

Class C Resolution regarding faculty disciplinary and dispute resolution processes

WHEREAS, in Autumn Quarter 2017, the Senate Chair and the Secretary of the Faculty appointed a task force with a tri-part committee structure made up of representatives of faculty leadership, administrative leadership, and representatives of faculty and administrators experienced with the current systems;

WHEREAS the task force has concluded that the faculty discipline and dispute resolution provisions in the Faculty Code have not been comprehensively reviewed and updated in more than 20 years;

WHEREAS the task force has concluded that the current one-size-fits-all faculty discipline and dispute resolution process fails to promote and support important values and principles identified by the task force, including:

- Community values:
 - Academic and intellectual freedom
 - Academic, research, and professional integrity
 - Equity and inclusion
 - Ethical behavior, fairness, and respect
 - Individual and community well-being
 - Accountability to each other and the community as a whole
 - Learning and continuous improvement
- Principles for dispute resolution processes:
 - Clear, equitable, fair, transparent, ethical, timely
- Principles for dispute outcomes:
 - Efficacy, accountability, proportionality, education, alignment, and consistency;

WHEREAS the task force has concluded that there is a need for greater opportunity to intervene early and engage in problem solving at the unit level; and

WHEREAS the task force has discussed models for faculty discipline and dispute resolution, with feedback from faculty leadership and representatives, including the Faculty Council on Faculty Affairs, the Faculty Council on Tri-Campus Policy, the Chairs of the Elected Faculty Council, the Chairs of the University Faculty Councils, and the Board of Deans and Chancellors.

BE IT RESOLVED that the UW Faculty Senate supports the development of Class A Legislation revising the Faculty Code to create separate processes and enhanced tools to address distinct faculty issues, categorized for the purposes of the project as: faculty grievances, faculty misconduct, and interpersonal conflict between faculty colleagues.

BE IT FURTHER RESOLVED that the UW Faculty Senate supports drafting Class A Legislation consistent with the basics of the current draft of the model outlined below and as generally reflected in Appendix A for a faculty grievance process where faculty can raise concerns regarding administrative decisions that affect their terms and conditions of employment, with the understanding that the details contained therein will evolve as conversations take place among the relevant stakeholders during the drafting process. The basics of the draft model include:

1. Creating steps for addressing a grievance within the academic unit which promote early resolution and problem solving;
2. Broadening the types of grievances that are accepted for review at the unit level in comparison to the current standard in Chapter 28 for adjudications, with the intent to allow the broadest possible access for faculty grievances; and
3. For grievances not resolved at the unit level, creating steps at the institutional level, including an institutional review by a panel.

BE IT FURTHER RESOLVED that the UW Faculty Senate supports drafting Class A Legislation consistent with the current draft of the model outlined below and as generally reflected in Appendix B for

addressing allegations of faculty misconduct, with the understanding that the details contained therein will evolve as conversations take place among the relevant stakeholders during the drafting process. The basics of the draft model include:

1. Enhancing and clarifying the range of available sanctions with definitions of minor, moderate, and major sanctions;
2. Aligning the process that must be completed prior to implementation of the sanctions with the severity of the sanction, including the opportunity for an appropriate level of review and appeal;
3. Creating a unit-level corrective action process for minor sanctions;
4. Creating a brief proceeding for moderate sanctions;
5. Creating a full proceeding for major sanctions;
6. Creating transparent criteria for determining which process will be utilized; and
7. Properly integrating other University processes and policies relating to formal investigations, as well as those required by governmental laws and regulations, including Executive Order No. 61 - Research Misconduct Policy, Executive Order No. 31 - Nondiscrimination and Affirmative Action, Executive Order No. 51 - Sexual Violence Elimination Policy, and investigations by Internal Audit of financial fraud or ethics violations.

BE IT FURTHER RESOLVED that, to support early intervention and resolution of interpersonal conflict, the UW Faculty Senate supports the drafting of Class A Legislation to enhance and clarify the rights and responsibilities sections of the Faculty Code, emphasizing responsibilities to each other and the University community.

BE IT FURTHER RESOLVED that the task force provide the Faculty Council on Faculty Affairs and the Faculty Senate with opportunities to review and provide feedback on the proposed Class A Legislation prior to putting the legislation up for vote.

Approved by:
Faculty Senate
May 14, 2020