

student's privacy or other rights;

- (3) Allow or deny disclosures of personally identifiable information contained in the student's education records, except to the extent that these regulations and the regulations promulgated pursuant to the Family Educational Rights and Privacy Act allow;
- (4) File a complaint with the United States Department of Education under 34 CRR 99.64 concerning alleged failures by the University to comply with the requirements of the act;
- (5) Access information concerning the cost to be charged for reproducing copies of the student's records; and
- (6) Access a copy of the regulations in this chapter (Chapter 516-26 WAC).

The notice shall indicate the places where copies of these regulations are located.

Appendix F

ACADEMIC GRIEVANCE AND APPEAL POLICY AND PROCEDURES

1. Policy

Students have protection, through orderly procedures, against arbitrary or capricious actions or decisions by their instructors; students also have protection against erroneous actions or decisions by academic units. At the same time, students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules and requirements which are formulated by the University and the University's academic units. A student wishing to pursue an academic grievance or appeal must use the following grievance procedure once having received notice of the action or decision which gives rise to the grievance. The emphasis of the grievance procedures is on informal resolution of the grievance. Grievances which involve hearings before the Student Academic Grievance Board should be rare.

Students who do not meet the deadlines given in the procedures shall be deemed to have waived their right to appeal. If any officer of the University or the Board fails to meet the deadlines established, the student may continue to the next level in the procedures. The deadlines are set to provide a rapid resolution of the grievance. However, unforeseen circumstances such as illness or absence from the campus may result in an extension of a deadline. Such extensions shall be recorded in writing by the unit head, dean or secretary to the Board, as appropriate.

2. Academic Grievances

Academic grievances are limited to the following:

- (1) A claim by the student that an assigned grade is the result of arbitrary or capricious application of otherwise valid standards of academic evaluation, or
- (2) A claim by the student that the standards for evaluation are arbitrary or capricious, or
- (3) A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affected the student's academic progress, or
- (4) A claim by the student that an academic unit has reached a decision not in keeping with University policy or taken an erroneous action which adversely affects the student's academic standing or academic career.

Note: Where an action is claimed to be in violation of affirmative action, a separate set of procedures are used (see *Appendix A, WWU Policies on Equal Opportunity/Nondiscrimination, Affirmative Action, Sexual Harassment, Reasonable Accommodation*).

3. Procedures

A. Resolution and Appeals

A student with an academic grievance against an individual instructor shall first thoroughly discuss the matter with the instructor involved. The student must meet with the instructor within ten (10) days of receiving written notification of the action or decision which gives rise to the grievance. In the case of absence from the campus of either of the parties, the student shall inform the academic unit head, in writing, of the existence of the grievance and the unit head shall arrange for consultation between the parties concerned at the earliest possible opportunity. Should the faculty member be on extended leave, or have resigned from the University, the unit head shall act for the instructor.

The instructor and the student should make a good faith effort to resolve the grievance. Grievances resolved at this stage do not require a written record unless the resolution involves a grade change or involves academic dishonesty. Grade changes require the approval of the department chairperson or the dean in the case of Fairhaven, who then directs the Registrar to make the specific grade change. A copy of the memo to the Registrar will be sent to the student and faculty member.

If a resolution is not achieved between the student and the instructor within five (5) days after the first meeting between the student and instructor, the student

has five (5) days to ask the academic unit head, or designee, to attempt to informally resolve the issue. The unit head, or designee, will meet with both parties to clarify the issues and attempt to resolve them. If the issue is resolved within five (5) days after the student has sought the assistance of the unit head, the unit head, or designee, shall prepare an informal agreement, in writing, for both sides to sign. No reasons need be given. Such an agreement, once signed by both parties, may not be appealed.

If an agreement cannot be reached within the five-day review period, and the student still wishes to pursue the grievance, the student shall request the unit head or designee to present the case to the dean of the college. The unit head has five (5) days to present the material to the dean. The material presented should include all of the documents relevant to the case and an analysis of the issues. The dean shall continue the process of seeking an informal resolution and collect more material as necessary. If a resolution can be reached, the dean shall prepare an informal agreement as above. Such an agreement, once signed by both parties, may not be appealed.

If the student has a grievance against an academic unit, the student shall first thoroughly discuss the matter with the unit head. The student must meet with the unit head within ten (10) days of receiving notification of the action or decision of the unit which gives rise to the grievance. If the grievance is not resolved information is required for a legitimate educational purpose within ten (10) days of the initial meeting between the student and the unit head, the student may request, in writing, further review by the dean of the college, following the procedures for grievance against individual faculty.

If the grievance against a faculty member or academic unit is not resolved at this stage, the dean shall make a decision based on the merits of the case. The reasons for the decision shall be in writing and shall be given to both the student and the instructor or unit head. The dean's decision must be rendered and given to both parties within five (5) days of receiving the material. The written decision of the dean will include: (1) a statement of the grievance, (2) a statement of the efforts made to resolve the issue and (3) a statement of action, with reasons.

Either side may appeal a decision of the dean to the Student Academic Grievance Board. The appeal must be filed within five (5) days after the receipt of the dean's written decision.

B. Appeal to the Board

(1) *Composition of the Board.* The Student Academic Grievance Board shall consist of six (6) members: three students and three faculty. An administrator appointed by the Vice President for Student Affairs will serve as executive secretary to the board and will be responsible for the arranging of meetings and the collection and maintenance of necessary documents. The board, for any hearing, will be selected in the following manner:

- (a) The pool of board members shall consist of six (6) faculty appointed by the Faculty Senate for three-year terms; six (6) undergraduate students and six (6) graduate students appointed by the Associated Students board for one-year terms.
- (b) Each party to the grievance shall have the right to reject two faculty and two students from the list of the pool of board members.
- (c) From the remaining members, the Vice President for Academic Affairs or designee shall select the board members for the hearing, and shall appoint the chairperson. If the grievance involves a graduate student, at least two of the board members must be graduate students.

(2) Appeal Procedures

- (a) *Lodging appeal.* The party appealing to the board shall present the appeal to the executive secretary of the board within five (5) days after issuance of the dean's written decision. The letter of appeal shall state the basis of the appeal. The secretary will send a copy of the appeal to the second party to the grievance, who may respond in writing. All materials used at any stage of the grievance shall be made available to both parties and to the dean.
- (b) *Mediation.* A mediator may be appointed by the Vice President for Academic Affairs or designee from a list of four persons previously appointed by the Faculty Senate. The mediator has five (5) days from the time of appointment to attempt to resolve the issue to the satisfaction of both parties; otherwise the appeal proceeds to a hearing.
- (c) *Hearing.* A hearing shall be called within fifteen (15) days of the filing of the appeal unless both parties agree to a delay, or unless the grievance is resolved through mediation.

A quorum is four (4) members of the board. Both the student and the instructor may be accompanied by an advocate (although not a legal professional).

Both the student and the faculty member shall be invited to present oral arguments which shall be restricted to matters already in the record. New causes for grievance may not be raised at the hearing. Members of the board may question either party.

No testimony may be taken by the board unless both parties are present, or have waived their right to be present.

At the conclusion of the hearing, the board shall, in writing,

- (a) Request additional information, to be considered at a future hearing, or
- (b) Find that there is insufficient cause to overrule the dean's decision and

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recommend to the Vice President for Academic Affairs that it be upheld, or

- (c) Find that there is sufficient cause to modify or overrule the dean's decision and recommend appropriate action to the Vice President for Academic Affairs.

C. Appeal to the Vice President for Academic Affairs

Either party may appeal to the Vice President for Academic Affairs from a decision by the board. Such appeal shall be made, in writing, within five (5) days after the issuance of the board's written decision. The board chairman has the right to make a written response to the appeal within five (5) days of filing the appeal. The vice president may overrule or modify the decision of the board only if that decision was arbitrary, capricious, based on insufficient information, or was beyond the scope of these procedures as defined in Section 2. The decision of the Vice President for Academic Affairs is final. Copies of the vice president's decision will be sent to the student, faculty member, unit head, dean, chairperson and secretary of the board.

D. Maintenance of Records

All written statements and testimony considered in the grievance process and a copy of the final written decision of the board or academic vice president shall be retained on file in the academic vice president's office for a period of one (1) year following final disposition of the grievance.

Where a solution or decision results in a grade change, the unit head shall inform the registrar of the grade change.

4. Definitions

These definitions are for the purposes of these procedures only:

- (1) "Academic unit" is Fairhaven college or a department within the colleges of Business and Economics, Fine and Performing Arts, Humanities and Social Sciences, Huxley, Sciences and Technology, or Woodring College of Education.
- (2) "Unit head" is the department chairperson, or, in the case of Fairhaven college, the chairperson of the college personnel committee.
- (3) The unit head "designee" can be any faculty member or administrator from the academic unit.
- (4) Reference to "days" means "school days" and includes the registration period and the week in which exams are scheduled.

Appendix G

CODE OF ETHICS FOR THE FACULTY OF WWU

This Code of Ethics was adopted by vote of the faculty of Western Washington University on May 14, 1993, and was endorsed for inclusion in the Faculty Handbook by the Board of Trustees on July 8, 1993.

Preface

Membership in the academic community and in the faculty of Western Washington University imposes upon faculty a range of obligations beyond that currently accepted by the members of the wider society. These obligations, which ensue from the faculty member's commitment to learning and to the role of teacher, include obligations to respect the dignity of others; to acknowledge the right of others to express differing opinions; to foster learning; to defend intellectual honesty, freedom of inquiry, learning and teaching; and to support freedom of expression on and off campus. An obligation to protest injustices and seek correction of inequities carries with it the corollary responsibility to do so in ways which do not intentionally, persistently or significantly impede the functions of the institution.

A professional faculty, as guardian of academic values, serves as the instrument of disciplinary action against unjustified assaults upon those values by its own members. The traditional faculty role of limiting participation in disciplinary action to assurance of academic due process is inadequate to protect the conditions enumerated in the 1940 AAUP Statement on Academic Freedom. This function must be preserved but must also be strengthened by faculty assumption of responsibilities in adopting, practicing and promoting adherence to those principles of conduct essential to academic endeavor.

In recognition of this responsibility, the faculty of Western Washington University have adopted this Code of Ethics as a guide for present and future members of the University faculty.

Section 1

Western faculty members, guided by a deep conviction of the worth and dignity of their role in the advancement and dissemination of knowledge, recognize the special responsibilities placed upon them as scholars. Their primary responsibility to their respective subjects is to seek and to state the truth as they, in consequence of their academic competence, perceive it. To this end faculty energies are devoted to developing and improving their scholarly competence. They accept the obligation to exercise self-discipline and judgment in using, extending and transmitting knowledge. They practice intellectual honesty. When subsidiary interests are followed, they must ensure that these interests do not seriously

compromise freedom of inquiry nor the fulfillment of academic responsibilities.

Section 2

As teachers, the Western faculty encourage the free pursuit of learning by students, and demonstrate by example the best scholarly standards of their respective disciplines. The faculty respect students as individuals and adhere to their designated role as intellectual guides and counselors, make every effort to foster honest academic conduct and to assure that evaluations of students reflect their actual performance. The faculty avoid and condemn sexual harassment, intimidation, and exploitation of students. The confidential nature of the relationship between professor and student is respected, and any exploitation of students for private advantage is avoided by the faculty member who acknowledges significant assistance from them. Faculty strive to help students develop high standards of academic competency and respect for academic freedom.

Section 3

A teacher's mastery of his/her subject and scholarship entitles the teacher to a classroom and to freedom in the presentation of a subject. Faculty thus avoid injecting into classes material which has no relation to the subject and conscientiously develop the content of a course as announced to students and as approved by the faculty in their collective responsibility for the curriculum.

Section 4

As a colleague, the Western faculty member has special obligations that derive from membership in the community of scholars. These include respect for, and defense of, the free inquiry of associates and, in the exchange of criticism and ideas, the respect for the opinions of others. Faculty members acknowledge the contributions of their colleagues and strive to be fair in their professional judgment of colleagues. Each accepts his/her share of faculty responsibilities for the governance of this institution.

Section 5

As a member of this institution, each Western faculty member seeks above all to be an effective teacher and scholar. Although all regulations of the institution that do not contravene academic freedom are observed by the faculty, the right to criticize institutional regulations and to seek their revision is maintained. The amount and character of work done outside the institution is determined by the faculty member with due regard to the paramount responsibilities within it. When considering the interruption or termination of service, the faculty member recognizes the effect of such decisions upon the program of the institution and gives due notice of such intentions.

Section 6

As a member of a larger community the Western faculty member maintains the same rights and obligations as does any other citizen. The urgency of these obligations is measured in the light of responsibilities to the discipline, to the students, to the profession, and to the institution. When speaking or acting as a private individual, each faculty member avoids creating the impression of speaking or acting for the University. As a citizen engaged in a profession that depends upon freedom for its integrity and welfare, the Western faculty member exercises a special obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Section 7

Academic freedom has traditionally included the instructor's full freedom as a citizen. Most faculty members face no insoluble conflicts between the claims of conscience and of social and political action, on the one hand, and the claims and expectations of students, colleagues and the institution on the other. If such conflicts become acute, and the instructor's attention to obligations as a concerned citizen precludes the fulfillment of academic obligations, he/she should either request a leave of absence or resign his/her academic position.

Relationships of a romantic or sexual nature between a faculty member and a student under that faculty member's supervision always endangers the faculty member's decision-making abilities and the student's need for a non-intimidating learning environment. Even if both parties in such a relationship are capable of separating their personal and professional relationships from one another, the faculty member cannot exhibit the professionalism that is expected of him/her. Consequently, a faculty member is obliged to disengage himself/herself from a supervisory role over any student with whom he/she has established or seeks to establish a romantic or sexual relationship. No faculty member at Western Washington will evaluate, grade, or supervise a student with whom the faculty member is romantically or sexually involved.

Section 8

The expression of dissent and the attempt to produce change on campus and in the larger society are legitimate, but they must be carried out in ways which do not violate academic freedom, injure individuals, disrupt the classes of colleagues, intrude on the individual rights of others, or damage institutional facilities or private or public property. All members of the academic community and visitors to