

February 16, 2016

**Attachment 3**  
**Memorandum of Understanding on Addressing Circumstances where  
Immediate Sanction of Faculty or Professional Staff is Contemplated by  
Central Administration**

The Office of the President and the Faculty Senate agree to communicate in instances when situations involving faculty and/or professional staff member(s) arise that require immediate action outside normal operating procedures (e.g., public sanctioning or public commentary by the University in a social media storm). The intent of this MOU is to provide clarification and direction in these instances.

**Terms of Agreement**

When situations arise that require immediate action outside of normal operating procedures involving public sanctioning or public commentary by the University regarding academic endeavors of faculty and/or staff member(s), it must first be determined that such action is to be applied in a manner that is consistent with the First Amendment and academic freedom principles. This determination is made by the President or President's designee in consultation with University General Counsel for legal advice, and after conferring with the Faculty Senate President (or designee). If the instance is serious enough that action has to be taken immediately, then the following university employees (or their designee) will be convened for consultation either in person or by electronic communication by the President of the University: faculty and/or professional staff member(s) involved, appropriate administrators in the line of supervision of faculty and/or professional staff member(s), Vice President of Human Capital Services, the President of Faculty Senate, and the Faculty Affairs and/or Professional Staff Affairs committee chair.

If it is determined that it is necessary to administer immediate sanctions to the faculty and/or professional staff member(s), those sanctions will be limited to 6 months (if not lifted sooner). At the end of 6 months, if another conversation is necessary, the same parties will be included.

**Agreement**

Upon review of the details contained in this MOU, the individuals identified below agree that this document provides a structure for the management of extraordinary circumstances that are outside of normal operating procedures that current policies or procedures do not address. This MOU is to be reviewed every 3 years or upon notification by one of the signatories. Modifications can be made with the approval of all parties.

Approved:

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Kirk Schulz, President  
Kansas State University

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Fred Guzek, President of Faculty Senate  
Kansas State University