

BYLAWS  
of the  
BOARD OF REGENTS \*  
of  
WASHBURN UNIVERSITY OF TOPEKA

As adopted June 4, 1941, and amended from time to time as reflected by page date.

ARTICLE I. MEETINGS

SECTION 1. ANNUAL MEETING.

Unless otherwise determined by the Board, the Annual Meeting of the Board of Washburn University of Topeka shall normally be held at the regular June Board meeting of each year in Topeka, Kansas, at a day and hour to be determined by the Board.

SECTION 2. REGULAR MEETINGS.

Regular meetings shall be held on the dates, hour, and place as determined by the Board.

SECTION 3. NOTICE OF MEETINGS.

Notice of all regular meetings of the Board of Regents shall be mailed to each member of the Board by the Secretary or Assistant Secretary at least five days prior to the meeting. Notice of special meeting, called as provided in Section 4, shall be mailed to each member of the Board at least three days prior to the meeting; notice of any regular or special meetings may be waived.

SECTION 4. SPECIAL MEETINGS.

Special meetings shall be called at any time by the Secretary at the request of the Chairperson of the Board, of three members of the Board, or of the President of the University.

SECTION 5. PLACE OF MEETING.

The place of the meeting shall be on the Washburn University campus, unless otherwise stated in the call.

---

\* Hereinafter referred to as the Board

4/14/82

#### SECTION 6. QUORUM.

A majority of the Board shall at all times constitute a quorum.

#### SECTION 7. RULES OF ORDER.

General parliamentary rules, as given in Robert's Rules of Order, as modified by the rules and regulations of the Board, shall be observed in conducting meetings of the Board.

#### SECTION 8. ORDER OF BUSINESS.

The following shall be the Order of Business of the Board, but the rules of order may be suspended and any matters considered or postponed by action of the Board:

1. Call of order.
2. Roll Call.
3. Consideration of minutes of last regular meeting, committee meetings, and of any special meetings held subsequently and their approval or amendment.
4. Election of Officers.
5. Report of the President.
6. Report of Special Committees.
7. Unfinished business.
8. Petitions and communications.
9. New Business.

4/14/82

## ARTICLE II. OFFICERS

### SECTION 1. ELECTION OF OFFICERS.

At the annual meeting, the Board shall elect the following officers to serve for one year from the first day of July following and until after their respective successors have been duly elected and shall have qualified:

- A Chairperson
- A Vice-Chairperson

The Chairperson may not serve as Chairperson for more than three consecutive years.

### SECTION 2. SPECIAL ELECTIONS.

In the event of a failure for any reason to elect either or both of the said officers, or in case a vacancy shall occur in either of said offices for any reason, then an election may be held at any regular or special meeting, a notice of such election having been given in the notice of the call of the meeting.

### SECTION 3. ELECTION OF SPECIAL OFFICERS.

The Board shall employ a President of the University, who shall be the chief executive officer of the Board and of the University, but who shall not be a member of the Board. The President shall be entitled to attend all regular meetings of the Board, and to participate in discussions, but shall not be entitled to vote. The Board shall elect a Secretary and a Treasurer of the Board of Regents, who may or may not be members of the Board.

### SECTION 4. DUTIES OF THE CHAIRPERSON.

The Chairperson of the Board shall preside at the meetings of the Board and shall perform the other duties ordinarily performed by that officer.

### SECTION 5. DUTIES OF THE VICE-CHAIRPERSON.

The Vice-Chairperson of the Board, in the absence or disability of the Chairperson, shall perform all duties of the Chairperson of the Board. In the absence or disability of both the Chairperson and the Vice-Chairperson, the Board shall elect a Chairperson pro tempore who shall perform the duties of the Chairperson of the Board.

## SECTION 6. DUTIES OF THE PRESIDENT.

a. The Board shall employ as President a person of high educational standards and ability who can provide leadership as will further the general welfare of the University. As chief executive officer, the President is responsible to the Board for the implementation of those policies approved by the Board. The President must create and maintain a vision and sense of common purpose for the University and its constituencies that develops and sustains institutional direction and self-esteem. The President's primary responsibility is that of administering the University in the achievement of its mission, objectives, and goals, including teaching, research, and service in accordance with the laws of the state, the policies of the Board, and within the resources of the institution. Other responsibilities include, but are not limited to

1. The development and direction of long-range planning for the University.

2. The development and maintenance of an appropriate administrative organization and governance structure to facilitate the most efficient and effective utilization of University resources in the achievement of the University's mission, objectives, and goals.

b. The President may attend all regular meetings of the Board and shall have a right to participate in discussion. The President shall be the administrative head of all departments and divisions of the University, exercising such supervision and direction as will promote the general welfare and efficiency of the University. The President shall be the official medium of communication between the Board and the students, the faculty, and the employees of the University.

c. The President shall recommend to the Board or its proper committees all promotions and appointments for the faculty and all other appointments unless otherwise directed. The president shall notify or cause to be notified all persons concerned of the actions taken by the Board with respect to appointments, promotions, terms of service, and appropriations for their work and departments, and of any other matters that the Board may direct to be so transmitted.

d. The President shall make an annual report to the Board. The President shall give to the Board such additional reports as it may require or the welfare of the University may suggest.

e. In the case of a vacancy in the Office of the President or the inability of the President to act, due to illness, injury, incapacity or disability, or in the extended absence of the President, the Board of Regents may appoint an acting President. In the event of temporary absence of the President, not to exceed two weeks, the President may designate, in writing, the Vice President for Academic Affairs to serve and have the power to act as acting President.

## SECTION 7. DUTIES OF THE SECRETARY.

The Secretary shall perform the usual duties pertaining to this office. The Secretary shall keep or cause to be kept a full and true record of all meetings of the Board and of all meetings of any committees of the Board and of such special meetings as shall be requested of him/her.

The secretaries for the Board's committees shall be appointed by the Board and shall perform the usual duties pertaining to the committee. Copies of all minutes of the committees shall be reproduced and submitted to the Secretary to the Board by the committees' secretaries.

The Board may elect an Assistant Secretary who, in the absence of the Secretary or in case of his/her inability to act, or upon the direction of the Secretary, shall be authorized to perform the duties of the Secretary, including the attesting of documents requiring the official University seal.

In the absence of the Secretary or Assistant Secretary, or in case of their inability to act, or in case the office shall become vacant, pending action of the Board, their duties shall be performed by the Vice-Chairperson of the Board, or by a person designated by the Board as acting Secretary.

The Secretary shall be the custodian of all documents committed to the Secretary's care.

The Secretary shall transmit or cause to be transmitted promptly to each member of the Board a copy of the minutes of each meeting of the Board and of its committees if requested by the Board. The Secretary shall notify or cause to be notified all persons concerned by the actions of the Board when specifically requested by the Board.

The Secretary shall be the custodian of the corporate seal of the University and shall, with it, attest all documents requiring a seal.

The Secretary shall issue or cause to be issued notice of regular meetings of the Board and calls for special meetings as hereinbefore provided.

## SECTION 8. DUTIES OF THE TREASURER.

The reference to Treasurer in these Bylaws refers to the combined duties of the Vice President for Administration and Treasurer. The Vice President for Administration and Treasurer may be one and the same person.

4/14/82

The Treasurer shall be the custodian of the funds and securities belonging to the University and shall keep the securities in a safety deposit vault or secure safe under the Treasurer's control. Under the instructions of the Board, the Treasurer shall receive annual funds of the University raised by taxation from the County Treasurer, and such other funds as shall come to the University by gift, grant or bequest, or in payment of tuition, fees, or other obligations due the University. Such funds shall be placed on deposit in the name of Washburn University of Topeka by the Treasurer with financial institutions as authorized by law and resolution of the Board in compliance with the law. The Treasurer shall make regular reports concerning the condition of such accounts and all other matters pertaining to the collection and disposition of University funds to the Board and to the President of the University at such times as the President or the Board may require. The same shall also apply to all monies arising from non-current sources.

Any financial institutions having University funds on deposit shall provide a surety bond approved by the Board in an amount as designated by and in accordance with the law or shall deposit with the Treasurer securities in an amount as designated by and in accordance with the provisions of said legislation. Such security shall be passed upon by the Board of Regents.

The Treasurer shall, under the direction of the President, be primarily concerned with the efficient and economical care and administration of the properties of the current funds of the University. The Treasurer shall see that the rules and regulations prescribed by the Board for the government of the financial and business affairs of the University are faithfully observed. The Treasurer shall, under the direction of the President, have supervision of the entire University property whether real, personal, or mixed and shall call to the attention of the President of the University such adjustments and dispositions of the properties as the welfare of the University may require from time to time.

The Treasurer shall be responsible for the purchase of all supplies and materials bought by the University, under the direction of the Board, and shall see that all building and other contracts pertaining to the material welfare of the University are faithfully discharged.

The Treasurer shall sign warrants, voucher checks, or warrant checks on the General Fund, the Debt Retirement and Construction Fund, the Endowment Fund, the Student Loan Fund, the Employee Benefit Contribution Fund, the Building Construction Fund, the Development Fund, the University Restricted and Agency Fund, the Government and Research Fund, and on all other funds in his or her keeping. These shall be prepared by the Treasurer or the staff of the Treasurer and shall be countersigned by the President of the University or the Chairperson of the Board. The signatures of the President and the Treasurer may be facsimile signatures.

All warrants, warrant checks, and voucher checks shall indicate the particular accounts to which the payments are chargeable and the person to whom payable.

4/14/82

The Treasurer shall keep proper books of account fully setting forth the financial conditions and transactions of the University and shall exercise a general supervision over all accounts of officers and employees of the University which have to do with the receipt or disbursement of funds, securities, or supplies. The Treasurer shall obtain true and full reports of all such receipts and disbursements from the officers and employees aforesaid. The Treasurer shall supply the Board and its committees and the President of the University with such statements and reports as may be required of the Treasurer or as may be needed to show correctly the financial condition of the University or any of its funds or its departments.

The Treasurer shall examine all accounts, claims, and demands against the University and no money shall be drawn from the accounts of the University unless the amount thereof be adjusted and settled by him or her and found to be within the budget appropriations or provision therefore. If the Treasurer shall upon examination of any account, doubt its correctness or find the appropriation or provision insufficient, the Treasurer shall submit the account to the President of the University or to the Board of Regents for decision.

In case of the absence of the Treasurer, or of his or her inability to act, or in case the office shall become vacant, pending the action of the Board, the duties shall be performed by a person designated by the Board as Acting Treasurer.

Access to the securities belonging to the University shall be available to the Treasurer. The Board may, by resolution, authorize any two of its own members to obtain access to the securities of the University in the absence of the Treasurer or the Treasurer's inability or refusal to act.

This provision, however, shall not be held to exclude the presence of other persons at the same time, providing access shall have been secured as aforesaid, nor shall the provision of this article be held to prevent the Board from contracting with a responsible trust company to act as custodian in holding and keeping safely said securities and to make deliveries on the order of the Treasurer or any two persons entitled to access to said securities under this section.

The Treasurer shall give a fidelity bond in favor of the University as required by the Board of Regents in such sum as may be fixed by the Board with some responsible surety company to be approved by the Board. The premium on this bond shall be paid by the University. A separate bond shall not be required for the Treasurer if he or she is bonded by a blanket bond.

The Treasurer shall see that all fidelity bonds required by the Board of Regents from officers and employees of the University are properly filed.

The Treasurer shall see that all officers and employees of the University, having custody of or responsibility for funds and securities, shall furnish bonds in such amounts as shall be determined and fixed by the Board. All premiums of such bonds shall be paid by the University. The Treasurer shall also perform such other duties as the President of the University, or the Board may from time to time designate.

The Treasurer shall be designated as the Clerk of the governing body and shall perform such duties as shall be prescribed by statute for the Clerk of the governing body.

4/14/82

### ARTICLE III. POLICIES OF THE BOARD

#### SECTION 1. POLICIES OF THE BOARD OF REGENTS RELATED TO FINANCE AND BUSINESS.

a. The Board, in cooperation with the President and the Treasurer of the University, shall make a careful study of the anticipated income of the University from all sources to determine the amount which needs to be raised by taxation or otherwise in order to provide for all anticipated and authorized expenditures of the University and shall determine the method or methods by which these anticipated needs shall be met.

b. The Board shall have supervision over the accounting and financial records of the University and shall approve a budget for the University for the next fiscal year. The budget shall include an itemized statement of the probable expenses of the University for said year, showing in detail as nearly as possible the salaries to be paid and the persons to whom payable and set forth in such tabulation as shall be readily compiled according to law.

c. The budget, when approved by the Board as provided by law, shall be authority for incurring obligations for the various departments included therein. It shall be the duty of the President and the Treasurer of the University, acting as a committee on expenditures, to make a distribution of such budget appropriations by authorizing expenditures within the limits of such appropriations, subject to the following procedure: Requisitions upon authorized budget appropriations for materials, supplies, services, and expenses shall be made by administrative officers of the University or heads of departments before any obligation is incurred and shall be sent to the Treasurer or the Treasurer's designate for approval. No requisition shall be approved which exceeds the unencumbered balance of the appropriation available without the approval of the Board. When the Treasurer is in doubt as to whether a requisition shall be approved, he or she shall refer the same to the President of the University and to the Chairperson of the Board.

d. The Board shall arrange and supervise the annual audit of the books and securities of the University by a firm of certified public accountants. A copy of the annual audit report shall be made available to each member of the Board, the President, the Treasurer, and filed by the Secretary with the official minutes of the Board.

e. The Board shall consider all legal matters.

f. The Board shall supervise the Funds of the University which are:

1. Current Funds
  - (a) General Fund
  - (b) Employee Benefit Contribution Fund
  - (c) Government and Research Fund
  - (d) Restricted and Agency Fund
  - (e) Liability Expense Fund

2. Plant Funds
  - (a) Debt Retirement
  - (b) Construction
  - (c) Expended Plant Funds
  - (d) Development Fund
3. Student Loan Fund
4. Endowment Fund

g. The General Fund shall consist of all funds so designated by the Board. The President shall have the authority within the General Fund to transfer appropriations from one account to another and shall notify the Treasurer of such transfers.

h. The Employee Benefit Contribution Fund shall consist of all funds arising from any source permitted by law and shall expend directly or reimburse other funds for Social Security, Unemployment Compensation, Workmen's Compensation, or any other commitments permitted by law.

i. Government and Research Funds for special purposes shall include all gifts, grants, donations, contracts, and bequests designated for special purposes. Such funds may be included under restricted general funds if the Board so directs.

j. The Restricted and Agency Funds shall include funds received and held by the University as custodian for student organizations, student or faculty groups, scholarship accounts, tax accounts, and gifts which are to be administered out of this fund, and such other funds as by action of the Board may properly be placed into this account.

k. The Liability Expense Fund consists of tax funds restricted to buy liability insurance policies and for the establishment of a liability sinking fund.

l. The Debt Retirement, Construction, Repair, or Equipping Fund shall consist of all funds arising from any source permitted by law. It shall be drawn upon for such purposes as the Board may decide pursuant to law and its Bylaws.

m. The Building Construction Fund shall include all proceeds from bonds issued as required by law and such other funds as are transferred to it for construction purposes by action of the Board.

n. The Expended Plant Fund shall include the physical property of the institution -- land, buildings, improvements other than buildings, and equipment -- used for institutional purposes, arising from any source whatsoever.

o. Development Funds are deposited into this Fund from private gifts, normally designated for building and equipping and are transferred to the appropriate Fund to be expended as required by the donor. These funds are normally transferred to the Building and Construction Fund.

4/14/82

p. The Student Loan Fund shall consist of all funds to be loaned to students or others.

q. The endowment and other non-expendable funds, the principal of which shall be neither expended nor hypothecated for current expenses, shall be retained and preserved inviolate. Investment of endowment funds shall be made by the Treasurer under the direction of the Board as provided by law and in accordance with the policy of the Board. The Board may contract with Washburn College for the handling of part or all of the endowment investment.

r. The Board shall make or cause to be made, via the Treasurer, investment of all University funds available for investment. During the intervals between meetings of the Board, the Treasurer shall have authority to change the form of investment of University funds and to make new investments without the previous approval or general authorization of the Board, provided such investments are within the Board policies. The Treasurer shall make full report of all such proceedings at the next meeting of the Board. No investment, purchase, or sale for the account of endowment funds of the University, or any contract concerning same shall be made by the Treasurer or by any other person or persons without the approval or authorization of the Board. The Treasurer may make the above transactions under the policy and procedures of the Board.

s. The Board may authorize the Treasurer to purchase such materials, supplies, and equipment as needed for the successful operation of the University, provided such purchases are within the appropriations of the designated departments or accounts; and provided further, that funds are actually in the treasury as provided by law. The Treasurer may refer any purchase requisition to the Board and, in compliance with the regulations established by the Board, shall submit to the Board for its consideration any purchase requisition, quotations or bids calling for a purchase in excess of the amount set by Board policy. The Board may exclude from this requirement certain purchases of a routine nature, such as utility bills, book purchases for the University Libraries and Bookstore; continuing contract type purchases, such as security services, electrician services, contract maintenance services for building equipment, computer equipment, etc. In the event that purchases need to be made prior to a regular meeting of the Board, the Treasurer may verbally, or in writing, obtain the opinions of the Chairperson in advance of the regular meeting, and if approved, place the order and have the same confirmed at the next meeting of the Board.

3/16/94; 5/9/01

t. The Treasurer shall make available to the Board all claims for a pay period, which is normally a calendar month. The Board shall review the claims it deems desirable in accordance with the Board policy for all fund groups listed in this section.

4/14/82; 12/14/88

u. The Board shall establish policy for the care and control of all buildings and grounds and equipment of the University. The Board shall determine the amount and types of insurance to be carried by the University.

v. The Board shall investigate and determine the need for new buildings and renovation of existing buildings and for the expansion, improvement, and beautifying of the University campus. The Board shall consider the reports and suggestions of the administration of specifications and plans for new buildings or improvements. The Board shall call for bids and shall determine the contractor or contractors who, in its opinion, should be awarded the contract for construction or major renovation authorized.

## SECTION 2. POLICIES OF THE BOARD ON THE ACADEMIC AND PERSONNEL AFFAIRS OF THE UNIVERSITY

The Board shall consider and determine policy relating to academic and personnel matters, including retirement, tenure, regular faculty and administrative appointments, conferring of honorary degrees and awards, granting of degrees, and such other matters as may be referred to the Board for consideration by the administration or by the Chairperson of the Board.

## SECTION 3. BOARD COMMITTEES.

### a. Appointment of Committees.

The Board may appoint committees pertaining to the welfare of the University. The personnel of such committees may be composed of members of the Board and others, and they shall serve at the pleasure of the Board. The committees shall be appointed by the Chairperson of the Board, subject to the approval of the Board. The Chairperson of the Board and the President of the University are ex-officio members of all committees of the Board.

### b. Personnel of Committees.

Each committee shall consist of not less than three appointed members of the Board. In addition, the Chairperson of the Board shall be an ex-officio voting member of all committees.

### c. Minutes of Committees.

A record of the actions of each committee shall be kept by the Secretary of the Board.

4/14/82

d. Quorum of Committees and Notice of Time and Place of Meeting.

Two appointed members by the Chairperson of the Board of each committee shall constitute a quorum. Meetings of the committee may be called by the Chairperson of such committee or the President of the University or the Chairperson of the Board. The place and hour of meeting shall be designated in the call. Notice of a meeting shall be mailed to each member of the Committee by the Secretary of the Committee at least three days prior to such meeting, but such notice may be waived.

4/14/82

## ARTICLE IV. UNIVERSITY RULES AND REGULATIONS

The Board may, from time to time, adopt the rules and regulations under which the University shall operate. These rules shall be kept as an addendum to the Bylaws.

### SECTION 1. PUBLIC OFFICE

a. Employees of the University, with notice to their immediate supervisor and their area head, are eligible to accept any public or political party position which does not involve any conflict of interest and does not require substantial time away from assigned duties or in other respects infringe upon them. Such offices include membership on city commissions, school boards, planning groups and county, state and national party committees and like organizations, by either appointment or election. Any employee serving in such office shall be required to request either personal leave or leave of absence without pay for periods of time the employee is expected to serve in such capacity during his/her normal work hours if the position is not related to the University's mission. The award of personal leave or leave of absence without pay is not automatic but is dependent upon the needs of the University for the period of time for which such leave is requested.

b. An employee, with notice to his/her immediate supervisor and his/her area head, may seek a public office which requires extended absence from the performance of such employee's duties either in campaigning for such office or in the performance of the duties of such office; provided, however, no employee may actively campaign for such office or perform the duties of such office during the employee's normal working hours and provided further that such employee is required to make request for personal leave or leave of absence without pay prior to campaigning for such office during times she/he would otherwise be performing his/her assigned University duties. The award of such leave is not automatic but is dependent upon the needs of the University for the period of time for which such leave is requested.

c. Persons elected or appointed to public office requiring full time or lengthy sustained periods away from assigned duties, such as Congress, the State Legislature, and state or county offices or appointments to office falling within this category may either resign from employment or may apply for leave without pay and benefit status effective, as to a person elected or appointed to Congress or the State Legislature, from the date such person takes the Oath of Office or the first day of the Legislative session and continuing until the adjournment of Congress or to a date no sooner than the last adjournment in April or sine die adjournment, whichever occurs first, of each regular and special session of the State Legislature. As to other state and county offices, leave without pay or other benefits, if requested and granted, shall be effective during the entire time a person serves as such officer. Leave without pay and benefits shall not be required for any person serving in the State Legislature or for service on any committee during a period when the Legislature is not in regular or special session; rather, such person may either seek leave of absence without pay or personal leave for such meetings. The award of personal leave and/or leave of absence without pay is not automatic but is dependent upon the needs of the University during the period of time for which such leave is requested.

## SECTION 2. JOB DESCRIPTION OF ADMINISTRATIVE AND STAFF PERSONNEL

A general job description of the Administrative and Staff Personnel will be prepared by the Administration and will be available for review by the Board.

## SECTION 3. PERSONNEL POLICIES

Personnel Policies for the University are to be approved by the Board of Regents including fringe benefit policies, vacations, holidays, work week, and office hours. The administration of these approved policies is delegated to the President who may delegate the responsibility for implementation and control of these approved personnel policies to the Vice President for Administration and Treasurer for classified and classified exempt employees, and to the Provost for Faculty.

4/14/82

## ARTICLE V. SCHOOLS AND FACULTIES

### SECTION 1. POLICY ON ACADEMIC FREEDOM

Washburn University strives to promote the search for truth and its free exposition and thus to provide the best education possible for its students. Academic freedom is for the furtherance of these purposes and applies both to teaching and research. Freedom in research is fundamental to the advancement of law and fact. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning.

Academic freedom carries with it duties correlative with the rights.

a. The teacher is entitled to full freedom in research and in the publication of the results subject to performance of his/her other academic duties, but research for pecuniary return should be based upon university policy as stated in the Faculty Handbook.

b. Teachers are entitled to freedom in the classroom in discussing their subjects and must exercise professional judgment in selecting the material they wish to use.

c. The Washburn University teacher is a member of a learned professional and an academic member of an educational institution. When the teacher speaks or writes as an individual, he/she is free from institutional censorship or discipline. As a person of learning, the teacher must remember that the public may judge the profession and Washburn University by his/her utterances. Hence, the teacher should at all times endeavor to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should avoid indication that he/she is an institutional spokesman unless he/she has been so designated.

4/14/82; 5/10/89

### SECTION 2. THE GENERAL FACULTY

a. The General Faculty shall consist of the President, Vice Presidents, Deans, Librarians, and those members of the University with the rank of Lecturer on a full-time annual contract, Instructor, Assistant Professor, Associate Professor, or Professor and other persons appointed by the Board.

10/29/10

b. The General Faculty has the authority to recommend to the President, who shall transmit to the Board of Regents with his/her recommendation, matters including:

1. Changes in graduation requirements
2. New degrees

3. New majors or academic programs
4. Elimination of existing degrees or major programs
5. Creation of new academic departments
6. General Faculty governance

4/11/84; 5/10/89

c. The General Faculty may review, revise, recall, and endorse actions of the Faculty Senate. Recommendations on matters listed in Section 2.b. originating from the Faculty Senate shall be distributed to members of the General Faculty at least seven days prior to the meeting of the General Faculty.

5/13/05

d. On these matters, the power of review or final decision is lodged in the Board or delegated by it to the President and should be exercised adversely to General Faculty recommendations only in exceptional circumstances and for reasons communicated to the faculty. It is desirable that the General Faculty should, following such communication, have the opportunity for further consideration and transmittal of its views to the President or Board. Budgets, manpower limitations, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set limits to realization of General Faculty advice.

e. There will be a minimum of two scheduled General Faculty meetings each academic year, one early in the fall semester and one prior to Commencement. Between meeting times, the authority of the General Faculty shall be exercised by the University Council pursuant to the recall provision of Section 10.j. of this article, and also subject to the rights of the General Faculty as set forth in Section 2.c. above. The General Faculty may be called together by the President or upon petition by twenty members of the General Faculty.

4/11/84; 6/12/85; 3/26/86; 5/10/89

### SECTION 3. MAJOR ACADEMIC UNITS

The instruction offered in the University shall be given in the College of Arts and Sciences, the School of Business, the School of Law, the School of Nursing, and the School of Applied Studies, hereafter referred to as Major Academic Units.

7/8/92

### SECTION 4. FACULTIES OF MAJOR ACADEMIC UNITS

a. The faculty of each Major Academic Unit shall consist of the President, the Vice President for Academic Affairs, the Dean and all full-time faculty members within the

College/school with the rank of Lecturer, Instructor, Assistant Professor, Associate professor, or Professor. Adjunct and part-time faculty members in such schools shall not have voting privileges.

10/29/10

b. Each faculty of a Major Academic Unit shall recommend to the Board, through the President, requirements for admission, except for open admission to the University, standards for retention, courses of study, implementation of approved degrees to be conferred, rules and methods for conducting the respective unit for the degrees conferred. Recommendation for changes in graduation requirements, new degrees, new departments, and new majors will be recommended to the President and Board through the General Faculty.

c. Each faculty of a Major Academic Unit shall meet at the times designated in the rules and procedures adopted by it. Each faculty shall elect a secretary who shall keep a permanent record of all proceedings.

4/11/84; 5/10/89

#### SECTION 5. DUTIES OF VICE PRESIDENT FOR ACADEMIC AFFAIRS, ACADEMIC DEANS, AND FACULTY MEMBERS

a. The Vice President for Academic Affairs (hereafter referred to as the Vice President), Academic Deans, and other academic administrative officers are accountable to the President. Academically and operationally, the administrative officers of the University must be responsive to faculty and to students, and in some instances, to a professional constituency. Selection of and conditions of service for administrative officers must reflect these multiple relationships.

b. The Vice President is responsible to the President of the University and supervises and coordinates all academic programs. The duties of the Vice President include the appointments of Academic Deans, the evaluation of Academic Deans, the review of new academic programs, the review of academic policies, and the development of long-range plans for the academic areas. In addition, the Vice President will be involved in analytical studies concerning academic programs and in the development of special reports pertaining to academic programs. All faculty personnel records will be housed and maintained in the Office of the Vice President. The Vice President will chair various committees as determined by the President.

5/13/05

c. The Academic Deans are directly responsible to the Vice President. They are to direct and supervise the academic programs under their responsibility, and they are responsible for the staffing, budget, and faculty development of the departments within their jurisdiction. The Deans will work directly with the Vice President on long-range planning and budget allocations concerning their respective areas of responsibility. It is intended for the Deans of Major

Academic Units to have principal administrative responsibility for the operation of their programs.

d. Each faculty member is a member of a learned profession and an academic member of the University responsible for the mastery of and a continuing commitment to a subject discipline, the competent transmission of it to students, and the exercise of professional judgment concerning curriculum, instructional content and methods, research, faculty status, and those aspects of student life which relate to the educational process. Faculty members are responsible for the orderly and competent conduct of their classes.

4/11/84; 3/26/86; 5/10/89

#### SECTION 6. FACULTY APPOINTMENTS, REAPPOINTMENTS, NON-REAPPOINTMENT, TENURE AND PROMOTIONS

a. Faculty status and related matters are a shared faculty and administration responsibility, including appointments, reappointments, decisions not to reappoint, promotion, the granting of tenure, and dismissals. Such recommendations originate at the department and/or Major Academic Unit.

4/11/84; 5/10/89

b. The faculty of each Major Academic Unit will establish a Committee on Promotion and Tenure (CPT). The CPT is a committee of at least five tenured faculty from the Major Academic Unit holding the rank of Associate Professor or Professor chaired by an elected member. If there is an insufficient number of eligible faculty, then the Dean of the Major Academic Unit in consultation with the Vice President will select other tenured faculty to serve on the committee. The CPT makes recommendations and advises on promotion and tenure to the Dean of the Major Academic Unit who forwards both the CPT's and the Dean's recommendation to the Vice President.

c. In Major Academic Units with departments, each department will establish a committee of tenured faculty members on promotion and tenure. In the fall of each year, the departmental committee shall review the qualifications and performance of all tenured and non-tenured members of its faculty below the rank of full professor, who have met the degree and time-in-rank requirements, with a view toward possible advancement in academic rank and tenure. The departmental committee shall follow the standard for promotion and tenure and the procedure as set forth in the Faculty Handbook. The departmental committee makes recommendations on promotion and tenure to the departmental Chairperson who forwards both the departmental committee's and the Chairperson's recommendations to the Dean.

d. The Vice President, after consideration of all recommendations, shall make recommendations to the President who shall transmit them to the Board of Regents with his/her concurrence or non-concurrence. In the event of any difference in the recommendations of the President, Vice President, Academic Dean, CPT, Departmental Chairperson, and the Departmental Committee, all recommendations shall be submitted to the Board of Regents.

e. Final decisions as to tenure or promotion of such faculty members shall be made by the Board of Regents after consideration of the recommendations as provided in this section.

f. Notice of non-reappointment of a non-tenured full-time faculty member shall be given to such faculty member not later than the first day of March of the first academic year of service if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three months in advance of termination; not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year; and not later than May 31 of the academic year preceding the academic year in which the appointment is to expire, when the individual is in the third or later year of appointment.

g. A faculty member not on tenure is considered to be serving a probationary period. Non-reappointment may be justified, in addition to reasons related to the faculty member's performance as a teacher, scholar, and member of the University community, by other factors including departmental or school plans for future faculty development, budgetary considerations, financial exigencies, or a departmental or Major Academic Unit decision that its needs should be filled with a different individual.

4/11/84; 5/10/89

## SECTION 7. FACULTY TENURE.

a. The awarding of tenure to a faculty member is a critical point in the member's relationship with Washburn University. Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom, economic security, and tenure are indispensable to the success of Washburn in fulfilling its obligation to its students and to society. Not only does tenure recognize the worth of the individual and that person's contribution to the University community, but tenure and the promotion process are the means by which the quality of the faculty is maintained and improved. The added prestige and recognition that promotion and tenured status based on the standards below confer on an individual are essential to the moral and lustre of Washburn's faculty and the University.

b. The review of candidates for tenured appointments, beginning at the departmental level and moving through the channels of the University level, must at all stages be careful, deliberate, and searching if the standards of excellence to which Washburn aspires is to be attained. The same considerations apply to recommendations for promotion in rank.

c. Criteria for tenure and promotion traditionally have been and continue to be teaching, research, and community and professional service. The award of tenure must take into account any prior service credited but will be based largely on evidence of achievement since joining the Washburn faculty. Promotion and tenure are never automatic for a faculty member. They must be earned.

d. After an appropriate length of employment in academic duties by the University, full-time members of the faculty shall be eligible for tenure in an academic discipline offered at Washburn, signifying that their services are of such quality as to merit continuing appointment; and if granted tenure, their employment thereafter shall be terminated involuntarily only for cause as provided in Section 8. The President and the Board shall determine if a leave of absence or a faculty exchange is to be used as part of the required length of service.

e. Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period at Washburn University shall not exceed six years. At least three of these six years must be at Washburn as a full-time instructor or higher rank. Up to three years credit may be granted, by written agreement, for full-time service at other institutions of higher education. The initial employment contract of every full-time faculty member will indicate that member's maximum probationary period at Washburn University. Notices of non-reappointment should be given at least one year prior to the expiration of the probationary period if the faculty member is not to be continued in service after the expiration of that period.

5/1/14

f. Faculty tenure in an academic discipline may be granted at any time by action of the Board of Regents upon recommendation by the President. The recommendation by the President shall be made after review of the recommendations by the Vice President and by the relevant Unit's Dean, who shall have consulted with his/her Major Academic Unit's CPT.

4/11/84; 5/10/89

g. Administrators and faculty members not previously holding tenure shall not be granted tenure in any administrative academic disciplines offered by Washburn University. Serving in an administrative capacity shall not deprive a faculty member of retaining or acquiring tenure in an academic discipline, such as Professor of Education, Associate Professor of Business Administrations, etc.

h. Except for persons sharing a tenure-track joint faculty appointment described in subsection i below, faculty members employed part-time, or as teaching assistants, visiting faculty or lecturers are not eligible for tenure.

i. When deemed appropriate by the Vice President for Academic Affairs a full-time tenure track faculty position may be split into two half-time positions and persons otherwise qualified to fill such position may be appointed to share it as a joint faculty appointment. Beginning with appointment to instructor or a higher rank in a joint faculty appointment position, the probationary period at Washburn University shall not exceed six years. Such probationary period for each of the two persons in a joint faculty position shall be identical and stated in their respective initial employment contracts with the University. At least three of the six years probationary service must be at Washburn at the rank of instructor or higher. Up to three years credit may be granted to appointees, by written agreement, for full-time service by each as teaching faculty at other institutions of higher education. Joint faculty appointees in a tenure

track position may be eligible to petition, jointly if they choose, for tenure and/or for promotion in accordance with the procedures in Article V, Sections 6. and 7. for full-time faculty members; provided, however, that tenure or promotion will only be awarded to any person sharing a joint faculty appointment in the event (a) both individuals in such joint faculty position petition for tenure and/or for promotion in the same year of review; and, (b) both individuals are deemed to fulfill all of the requirements for tenure and/or promotion in rank. In the event one of the individuals does not petition for tenure or one of the two is deemed not to fulfill all of the requirements for tenure, both will be given notice of non-reappointment and their employment will terminate upon the expiration of their probationary period. The property right granted by the award of tenure is the continuation of employment as a half-time faculty member which may be terminated for cause under section 8 of Article V or as provided in subsection k. below.

5/1/14

j. In the event one of the persons appointed to a joint faculty appointment is non-renewed, terminated for cause or voluntarily terminates employment, such event shall be deemed cause for the termination of the remaining individual's employment at the end of the then current academic year. However, such individual shall be eligible to apply for any vacant faculty position at the University for which she/he is qualified. Except as a provided in the preceding sentence, persons in a joint faculty appointment shall have the same rights of non-reappointment of non-tenured full-time faculty stated in Section 6.f of this Article.

9/13/02

k. In the event tenure has been awarded to both individuals in a joint faculty appointment and one is terminated for cause or otherwise is unwilling or unable for any reason, except for a reason which may be provided such individual by operation of law, to fulfill the obligations of his/her half-time position in such appointment, the remaining half-time appointee shall be offered the duties and functions of the full-time faculty position. If the remaining individual is unwilling or unable, except for a reason which may be provided by operation of law, to accept the full-time faculty duties of the position, then his/her unwillingness or inability to serve shall serve as the occurrence of the condition subsequent and cause for the termination of such individual's employment at the end of the then current academic year.

#### SECTION 8. TERMINATION FOR CAUSE.

a. The President may terminate the services of a member of the faculty at any time, for cause. Cause for termination consists of demonstrated incompetence or dishonesty in teaching or research, substantial and manifest neglect of duty, personal conduct which substantially impairs the individual's fulfillment of his/her University responsibilities, engaging in or substantially contributing to actions materially disruptive to the effective operations of the University, substantial falsification of credentials, or violation of other faculty, staff, or student's civil rights. Written notice of termination specifying the cause shall be given by the President to the faculty member concerned prior to the date of termination. The Board of Regents shall determine and fix the date on which payment of salary shall cease, which date shall not be prior

to the effective date of the termination of services. Such termination by the President shall only be made after consultation with the Vice President and the appropriate Dean.

b. The termination for cause of a tenured teacher or the dismissal for cause of a full-time non-tenured teacher previous to the expiration of a term appointment, if appealed by the affected faculty member, will be considered by both the Faculty Appeals Committee and the Board of Regents. Appeal procedures for termination for cause as approved by the General Faculty and the Board of Regents are specified in the Faculty Handbook.

## SECTION 9. APPEALS COMMITTEE PROCEDURE

a. The Faculty Appeals Committee shall consist of five (5) faculty appointed by the Faculty Senate. No one shall be appointed who is a member of the academic department of which the appellant is a member. The member of the Committee senior in tenure shall serve as chairperson.

5/13/05

b. The decision of the Committee, which shall include provisions for appropriate remedial action, will be binding unless a party to the appeal makes a written request within ten days for final determination by the Board.

4/11/84; 5/10/89; 9/13/02

c. The Board of Regents' review of the case shall be scheduled for the earliest possible date and shall be based on the record of the previous hearing accompanied by opportunity for argument, oral or written or both, by the principals or his/her representatives. The decision of the Faculty Appeals Committee should either be sustained or the proceeding be returned to the Committee with objections specified. In such a case the Committee shall reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decisions and communicate it in the same manner as before. Only after study of the Committee's reconsideration should the Board of Regents make a final decision overruling the Committee.

d. Except for such simple announcements as may be required, covering the time of hearing and similar matters, public statements about matters before the Faculty Appeals Committee by either the faculty member or administrative officers shall be avoided as far as possible until the proceedings have been completed. Announcement of the final decision shall include a statement of the Faculty Appeals Committee's original actions if this decision has not previously been made known.

## ARTICLE VI. RETIREMENT PROGRAM

Adopted by the Board of Regents on April 6, 1953, Amended on March 10, 1960; July 24, 1964; April 14, 1967; May 15, 1969; May 23, 1973; November 15, 1978; April 9, 1986; March 11, 1987; May 10, 1989; May 9, 1990; January 18, 1992; and February 18, 1998. Deleted in its entirety February 6, 2019.

## ARTICLE VII. FISCAL YEAR

### SECTION 1. FISCAL YEAR.

The Fiscal Year of the University shall be from July 1 until the next June 30 at midnight.

1/4/82; 4/9/86; 3/11/87; 6/10/87; 5/10/89; 7/1/90

## ARTICLE VIII. TUITION, FEES AND OTHER CHARGES

### SECTION 1. TUITION, FEES, ETC.

Tuition and fees for credit hour courses, and other charges in the University shall be determined by the Board. The Board delegates to the Administration, subject to periodic review by the Regents, the authority to set charges for special non-credit course work, and other charges which are of a non-recurring nature and the charges by the nature of the program are based on current cost factors.

1/4/82; 4/9/86; 3/11/87; 6/10/87; 5/10/89; 7/1/90

## ARTICLE IX. AMENDMENTS

### SECTION 1. AMENDMENTS.

These Bylaws may be amended at any regular meeting of the Board by a vote of two-thirds of the entire Board, provided previous notice of the nature of any proposed amendment shall have been given at least one regular meeting before the action thereon shall be taken, except that the Board, before taking final action on an amendment initiated by the Board to any section of Article V., shall submit the proposal to the faculty for consideration and comment through the President of the University. The President, in turn, shall convey in writing the opinion of the faculty to the Board at the next meeting. By a majority vote of those eligible, the General Faculty may suggest amendments to Article V., Schools and Faculties.

1/4/82; 4/9/86; 3/11/87; 6/10/87; 5/10/89; 7/1/90