

Proposal to Amend WKU Faculty Handbook: Substantive Change

Substantive change is defined as addition, deletion, or revision of policy or procedure.

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1. Type of Change:

Addition: Where possible, identify the section of the handbook to which addition is proposed:

Deletion: Identify the section of the handbook from which deletion is proposed:

Revision: Identify the section of the handbook to which revision is proposed:

XIII, 5, b.

2. Proposals should be made in the form of text intended as an addition to or a replacement of, in whole or in part, some current section of the Faculty Handbook.

Revise XIII, 5, b. to add (addition is bolded): Will have an effective date of July 1 of the same academic year, **subject to approval by the Board of Regents.**

3. Rationale for amendment:

This was the WKU practice prior to 2011 and the rationale for a return to this practice is based upon the following review of relevant policy at Western Kentucky University and best practices on the issue of establishing the WKU Faculty Handbook as the governing document for faculty work life.

1. The charge of the BoR is as follows:

- The BoR has the principal responsibility of establishing the policies of the University, and the President, officers, faculty, and employees of the University implement and carry out such policies (Preamble – BoR bylaws)
- Exercise authority over and control of appointments, qualifications, salaries and compensation payable out of the State Treasury or otherwise, promotions, and official relations with all employees (1.1.G – BoR bylaws)
- As such, it seems clear that if the Board is to establish policies and make decisions about a range of university issues involving the faculty (including employment, promotion, salaries, and the like), it follows that the Board should approve the criteria established by the Faculty Handbook in making those decisions.

2. BoR approval of the Faculty Handbook appears to be the best practice, as a number of Kentucky universities and universities in other states require it.
 - Here are some examples from Kentucky:
 - i. University of Kentucky Board of Trustees reviews all new student, faculty, and employee policies through its committee structure:
<http://www.uky.edu/regs/files/gr/gr2.pdf>
 - ii. University of Louisville Redbook's Chapter 7 includes mandates that all three handbooks (student, staff, faculty) must be approved annually through their Board of Trustees:
<http://louisville.edu/provost/redbook/chap7.html>
 - iii. Murray State University Board of Regents bylaws require annual approval of all handbooks by the BOR, and their website includes the policy manual links for all three handbooks (student, staff, faculty):
<http://www.murraystate.edu/HeaderMenu/Administration/BoardOfRegents.aspx>
 - iv. Morehead State University's Faculty Handbook states "Upon the recommendation of the president, the board of Regents approves the budget; the employment, promotion, and release of all University personnel; and the general policies for the operation of the University."
<http://www2.moreheadstate.edu/daa/fachandbook/index.aspx?id=328>
 - v. Eastern Kentucky University Board of Regents requires review of all policies of the University.
<http://regents.eku.edu/sites/regents.eku.edu/files/files/2013Amended%20By-Laws.pdf>
 - Here are some examples from other states:
 - i. The Board of Governors for the University of North Carolina system is solely responsible for policy creation at all UNC universities (including four of WKU's benchmark institutions). "Policies direct the University of North Carolina, its constituent institutions and affiliated entities according to the board's mission and philosophies. Policies should articulate in a concise manner the official statement of the board on issues it deems important to the governance of the University. **The Board of Governors is the only entity that may establish a policy of the University.**"
http://www.northcarolina.edu/policy/index.php?pg=dl&id=s3&inline=1&return_url=%2Fpolicy%2Findex.php%3Fpg%3Dvb%26tag%3DChapter%2B100
 - ii. Bowling Green State University (a **WKU benchmark institution**) required Board approval of all policies regulating university functioning: "By law the Board of Trustees is authorized to "do all things necessary for the proper maintenance and successful and continuous operation" of the University. In general, the Board of Trustees establishes and monitors the execution of policy that guides the administration in the day-to-day operations of the University..."
<http://www.bgsu.edu/offices/president/page539.html> "Detailed rules and regulations for the organization, administration and operation of the University may be promulgated, amended, and repealed by the Board of Trustees on its own initiative or upon the recommendation of the University Administration, the Faculty, or the Faculty Senate, or any member of the University community or University constituency group who has the best interests of the University in mind, **but in all cases the Board of Trustees does retain the final authority and responsibility.**" <http://www.bgsu.edu/offices/president/file132445.pdf>

- iii. Central Michigan University's (a **WKU benchmark institution**) Board of Trustees "... **retains ultimate responsibility** for academic matters and reserves authority over such areas as the mission and goals of the institution; admissions and retention policies; policies governing intercollegiate programs; faculty promotions, sabbatical leaves and tenure; establishing fees; accepting gifts; naming facilities; and a number of other areas."
<https://www.cmich.edu/bot/about/Pages/default.aspx>
 - iv. [All policies and procedures, including the Faculty Handbook, at all University System of Georgia colleges and universities \(32\) must be approved by the Board of Regents:](http://www.usg.edu/regents/bylaws#duties_of_the_board_and_its_committees)
[http://www.usg.edu/regents/bylaws#duties_of_the_board_and_its_committees;](http://www.usg.edu/regents/bylaws#duties_of_the_board_and_its_committees)
<http://www.usg.edu/policymanual/section8/policy/C245>
 - v. [University of Northern Colorado: "1-1-201 Board of Trustees \(BOT\). The BOT of the University is an entity charged by the Colorado General Assembly as the official and **final governing authority** of the University."](http://www.unco.edu/trustees/Policy_Manual.pdf)
http://www.unco.edu/trustees/Policy_Manual.pdf
3. The American Association of University Professors has a number of documents on their website that indicate directly or indirectly that BoR approval of all policies, including the Faculty Handbook, is good practice.
- It also provides "that [t]he governing board of an institution of higher education in the United States operates, with few exceptions, as the final institutional authority." In <http://www.aaup.org/issues/governance-colleges-universities/legal-aspects>
 - <http://www.aaup.org/report/faculty-communication-governing-boards-best-practices>
 - <http://www.aaup.org/sites/default/files/files/Faculty%20Handbooks%20as%20Contract%20Complete.pdf>
 - <http://www.aaup.org/file/statement-on-government.pdf>