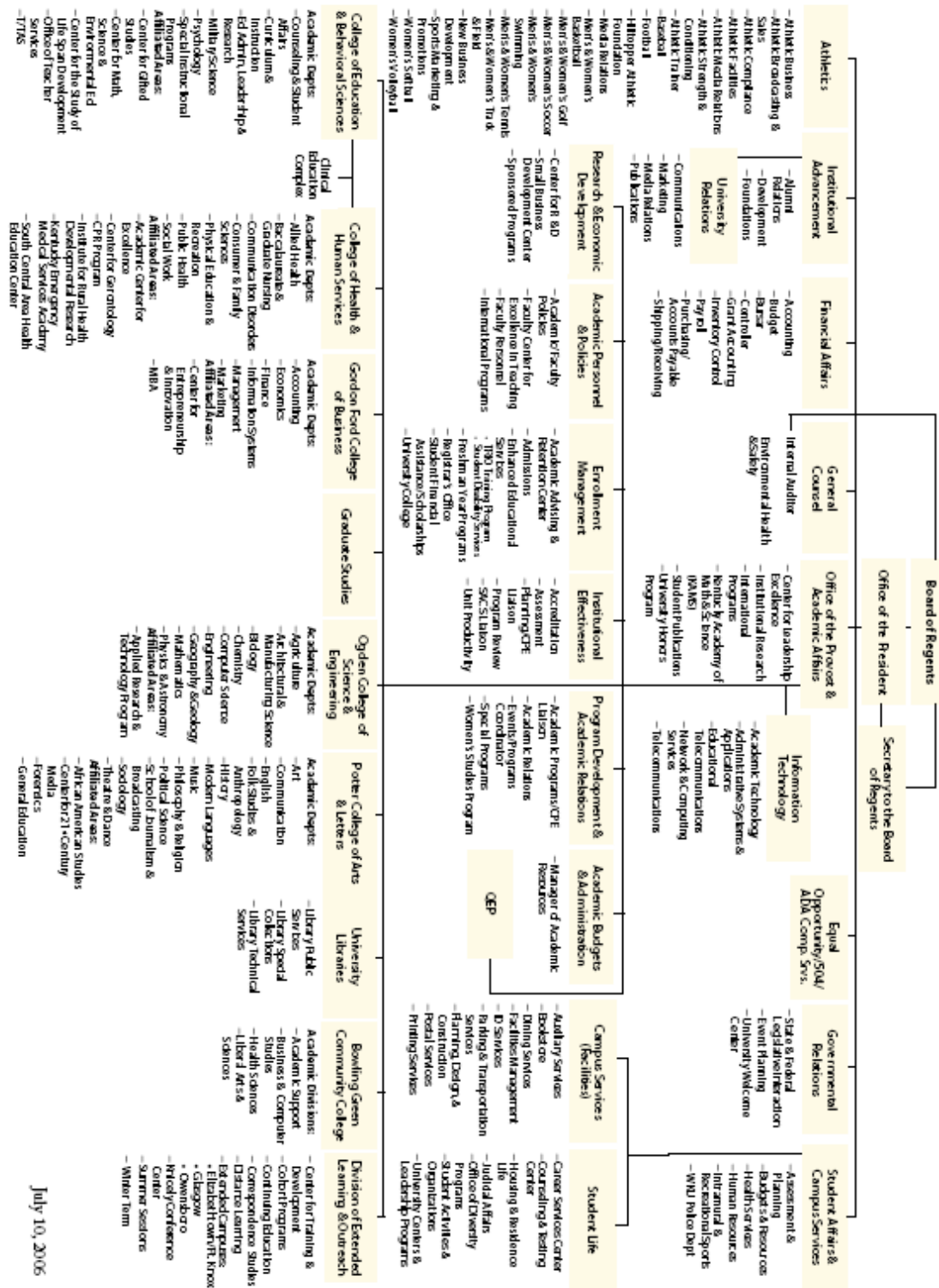
Questions pertaining to the Family Educational Rights and Privacy Act may be directed to Freida K. Eggleton, Registrar, 238 Potter Hall, 745-5432.

## **APPENDIX 9**

### **DRUG-FREE WORKPLACE REQUIREMENTS**

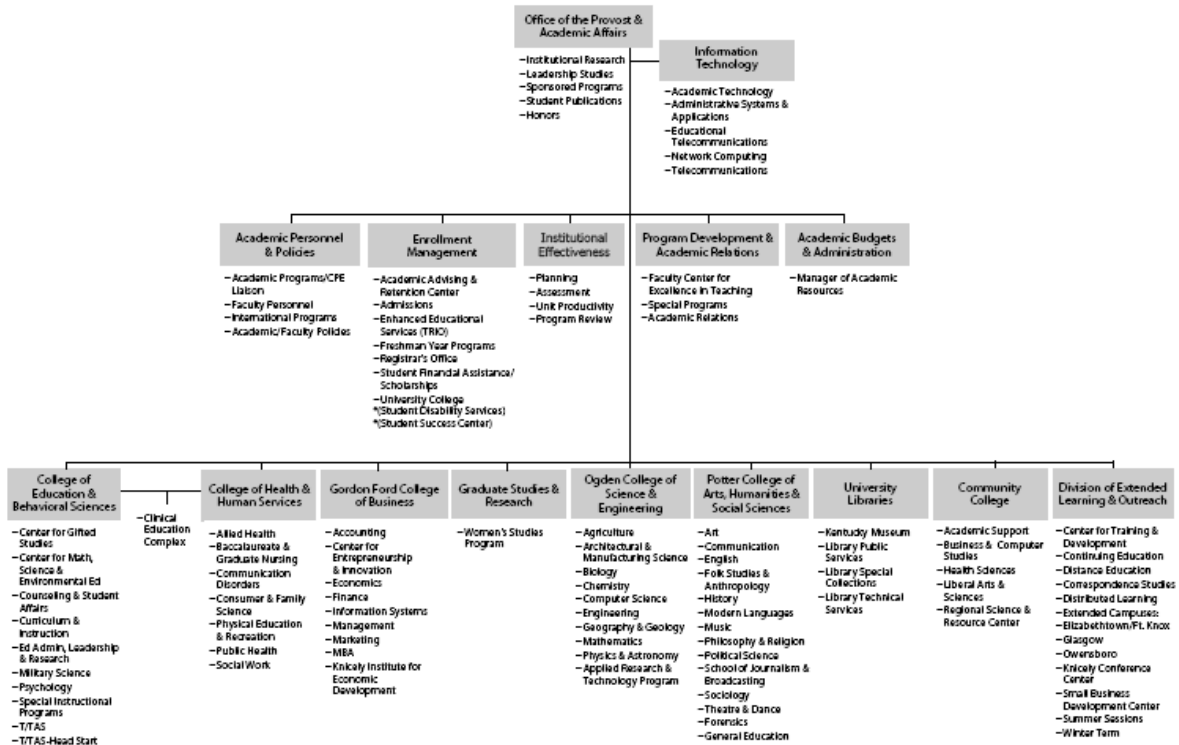
1. As required by provisions of the Drug-Free Workplace Act of 1988, Western Kentucky University hereby notifies employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace. Employees are subject to disciplinary action to include termination for any violations related to controlled substances. Usually violation as a first offense will require consultation and assessment and may result in the employee participating satisfactorily in a drug rehabilitation program (acceptable to the University). Violation as a first offense may result in termination depending upon the nature of the incident. Subsequent violations may result in termination of employment.
2. The University is developing a drug-free awareness program to inform employees about the danger of alcohol and other drug abuse in the workplace.
3. Student Health Service, 231 Academic Complex, will assist in referrals for drug counseling, rehabilitation, and other assistance programs.
4. As a condition of employment under a grant or contract, employees agree to abide by the statement in paragraph 1 above, and to notify Human Resources, 44 Wetherby Administration Building, of any criminal drug statute conviction for a violation of the statement in paragraph 1 not later than five days after such conviction.
5. Copies of the Drug-Free Workplace Act can be obtained in the Office of Human Resources, 44 Wetherby Administration Building.

# Western Kentucky University Organizational Structure



July 10, 2006

## Academic Affairs Organizational Structure



\*P: 2005-2006

## APPENDIX 11

### Western Kentucky University

## Handbook for Department Heads

This handbook provides general guidelines for the administration of academic departments at Western Kentucky University. In addition, departments are encouraged to draw up departmental bylaws which will delineate with more specificity the operational procedures of each department. Some departments may prefer to make extensive use of faculty committees while others may choose to entrust more responsibilities to the head. Each department should be free to decide upon the route it deems best for itself, except the departments are to adhere to the policies and procedures adopted by the Board of Regents and to those contained in the *Faculty Handbook*.

The guidelines in this document are divided into two major parts (1) an outline of the general roles and responsibilities of the department head and (2) procedures for the selection and evaluation of department heads.

### (1.) Roles and Responsibilities of the Department Head

Academic departments at Western Kentucky University occupy a central place in carrying out the university's teaching, research and service missions. Effective leadership of departments is therefore of critical importance. The head will be responsible for initiating policy discussions within the department and, with the dean's concurrence, for implementation of department policies. Such policies should always be directed toward the accomplishment of university goals. Further, the department head will encourage the faculty to share responsibility both for making departmental decisions and for implementing the results of those decisions.

The roles and responsibilities of the head should be carried out with appropriate faculty consultation, both as provided through formal university policies and departmental governance procedures and also through informal discussions in departmental meetings or through personal interaction.

#### I. Academic Leadership

The ability to exhibit leadership is of fundamental importance to a successful head. Four areas in which or through which this leadership is required are: faculty quality; statesmanship; instructional programs; and student affairs.



A. Faculty Quality

- a. Participating in the recruitment, employment and orientation of new faculty; including demonstrating a commitment to the affirmative action goals of the university.
- b. Encouraging and facilitating professional development through activities such as suggesting funding sources, discussing research ideas, and urging attendance at professional meetings and workshops.
- c. Providing appropriate opportunities for faculty to participate in department affairs.
- d. Evaluating faculty on a regular and continuing basis in the areas of teaching, research and service with appropriate recommendations for improvement, particularly for untenured faculty.
- e. Creating a forum through which faculty can express ideas freely, thus promoting productive discussions among the departmental faculty members.
- f. Making informed documented recommendations concerning faculty retention, promotion, tenure and annual salary increments, the outcomes of which will be intended to serve the best interest of the department as a whole.
- g. Encourage university and community service activities appropriate for faculty participation.

B. Statesmanship

- a. Providing a communication link between and among the faculty and the other levels of administration.
- b. Accurately communicating university and college policy and reasons for policy to the department faculty.
- c. Acting as an intermediary between faculty and administration.
- d. Being the spokesperson for and yet the strongest critic of the faculty and the department.
- e. Representing the department both within the university's administrative and governance structures and externally with professional and community groups.

- f. Maintaining personal professional competence in order to set a good example for faculty in teaching and research.
- g. Initiating operational policies within the department for discussion, approval, and implementation.
- h. Enforcing faculty responsibilities while at the same time protecting faculty rights and privileges.
- i. Establishing effective working relationships with the non-academic portions of the university in order to facilitate departmental operations.

C. Instructional Programs

- a. Articulation of program-related goals.
- b. Provide leadership for the faculty in developing strong and attractive curricula.
- c. Provide leadership for the faculty in developing methods for assessing the effectiveness of instructional programs.
- d. Providing leadership for the faculty in providing programs that are pedagogically sound and that use available resources maximally.
- e. Encouraging cooperation with other departments, colleges, or institutions whenever this is appropriate.
- f. Encouraging consideration of new program ideas when appropriate.
- g. Managing teaching loads in a fair, flexible, and productive manner.

D. Student Affairs

- a. Insuring that student activities and student organizations receive adequate supervision.
- b. Dealing with student problems that are not the appropriate concerns of the faculty.
- c. Arranging with faculty for academic counseling.
- d. Disseminating information of interest to students.
- e. Responding to student grievances and requests.

- f. Recruiting good undergraduate and graduate students.

## II. Administrative Leadership

A successful head must be able to handle the administrative details which make the office function efficiently, professionally, and effectively.

### A. Budgetary

- a. Coordinating the preparation of the department budget.
- b. Administering the department budget.
- c. Adhering to the budget management procedures established by the Business Office.
- d. Allocating funds in a manner consistent with the goals of the department.

### B. Programmatic

- a. Coordinating the development of long-term planning for the department.
- b. Preparing teaching schedules and assignments.
- c. Maintaining faculty files.
- d. Approving students' degree programs.
- e. Coordinating the use of instructional facilities.
- f. Generating proposals for funds to support the academic programs.

### C. Office Organizations

- a. Coordinating support staff activities.
- b. Arranging for and assigning departmental space, facilities, and equipment.
- c. Coordinating the reports that go to other offices and service areas.
- d. Implementing administrative policies.
- e. Managing clerical support.

- f. Maintaining an efficient system of records.
- g. Preparing agenda for, convening, and chairing departmental meetings.

(2.) **Procedures for the Selection and Evaluation of Department Heads**

I. Interim Appointments

When a Department Head vacancy occurs, the Dean of the College may appoint an interim head after consultation with the faculty of the department and the Provost and Vice President for Academic Affairs.

II. Regular Appointments

A. Qualification

The qualifications for the Department Head candidate shall be those necessary to fulfill the responsibilities of a Department Head as outlined above under Guidelines for Department Heads and Departments. The department may add additional specific requirements. Except in rare circumstances, a Department Head candidate should qualify to be tenured in the searching department.

B. Search Process

Western Kentucky University will conduct searches for department heads in compliance with federal, state, and university policies regarding affirmative action and equal employment opportunities.

A comprehensive search open to both internal and external candidates shall be conducted for all Department Head vacancies. However, there may be special circumstances, such as outstanding internal talent or budget constraints that may lead to a decision to have an internal search only. This decision may be made by the Dean of the College after consultation with faculty of the department and concurrence by the Provost and Vice President for Academic Affairs and the President.

C. Search Committee

The search committee shall be selected by the faculty in the department in which the vacancy has occurred. The membership of the committee shall be selected from the department's tenured and tenure-track faculty. The number on the committee shall be determined by the faculty eligible for membership. If a department so decides, all eligible members may serve on the search committee. The Dean of the college shall add one member to the committee from outside of the department who shall serve as chair of the committee. In cases where the search committee serves as a representative body for the department, the department shall decide at the

onset of the process what role the full department will have in the final recommendations sent forward.

D. Interview Process

In consultation with the chair of the committee, the Dean shall determine the number of candidates to be interviewed. In addition to those determined by the committee, the Dean, Provost and Vice President of Academic Affairs, and President shall also be involved in the interview process.

E. Decision Process

The search committee shall send the names of three qualified candidates unranked to the Dean with appropriate comments on each. The Dean shall forward his/her comments on each candidate as well as those of the search committee to the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs shall likewise forward his/her comments on each candidate to the President along with the comments of the Dean and those of the search committee. The President shall make a final recommendation to the Board of Regents for appropriate action.

The candidate selected should have substantial support from the search committee, Dean, and Provost and Vice President for Academic Affairs. If agreement cannot be reached on a satisfactory candidate, the President may direct that the search be reopened.

F. Appointment Term

Department Heads will normally serve a four-year term with the possibility of appointment to additional terms. Although the individual will be expected to serve a four-year term, the Dean may, at any time, after consultation with the faculty in the department, determine that it is in the best interest of the department, college, and university to remove a Head prior to the end of the four years. This action should be taken only with the concurrency of the Provost and Vice President for Academic Affairs and the President.

G. Evaluation

The Department Head will be evaluated annually by the Dean, utilizing input from the faculty in the Head's department. The purpose of this evaluation shall be to assess faculty confidence in the leadership being provided, assist the Department Head in making needed improvements and to provide the Dean with a basis for salary adjustments. The Dean shall meet individually with the Department Head annually and offer suggestions for improvement.

Near the conclusion of the Department Head's four-year term the Dean will conduct a formal evaluation, utilizing an advisory referendum in which all tenured and tenure-track faculty in the department will have the opportunity to vote by secret ballot on whether the Head should be recommended for an additional term. Faculty interviews and other methods of assessment will also be used. The purpose of this process shall be to assist the Dean in determining whether the Department Head shall be recommended for an additional term. The Dean's recommendation must be approved by the Provost and Vice President for Academic Affairs and the President. The Dean shall inform the faculty of his/her recommendation. The faculty in a department shall have the opportunity at any time to share their grievances regarding the Department Head with the Dean.

Approximately one-fourth of the total number of Department Heads should have their four-year review at the end of each fall semester. The Dean's evaluations shall be forwarded to the Provost and Vice President for Academic Affairs by December 20. The Provost's recommendation shall be sent to the President by January 10. By January 15, the President will notify the Department Head being evaluated of the final decision regarding renewal.

The Department Heads not being evaluated in the four-year process shall be evaluated as a part of the annual process described under Evaluation above.

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