

**Washburn University
Meeting of the Faculty Senate
December 4, 2017
3:00 PM – Forum Room, BTAC**

- I. Call to Order**
- II. Approval of Faculty Senate minutes of November 6, 2017 (pp. 2-4)**
- III. President’s Opening Remarks:**
- IV. Report from the Faculty Representative to the Board of Regents:**
- V. VPAA Update—Dr. JuliAnn Mazachek:**
- VI. Faculty Senate Committee Reports:**
 - **Approval of the Faculty Affairs Committee minutes from October 9, 2017 (pp. 5-6)**
- VII. University Committee Reports:**
 - **Receipt of the Interdisciplinary Studies committee minutes of November 3, 2017 (p. 7)**
 - **Receipt of the Faculty Development Grant Committee minutes of April 24, 2017 (p. 8)**
 - **Receipt of the Research Grant Committee minutes of April 28, 2017 (p. 9)**
 - **Receipt of the Research Grant Committee minutes of October 12, 2017 (pp. 10-11)**
 - **Receipt of the Faculty Development Grant Committee minutes of November 7, 2017 (pp. 12-13)**
 - **Receipt of the Interdisciplinary Studies committee minutes of November 10, 2017 (p. 14)**
 -
- VIII. Old Business:**
 - **18-6 Graduate Student Learning Outcomes (pp. 15-16)**
 - **18-7 Restoring General Education Credit for AA Non-U.S. Degrees (pp. 17-19)**
 - **18-8 Handbook Policy Regarding Faculty Employment Outside University (pp. 20-21)**
- IX. New Business: NONE**
- X. Information Items:**
 - **Academic Committee on Diversity and Inclusion is replacing the Diversity Initiative group (pp. 22-23)**
 - **WU Family and Consensual Relationship Policy (pp. 24-29)**
- XI. Discussion Items:**
- XII. Announcements:**
- XIII. Adjournment**

**Washburn University
Meeting of the Faculty Senate
November 6, 2017
3:00 PM – Forum Room, BTAC**

PRESENT:

Barker, Cook, Erby, Garritano, Grant (Emily), Grant (Erin), Hickman, Hockett, Jolicoeur, Krug, Mansfield, Mazachek, Memmer, Modellmog, Ockree, Schmidt, Schnoebelen, Sheldon, Sourgens, Todwong, Wasserstein, Watson, Wohl, and Worsley

ABSENT:

Black, Fredrickson, Jackson, Kwak, Mark, Petersen, Prasch, Scofield, Stacey, Steffen, and Watt

GUESTS:

Fried, Grospitch, Holthaus, Liedtke, and Stephenson

- I. President Schmidt called the meeting to order at 3:03pm.
- II. The Faculty Senate minutes of October 2, 2017 were approved.
- III. President's Opening Remarks:
 - Schmidt said he received a message from Chris Enos; there is a Parking Ticket Appeals Committee that needs a faculty member; Schmidt said any interested faculty should let him know if they are interested in serving, also noting that said faculty members deed not be a Senator.
 - Schmidt asked Senators to pay particular attention to page 9 of the agenda regarding the Faculty Handbook committee minutes (EEOC statement), and noted that this will be discussed later.
- IV. Report from the Faculty Representative to the Board of Regents: NONE
- V. VPAA Update—Dr. JuliAnn Mazachek:
 - Mazachek noted that October was a busy month of conversation regarding online education. Since meeting with academic leaders a few weeks ago, Mazachek said they agreed that we must develop a policy regarding how we oversee and think about the quality of our online courses. Statements covering this issue will be drafted based on examples from other universities. The final drafts will stop go to the Faculty Handbook committee first, and then make its way through both the AAC and FAC committees, and eventually stop at the Senate.
 - Mazachek said that the four strategic planning meetings were productive and produced great feedback from over 200 participants. She noted they are processing the feedback and providing information to Cynthia Holthaus for drafting. A revised version should hopefully be available for review around Thanksgiving, and Mazachek asked Senators to please provide feedback. Mazachek encouraged everyone to think about how individual units can help us fulfill the mission once it is established.
 - Mazachek said that this month, Washburn would be implementing the student success collaborative to promote timely graduation. There are approximately 50 faculty and staff members participating, and the kick off will be November 14, 2017.

VI. Faculty Senate Committee Reports:

- The Academic Affairs Committee minutes from October 9, 2017 were approved.

VII. University Committee Reports:

- The Faculty Handbook Committee minutes from September 6, 2017 were received. Barker wondered about one task regarding the Academic Calendar committee (that was mentioned in these minutes)—specifically, if there was a policy regarding the canceling of classes for special events. Mazachek noted that these questions go to this committee but that there is no clear policy regarding this.
- The Graduate Council minutes from August 27, 2017 were received.
- The International Education/International WTE Committee minutes from September 21, 2017 were received.
- The International Education/International WTE Committee minutes from October 19, 2017 were received.
- The Assessment Committee minutes from October 12, 2017 were received.
- The Graduate Council minutes from September 25, 2017 were received.

VIII. Old Business:

- 18-3 BS in Anthropology-Forensic Concentration Modifications was presented by Stephenson. The motion was discussed briefly and then passed unanimously.
- 18-4 Creation of KS Studies Prefix was presented by Worsley. Ockree wondered if it would have anything about it that necessitates a course remain an IS course. Erby clarified that these classes will not be for Gen Ed credit, and thus, would not pose a conflict. The motion was passed unanimously.
- 18-5 Task Force on Academic Freedom and Freedom of Expression was presented by Worsley. Modellmog wondered how the 12 representatives would be selected. Worsley said the task force would be assembled under the VPAA from various locations. Schmidt wondered if keeping the Tech campus included was intentional. Worsley said that including them would better help convey broad-base support, so it was intentional. Ockree supports broad inclusion—as broad as possible—in terms of the members selected to serve on the Task Force. Schmidt wondered if we could change the activation date to “upon Senate approval” rather than spring 2018. Barker moved to change the effective date; the change was approved. Schmidt asked if the task force would pick its own chair? Mazachek said that the chair would be appointed. Schmidt says this should be reflected in the language. Barker moved that such language changes be added; the amendment was approved. Worsley clarified that the report will come back to the Senate and there may not be any action taken; it is up to the Senate in the fall of 2018. The motion was passed unanimously.

IX. New Business: NONE

X. Information Items: NONE

XI. Discussion Items:

- Schmidt wondered if there were thoughts on the Forum room for future meetings. Ockree said this room was better because we can see everyone more effectively; Garritano and Wohl agreed that it was a nice meeting place.

- Barker acknowledged that Denis Etzel recently won a Literary Award through Arts Connect—a great achievement for himself and the campus.
- Ockree wondered about the EEOC change and why it changed from “affirmative action.” Mazachek said it was simply a reflection of the current language. Holthaus also noted that we since we no longer have an Affirmative Action (it is now an EEOC office), it is more reflective of the current campus environment.

XII. Announcements: NONE

XIII. President Schmidt adjourned the meeting at 3:39pm.

Faculty Affairs Committee Minutes

Monday, October 9, 2017

2:30 – 3:30 pm

Lincoln Room

Present: Rick Barker, Bobbe Mansfield, JuliAnn Mazachek (ex officio), Linsey Modellmog, Barbara Scofield, Mary Sheldon, Freddy Sourgens, Janet Todwong, Michelle Watson, Kelly Watt

1. Approval of Minutes from September 11, 2017 meeting
The minutes were sent to the committee for review. The minutes were approved and will be forwarded to Faculty Senate.
2. Action Items:
Employment Outside the University:
This agenda item was submitted from the Faculty Handbook Committee. A motion and second were made to open the discussion.

Dr. Mazachek provided a brief overview and Kelly Watt, who is a member of the handbook committee also provided some insight. It should be know there is language in the WUPRPM which has been in place and without review for a long time. This language is different from what is in the handbook, and the handbook committee has had many conversations in attempt to determine the best policy for consideration.

Thoughtful discussion occurred with the Faculty Affairs committee. That discussion included some of the following:

- A question was raised regarding how 9 and 10 month faculty members fit. 9 and 10 month faculty are considered ongoing and continuing employees of the institution, and there is a reasonable presumption that employment will continue the next academic year. Although an annual letter and/or contract is provided for the next academic year, the institution pays for health insurance through the summer and faculty members can reasonably assume their employment will continue.
- It is important to understand faculty members who request to teach at other institutions may not compete by teaching classes that are taught on campus.
- Is there an appeal process for the decision of the Dean? Some felt the grievance process might help as this is a term or condition of employment.
- It was felt the “conflict of interest” could be strengthened to provide specifics on what could be a conflict. After some discussion, members understood why this couldn’t be specific and agreed with the proposal that perhaps everyone at the institution should sign the Conflict of Interest form.
- Some discussion occurred about changing “full time faculty members” to “Tenured and Tenure track” faculty members. It was felt this change would allow lecturers to teach anywhere unrestricted from Washburn. Dr. Mazachek indicated we include lecturers as part of the faculty in other realms of the university, and they should also have to request approval and not compete with courses taught at Washburn. Through this discussion it was learned KU has a practice to not allow their lecturers to teach elsewhere.

Continued conversation occurred related to compensated work that isn't teaching. It was indicated that compensation for work that isn't teaching could be approved and it is incumbent upon the faculty member to report that work to the appropriate dean. If the work doesn't compete with the time necessary to accomplish work for Washburn University then the request could be approved, but that approval is up to the Dean of the academic unit.

Freddy Sourgens asked if the following wording could be added to the last paragraph of the agenda item:

“...institution without the advance approval of the Major Academic Unit Dean, which may not be unreasonably denied.”

The committee members felt the addition of this phrase would strength the agenda item as it moves forward into the governance process.

A motion to accept a friendly amendment was made and seconded to insert the following:

“...institution without the advance approval of the Major Academic Unit Dean, which may not be unreasonably denied.”

The wording of Vice President for Academic Affairs has been removed based upon the last version from the Faculty Handbook committee.

This motion was approved.

Meeting adjourned.

Interdisciplinary Studies Committee
November 3, 2017 *Electronic Meeting*

Electronic Attendees: Nancy Tate, Rebecca Meador, Geoff Way, Rodrigo Mercader, Alex Klaes, Deborah Altus, Rosemary Walker, Kathy Ure, Andrea Thimesch, Israel Wasserstein

Not Present: Park Lockwood

The Office of Sponsored Projects (OSP) proposed a new course, IS 471 Grant Administration/Management Internship. The attendees electronically reviewed the material and suggested revising IS 270, 470, and 471 course titles and descriptions to clarify the distinctions among the courses. OSP submitted additional proposals requesting course title revisions and clarified descriptions for IS 270 (new title Grant Writing I), IS 470 (new title Grant Writing II), and IS 471 (new title Grant Administration). Upon review of the additional materials, the electronic attendees voted unanimously to approve three proposals.

Faculty Development Grant Committee Meeting

April 24, 2017

Committee members present via electronic means: Kelley Weber, Ryan Alexander, Crystal Stevens, Linzi Gibson, Reza Espahbodi, Nancy Tate (chair)

Faculty Development Grant Applications:

Park, Sangyoub Proposal:	Requested: \$500.00 Present research at the ASA Meeting in Montreal Canada	Awarded: 500.00
Stover, Maria Proposal:	Requested: \$500.00 Attend the Association for Education in Journalism and Mass Communication conference	Awarded: 500.00
Worsley, Melanie Proposal:	Requested: \$500.00 Attend the National Association of Civilian Oversight of Law Enforcement annual conference	Awarded: 500.00

Small Research Grant Committee Meeting

April 28, 2017

Committee members present via electronic means: Lori Edwards, Danielle Head, Martha Imparato , Norma Juma, Kara Kendall-Morwick, Leslie McCullough, Rodrigo Mercader, Freddy Sourgens, Nancy Tate (chair)

An overview of the small research grant committee's duties and responsibilities was provided.

\$45,000 is available to award for the Major research and the small research grants. The pattern of the committee is to award close to ½ of the total amount available in the spring meeting which leaves a remaining balance available for faculty who wish to submit a grant application in early fall.

Major Research Grant Applications:

Cook, Matthew	Requested: \$9945.59	Awarded: 9945.59
Proposal:	Anti-metastatic Potential of Luteolin Against Triple-negative Breast Cancer	

Small Research Grant Applications:

Harrison, Kim	Requested \$3000	Awarded: \$3000
Proposal:	Examine realities associated with the Undocumented Latino population in the US as they relate to social justice.	

Mark, Monette	Requested \$3000	Awarded: \$3000
Proposal:	Repurpose two electric kilns into high-fired gas atmospheric kilns	

Peret, Marguerite	Requested: \$3000	Awarded: \$3000
Proposal:	Explore environmental degradation, climate change and water borne plastic pollution. Arts based research, production of a sculptural installation and display mounts.	

Park, Sangyoub	Requested \$3000	Denied Award
Proposal:	Qualitative research study of a growing popularity of Shake Shack and IKEA in South Korea	

Worsley, Melanie	Requested \$3000	Awarded: \$3000
Proposal:	Determine independent correctional oversight practices in KS jails,	

Sharafy, Azyz
Proposal:

Requested \$3000

Awarded: \$3000

Purchase of equipment to explore virtual reality in 3D

Faculty Development Grant Committee Meeting

November 7, 2017

Present: Melanie Burdick, Reza Espahbodi, Patricia Judd, Justin Spiehs, Stephen Woody, Nancy Tate (Chair)

The faculty development grant committee met to discuss the grant applications. This is the second series for FY 18. The following indicates decisions made by the committee:

Arterburn, Matt Proposal:	Requested: \$485 Present at the 26 th Intentional Plant and Animal Genome Conference	Awarded: \$485
Cless, Jessica Proposal:	Requested: \$500 Present at the National Council on Family Relations	Awarded: \$500
Edelman, Lauren Proposal:	Requested: \$500 Attend the International Leadership Association Global Conference	Awarded: \$500
Friesen, Ross Proposal:	Requested: \$500 Attend and possibly present at the National Association for Kinesiology annual convention	Awarded: \$500
Gleason, Michael Proposal:	Requested: \$500 Attend the International Leadership Association Global Conference	Award Denied
Grant, Erin Proposal:	Requested: \$474 Present at the Academy of Criminal Justice Sciences	Awarded: \$474
Jolicoeur, Jason Proposal:	Requested: \$500 Present at the Academy of Criminal Justice Sciences	Awarded: \$500
Lockwood, Park Proposal:	Requested: \$500 Attend the American College of Sports Medicine conference	Awarded: \$500
McConnell Farmer, Judy Proposal:	Requested: \$500 Attend the Annual Spring Board meeting of OMEP-USA	Award Denied
Memmer, Amy Proposal:	Requested: \$500 Present at the Academy of Criminal Justice Sciences	Awarded: \$500
Quick, Leslie Dawn Proposal:	Requested: \$500 Present at the American Society of Criminology	Awarded: \$500
Ober, David Proposal:	Requested: \$500 Present at the 10 th Annual Mentoring Conference	Awarded: \$500

Oliva, Corinne Proposal:	Requested: \$500 Attend the Business and Health Administration Association International conference	Awarded: \$500
Porta, Gaspar Proposal:	Requested: \$500 Purchase of Equipment and materials	Award Denied
Watson, Michelle Proposal:	Requested: \$500 Attend and possibly present at the Academy of Criminal Justice Sciences.	Awarded: \$500

Interdisciplinary Studies Committee
November 10, 2017 *Electronic Meeting*

Electronic Attendees: Nancy Tate, Rebecca Meador, Geoff Way, Rodrigo Mercader, Alex Klaes, Deborah Altus, Rosemary Walker, Andrea Thimesch, Israel Wasserstein

Not Present: Park Lockwood, Kathy Ure

The Center for Student Success and Retention proposed two new 0 credit courses, WU 110 Peer Educator Training and WU 115 Academic Enhancement. The attendees electronically reviewed the material and voted unanimously to approve them.

FACULTY AGENDA ITEM NO 18-6

Date: November 27, 2017

Submitted by: Kayla Waters, Chair, Graduate Council, X2107

SUBJECT: Addition of Graduate Student Learning Outcomes

Description: The graduate council, after appropriate discussion, recognizes the need to identify core learning outcomes for all graduate programs offered at Washburn University. Based on the analysis of similarities and recognition of the differences in programs of study at the graduate level, the graduate committee recommends the following areas be identified as core learning outcomes for all graduate programs.

Ethics: All graduate students will demonstrate an awareness of professional conduct toward all constituent groups.

Communication: All graduate students will demonstrate the ability to express themselves clearly, accurately and professionally.

Critical Thinking: All graduate students will demonstrate the skills to evaluate information, make decisions and solve problems.

Rationale: Based on requirements from the Higher Learning Commission, it was determined that the establishment of Core Student Learning Outcomes was desired as a measure of the overall effectiveness of student learning across the disciplines at the graduate level.

Proposed Catalog Language:

To be added to (current) Page 41 of the Graduate Catalog

CORE STUDENT LEARNING OUTCOMES COMMON TO ALL GRADUATE PROGRAMS

The graduate student learning outcomes are designed with an intent to provide graduates of Master and Doctorate programs at Washburn University with a set of core knowledge that is important to all graduate programs, regardless of discipline. The following three outcomes have been identified as the graduate core learning outcomes.

Ethics: All graduate students will demonstrate an awareness of professional conduct toward all constituent groups.

Communication: All graduate students will demonstrate the ability to express themselves clearly, accurately and professionally.

Critical Thinking: All graduate students will demonstrate the skill to evaluate information, make decisions and solve problems.

Financial Implications: None

Proposed Effective Date: 2018-19 Graduate Catalog

Request for Action: Approval by Faculty Senate

Approved by: Graduate Council on November 27, 2017

Faculty Senate on date

Attachments Yes **No X**

FACULTY AGENDA ITEM NO 18-7

Date: October 17, 2017

Submitted by: Russ Smith, Associate Dean and Professor, School of Business
Dmitri Nizovtsev, International Studies Advisor and Professor, School of Business

SUBJECT: Restoring General Education Credit for Non-U.S. Associate Degrees

Description: Short overview of the proposal

We propose that the catalog language in the section on transfer credit, subsection “**Courses taken at institutions outside of the United States**” be amended to include associate degrees in the last sentence of the last paragraph of the section. In the 2017-18 catalog, the language is as follows:

“For students who have completed a baccalaureate degree with a similar duration as a domestic baccalaureate degree from an accredited international institution, courses satisfactorily completed in the Arts and Humanities, Social Sciences, and Natural Sciences and Mathematics will be accepted towards credit in the appropriate general education distribution area.”

If approved, the amended language would read:

“For students who have completed a baccalaureate or associate degree with a similar duration as a domestic baccalaureate or associate degree from an accredited international institution, courses satisfactorily completed in the Arts and Humanities, Social Sciences, and Natural Sciences and Mathematics will be accepted towards credit in the appropriate general education distribution area.” (*changes underlined here; changes will not be underlined in the catalog*)

This would restore a policy for these students that was in effect between the 2004-05 Washburn University Catalog and the 2013-14 Washburn University Catalog. Effective the 2014-15 catalog, students with domestic transfer credit have been covered by a system where general education status of a course in the institution of origin is transferred to Washburn with the course. The current policy is silent on general education credit for international transfer courses except for those within a four-year baccalaureate degree. This proposal would serve those students who have completed a two-year degree outside of the United States.

Background and Rationale:

The proposed change would restore a previous policy and catalog language with regard to the transfer of general education courses to students who have already earned and received an international (non-U.S.) associate degree. Specifically, from the 2004-05 Washburn University Catalog through the 2013-14 Washburn University Catalog, the proposed procedure applied to all students entering with associate degrees. Another policy applied to students with a four-year baccalaureate degree completed. A review of catalogs over the aforementioned period confirmed that general education area courses within completed associate degrees were handled as follows:

“Courses satisfactorily completed in the Arts and Humanities, Social Sciences, and Natural Sciences and Mathematics as part of an A.A. or A.S. will be accepted towards credit in the appropriate general education distribution area.”

Although the language existed to facilitate the transfer of junior college students to Washburn, it also applied on the rare occasions when a student with an international (non-U.S) two-year degree presented themselves. Therefore, the intent of this proposal is to reinstate the policy that previously existed--now only for students with non-U.S. associate degrees since another process for credit recognition is in place for U.S. transfer credit.

Further Background--Implementation:

The proposed policy would be implemented within the Registrar's Office after the transfer classes have been posted on the Washburn transcript on the foundation of the transcript requirement currently in place for international students. That requirement includes evaluations by a third-party transcript evaluation service, as stated in the catalog:

"5. Official transcripts of completed secondary education and of any university-level course work evaluated by either Educational Credential Evaluators (ECE) or World Educational Services (WES). Applicants must provide original transcripts which should have detailed addresses of the issuing schools for verification. If originals cannot be submitted, attested certified copies of transcripts must be sent to Washburn by the issuing school on the school's official envelope and stationary. All university-level foreign transcripts must be evaluated by ECE or WES. Application forms can be obtained by going online to www.ece.org or www.wes.org. A "course-by-course" report is required." (p. 52 of 2017-18 Washburn University Catalog)

Information the university receives from an ECE/WES evaluation includes whether or not the school is the equivalent of accredited, the level of the school, as well as the level of the degree. A "course-by-course" report will include the (translated) course name and will convert the grade and credit hours into the U.S. equivalent. The evaluation will distinguish between lower and upper-level courses. In summary, the evaluation process currently used is credible and has safeguards ensuring integrity.

Financial Implications:

If this proposal were implemented, each affected student would receive an average of twelve hours of general education credit. Although the university would lose revenue it otherwise would have received, a student would receive fair and reasonable treatment. Needless to say, the tuition revenue from even one additional international student for seven or eight semesters would cancel out any lost revenue. The result might be a happy student who feels welcome and whose past accomplishments are recognized. If this were the case, the happy student might recruit a friend or relative to come to Washburn.

Under the present system, an incoming international student has the option to petition the eligibility of his or her course work for general education credit. If a petition is successful, then the university once again loses revenue it would have otherwise received as well as experiencing additional non-zero cost in the form of university resources. While the review process involves no direct monetary cost, the non-

trivial cost to the university is represented by the value of the time spent in the process by the General Education Committee, the Academic Affairs Office, and the student's advisors.

Naturally, some of the students are choosing not to petition, either because they are not comfortable doing this (remember, these are international students), or because no one explained such an opportunity to them. In that case, the university would not lose the revenue a successful petition would imply. We do, however, believe that the benefits of being perceived as a student-friendly and transfer-friendly institution far outweigh the costs, as pointed out above.

Proposed Effective Date: If this is catalog-driven, the effective date would be the effective date of the next catalog. However, if approved, perhaps it could be administratively implemented effective at some earlier date to the benefit of any student currently petitioning or currently enrolled.

Request for Action: *Approval by AAC/.FAC/FS/ Gen Fac, etc*

Approved by: *AAC on November 13, 2017*

FAC on date

Faculty Senate on date

Attachments Yes No

FACULTY AGENDA ITEM NO 18-8

Date: October 9, 2017

Submitted by: *Faculty Handbook Committee-*

SUBJECT: *Modification to Handbook – Employment Outside the University*

Rationale: It is currently unclear in the Faculty Handbook how to deal with requests for faculty to be employed by external entities while maintaining their full-time status at Washburn University. These modifications attempt to clarify the policy in Section Five II – Employment Outside the University.

Description:

Current wording Section Five II:

II. Employment Outside the University

Faculty members may engage in a reasonable amount of consulting assignments outside the University as long as these do not interfere with the effective discharge of the University's duties. Before accepting a position or performing any consulting service outside the University, a faculty member must notify his/her department chairperson and/or the Dean of the appropriate school or college of the nature of the assignment and an estimate of the amount of time to be spent in the outside activity. The member must receive approval in writing from the Dean of the school or college.

Proposed wording Section Five II:

II. Employment Outside the University

Full-time faculty members may engage in a reasonable amount of compensated work outside the University as long as the work does not interfere with the effective discharge of the faculty member's University duties. Before accepting a position or performing any compensated work outside the University which has the potential to conflict with expected work hours, use significant university resources, or creates a conflict of interest, a faculty member must notify his/her department chairperson and/or the Dean of the appropriate school or college of the nature of the assignment and an estimate of the amount of time to be spent in the outside activity. The member must receive approval in writing from the Dean of the Major Academic Unit and the Vice President for Academic Affairs before such work can be conducted. Short-term engagements for which a small amount of compensation is received do not constitute compensated work. All compensated work must be reported on the faculty member's conflict of interest form.

As relates to teaching, in accordance with the WUPRPM Section 5.5.2, full-time faculty members are prohibited from serving in a teaching capacity, with or without compensation, on a full-time or part-time basis with another higher education institution without the advance approval of the Major Academic Unit Dean, which may not be unreasonably denied.

Financial Implications: None

Proposed Effective Date: *Immediately*

Request for Action:

Approved by: *FHC on September 27, 2017*

FAC on November 27, 2017

Faculty Senate on date

Attachments Yes No

[Handout for Discussion from Dr. Erby]

Washburn is pleased to announce a new approach intended to provide leadership and support in the continuous effort to create a welcoming and respectful living, learning, and working environment.

Washburn University Executive Committee on Diversity and Inclusion

A steering committee that will set priorities, make recommendations, and provide resources to address the university climate and prevent barriers to greater diversity and inclusion at all levels of the university. The committee will report to the executive staff. Danielle Dempsey-Swopes, director of the University Office of Diversity and Inclusion, will spearhead this effort.

Areas of focus might include:

- Set goals and priorities to increase overall campus diversity.
- Review comprehensive, disaggregated data to determine gaps in equity and inclusion.
- Assess university campus climate.
- Review and recommend best practices in such areas as student and employee recruitment and retention, making scholarship awards, and programming.

Washburn University Academic Committee on Diversity and Inclusion

An academic committee focused on addressing diversity and inclusion in faculty recruitment, retention, and curriculum and instruction. The Advisory Committee will implement programs on behalf of the VPAA. This committee will take the place of the former Diversity Initiative. Kelly Erby, associate professor of history, will serve as its chair. Erby will also serve as a member of the Executive Committee to ensure an integrated effort across the University on all diversity and inclusion initiatives.

Areas of focus might include:

- Assess current faculty recruitment efforts and review current workforce data.
- Review best practices for faculty recruitment and retention. Recommend practices or initiatives for incorporation into the faculty recruitment and retention process in each school.
- Coordinate with CTEL to produce programs to assist faculty with teaching strategies for an inclusive classroom.
- Bring together, support, and promote diversity-focused, interdisciplinary minor programs, including Women's and Gender Studies, Latino/a Studies, Peace Studies, Kansas Studies, Poverty Studies, and LinC.
- Assist in the assessment of the global, citizenship, ethnics and diversity SLO.
- Coordinate WU participation and leadership in annual statewide Tilford Conference on Multiculturalism and Diversity.
- Oversee development and implementation of university-wide annual diversity lecture program and supporting academic programming.

Membership for both of these committees will be finalized and communicated very soon. Both committees will include student representatives.

1. Consensual and Familial Relationships In order to maintain the University’s high standards of integrity and excellence in its academic and working environments, consistent with the stated Board Policy, these regulations and procedures set out the expectations and responsibilities regarding consensual and familial relationships in the Washburn University community. Not reporting consensual or familial relationships poses a significant risk to the University community, therefore, it is necessary the University receive notification of consensual or familial relationships covered by this policy to prevent conflicts of interest, favoritism, and exploitation.

1.1 Definitions

- 1.1.1 Consensual Relationship** - any amorous or romantic relationship, including but not limited to sexual and dating relationships, or other close personal relationship the nature of which could adversely affect an employee’s impartiality. This includes a past amorous or romantic relationship that does not currently exist.
- 1.1.2 Director of Human Resources** – As used in these regulations and procedures,
 - 1.1.2.1** For all sections except in **Section 1.5 Investigation and Discipline** and **Section 1.7 Retaliation**, Director of Human Resources shall mean the Washburn University Director of Human Resources except in the following circumstances:
 - 1.1.2.1.1** When the Director of Human Resources is one of the parties in the consensual or familial relationship being addressed, Director of Human Resources shall mean the Vice-President for Administration and Treasurer (“**VPAT**”).
 - 1.1.2.1.2** When the Director of Human Resources and the VPAT are both parties in the consensual or familial relationship being addressed, Director of Human Resources shall mean the President.
 - 1.1.2.2** For **Sections 1.5 and 1.7**, when the Director of Human Resources is one of the parties in the consensual or familial relationship being addressed, Director of Human Resources shall mean the University Counsel.
- 1.1.3 Employee** – means, unless otherwise set out in this policy, faculty, staff and employee positions requiring student status.
- 1.1.4 Familial Relationship** – any relationship between an employee and another member of the Washburn community based on kinship, or based on an individual’s status as a household member or ward of an employee.
 - 1.1.4.1** Kinship – means a spouse, parent, child, or sibling; a sibling, as denoted by the prefix “half”; a parent, child, or sibling as denoted by the prefix “step”; a foster child; a nephew, niece, uncle, or aunt; any parent or child of a preceding or subsequent generation, as denoted by the prefix of “grand” or

“great”; or, a parent, child, or sibling related by marriage as denoted by the suffix “in-law.”

1.1.4.2 Household Member – means a person having legal residence in or living in the officer’s or Employee’s place of residence.

1.1.4.3 Ward – means a person who is under a guardian’s charge either permanently or temporarily.

1.1.5 Mitigation Plan - A written plan developed as provided in this policy that mitigates the conflict of interest and the potential for exploitation or the appearance of exploitation or favoritism created by the consensual or familial relationship and which plan is acknowledged and agreed to by the parties involved.

1.1.6 Supervisor – An employee, as defined in **Section. 1.1.3** above, or student who:

- teaches, manages, supervises, advises, coaches, or evaluates (such as serving on a promotion and tenure committee) in any way other employees, students, or student-athletes; and/or
- Has a position of authority or otherwise has the ability to influence decisions with regard to other individuals in the learning or working environment of the University, including extra- and co-curricular activities.
 - **Position of authority** - A position of greater authority is one that has responsibility for or influence over admitting, educating, assigning, evaluating or advising students or hiring, promoting, evaluating, assigning or supervising employees. Persons in positions of authority could include faculty and resident assistants. For instance, a faculty member will always be treated as having such a power differential if the student is in an educational experience where the faculty member has evaluative authority such as in assigning grades or serving on thesis, dissertation, or scholarship awards committees.
- Supervisory relationships may be formal or informal.

1.2 Prohibited Consensual Relationships Considering the potential for exploitation or the appearance of exploitation or favoritism and the inherent differential in authority, the following consensual relationships, even if a single interaction, are prohibited

1.2.1 Between students and their educators, advisors, Supervisors, and others holding Positions of Authority over them. The University prohibits any Employee or affiliate of the University from entering into a consensual relationship with any student currently enrolled at the University whom they teach, manage, supervise, advise, or evaluate in any way.

- 1.2.2 Between Intercollegiate Athletics coaches, Employees, or affiliates, with any student-athlete or student assigned to or associated with Intercollegiate Athletics, such as interns and student employees whom they teach, manage, supervise, advise, or evaluate in any way. This would prohibit, as an example, a graduate assistant coach from entering into a consensual relationship with a student athlete in the same sport in which the graduate assistant performs coaching duties.
- 1.2.3 Between any student employee (including resident life advisors/assistants, etc.) and any student whom they teach, manage, supervise, advise, or evaluate in any way.
- 1.2.4 **Reporting Alleged Violations** - Any Employee who is notified, or becomes aware of, an alleged violation of this **Section 1.2** has an obligation to report it immediately to the Director of Human Resources

1.3 Reporting or notification of relationship that could be subject to exploitation or favoritism – To avoid the potential for or appearance of exploitation or favoritism, the following circumstances shall be reported *as soon as possible* as set out below.

- 1.3.1 Situations where a consensual or familial relationship develops between two employees in a direct reporting line, the person in the Position of Authority is required to disclose their relationship to the Director of Human Resources;
- 1.3.2 Situations where a new employee is hired and has a past or pre-existing consensual or familial relationship with a current employee who would be a Supervisor over the new employee, both the new employee and the current employee are required to disclose their relationship to the Director of Human Resources;
- 1.3.3 In situations where an individual joins the Washburn community and has either a past or pre-existing consensual or familial relationship with another member of the Washburn community, and one of the persons is a student and one person is a Supervisor over the other, then the Supervisor shall report the relationship to the Director of Human Resources, or if in the academic area report the relationship to the Vice-President for Academic Affairs.
 - 1.3.3.1 If a student would like to report the past or pre-existing relationship for their protection, the student may report the relationship to a Supervisor other than the person in the relationship or to the Vice-President for Student Life.
- 1.3.4 **Cooperate with Mitigation Plan.** All parties involved in a relationship that requires reporting under this Section shall cooperate with the appropriate persons to develop a Mitigation Plan as outlined in **Section 1.4** below.
- 1.3.5 **Notification to Director of Human Resources.** Any person who is not the Director of Human Resources who receives a notification of a consensual or familial relationship pursuant to this policy shall immediately report the information received to the Director of Human Resources.

1.4 Mitigation Plan

- 1.4.1** Upon receipt of a consensual or familial relationship notification pursuant to Section 1.3 above, the Director of Human Resources shall notify the appropriate member of the Executive Staff ("**E-staff**") that oversees the area in which the employee(s) involved in the relationship are employed.
 - 1.4.1.1** If the person involved in the consensual or familial relationship is a member of the E-staff, then notification shall be made to the President.
 - 1.4.1.2** If the person involved in the consensual or familial relationship is the President, then notification shall be made to the Chairman of the Washburn University Board of Regents.
- 1.4.2** If the conflict of interest and the potential for exploitation or favoritism can be successfully mitigated, the Director of Human Resources, as appropriate, along with the appropriate member of the E-staff, and any other person deemed necessary for the process, e.g. Dean, Department Chair/Director, shall collaborate with the Employee(s) in the relationship to develop a written mitigation plan, to be produced within ten (10) business days of the report (unless there are reasonable grounds for additional time).
- 1.4.3** If the mitigation plan is not agreed to by all parties to the plan, resolution of the disagreement will be determined by the appropriate member of the E-staff.
- 1.4.4** If the conflict of interest and potential for exploitation or the appearance of exploitation or favoritism created by the consensual relationship cannot be successfully mitigated, and:
 - 1.4.4.1** Involves an existing consensual relationship, then the consensual relationship is prohibited.
 - 1.4.4.2** Involves a familial relationship, or past consensual relationship, any party who is an Employee may be transferred, if available and appropriate, or terminated from their employment position. If any party is a student, that student may transferred from classes in which they are enrolled.
- 1.4.5** The mitigation plan will:
 - 1.4.5.1** provide an alternative means for managing, supervising, teaching, evaluating and/or advising of the person with the least Position of Authority in the relationship or otherwise mitigate the conflict;
 - 1.4.5.2** give priority to the interest of the person with the least Position of Authority in the relationship;
 - 1.4.5.3** be in writing and signed by both parties to the consensual or familial relationship and the appropriate member of E-staff;
 - 1.4.5.4** provide notice of the University's Non-Discrimination Policy;

- 1.4.5.5 be reassessed on an annual basis (or sooner if circumstances warrant) by the parties, and the applicable department/unit for necessary modification; and
- 1.4.5.6 provide notice of any party's right to appeal the determination.

1.5 Investigation and Discipline

- 1.5.1 Alleged violations of this policy, including concerns of conflicts of interests, favoritism, and/or exploitation will be investigated by the Director of Human Resources.
 - 1.5.2 If there is a complaint of sexual harassment/sexual misconduct relating to a relationship covered by this policy, and the relationship has not been disclosed and no Mitigation Plan is in place, the responsibility will be on the person in the Position of Authority to explain the failure to comply with this policy. Such failure will be a factor in determining whether the relationship was consensual and free of sexual harassment/misconduct.
 - 1.5.3 Disciplinary action against an Employee will be handled under the appropriate University policies for discipline and dismissal of the Employee. Disciplinary actions may include, but are not limited to, written reprimands, the imposition of conditions, reassignment, suspension, and termination.
 - 1.5.4 If a benefit conferred by Washburn was received by an Employee or student as a result of actions by the other party in the relationship, and such relationship had not been reported pursuant to the terms of this policy, the University reserves the right to investigate if the benefit was appropriately awarded, and if the University determines that such benefit was not appropriately awarded, the University may rescind any such benefit.
- 1.6 **Safe Harbor** – If the person in a consensual or familial relationship as set out in **Section 1.3**, who is in the Position of Authority *immediately notifies* appropriate University offices of the consensual or familial relationship covered by this policy and cooperates to mitigate the effects of the consensual or familial relationship, then a conduct/discipline investigation will not be pursued. Unreported consensual or familial relationships will be considered more severe violations of this policy.
- 1.6.1 This safe harbor does not apply to potential violations of the University's Non-discrimination policy.
- 1.7 **Retaliation** – Retaliation against a person who reports a potential violation under this policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, reprisals and/or adverse actions related to an individual's employment or education. The University will take appropriate steps to assure a person who in good faith reports, complains about, or participates in an investigation pursuant to this policy will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the Director of Human Resources. If the report of retaliation appears to also involve the non-

discrimination policy, then the Director of Human Resources shall notify the Director of Equal Opportunity.

- 1.8 Confidentiality** - Reports of existing or past relationships will be kept confidential except to the extent necessary to avoid, and address, conflicts of interest and misconduct.