

MINUTES
Kansas State University Faculty Senate Meeting
August 22, 2000 3:30 p.m. Big 12 Room, K-State Union

Present: D. Anderson, P. Anderson, Atkinson, Brigham, Burton, Chenoweth, Clegg, Cochran, Devault, Donnelly, Ewanow, Finnegan, R. Flores, S Flores, Gehrt, Geiser, Glasgow, Gormely, Gray, Haddock, Herald, Heublein, Holden, Hopper, Johnson, Jurich, Keller, Kirkham, Legg, Liang, McGee, Minton, Molt, Montelone, Mortensen, Mosier, Nafziger, Newhouse, Olsen, Oukrop, Pesci, Peterson, Prince, Ransom, Reeck, Rintoul, Ross, Roush, Scheidt, Schellhardt, Schmidt, Schumm, Selfridge, Sherow, Sheu, Shultis, Simons, Spears, Stewart, Takemoto, Verschelden, Weiss, White, Worcester, Yagerline, Youngman, Zabel

Absent: Bockus, Bradshaw, Exdell, Fjell, Fraser, Higgins, Jones, Krstic, Lenkner, Mathews, McCulloh, Michie, Ramaswamy, Reddi, Smith, Taylor, Williams

Proxies: Hosni, Lynch, Maatta

- I. President Mickey Ransom called the meeting to order at 3:35.
- II. It was moved and seconded to approve the Minutes of the June 13, 2000 meeting. Sen. Herald made the following correction to IV. A.1.c. General Education: COT 150 should read, "The Humanities Through *the* Arts". Motion passed.
- III. Announcements - Ransom
 - A. Ransom introduced Jake Worcester, SGA President, Travis Lenkner, President of Student Senate, and Benjamin Hopper, Student Senate Representative to Faculty Senate. Senator Phil Anderson attends Student Senate meetings.
 - B. Proxies for Faculty Senate meetings.

The procedures for naming a proxy for a Faculty Senate meeting are outlined in the Faculty Handbook under Appendix E, Article VII. 3:

A proxy is recognized only if a senator notifies the secretary of the Faculty Senate of the name of that proxy at least 24 hours in advance of the scheduled meeting of the senate. A proxy must be a current member of the Faculty Senate with full voting rights.

The notification of a proxy can be done by e-mail (kharper@ksu.edu or facsen@ksu.edu) or by contacting the Faculty Senate Office by letter or phone call (leave a message if not there) as long as it is 24 hours in advance. If you know you will be missing the meetings all semester, you can name a proxy for the whole semester.

C. Faculty Senate Leadership Council/President's Staff Meeting - June 27 and August 21

1. Budget Callbacks - **ATTACHMENT C** Ransom sent all Faculty Senators an e-mail message on June 30 that reviewed the situation with callbacks to the FY2001 budget. Faculty Senate Leadership Council discussed these callbacks with the President's Staff in meetings on June 27 and August 21. In the meeting yesterday, Vice-President Tom Rawson gave us a one page table showing the distribution of the callbacks and a letter that provides details about each of the callbacks or reallocations. The table and letter will be attached to the minutes. Deans were given the authority to decide how to distribute the cuts within colleges. It appears that in most colleges the cuts were passed directly to departments as reductions to Other Operating Expenses (OOE). In some departments, these cuts are more than 15% of operating expenses used for teaching. During both meetings with the President's Staff and in additional communications with President Wefald, Provost Coffman, and Vice-President Rawson, we expressed our concerns about the callbacks, their harmful effect on programs and personnel, the timing of the announcement of the cuts during summer, and the delay in providing information to faculty.

Senators Jurich, Holden, Verschelden, and Schellhardt commented on the budget callback procedures. Sen. Johnson reported that VP Rawson wants to meet with FSCOUP about the recall process. Sen. Legg said that some colleges are now getting a second callback for unfunded health and fringe benefit from FY 2000.

2. Affirmative Action Task Force Report - the Faculty Senate Leadership Council received the final draft of the response from Central Administration to the Report on the Task Force on Affirmative Action last week. This response and President Wefald's cover letter for the response will be included as an attachment to the minutes. Ransom will ask the original Task Force, which was chaired by Jerry Frieman, to develop a response to the Administration's response, make any necessary revisions to their original recommendations, and give Faculty Senate and the Faculty Affairs Committee guidance on how to proceed to implement the recommendations. **ATTACHMENT D**

3. K-State is now rated as a major research institution by the Carnegie Foundation. Along with other universities that were previously designated as a Carnegie I Research University, we are rated in the Carnegie Doctoral/Research University - Extensive Category.

4. The KSU Foundation has recently sent a check to the KSU Libraries for \$318,000 as part of their promised support for the Library under the "Weaver Plan." Ransom will ask representatives from the Foundation to make a presentation to Faculty Senate to explain this plan as well as a new revenue formula for Foundation operations that was developed over the summer.

Sen. Weiss commented, "Yea!"

D. Board of Regents Meeting - June 21 and 22

1. President-Elect Verschelden attended the meeting in Topeka. President Wefald presented an update on Vision 2020 at the meeting.

2. Verschelden participated in a discussion of the Board of Regents' Strategic Plan at the meeting of the Council of Faculty Senate Presidents (COFSP). She submitted a recommendation from K-State that included a provision that all courses and academic programs of higher learning at State of Kansas institutions should meet comparable standards. Following much discussion, COFSP decided to not recommend major changes to the strategic plan.

E. City University Project Fund - ATTACHMENT B

Faculty input has played a major role in the past in the development and selection of projects to be funded. Most projects are continuing, and there is little flexibility in starting new projects. However, any suggestions for new projects should be made to John Struve, University Budget Director, by September 15.

F. K-State has been awarded a \$7,000 grant by the American Association of Higher Education. Ruth Dyer prepared the proposal, which concerns faculty development. Faculty Senate will assist in the programs and activities sponsored by the grant.

G. Jurich, member of the E-Commerce Committee, asked that calendar events to be included on z-k-state.com can be sent to him. He also mentioned that suggestions from Faculty Senate regarding z-commerce are being implemented in over 100 universities.

H. Sen. Keller asked about discontinuance of the American Express Corporate credit card. Sen. Gehrt explained that this is due to a new state negotiated contract with VISA. Information can be found at the following address:
<http://da.state.ks.us/ar/genacct/Audit/BTCTransitionQuestions.htm>

I. Johnson asked that comments regarding the new ksu.edu home page be sent to him or Bill Richter.

J. Ransom noted that the Faculty Senate home page can be accessed from ksu.edu.

IV. Reports from Standing Committees.

A. Academic Affairs - Tom Herald

Herald moved approval of a posthumous degree for Anthony Bates; he would have graduated from the College of Business in Spring 2001 with a major in Management Information Systems.

Motion passed.

B. Faculty Affairs Committee - Jim Legg

Legg had no action items, but said FA will be working on a revised version of Appendix G of the Faculty Handbook regarding reimbursement of legal expenses in Grievance proceedings.

C. Faculty Senate Committee on University Planning - John Johnson

Johnson had no action items. FSCOUP will invite Dean Hobrock to report on Library funding and the Information Commons, will work with Administration to develop a budget calendar and callback procedures, and attempt to insure that CCOPs are active and used by deans.

D. Faculty Senate Committee on Technology - Dee Takemoto

Takemoto had no action items. She announced that the Information Commons has moved from a planning to an implementation stage with John Pickerell serving on that committee. Sonny Ramaswamy will represent the Senate on a committee concerning the digital library. Gale Simons is serving on a committee to revamp KSU On-line.

In addition, COT is continuing to work with Vice Provost Unger on encryption services to maintain data security and on E-mail security policies.

Sen. Rintoul expressed concern about a dearth of large, non-technology classrooms. Ransom and Herald said that FSCOUP and Academic Affairs will be studying room scheduling issues.

V. Old Business - None

VI. New Business

A. Honor System Report **ATTACHMENT A**

Sen. Phil Anderson summarized the first annual report of the Undergraduate Honor System. He believes it will become part of the campus culture and that cases will increase with awareness. Several senators asked about approaches for evaluating the Honor System, and Anderson spoke of positive responses from students who participated in Academic Integrity sessions conducted by Helene Marcoux.

VII. For the Good of the University - None

VIII. Adjournment.

It was moved and seconded to adjourn at 4:25. Motion passed .

**KANSAS STATE UNIVERSITY UNDERGRADUATE HONOR SYSTEM
Annual Review**

Article VI of our ByLaws requires the Honor System Director to provide an annual report to Student Senate, Faculty Senate and the Provost at the beginning of the subsequent fall semester. This report summarizes the activities of the Honor System for the academic year 1999-2000.

During the 1999-2000 academic year, there were twenty-five alleged violations of the Honor Pledge reported to the Honor System Director, involving thirty-three Kansas State University students. (See attachment #1.) Ten of those cases occurred during the fall semester while fifteen occurred during the spring semester. That increase in reported allegations from fall to spring semester could be because more students and faculty are becoming aware of the existence of the Honor System. Time will tell whether that trend continues.

Of the twenty-five alleged violations of the Honor Pledge, eight cases were fully investigated and adjudicated by members of the Honor Council. (A ninth case is currently under investigation and presumably will advance to a Hearing Panel early in the fall 2000 semester.) Twenty-eight members of the Honor Council served in one or more capacities as Case Investigators, Hearing Panel members, Hearing Panel Chairs, or Advisors to Alleged Violators. Fourteen were students; fourteen were faculty. (See attachment #2) The twenty-eight Honor Council members who served in one capacity or more in the eight adjudicated cases came from all eight of the undergraduate colleges.

Of the nine cases which went to an Honor Council Hearing Panel, five students were found guilty and assigned an XF grade for the course. Hearing Panels found three other students guilty but assigned sanctions lesser than an XF. Hearing Panels found four students Not Guilty due to insufficient or inconclusive evidence. Eleven other students were assigned an XF by faculty, who made that request to the Honor System Director. The Honor System Director informed the accused students of their right to appeal; ten of the eleven chose not to appeal and an XF was assigned to their transcript due to a violation of the Honor Pledge. One student chose to appeal the XF sanction and was judged to be not guilty by an Honor Council Hearing Panel.

The XF indicates the course was failed due to a violation of the Honor Pledge. The F will remain permanently on the student's transcript; the X can only be removed by successfully passing an Academic Integrity Seminar. To date, four students have successfully passed the Academic Integrity Seminar which was taught this summer on an independent study basis by Helene Marcoux, a Ph.D. student in Educational Psychology who also serves as a graduate assistant on the Honor System staff. All four students who participated in the Academic Integrity Seminar this summer filled out the course survey form and expressed strong satisfaction with both the value of the course and the method in which it was taught. Other students who received an XF during the 1999-2000 academic year will have an opportunity to take the Academic Integrity Seminar at

some time during the 2000-2001 academic year.

One student received two XFs during the spring 2000 semester and as a result was expelled by the Provost upon the recommendation of the Honor System Director.

Of the twenty-five cases, eighteen involved charges of plagiarism, twelve involved charges of cheating on exams, two involved fabricating labs and one involved fabricating an interview.

Of the thirty-three students charged with Honor Pledge violations, eighteen were male, fourteen were female, one was not identified. Charges were brought by two professors, eight associate professors, six assistant professors, four instructors and five graduate teaching assistants. In a few cases, students alerted their teachers of suspected Honor Pledge violations and after some inquiry, the teachers then filed the cases with the Honor System Director. In one instance, a student decided to report a roommate for Honor Pledge violations although, to date, those charges have not been formally made.

The Honor Council made one change to its ByLaws during the 1999-2000 term, at the suggestion of Don McCabe, Associate Provost of Rutgers University and researcher and author of many articles on Honor Systems and a guest speaker at the Provost's Lecture Series in November. In ByLaws Article IV, 1, Sanctions, the following changes were unanimously approved by the Honor Council:

“If a hearing panel determines that a violation of the honor pledge occurred, it recommends *assigns* an appropriate sanction that is imposed by *and informs* the respective dean(s).”

McCabe made it clear that Honor System decisions should be autonomous and outside the influence of a dean or other administrator.

The Honor Council has also unanimously approved a procedural change for when a faculty wishes to assign an XF grade. Originally, when an XF grade request was made by a faculty member to the Honor System Director, the Honor System Director would so inform the Registrar of the request and the XF was immediately assigned. In one case this year, however, the faculty member's request for an XF was overturned by a Hearing Panel which found the Alleged Violator to be not guilty. As a result, the Honor System Director asked the Honor Council to revise the procedure so that an XF would not be assigned until the appeal period had expired (five class days—10 class days when classes were not in session). If a student appealed the faculty's request for an XF, the XF would only be assigned when a Hearing Panel found the Alleged Violator to be guilty of an Honor Pledge violation. Both the Faculty Senate Academic Affairs Committee and the Student Senate Academic Affairs Committee have been asked to approve that procedural change.

One department head reported to the Honor System Director that a faculty member had been

offered a bribe by a student for a grade. University Attorney Dick Seaton informed the Director that bribery is a severity level 7 non-person felony and includes the following language from the Kansas Statutes:

“Offering, giving or promising to give, directly or indirectly, to any person who is a public officer, candidate for public office or public employee any benefit, reward or consideration to which the person is not legally entitled with intent thereby to influence the person with respect to the performance of the person’s powers or duties as a public officer or employee.”

Mr. Seaton further clarified that the criminal bribery statute covers offers. No acceptance is necessary. Seaton also added that, “In my opinion, the language of the Honor Pledge does not reach an offer of bribery.” Therefore, in the event a faculty member is offered a bribe, the University Attorney recommended that faculty report that criminal conduct to the Campus Police.

The Honor System has just received notification of the first Honor Pledge violation of the 2000-2001 academic year. Since one case has been on hold during the summer from last spring, the Honor Council will begin this academic year with two cases to investigate and hear during the first weeks of the fall 2000 semester.

The Honor System web site was extensively developed during the past year and continues to evolve. The web site (<http://www.ksu.edu/honor>) includes the following information:

- *Evolution of the Honor System
- *Purpose of the Honor System
- *Constitution and ByLaws
- *Faculty Senate Definition and Current Policy
- *Ten Principles of Academic Honesty for Faculty
- *Honored Faculty
- *Honor Council Members
- *How to Report a Violation of the Honor Pledge
- *KSU Alleged Violations of the Honor Pledge
- *Links to Academic Integrity Sites
- *Discussion Board
- *Hearing Panel Procedures
- *Faculty Syllabi Inclusion
- *Honor System Handbook
- *Recent Research

Since October 7, 1999, there have been more than 2000 visitors to our web site.

Honor Council Chair Jon Kurche, Senior in Arts and Sciences, was responsible for conducting and writing the evaluation of the Honor System Director which was presented to Provost James

Coffman June 11, 2000. The report is thorough and well written and reflects positively on the job done by the Honor System Director. The Honor System Director has been asked to continue to serve for the 2000-2001 academic year and has agreed to do so. Chair Kurche has also written a General Analysis of the Honor System during its first year in existence. That document will also be made generally available to the KSU community.

The Honor Council Communication Committee organized and promoted a university-wide Honor System poster contest during spring 2000 semester which resulted in 17 excellent entries. Two poster entries were selected as first and second place winners and along with our original "Honesty is Always the Best Policy" poster, will be placed in alternating general classrooms throughout the university. Provost Coffman awarded the first place winner a \$250 tuition waiver and the second place winner a \$50 tuition waiver. The Honor Council is grateful for the continued strong support of the Honor System by Provost Coffman.

During the Center for Academic Integrity conference at Duke University in October, 1999, Helene Marcoux was elected a member of the CAI Board of Directors. She also attended the semi-annual Board of Directors meeting in Nashville, Tennessee in April 2000 and plans to make a presentation at the CAI conference to be held in November 2000 at the Air Force Academy in Colorado Springs. Her presentation will be on the effectiveness and success of the KSU Academic Integrity Seminar. The KSU Honor System Director will also attend that conference and will seek Student Senate support in funding travel expenses for other student Honor Council members.

Those involved in the Honor System during its first year in existence have been pleased with the results. Based on the first eight Hearings, the Hearing Panel Procedures have evolved to more fairly serve the University Community.

The thirty-four members of the Honor Council are about to begin the second full year of service. One-half of the members have been replaced for the coming year; the new members will benefit from the experience of our veteran members. We all look forward to the challenges ahead and hope to build on the successes and progress of our inaugural year.

Respectfully Submitted,



Phil Anderson
Honor System Director
August 4, 2000

ATTACH	#1					
1999-2000	HONOR	SYSTEM	TOTALS			
CASE	GENDER	REPORT	COLLEGE	RESIDE	CLASS	RESULT
99/00/01-T	Male	Asso Prof	A & S	Greek	Senior	F= XF
99/00/02-P	Male	Asso Prof	A & S	Res	Soph	HP= XF
99/00/03-P	Male	Asso Prof	Arch	Ind	Senior	HP=0
99/00/04-P	Male	Ast Prof	Ag	Ind	Fresh	HP= D/F
99/00/04-P	?	.	Ag	?	?	?
99/00/05-P	Female	Asso Prof	Arch	Res	Soph	HP=F
99/00/05-P	Female		Arch	Res	Soph	HP=Not G
99/00/06-T	Female	GTA	H.E.	Greek	Soph	HP=Not G
99/00/06-T	Female		H.E.	Greek	Soph	HP=XF
99/00/06-T	Male		H.E.	Greek	Junior	HP=XF
99/00/07-T	Female	Ast. Prof	Ag	Res	Junior	F=XF
99/00/08-L	Male	Asso Prof	A & S	Greek	Junior	F=XF HP=Not G
99/00/09-T	Female	GTA	A & S	Res	Fresh	HP=Not G
99/00/09-T	Female		A & S	Ind	Fresh	HP=Not G
99/00/10-T	Male	GTA	A & S	Ind	Senior	F=0
99/00/10-T	Male		A & S	Ind	Senior	F=0
99/00/11-T	Male	GTA	A & S	Greek	Fresh	F=XF
99/00/12-T	Female	Asso Prof	Ag	Res	Fresh	F=0
99/00/13-P	Male	Professor	T & A	Res	Soph	F=XF
99/00/13-P	Male		T & A	Res	Senior	F=XF
99/00/14-P	Male	Instructor	A & S	Greek	Fresh	F=XF P=Expelled
99/00/15-P	Male	Ast Prof	T & A	Ind	Soph	HP=XF
99/00/15-P	Male		T & A	Ind	Soph	HP=XF
99/00/16-P	Female	Inst	A & S	Ind	Junior	F=0

99/00/16-P	Male	Professor	A & S	Ind	Junior	F=0
99/00/17-P	Male	Instructor	A & S	Res	Fresh	F=XF
99/00/18-T	Female	GTA	A & S	Res	Soph	F=0
99/00/19-P	Female	Instructor	A & S	Greek	Junior	F=XF
99/00/20-P	Male	Asso. Prof	A & S	Res.	Junior	F=XF
99/00/21-P	Female	Instructor	T & A	Ind	Fresh	F=D
99/00/22-F	Female	Ast Prof	A & S	Ind	Soph	F=XF
99/00/23-P	Male	Ast.Prof	A & S	Ind	Senior	F=F
99/00/24-P	Female	Ast. Prof	A & S	Ind	Senior	F=F
99/00/25-L	Male	Asso.Prof	A & S	Greek	Junior	HP=?
TOTALS:						
12=Test	33 Stds	2=Prof	18 A&S	9 Greek	7 Senior	11-F= XF
18=Plag	19 Male	8=Asso	5 T&A	11 Res	7 Junior	5 HP=XF
2=Lab	13 Female	6=Ast	4 Ag	12 Ind	10 Soph	1=Expelled
1=Fab	1 ?	4=Inst	3 HE	1 ?	8 Fresh	
		5=GTA	3 Arch	5 Ath	1 ?	5 HP=N G
			0 BA			2HP=0,D
			0 Eng			
			0 Ed			

ATTACHMENT #2

HONOR COUNCIL SERVICE

1999-2000

PANEL CHAIR

Eugene Kremer (2) (F)
Jon Kurche (2) (S)
Lea Stueve (S)
Tony Jurich (2) (F)
Paul Seger (S)

PANEL MEMBER

Jon Kurche (6) (S)
Sarah Hafner (4) (S)
Paul Seger (3) (S)
Janice Huck (F)
Jim Goddard (2) (F)
Lea Stueve (2) (S)
Tony Jurich (F)
Andrea Bryant (2) (S)
Masud Hassan (2) (F)
Dale Eustace (2) (F)
Kevin Giefer (2) (S)
Ken Shultis (2) (F)
Karen Schmidt (2) (F)
Joe Cross (S)
Raju Dandu (F)
Linda Thurston (F)
Jessica Raile (S)
Gi Stein (S)
Mick Charney (F)
Jeff Quirin (F)
Brad Dilts (S)
Marsha McDade (S)

CASE INVESTIGATOR

Lea Stueve (2) (S)
Karen Schmidt (2) (F)
Dale Hawley (2) (F)
Gi Stein (S)
Travis Lenkner (S)
Jeff Quirin (F)
Paul Seger (S)
Amir Tavakkol (F)
Ken Shultis (F)
Dale Eustace (F)
Joe Cross (S)
Josh Greenwood (S)
Raju Dandu (F)

ADVISOR

Scott Jones (12)
Kevin Giefer

NINE OF TWENTY-FIVE CASES HAVE GONE TO A HEARING PANEL.

SIXTEEN KSU STUDENTS HAVE BEEN ASSIGNED AN XF. ONE CASE IS PENDING.

TWENTY-EIGHT DIFFERENT HONOR COUNCIL MEMBERS HAVE SERVED IN INVESTIGATIONS.

JON KURCHE HAS PLAYED A ROLE IN ALL NINE INVESTIGATIONS.

SCOTT JONES HAS SERVED AS ADVISOR IN TWELVE CASES.

LEA STUEVE HAS SERVED AS CHAIR, PANEL AND CASE INVESTIGATOR.



Office of the President
110 Anderson Hall
Manhattan, KS 66506 -0112
785-532-6221
Fax: 785-532-7639

July 31, 2000

Professor Mickey Ransom
President, Faculty Senate
Department of Agronomy
2106 Throckmorton Hall
UNIVERSITY

Dear Mickey:

In October of each year, the University submits a budget request to the City Commission for proposals that the City/University Projects Fund could finance. The proposals most often have a mutual benefit for both Kansas State University and the City of Manhattan. Sales tax collected on campus is the source of funding for these proposals.

Last year, our Student, Faculty, and Classified Senates were very helpful in forwarding suggestions for inclusion in the University's 2001 request. I am again writing to ask for your suggestions as we begin the process of preparing our request for the 2002 budget cycle. However, because we are continuing many commitments from 2001, we will not have very much flexibility for submitting new proposals in 2002.

To give you a better sense of the range of City/University Projects Fund proposals, I am enclosing a table showing our current six-year plan—the approved 2001 proposals and our plans for 2002-2006. The table also shows approved projects for 1999 and 2000.

I would welcome your suggestions and comments as we begin work on the next budget request cycle. Since we will begin compiling our request in late September, you should submit your suggestions to John Struve, University Budget Director, by September 15, 2000.

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Jon Wefald". The signature is written in a cursive style with a large, sweeping "J" and "W".

Jon Wefald
President

dh

Enclosure

KANSAS STATE UNIVERSITY
City/University Projects Fund
Summary of Requests - CY 2001 and CY 2002 to CY 2006

Proposal Title	<u>APPROVED</u>	<u>APPROVED</u>	<u>APPROVED</u>		<u>IN PLANNING STAGE</u>					Total, CY 2001- CY 2006
	CY 1999 Amount	CY 2000 Amount	Priority #	CY 2001 Amount	CY 2002	CY 2003	CY 2004	CY 2005	CY 2006	
Pilot Recycling Project	64,000	23,000	1	48,000	48,000					\$96,000
Sidewalks, Lighting and Safety	30,000		2	45,000	30,000	30,000		40,000	40,000	185,000
University Gardens Project	35,000	35,000	3	50,000						50,000
"Taking Technology Public" (Joint Manhattan Public Library/University Project)		50,000	4	70,000	60,000					130,000
Replacement of Aging and Diseased Trees on Campus			5	10,000		15,000		15,000		40,000
Improvements to Field/Jogging Track in Old Memorial Stadium			6	85,000	70,000					155,000
Butterfly Conservatory and Insect Zoo			7	27,000	19,000	19,000				65,000
Bicycle Infrastructure Improvements	25,000	35,000			25,000	30,000	30,000		30,000	115,000
Restore Contingency Balance ¹	10,000	15,000								
Improved Pedestrian Safety on North Manhattan Avenue	60,000	60,000								
Anderson Avenue Reconstruction	122,000	123,000								
Extend Stone Wall on Anderson Avenue From 17th Street to Denison Avenue					75,000	75,000				150,000
Support for Information Center at I-70 and K-177					25,000					25,000
Construction of Campus Recycling Operations Center						100,000	75,000			175,000
Relocation of Rugby/Soccer Practice Fields						20,000	80,000			100,000
Reconstruction of Denison Avenue from Claflin Road to Kimball Avenue							120,000	270,000	270,000	660,000
Extend Stone Wall on North Manhattan Avenue From Old Claflin to "New" Claflin						75,000	75,000			150,000
Extend Stone Wall on Denison Avenue From Anderson Avenue to College Hts Rd								75,000	75,000	150,000
Total of Requests	\$346,000	\$341,000		\$335,000	\$352,000	\$364,000	\$380,000	\$400,000	\$415,000	\$2,246,000

Notes:

KANSAS STATE UNIVERSITY
ANALYSIS OF FY 2001 BUDGET REALLOCATIONS

22-Aug-2000

ATTACHMENT C

<u>REALLOCATION ITEMS</u>	<u>MAIN CAMPUS</u>	<u>SALINA</u>	<u>ESARP</u>	<u>VETERINARY MEDICINE</u>	<u>GRAND TOTAL</u>
<u>I. BASE REALLOCATIONS</u>					
<u>A. Required by State Policy</u>					
1. State Approp Reduction – financial aid	\$44,854	\$2,085	\$21,453	\$4,291	\$72,683
2. State Payroll Processing Assessment	57,319	2,681	23,000	7,000	90,000
3. Library Faculty Salary Enhancement funding	38,300				38,300
4. Qualified Admissions	14,335	665			15,000
5. GTA Tuition Waivers	125,000				125,000
State Mandated Base Subtotal	\$279,808	\$5,431	\$44,453	\$11,291	\$340,983
<u>B. University Commitments</u>					
1. Career & Employment Services	\$74,000				\$74,000
2. Faculty Position – Fiedler Library	25,000				25,000
3. Scholarship Advisor	23,889	1,111			25,000
4. Student Recruiting Expenses	33,448	1,552			35,000
University Commitments Subtotal	\$156,337	\$2,663			\$159,000
<u>TOTAL–BASE REALLOCATIONS</u>	\$436,145	\$8,094	\$44,453	\$11,291	\$499,983
<u>II. ONE TIME REALLOCATIONS</u>					
1. Repayment of Edwards Hall Major Maintenance	\$31,811	\$1,480	\$12,695	\$4,014	\$50,000
2. HR/Payroll System Consulting (last payment)	43,316	2,013	17,325	5,577	68,231
<u>TOTAL–ONE TIME REALLOCATIONS</u>	\$75,127	\$3,493	\$30,020	\$9,591	\$118,231
GRAND TOTAL	\$511,272	\$11,587	\$74,473	\$20,882	\$618,214

MEMORANDUM

TO: *[Sent to All Budgetary Unit Administrators with FY 2001 Budget Allocations]*

FROM: John M. Struve
K-State Budget Director

DATE: June 1, 2000

RE: FY 2001 Annual Budget Preparation

The FY 2001 annual budget allocations for your area(s) and preparation guidelines are enclosed. Please complete the distribution of your FY 2001 annual budget allocation from this information. Due dates may be found at the end of the preparation guidelines.

An Overview of FY 2001 Budget Issues:

- ▶ The Legislature appropriated a salary increase of 2.5 percent for unclassified professional staff. Full-time ranked faculty budgeted in Instruction, Research, and Public Service programs were appropriated an additional 3.4 percent (5.9 percent total) in special faculty salary enhancement funding.
- ▶ The Graduate Teaching Assistant standard salary per 1.00 FTE was increased by 2.5 percent, to \$22,133. Funding for Graduate Research Assistants and Graduate Assistants was also increased by 2.5 percent.
- ▶ Classified staff salary increases include step and the continuation of longevity bonuses. The Legislature did not provide funding for a permanent base adjustment (cost-of-living adjustment).
- ▶ The Legislature appropriated an increase of 4.0 percent for student salaries.

FY 2001 Annual Budget Preparation

June 1, 2000

Page 2

- ▶ No increase was provided for Other Operating Expenditures.
- ▶ The appropriate amount for faculty promotions has been added to the FY 2001 allocation for Main Campus units. The FY 2001 promotion increment for faculty members are:

Associate Professor to Full Professor	\$3,860
Assistant Professor to Associate Professor	\$2,580

Each academic unit had 0.35 percent reallocated from its salary increase amount to provide funding for these promotion increases.

Internal Reallocations - Base:

- ▶ Appropriation Reduction -- Toward the end of the legislative session, several legislators proposed that \$1 million be taken from the Regents' universities and moved to the Board of Regents office to support student financial aid programs. Eventually, they reached a compromise where \$330,000 was taken from Regents' universities. A share was returned to the universities as an increase for student salaries of 4.0 percent (does not apply to GTAs, GRAs or GAs) and the balance went to the Board Office to support financial aid programs. The appropriation reduction for Main Campus is \$46,939. The reduction for Research & Extension is \$21,453 and \$4,291 for the Veterinary Medical Center. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.
- ▶ State Payroll Assessment -- Beginning in FY 2001, the Department of Administration will charge all state agencies 35¢ per paycheck to generate funding to pay for upgrades to the SHARP system, the state's human resource system. The total estimated cost for Kansas State University is \$90,000 per year. The Main Campus share is estimated at \$60,000, \$23,000 for Research & Extension and \$7,000 for the Veterinary Medical Center. Research & Extension and Veterinary Medical Center will be responsible for absorbing their share of the assessment. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 salary base.
- ▶ GTA Tuition Waivers -- Graduate Teaching Assistant tuition waivers have been difficult to manage since FY 1995 when the state required us to change the way we account for them. The difficulties have occurred because we have not been allowed to request sufficient increases in funding for the tuition waivers to match tuition rate increases (which drives the cost of tuition waivers) -- we can only request increases at the OOE rate, which has been substantially less. In recent years, we have covered the \$50 - \$60,000 difference between budget and actual with a variety of strategies -- with college funds and with central funds.

As you are aware for FY 2001, the OOE increase is zero -- yet the resident graduate tuition rate increased by 6.5 percent. This spread has created an untenable situation in that the difference between budgeted and actual waivers is expected to grow to about \$125,000. Thus

FY 2001 Annual Budget Preparation

June 1, 2000

Page 3

we are assessing all Main Campus units (Salina excluded) to alleviate this situation. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.

- ▶ Career and Employment Services -- Service demands placed on Career and Employment Services have increased remarkably over the last three years. Several reasons can be cited for this increase: 1) the number of employers seeking K-State graduates continues to grow; 2) the number of K-State students and alumni who have registered for services has tripled in the last three years; and 3) more employers are expecting some type of experiential learning activity (internships, co-ops, volunteers, etc.). Colleges and departments are seeking assistance to set up such programs. The total cost to address this need is estimated at \$138,000. Career and Employment Services can generate about \$64,000 by redirecting current resources and by increasing the service registration fee from \$20 to \$30, leaving an unfunded need of \$74,000. We are assessing all Main Campus units (except Salina). Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.
- ▶ Library Faculty Salary Increases -- The library faculty in the Regents' universities were not included in the \$8.4 million Faculty Salary Enhancement funding appropriated by the 2000 Legislature. We agreed to provide funding to allocate an additional 3.22 percent to the Library for salary increases for continuing full-time faculty members. The amount required is \$38,300. We are assessing all Main Campus units (except Salina). Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.
- ▶ Library Faculty Position for Fiedler Library -- In FY 2000, funding for a new position was allocated to Hale Library for a librarian in the new Fiedler Library -- we provided one-half year of funding based upon the assumption the position would be filled about January 1, 2000. The recall amount for FY 2001 is the balance necessary to annualize this funding. The amount is \$25,000. We are assessing all Main Campus units (except Salina). Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.
- ▶ Scholarship Advisor -- This commitment relates to an advisor position in Arts and Sciences that works with students who are competing for major scholarships -- Rhodes, Marshall, Truman, Goldwaters, etc. In the past, this position devoted half-time to this function while the other half of the responsibilities were devoted to other advising duties. We have decided to make 100 percent of this position responsible for major scholarships advising. The cost is \$25,000. We are assessing all Main Campus units. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.
- ▶ Recruiting -- New Student Services has become more aggressive in recruiting new students to enroll at K-State, especially out-of-state students. The cost of this stepped-up activity is about \$35,000 per year -- for travel, mailings, telephone and other related expenses. We are

FY 2001 Annual Budget Preparation

June 1, 2000

Page 4

assessing all Main Campus units. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.

- ▶ Qualified Admissions Recruiting Support -- In order to increase out-of-state student enrollments, New Student Services must begin communicating with outstanding high school sophomores to begin channeling their interest to K-State. The cost of purchasing names and addresses of students, developing of a brochure, and postage will be about \$15,000. We are assessing all Main Campus units. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base.

Internal Reallocation - One Time:

- ▶ Edwards Hall -- This is a repeating one-time commitment to purchase Edwards Hall from Housing and Dining Services. This recall is #5 of 6. The Main Campus share is \$33,291. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base. Research & Extension's share is \$12,695 and the share for the Veterinary Medical Center is \$4,014. The total amount of the recall is \$50,000.
- ▶ PeopleSoft Consultant -- This recall is the last of a five-year commitment to pay for consulting for the original implementation of the PeopleSoft human resource system. The Main Campus share is \$45,329. Each Main Campus budgetary unit was assessed a pro-rated share based upon its FY 2000 General Use base. Research & Extension's share is \$17,325 and the share for the Veterinary Medical Center is \$5,577. The total amount of the recall is \$68,231.

You do not need to take any action relative to the one-time recalls at this time. We will process the recalls much earlier this year -- in October. Procedures will be similar to those used for the FY 2000 recall.

Fringe Benefit Rates - FY 2001:

Each year we face the waiting game of whether the amount appropriated by the Legislature for fringe benefits will be adequate to cover the *actual* rates charged in the new fiscal year. The State sets the actual rates in June of each year. We will notify you if the new rates differ from appropriated rates. A table showing FY 2001 appropriated fringe benefits is attached.

Planning for an Appropriation Reduction During FY 2001:

As you are well aware, the Governor recommended -- and the Legislature approved -- a 1.0 percent appropriation reduction during FY 2000. Although we have no information one way or the other about a similar reduction in FY 2001, we believe it would be prudent to plan for the possibility of a 0.5 percent appropriation reduction.

FY 2001 Annual Budget Preparation

June 1, 2000

Page 5

Repeal of Retirement Reduction Legislation:

The Legislature repealed Retirement Reduction legislation (the so-called "HB 2211 reductions") during this year's session. Since FY 1994, this legislation had required us to give up 25 percent of classified positions (and funding) vacated through retirement.

Classified Upgrades:

The Budget Office will make every attempt to provide funding for salary increases resulting from Main Campus General-Use classified upgrades approved during FY 2000. However, no assurance is given that upgrades can be fully funded in FY 2001.

Identifying Pooled Position:

Please see the attached detailed instructions about identifying unclassified and classified pooled positions.

I invite you or your staff to contact the Budget Office, extension 2-6767, as questions arise regarding FY 2001 annual budget development.



August 15, 2000

Office of the President
110 Anderson Hall
Manhattan, KS 66506-0112
785-532-6221
Fax: 785-532-7639

Professor Mickey Ransom
President, KSU Faculty Senate
Department of Agronomy
Throckmorton Hall
UNIVERSITY

Dear Dr. Ransom:

This letter represents the Administration's Response to the Report from the Ad Hoc Committee on Affirmative Action.

First, we appreciate receiving the Report from the Ad Hoc Committee on Affirmative Action. We agree with the great majority of recommendations from the Task Force.

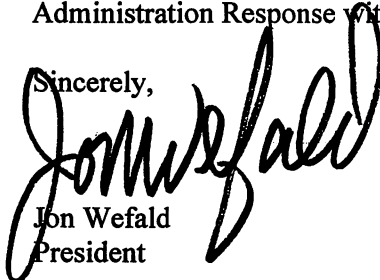
Second, indeed, many of the suggestions and recommendations of the Task Force will be implemented in the weeks and months ahead.

Third, we disagree with the recommendation that the Affirmative Action Office should be moved from Anderson Hall. We believe this would send exactly the wrong message to the University community about our commitment to affirmative action in general and to strong administrative response to complaints of sexual harassment, racial harassment, or discrimination.

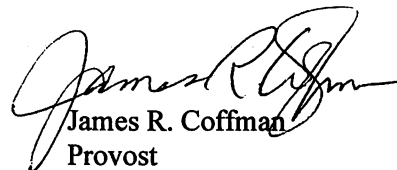
Fourth, we have grave reservations about the recommendations that there be a mechanism for the administration to investigate and punish instances of "intolerable behavior," "unfair treatment," and "low-level harassment." We believe that these behaviors, while not illegal in and of themselves, are clear violations of the spirit of collegiality which we hope will permeate all of the interpersonal relations on our campus. Yet, it is difficult to see how we can enforce collegiality without risking violation of faculty or others' constitutional and legal rights.

Finally, however, both Provost Coffman and Dr. Reagan would be happy to discuss the Report and the Administration Response with the Faculty Affairs Committee at anytime in the near future.

Sincerely,



Jon Wefald
President



James R. Coffman
Provost

dh

Enclosure

cc: Vice President Tom Rawson
Vice President Bob Krause
Council of Deans

August 15, 2000

Response to the Report on the Task Force on Affirmative Action

We have received the "Report of the Task Force on Affirmative Action to the Faculty Senate, February 16, 2000." We appreciate the work of the individuals on this task force and we have made a careful and considered response, in the spirit of cooperation in which the report itself was done.

The first section of the report is principally descriptive of the charge, responsibilities, and procedures used by the Office of Affirmative Action. This response is organized in the same order as the "concerns and recommendations in the task force report."

Page 4. The recommendation is "*that formal procedures for dealing with complaints of discrimination be established and placed in the Faculty Handbook.*" The current procedures are similar to those for investigating allegations of sexual or racial harassment. However, the Office of Affirmative Action will publish a new brochure which describes the procedures for investigating complaints of discrimination.

The second recommendation is "*our policies prohibiting sexual and racial/ethnic harassment and discrimination include a statement that the Office of Affirmative Action is responsible for recommending sanctions to the administration which has the authority to impose sanctions on employees and students.*" We feel that this is clearly stated in a number of places; however, we will make it even clearer. It is important to note, and we shall make it clear as well, that administrative review teams include a responsible administrator who often has the authority to impose sanctions.

The task force recommended that "*the Office of Affirmative Action extend their procedures to include a section on how they will follow up on all complaints received.*" In some, but certainly not all cases, this is done. In the letter of findings and recommendations, the administrative review team explains that complainants should notify the office if there is any form of retaliation, and warns the respondent that retaliation will not be tolerated. Therefore, the office relies on the complainant to report any kind of retaliation. It is not possible, within the constraints of current resources, to have a detailed investigative follow-up on each and every recommendation. However, when a finding of illegal behavior has been made, a record of sanctions imposed will be made.

"Current policies and procedures in the Office of Affirmative Action fail to adequately address behavior determined to be clearly unfair but not unlawful." This

is an extremely difficult and important problem. The policies call for administrative review teams to investigate claims or allegations of discrimination, including sexual and racial harassment. In some cases, the alleged actions do not rise to the legal definitions of sexual or racial harassment or unlawful discrimination, upon which the University's definitions are based. It is the charge to the administrative review team first to determine whether the alleged conduct would constitute a violation of University policy, and if so, to carefully investigate the allegations and determine whether University policy was violated. If and only if violations are found, are recommendations for sanctions added to the report. If it is determined that the alleged actions do not meet the legal standard/University definition, or if the team determines after investigation that University policy was not violated, then the team will explain that the complainant may seek resolution of his or her concerns through the General Grievance Board, appeals to upper-level administrators, the Kansas Human Rights Commission, or the U.S. Equal Opportunity Commission.

Page 6. It is recommended "that the university administration take a strong stand with respect to what is intolerable treatment of people." In a general way, this is done annually in the President's address to the Faculty Senate. It is also done in a number of our explicitly stated policies, such as the policy against sexual assault, our policies on affirmative action, and our prohibitions of sexual and racial harassment and discrimination. The real issue here is how to define "intolerable treatment" and develop operational guidelines without violating individuals' rights to due process and academic freedom.

It is recommended that "we need to educate the university community as to the true nature and scope of the Office of Affirmative Actions responsibilities and abilities, preferably using a one page synopsis with references to where the full procedures can be found." This is currently done through brochures in a question/answer format as well as the policies in the Faculty Handbook, the Student Handbook, the Undergraduate and Graduate Catalogs and various websites. In addition, the Office of Affirmative Action conducts educational seminars and presentations on campus. Nevertheless, we will take additional steps to clarify the charge and role, as well as the procedures, of the Office of Affirmative Action, especially in matters of complaints of illegal behavior.

It is recommend that "the administration should be cautious when describing what the Office of Affirmative Action can and cannot do." We believe that this is already the case and that the real root of misperceptions is not in what the Affirmative Action Office can and cannot do, but in the perception of what constitutes, under the law, illegal behavior such as sexual harassment discrimination or retaliation. Over the years, the exact boundaries and nature of what actions will be legally found to constitute harassment and discrimination have changed. We are bound to follow the latest court decisions in determining what constitutes illegal behavior. As previously

stated, we will make sure Affirmative Action documents, descriptions, and brochures make clear what the Office of Affirmative Action can and cannot do.

It is recommended that the administration *“relocate the Office of Affirmative Action outside of Anderson Hall to distance the Office of Affirmative Action from the university administration.”* In our view, this is exactly the wrong message to send to the university community. First of all, the Office of Affirmative Action is charged with administering equal employment opportunities and maintaining the affirmative action plan for the entire university. It is important that this office be seen as a top administrative office reporting to the President and carrying with it the cachet of Presidential mandate. Second, the Office of Affirmative Action is a required arm of the administration. Federal law, state law and federal government and state government rules and regulations charge the administration with having an office which promotes and ensures equal opportunity in employment and which is responsible for the investigation of allegations of sexual or racial harassment or discrimination. Third, the Office of Affirmative Action’s location in Anderson Hall ensures that the University community understands the administration’s commitment to affirmative action and that we take very seriously any complaints of discrimination, including complaints of racial or sexual harassment. In fact, it seems contradictory to claim that the university “needs to take a strong stand with respect to what is intolerable treatment of people” and then to suggest that the university office responsible for reviewing complaints of intolerable treatment be moved away from the top administration offices. If a complainant chooses, his or her complaint will be heard and investigated at another location, if coming to Anderson Hall is an obstacle.

Page 7. Recommendation “to avoid the appearance of conflict of interest, we recommend that when the need to consult an attorney arises during the course of an administrative review, the Office of Affirmative Action and the review team seek legal advice from the Board of Regents attorney or some other outside source.” This recommendation appears to result from a misunderstanding on the part of the Task Force of the charge to the Office of Affirmative Action and the quasi-legal nature of its responsibilities. The University is required by federal law to investigate allegations of discrimination, including sexual or racial harassment. This responsibility has been delegated to the Office of Affirmative Action. The University definitions of sexual and racial harassment and discrimination are based on legal standards. When there are allegations of illegal behavior, the University is required by law to investigate, and where unlawful discrimination is found, to take prompt, effective remedial action. An important role of the Office of University Attorney is to advise the University (including the Office of Affirmative Action and the administrative review teams referenced in the University’s anti-discrimination policies) on compliance with federal and state law, administrative regulations and Board of Regents and University rules and policies.

It is in the University's interest for the review teams to act as impartial investigators to determine whether discrimination has occurred on campus, and, if so, to recommend prompt and effective remedial action. The review teams must apply current legal standards to determine whether the alleged behavior constitutes discrimination or harassment. The Office of University Attorney, like other administrative offices and the University community as a whole, has an interest in ensuring that any discriminatory acts are sanctioned and prompt remedial actions are taken to prevent future discrimination. These actions are also necessary to limit the University's liability. During the pendency of a review of allegations of discrimination, the Office of University Attorney does not advise or represent either the respondent or the complainant. Rather, it is available to advise the administrative review team in accordance with the principles discussed above. Both law and prudence dictate that the University carefully and fairly investigate complaints of harassment or discrimination and take prompt, effective remedial action whenever any harassment or discrimination is found. Therefore, there is no conflict of interest, or appearance of conflict of interest, in the Office of University Attorney continuing to provide advice to administrative review teams during the course of their reviews.

The Affirmative Action administrative review team only occasionally consults with the university attorney's office in the conduct of routine investigations. The attorneys' client is always Kansas State University and, in this particular instance, the University is acting through the administrative review team fulfilling the university's legal obligations to investigate and remedy instances of sexual or racial harassment or discrimination. It is important to recognize that this investigation is only the first round and only one of the resources available to the complainant. He or she may also lodge complaints of illegal behavior before the KHRC, the federal EEOC, the General Grievance Board, or ultimately, District Court.

Page 8. The task force recommends that "*at least one person on the administrative review team be from another unit, preferably another college.*" The administrator on the review team is ordinarily the department head, the dean, or vice president in the area where the complaint has arisen. This makes sense because that administrator is most directly able to impose sanctions, and make administrative changes to prevent the alleged behaviors. When there is any indication that an administrator himself or herself might be involved, administrators from other colleges or administrative offices are selected to be on the investigative team.

Page 9. The Task Force recommended that "*the same procedures used to ensure the accuracy of statements attributed to complainants and respondents be used with statements obtained by other persons during the course of an administrative review.*" In most cases, a similar procedure is used. Since tape recorded or stenographic records are not made during investigations, reasonable precautions are taken to ensure the accuracy of statements. Witnesses' statements are documented through

interview notes taken by two and sometimes three persons, who compare notes before the report is written. In the future, witnesses will be given copies of their statements, asked to check them for accuracy, and then asked to sign them to show that they have reviewed their statements.

The task force recommends that the Office of Affirmative Action, *“make it very clear that a finding of no unlawful discrimination or harassment does not imply that there was no unfair treatment. Furthermore, make it very clear in our procedures that persons who are not satisfied with the determination made by an administrative review team can file a grievance against the Office of Affirmative Action and the review team.”* The final report letters to both the complainant and the respondent make it clear that either one has the right to appeal the administrative review team’s decision. Here is what the team puts at the end of each letter of resolution or finding to a complainant:

“We have treated your complaint as a confidential matter. Please continue to assist us in this regard by not discussing your complaint with any person who does not have a need to know. We will continue to keep your complaint confidential.

Kansas State University prohibits retaliation against you for filing a complaint and against anyone who participated in the resolution of your complaint. The University and the (insert) Department are committed to ensuring that university sponsored activities are free of sexual harassment and expects its faculty, students and employees to avoid any behavior that may be perceived as sexual harassment. Please inform either of us if you experience any adverse behavior from others that you believe is in retaliation for your complaint or if you have any questions concerning retaliation.

If you believe your complaint has not been satisfactorily resolved, you may file an appeal with the General Grievance Board.”

Here is what the team puts at the end of each letter of resolution or finding to a respondent:

We have handled the reports and your identification as a respondent as a confidential matter. We ask that you continue to treat the reports and your participation as confidential matter and do not discuss either with any person who does not need to know about it. Retaliation for reporting sexual harassment and for participating in the resolution of a sexual harassment report is prohibited. Please contact Clyde Howard if you experience any behavior that you believe is related to your involvement in this matter.

Then there is a statement about possibilities of appeal or grievance if the respondent is unhappy with the finding and/or recommendation. The exact statement depends on whether the respondent is faculty, classified staff, or student.

Page 10. *"The Office of Affirmative Action should develop a method for systematically obtaining information from all persons involved in administrative reviews about their perceptions of the experience."* An informal system for obtaining this information is already in place. Given, however, the inherently adversarial nature of allegations of discriminatory conduct, it is unlikely that a questionnaire or other method would elicit much useful information.

The task force recommends that *"university administration should develop a mechanism for evaluating the effectiveness of the personnel in the affirmative action office."* The personnel in the Office of Affirmative Action are carefully and thoroughly reviewed on an annual basis using multiple sources of information. This is part of the annual evaluation of the unclassified personnel in the office and the evaluation is clearly and completely communicated to them. Persons and offices which regularly interact with the Office of Affirmative Action will be asked for comments on an annual basis and will be involved in the five-year review of the Director.

The task force recommends that "administrators to whom recommendations of sanctions are made should report back to the Office of Affirmative Action what actions were taken with respect to those recommendations." This is frequently, but not always, done. The Affirmative Action administrative review team will request follow-up reports from administrators involved in these investigations, when there is a finding of discrimination or harassment.

Page 12. The task force recommends that *"administrators at all levels must understand the importance of resolving conflicts expeditiously and fairly. Therefore, the performance evaluation of administrators should give adequate weight to their effectiveness in conflict resolution within their sphere of authority."* We agree with this recommendation and it is already a significant part of the annual evaluation of administrators.

The task force recommends that *"mediation" should be available as an option early in the process of resolving conflicts and/or complaints.* We agree and a method for using a formal mediation service is being explored at this time. This however, is not possible in the initial stages of allegations of sexual harassment, since we are required by law to investigate these cases.

The task force recommends *“that the Office of Affirmative Action have the authority to issue findings of “unacceptable conduct.”* We join the Task Force in agreeing that all Kansas State University employees and students should be treated well. However, in a practical way, this is a very troubling recommendation since “unacceptable conduct” will lead to unending grievances and conflicts. By whose standard would certain conduct be deemed “unacceptable?” In our view, nothing will lead faster to a large number of complaints, grievances and lawsuits than having certain administrators decide what will count as “unacceptable conduct” or “low-level harassment.” It is simply unreasonable to expect the university to create a new category of behavior called “unacceptable conduct” or “low-level harassment,” establish clear operational definitions of these behaviors, and then establish an investigative and punitive system for dealing with these behaviors. In some instances, the university does have clear policy on behaviors which, while generally not illegal, are inimicable to the very heart of the university. These are plagiarism and intellectual fraud. But we also have clear definitions of what counts as plagiarism and academic fraud and a procedural way for handling them. These are found in Appendices F and O in the Faculty Handbook.

Prohibition of other behaviors, deemed intolerable or unacceptable at most universities, such as consensual sexual relations between professors and students, has been explicitly rejected by the Faculty Senate at Kansas State University. The Task Force never provides any examples of the behaviors which should be proscribed. We guess they are speaking of breaches of civility, fairness, or collegiality. When a previous task force reviewing grievance procedures attempted to deal with the issue of collegiality, there was an extremely wide divergence over what constituted collegiality and whether or not it should be taken into consideration for any kind of evaluations of faculty or administrators. People do not give up their civil rights when they become university professors or administrators and unless the behavior is illegal or is a clear violation of university policy, it is difficult to imagine having an administrative office investigating and punishing such behaviors.

We believe that there are a number of well-functioning mechanisms within the university to deal with cases of unfair treatment, whether by other faculty members or by administrators. The first method is to report it to the administrator in charge. If this does not result in satisfaction, a person may report it to the next highest administrator, and proceed up the administrative chain. Faculty and other unclassified personnel have access to an ombudperson appointed by the Faculty Senate. Unclassified personnel and faculty have a right to use the General Grievance Board procedures for virtually all issues affecting employment. Finally, faculty and other unclassified personnel may avail themselves of extra-university remedies, through a complaint to the Federal EEOC or the State Human Rights Commission, or through a lawsuit with the Federal District Court.” In sum, the Task Force proposes that the university embark on a dangerous process that could lead to a level

of repression that is unacceptable in a collegial and open environment. In our view, this would be a mistake. Even so, we are ready to discuss with Faculty Affairs Committee the kinds of unfair treatment they would propose be prohibitive, and develop operational definitions, due process procedures, and sanctions.

We are pleased to have this opportunity to review the charges to the Office of Affirmative Action, their procedures, and to receive recommendations for alternative ways of doing things. The actions we propose above in response to the recommendations can be implemented immediately. However, we would be pleased to discuss them with the Faculty Affairs Committee before we proceed.