1. Call to Order and Approval of Agenda.

2. Acting Faculty Senate Chair’s Remarks – Associate Professor Joseph Janes. [Exhibit A]

   a. Report of the Secretary of the Faculty. [Exhibit B]
   b. Report of the Chair of the Senate on Planning and Budgeting. [Exhibit C]
   c. Report of the Faculty Legislative Representative. [Exhibit D]

4. President’s Remarks – Ana Mari Cauce.

5. Requests for Information.
   Summary of Executive Committee Actions and Upcoming Issues of May 6, 2019.
   a. Approval of the April 1, 2019, Senate Executive Committee minutes.
   b. Approval of the April 18, 2019, Faculty Senate minutes.
   c. Task force on the disciplinary code and process update.
   d. Affordable housing for faculty.

6. Memorial Resolution.

7. Consent Agenda.
   a. Approve nominees for Faculty Councils and Committees. [Exhibit E]
   b. Approve nominations for 2019-2020 Senate Executive Committee positions. [Exhibit F]
   c. Approve 2019-2020 Schedule of Senate Executive Committee and Faculty Senate meetings. [Exhibit G]

8. Announcements.

   a. Class C Resolution – Support for the establishment of a UW sustainability initiative and campus plan by 2020. [Exhibit H]
      Action: Approve for distribution to the faculty.

    a. Class A Legislation – Proposed changes to elected faculty councils – second consideration. [Exhibit I]
       Action: Approve for faculty vote.
    b. Class C Resolution – Support for UW Libraries’ bargaining priorities in their negotiations with Elsevier and other scholarly journal subscriptions. [Exhibit J]
       Action: Approve for distribution to the faculty.
    c. Class C Resolution – Support for the implementation proposal for the UW Faculty 2050. [Exhibit K]
       Action: Approve for distribution to the faculty.

11. Discussion Items.
    a. Task force on the disciplinary code and process update. [Exhibit L]
       Zoe Barsness, Associate Professor and co-chair of the task force on disciplinary code and process.

12. Good of the Order.


Prepared by: Mike Townsend
Approved by: Joseph Janes, Acting Chair

NOTE: If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Thursday, May 23, 2019, at 2:30 p.m. in Johnson Hall 102
Report of the Acting Faculty Senate Chair
Joseph Janes, Associate Professor, Information School

We have a number of important pieces of business before us today:

- the second consideration of the Class A legislation on the composition of elected faculty councils, which could substantially strengthen the processes and effectiveness of shared governance at the school and college level
- a Class C resolution from the Faculty Council on University Libraries - maintaining access to the scholarly and research literature, in a responsible, cost-effective, sustainable way, is crucial to our work, and faculty support for our colleagues in the University Libraries as they undertake negotiations with Elsevier, among others, is an important sign of our commitment
- a Class C resolution outlining implementation of the recommendations of the Faculty 2050 report from last year, which has already been the source of much discussion and guidance in thinking about our future
- as well as the postponed resolution on sustainability from our last meeting

In addition, we'll have discussion items on a longer-term matter: the ongoing work to reform our dispute resolution and disciplinary processes. This is one of a number of matters that will be under discussion in the year to come: teaching evaluations, more on the status and roles of lecturing faculty, as well as the upcoming University-wide climate survey, and the usual unpredictable topics that will arise in the year to come, and I know we all look forward to working on those together.

We appreciate, as always, all the efforts of the members of our faculty councils, committees, and working groups for their hard work over the course of the year. And as this is our last meeting of the year, on behalf of Senate leadership and the entire university faculty, I want to thank all of you for your time and willingness to serve on the Senate this year - and wish you all the best for an enjoyable and rejuvenating summer!
Report of the Secretary of the Faculty
Mike Townsend, Associate Professor, School of Law

1. **Committee on Committees**: The Committee on Committees has met, and, pursuant to their discussion, the Office of University Committees is filling out a roster of new Faculty Council members for approval.

2. **Deputy Faculty Legislative Representative**: Dan Ratner, Associate Professor, Bioengineering, Seattle, has been elected DFLR for 2019-2020.
Report of the Chair of the Senate Committee on Planning and Budgeting
Thaïsa Way, Professor, College of Built Environments

The Senate Committee on Planning and Budget meets weekly with the Provost, the Vice-Provost for Planning and Budget, and the head of the Board of Deans. SCPB is charged with consulting on all matters relating to the University budget and on a wide range of program and policy decisions.

The Spring SCPB meetings have been focused on updates on unit projections and for deficit plans for those facing such challenges. We reviewed an issue involving Northwest Hospital and an outstanding payable owed to the University. UW Medicine presented the issue, noting that it will pay the University back in full. The executive office, UW Finance, and the Office of Planning & Budgeting are closely monitoring the situation. The presentation of this issue led to a series of discussions around how budgets and fiscal health are being monitored and assessed. It was noted that the Health Sciences, and in particular the hospitals comprising UW Medicine, represent over 50% of the UW budget. This reflects a serious exposure by the university to the instabilities of health systems and costs. While we recognize the large health system is a significant and important contributor to the university’s research and teaching mission, it is also a complex system that does not always fit easily into an academic fiscal framework.

Building on our review of units with deficit mitigation plans, SCPB members have engaged in rigorous discussions of the increasing focus on monitoring budgets across the university. The UW records revenues and expenditures in many 1000’s of budget numbers, and while Finance Transformation will address many of the systemic issues of our current processes, we must assure we are tracking the fiscal health of all units now. We are working closely with the Office of Planning & Budgeting to review how to best assure that all budgets are being responsibly managed and stewarded.

As always, SCPB reviews requests for limited RCEPs and we have engaged in excellent discussions around a number of these requests. The School of Nursing is currently planning to consolidate into two departments from three departments, a planning process that engaged many of their faculty as well as staff and students. The School of Medicine is currently proposing to merge the departments of Pathology and that of Laboratory Medicine. We were pleased to hear from their Elected Faculty Council chairs as a part of this process.

We had an excellent presentation from VP of Student Life, Denzil Suite and his leadership team on the breadth of services and challenges of meeting the needs of our students. Housing and Food Services houses over 20% of our students, including over 80% of international students in their first year. They are working to create opportunities for more affordable housing as well as providing a range of housing options. The team is also facing increasing needs for mental health services and for access and disability services. We were impressed with the approach of our student life leadership. We would also take this opportunity to acknowledge the remarkable contributions of our student leadership teams. They are engaged in all aspects of the university from housing policies and budgets to curriculum and community engaged teaching.

At our last meeting this week, we focused primarily on the state budget and its implications for our budget. As noted by others, there are many remarkable elements of the new state budget as passed in the last minutes of the session, including the closure of the session on time. We are very pleased to see the state invest in what is now called the Washington College Grant program, by fully funding, and even expanding, the State Need Grant, over the course of the next biennium. For the UW, the state provided a larger share of state support for new compensation and central service increases, through what is being called “foundational support.” Furthermore, legislators met our requests for funding for STEM across all three campuses, and for a number of capital projects.

Regarding compensation, the story is nuanced.

- The budget partially funded 2 percent wage increases in FY20 and FY21 for GOF-paid faculty and professional staff. Non-represented employees at all other state agencies received partial or full funding for 3 percent wage increases.
• The budget also partially funded 2 percent increases for state-approved collective bargaining units, along with other base contract provisions.

• In addition, the budget includes an additional $7.2 million intended to partially fund 1 percent increases in each year for all GOF-paid employees (represented and non-represented). The budget stipulated that the UW would only receive this additional funding if it were to reach agreements with unions to implement the 1 percent per year for all employees paid by all funding sources. Given the partial funding, it would not be financially feasible for the UW to implement the additional 1 percent increases for those employees.

While we are all very pleased to see the strong support for higher education in the funding for student access, foundational support for basic merit pools, and targeted enrollment and program growth, it is clear that we will need to continue to discuss why compensation increases are a critical component of excellence.

We have been engaged in discussions on the Phase III review of ABB including the supplemental budget allocations. This process will engage robust discussions on the supplement allocations. There is an urgency to these issues. Teaching and research are becoming increasingly cross-discipline and cross-sectors; modifying the model is crucial to support the inevitable changes we wish to support. We must address the non-formulaic components of ABB to ensure that we are actively planning for, and deciding how, to support foundational undergraduate disciplines. Funding should both follow student activity, and support the foundational areas of a comprehensive undergraduate academic experience, and also recognize differential costs of instruction. We will likely be forming task groups to address questions about taxation of units, Indirect Cost Recover allocations and the costs of research, and the supplement allocations.

Finally we approved an increase of 4% to minimum salaries for faculty. This included minimums for all faculty positions. In May we will review budgets and plans for GiX, the Finance Transformation Project, and the capital budget plan for the next 6 years including how to address deferred maintenance. Please note that we are currently seeking faculty who would be willing to serve on focus groups to assure the new finance systems meet our needs. Please email Thaisa if you are interested (tway@uw.edu).

I look forward to hearing from you. Send me your questions and concerns. We will work to do our best to respond.
Report of the Faculty Legislative Representative
JoAnn Taricani, Associate Professor, Music History

I am writing this on Monday, April 29, within hours of the Legislature adjourning the 2019 session *on time* for the first time in ten years, the result of a dense and tense weekend of hearings and voting that included full House and Senate floor sessions that went past 4:00 AM each night this weekend. While there are still many details about the budget that need to be analyzed over the next few weeks, here is some background on legislation and issues that have attracted headlines in the final days of the session.

One surprise in the final hours of the session was that the House and Senate both took votes on I-1000, the initiative to the Legislature that would/will significantly alter the 1998 I-200 that prohibits the use of factors such as race in a variety of public arenas, including college admissions at public universities. The hearing on this included many faces of the past that had worked on I-200, both pro and con. What was surprising to me was the organizational effort against I-1000 that was new, from families and potential future students who felt that I-1000 might limit their access to public higher education. It is worth knowing about this opposition because of the next steps. Because the House and Senate have voted to enact I-1000 as session law, it becomes law once the Secretary of State has signed it – it does not need the Governor’s signature (he was/is a supporter of I-1000). But any law can be subjected to a referendum, which must be requested within 90 days of the legislation being enacted. A referendum places the new law on the general ballot for a vote of the general population. Within twelve hours of I-1000 passing, a request for a referendum was filed with the Secretary of State; that will likely place this issue on the ballot for the November general election.

The Education Workforce Investment fund (HB 2158) will be funded largely via new business and occupation (B&O) taxes. While some large entities such as Microsoft were strong supporters of this legislation, smaller business owners and organizations expressed concern about the additional tax on their services. The final hearing on this was held the day before the session ended; President Cauce came to Olympia on Saturday morning to indicate her strong support for this investment in higher education. The intention of this fund is to provide stable, dedicated funding for the State Need Grant (SNG), now renamed as the Washington College Grant (WCG). The hope is that the WCG will be fully funded by the 2020-21 academic year; this will relieve some pressure on the UW, which has been providing the Husky Promise funding to student eligible for the SNG but did not receive it because of lack of funding. This investment fund also will provide funding for new enrollments in Engineering at the Seattle campus, and new STEM funding for the Bothell and Tacoma campuses. It also allocated some foundational funding to the UW; how the UW will budget the funding is not yet determined.

The operating budget (ESHB 1109) has many details that need to be analyzed. As I have noted over the past two years, the language of the legislation is not always funded in the budget itself, with the UW being expected to fund certain expenses, such as a portion of salary increases, from tuition rather than from new state appropriations. Because of this, it is not possible at this point to say with any certainty what the salary increases would be for faculty and professional staff, but we may have a more clear picture by the time of the meeting of the Senate Executive Committee. The foundational support for the UW appears to be more favorable in the final budget than in earlier versions of the budget. Our UW Office of Planning and Budgeting (OPB) will post a detailed analysis later this week, which I will provide to the Senate Executive Committee and full Faculty Senate. Now, the planning for the next biennium continues through the work of our OPB and Senate Committee on Planning and Budgeting.
2019-20 Nominees for Faculty Councils and Committees

Faculty Council on Academic Standards

Scott Spaulding, Senior Lecturer, College of Education, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Marjorie Olmstead, Professor, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Joel Ross, Senior Lecturer, Information School, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Benefits and Retirement

Monika Sobolewska, Senior Lecturer, UW Tacoma School of Engineering and Technology, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Peter Johnson, Professor, School of Public Health, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

William Yuh, Professor, School of Medicine, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Mary O’Neil, Associate Professor, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Faculty Affairs

Jack Lee, Professor, College of Arts and Sciences, as Chair for a term beginning September 16, 2019, and ending September 15, 2020.

Teresa Ward, Professor, School of Nursing, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Megan Callow, Lecturer, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Jacob Vigdor, Professor, Evans School of Public Policy and Governance, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Multicultural Affairs

Michael Spencer, Professor, School of Social Work, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Research

Gillian Marshall, Assistant Professor, UW Tacoma School of Social Work, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Nicole Gibran, Professor without Tenure, School of Medicine, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.
Faculty Council on Student Affairs

Chris Laws, Principal Lecturer, College of Arts and Sciences, as Chair for a term beginning September 16, 2019, and ending September 15, 2020.

Kivanc Dincer, Lecturer, UW Tacoma School of Engineering and Technology, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Clark Musselman, Lecturer, UW Bothell School of STEM, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Ann Culligan, Lecturer, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Teaching and Learning

Thomas Halverson, Senior Lecturer, College of Education, as Chair for a term beginning September 16, 2019, and ending September 15, 2020.

Kimberlee Gillis-Bridges, Principal Lecturer, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Lynn Dietrich, Senior Lecturer, College of Education, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on University Facilities and Services

Ann Marie Borys, Associate Professor, College of Built Environments, as Chair for a term beginning September 16, 2019, and ending September 15, 2020.

Bruce Balick, Professor Emeritus, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2020.

Faculty Council on University Libraries

Trent Hill, Senior Lecturer, Information School, as Chair for a term beginning September 16, 2019, and ending September 15, 2020.

Khalfani Mwamba, Lecturer, School of Social Work, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Randolph Otto, Associate Professor, School of Medicine, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Helene Williams, Senior Lecturer, Information School, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Juliet Shields, Professor, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Faculty Council on Women in Academia
Ankur Suri, Senior Lecturer, UW Tacoma, School of Engineering and Technology, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Samantha Robinson, Lecturer, College of Arts and Sciences, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Elizabeth Umphress, Associate Professor, Foster School of Business, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

**Senate Committee on Planning and Budgeting**

Daniel Grossman, Professor, College of Engineering, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.

Mary Hebert, Professor, School of Pharmacy, as a voting member for a term beginning September 16, 2019, and ending September 15, 2022.
### Nominations for 2019-20 Senate Executive Committee Positions

#### Open Seat Nominations

<table>
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<tr>
<th>Positions</th>
<th>Nominees</th>
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<tbody>
<tr>
<td>Medicine – 2 positions</td>
<td>Gautham Reddy, Radiology</td>
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<td>Phillip Taddei, Radiation Oncology</td>
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<tr>
<td>Arts and Sciences – 2 positions</td>
<td>Justin Jesty, Asian Languages and Literature</td>
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<td></td>
<td>Julie Brines, Sociology</td>
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<tr>
<td>Engineering – 1 position</td>
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<tr>
<td>Other health science colleges (^1) – 1 position</td>
<td>Douglas Ramsay, Oral Health Sciences</td>
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<tr>
<td>Environment and Built Environments – 1 position</td>
<td>Jeff Hou, Landscape Architecture</td>
</tr>
<tr>
<td>Professional Schools(^2) – 1 position</td>
<td>Shailendra Jain, Marketing and International Business</td>
</tr>
</tbody>
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\(^1\) Public Health, Dentistry, Pharmacy, Nursing, Social Work
\(^2\) Business, Education, Evans, Information, Law, ROTC
## 2019-2020
Schedule of Senate and Executive Committee Meetings

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<th>Autumn Quarter 2019</th>
<th>Winter Quarter 2020</th>
<th>Spring Quarter 2020</th>
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<tbody>
<tr>
<td>Executive Committee Agenda Deadline</td>
<td>September 18</td>
<td>Executive Committee Agenda Deadline</td>
<td>December 27</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>September 30</td>
<td>Executive Committee Meeting</td>
<td>January 6</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>October 17</td>
<td>Faculty Senate Meeting</td>
<td>January 23</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>November 6</td>
<td>Executive Committee Agenda Deadline</td>
<td>January 29</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>November 18</td>
<td>Executive Committee Meeting</td>
<td>February 10</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>December 5</td>
<td>Faculty Senate Meeting</td>
<td>February 27</td>
</tr>
</tbody>
</table>

**Senate** meetings will be held at 2:30 p.m. in Johnson Hall 102.

**Executive Committee** meetings will be held at 2:30 p.m. in 142 Gerberding Hall.

**Special Meetings** will occur if necessary to conduct unfinished business or special business of the SEC or Senate.
Class C Resolution: Support for the Establishment of a UW Sustainability Initiative and Campus Plan by 2020

WHEREAS the GPSS has written and approved Resolution No. 02.18-19 calling for the University of Washington to make sustainability a Key Initiative and to create a Comprehensive Sustainability Plan for implementation in 2020; and

WHEREAS the resolution notes critical new globally significant reports and information that increase the urgency of addressing climate change in a more aggressive manner; and

WHEREAS the resolution demonstrates numerous ways in which taking additional action is consistent with the University of Washington mission, values, and educational responsibilities; and

WHEREAS the resolution demonstrates that current resources and efforts of the University to advance sustainability would be incorporated and enhanced; and

WHEREAS the Faculty Council on University Facilities and Services has reviewed the GPSS resolution and found it appropriate for Senate endorsement; therefore

BE IT RESOLVED that the Faculty Senate of the University of Washington endorses the GPSS resolution.

Approved by:
Senate Executive Committee
April 1, 2019
Legislation proposing changes to Faculty Code, Chapter 23 Colleges, Schools, and Departments

Introduction

The Faculty Council on Faculty Affairs voted on January 29, 2019, to forward proposed Class A legislation to the Senate Executive Committee and Faculty Senate for consideration. The motion was approved by a majority of voting members.

Rationale

In response to a request from the Senate Executive Committee, the Advisory Committee on Faculty Code and Regulations (ACFCR) conducted a review of the Faculty Code and the bylaws of the University’s 27 campuses, colleges, and schools concerning the composition of elected faculty councils. Specifically, the request noted “… it is critical that the composition of Elected Faculty councils are elected faculty only” in conformance with the intent of Section 23-45 of the Code, which is that “the faculty of each campus, college, or school … shall determine its own organization…” [italics added]

In its resulting March 6, 2018 report, ACFCR found:

- The Faculty Code does not explicitly bar administrators from EFC membership;
- The Faculty Code does not explicitly require EFC members be elected by the voting faculty; and
- The bylaws of some units are inconsistent with Section 23-45 or its intent, allowing administrators to nominate or appoint EFC members or to be voting members themselves.

The following proposed changes to Section 23-45 aim to clarify that only voting faculty may be voting members of EFCs and that administrators should not have a formal role in nominating or electing EFC members.

Section 23-45   Campus, College, and School Faculties: Authority to Determine Organization and Procedure

A. Subject to the provisions of Section 23-46, the faculty of each campus, college, or school other than the Graduate School shall determine its own organization and rules of procedure except as stipulated in Subsections B and C of this section. The organization and rules of procedure of a department may be determined by the department faculty, but shall be subject to review by the appropriate campus, school, or college faculty.

B. The University of Washington Bothell and the University of Washington Tacoma shall each have an elected faculty council or councils that shall advise their respective chancellors on matters affecting the general welfare of their respective campuses, matters of faculty promotion and tenure, and on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with Subsection A, the faculty of each campus shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected, subject to the provisions of Subsection D below.

C. Each school or college shall have an elected faculty council or councils which shall advise the dean on matters of faculty promotion and tenure, and advise the dean on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with Subsection A, the faculty of each school or college shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected, subject to the provisions of Subsection D below.

D. Every elected faculty council of a campus, school, or college shall be subject to the following provisions.

   1. Voting members of elected faculty councils must be voting members of the faculty, elected by the voting faculty of their respective units.
2. Chancellors, vice chancellors, deans, associate deans, and directors or chairs of
departments may not appoint or propose members to elected faculty councils;

3. Chancellors, vice chancellors, deans, associate deans, and directors or chairs of
departments may not be voting members of their respective elected faculty councils, but
they may be non-voting ex-officio members.

4. The chair of each elected faculty council must be a voting member of the council, and
shall set the agendas and preside over meetings.

5. Notwithstanding the provisions of 1 through 4 above, anyone who is a member of an
elected faculty council on June 15, 2019 with a fixed term of office may serve to the end
of that term.

DE. The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's,
or school's procedure to assure that the councils are established in conformity with the provisions
of this section.

EF. The Graduate School shall determine its own organization and rules of procedure. It may directly
control its affairs or may delegate to a council, executive committee, or other committees any of
its powers, provided that such council or committees shall be representative of the various fields
of graduate study.

Approved by:
Senate Executive Committee
April 1, 2019

Approved by:
Faculty Senate
April 18, 2019

Approved by:
Senate Executive Committee
May 6, 2019
Class C Resolution: Support for UW Libraries’ Bargaining Priorities in Their Negotiations with Elsevier and Other “Big Deal” Scholarly Journal Subscriptions

WHEREAS UW Libraries’ ("Libraries") current subscription arrangement with Elsevier is scheduled to end on December 31, 2019; and

WHEREAS subscription costs and increases, both current and projected, imperil the funding available for the Libraries’ other collection-development and service needs; and

WHEREAS Elsevier charges Article Processing Charges to authors for open-access articles on top of the subscription charges paid by the Libraries; and

WHEREAS Elsevier’s “Big Deal” inhibits the Libraries’ freedom to adjust their subscriptions and spend to address budget needs and changes in scholarship; and

WHEREAS Elsevier is leveraging its profits (37 percent in 2018) to acquire and control key tools to enable open access scholarship and resource sharing; and

WHEREAS Elsevier uses non-disclosure agreements (NDAs) to obscure its contractual terms with universities and hinder free, transparent negotiations; and

WHEREAS Elsevier imposes limitations that hinder authors’ abilities to share their articles openly with other researchers and with the public at large, contrary to our goals as a public institution; and

WHEREAS peer institutions (including UC, UVA, UNC, FSU, and the national university systems of Germany, Norway, and Sweden) have cancelled their “Big Deal” packages with Elsevier in response to Elsevier’s business and negotiating practices; therefore

BE IT RESOLVED that the UW Faculty Senate endorses the Libraries’ negotiation and licensing priorities as follows:

1. Bringing down subscription costs and increases to a sustainable level that will not imperil other collection and service needs;
2. Ending NDAs to allow the Libraries to disclose their contractual terms and permit greater market transparency;
3. Allowing interlibrary loan to facilitate resource sharing;
4. Protecting the rights of users to share articles with students and colleagues;
5. Ensuring the privacy and data security of all users;
6. Protecting the ability of students and researchers to continue to access journals and articles;
7. Supporting the University’s Open Access policies by allowing re-use and embargo-free deposit rights and protecting researchers’ copyright in their own research;
8. Enabling greater market flexibility and responsiveness by negotiating contracts on a 3-year basis;
9. Providing equitable service and access to information for all our library users.

Approved by:
Senate Executive Committee
May 6, 2019
Class C Resolution: Support for the Implementation Proposal for the UW Faculty 2050

WHEREAS twenty-five members of the UW Faculty led the effort to create a vision of UW faculty careers and leadership in 2050; and

WHEREAS we believe in the strength of a shared vision grounded in the values of a public university as a public good, the essential contributions of diversity, equity, and inclusion to our excellence, and the remarkable ways in which our careers are engaging new and alternative forms of scholarship, teaching, and service; and

WHEREAS the vision laid out in the UW Faculty 2050 supports the UW’s pursuit of excellence in research and teaching, our work on the Diversity Blueprint, the Race & Equity Initiative, and the Population Health Initiative; and

WHEREAS President Cauce described her vision of the UW as a public good in her Spring 2018 talk; and

WHEREAS faculty envision a university that stewards such ideals in its cultures, both local and broadly, in its policies and practices, and its leadership and communities; and

WHEREAS faculty can take our public university to the leading edge of institutions of higher education; and

WHEREAS we can build on our strengths to magnify our public good through the best research, teaching, and service across disciplines and by promoting diversity, equity, and inclusion throughout our community; therefore

BE IT RESOLVED that the UW Faculty Senate applauds the successful efforts of the UW Faculty 2050 Leadership Team’s recommendation that faculty partner with the Provost, Board of Deans and Chancellors (BODC), and other university leadership to realize the greater potential of our faculty and community and that we support the following strategies to do so:

- The UW launch a university-wide strategic planning process that builds from the Diversity Blueprint and the 2050 document;

- The Provost ask the BODC to review and report on how they will work with their faculty, in partnership with their Elected Faculty Councils (EFC), to address the 2050 recommendations and aspirations, including but not limited to the following:
  - to develop or refine tenure, promotion, and hiring guidelines to meet the goals of this report to recognize community-engaged, public, and other approaches to research, teaching, and service as appropriate to each unit;
  - to develop strategic plans that strive to realize the goals of the UW’s Diversity Blueprint in hiring, retention, and development of the faculty community; and
  - to increase opportunities for faculty to engage in activities that promote the UW as a public good.

- The Faculty Senate develop a working plan based on the 2050 document and assign appropriate sections to Faculty Senate councils with clear metrics of success established and shared;

- Elected Faculty Councils review the 2050 document and determine how they will work with their respective Deans to engage in realizing the goals and strategies of the 2050 document; and

- To share the 2050 document with all Faculty Senators so that they will consider how best to contribute to the efforts here described and, more importantly, to the broad vision that emerges from this work.
Approved by:
Senate Executive Committee
May 6, 2019
Goals Progressive Discipline

- Retain employee
- Develop/facilitate performance

Purpose of Intervention/Discipline/Sanction

- **Behavior modification/rehabilitation (individual level)**
  - Educate, foster learning, develop/facilitate performance
  - Prevent undesired/violating behaviors (behavior modification)
  - Encourage/elicit desired behaviors
  - **NOTE**: Punishment works to stop undesired behaviors BUT doesn’t elicit desired behaviors.
  - Ensure community well-being and safety
  - Reduce institutional risk (Unstated: protect institution from liability)
  - Overlaps with administrative/institutional efforts to make sure unit operations run as they should

- **Punishment for violation of community and professional standards (e.g., SOM professional standards) or violation of university policy, state law, or federal law (e.g., EO31, research misconduct, audit/finance, etc.)**
  - Ensuring accountability to each other and community as a whole
  - Mitigation of wrong-doing/harm caused

- **Deterrence and reinforcement (collective level)**
  - Preventive focus (cautionary for other members of the community)
  - Communication, affirmation and enforcement of community norms and expectations

Reasons for Intervention

- Performance deficits: Not meeting community or professional conduct expectations
- Violations of university policy, state law, federal law
- Situations in which an underlying mental illness or problem with substance abuse interferes with performance and needs to be consideration of ADA and health issues – limited by those statues in terms of disciplinary options

What constitutes “due process”?

Under the Washington Administrative Procedures Act (WAPA), formal due process is required, and takes a particular form of either a Brief Adjudicated Procedure (BAP) or Full Adjudicative Procedure (FAP, e.g., involves hearing officers) for serious transgressions (i.e., where there is an implicated property right). **The WAPA otherwise leaves room for a variety of processes so long as such processes provide the following:**

- **NOTIFICATION**: Faculty member must be informed of the complaint/charge/concern/issue
- **OPPORTUNITY TO RESPOND**: Faculty member must have an opportunity to respond to the complaint/charge/concern about which they have been notified
- **APPEAL**: Faculty member may have the opportunity to appeal depending on the severity of the disciplinary outcome or sanction within the ladder of discipline.

**BAP or FAP is evoked anytime there is a material alteration or deprivation of title, pay, salary, or status** (e.g., loss of emeritus status), such as:

- Has the disciplinary action caused material harm?
- When there is a material deprivation of property, then the WAPA adjudication provisions and the Arichi decision apply (i.e., BAP or FAP is required, think hearing officers)
- If there is no deprivation of a property right, then there is no requirement to invoke a lot of process such as a BAP (e.g., more formal process, however shorter than FAP, with a hearing officer, etc.) or FAP to address the situation.

**Suspension with reduced or no pay is bright line where a clear violation of property right has occurred that requires some variation of a formal process (i.e., FAP) under the WAPA**

Prior to that bright line (i.e., suspension with reduced or no pay), **we can institutionally make a decision--as a matter of policy --where we want to provide access to BAP or FAP.**
# PROGRESSIVE DISCIPLINE LADDER: Presented in order of severity

<table>
<thead>
<tr>
<th>Discipline</th>
<th>Definition/Purpose</th>
<th>Procedure/Process</th>
<th>Recourse/Appeal</th>
<th>Examples</th>
<th>Peer Comparisons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrective Intervention</td>
<td>Verbal Feedback</td>
<td>Definition: Informal verbal feedback that is not intended or meant to be disciplinary, but is focused on correcting or modifying behavior</td>
<td>Conversation, Inquiry, explanation and provision of feedback</td>
<td>None</td>
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<td></td>
<td>Purpose: Interventions/outcomes are educational and developmental in focus. E.g., they might fall in domain of:</td>
<td>Due Process requirements:</td>
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<td>• Educating/informing faculty member about policies and procedures and standards of conduct that appear to be misunderstood or of which the faculty member is unaware</td>
<td>• Investigatory Conversation or Meeting (or exploratory conversation or exploratory meeting) takes place with Chair/Dean</td>
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<td>• Making suggestions for coaching or for faculty member to seek out additional training or support.</td>
<td>• No formal record of conversation made or retained in the employee file</td>
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<td>• Doesn’t preclude chair/administrator or faculty member from taking their own notes</td>
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<td></td>
<td>Minor Sanctions</td>
<td>Verbal Reprimand</td>
<td>Informational discussion (e.g., educational focus, enhance awareness of community or institutional norms, rules, policies or procedures that may have been infringed or violated)</td>
<td>None</td>
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<td>Definition: Explicit reprimand that is verbally delivered</td>
<td>Written document of the conversation occurs so that a record of problematic behavior is formally established. Record includes:</td>
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<td>Purpose: Formal notice that the behavior is unacceptable and needs to be modified</td>
<td>• Description of the behavior</td>
<td></td>
<td>Unknown; this may simply fall under informal resolution practices/processes and might not be included in sanctions described in official policy</td>
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<td>• May be elicited when individual has not adjusted or modified behavior on the basis of informal verbal feedback,</td>
<td>• Synopsis of the conversation</td>
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<td></td>
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<td>• Steps up level of concern, more attention getting in regard to faculty respondent</td>
<td>• Summary of warning and confirmation of next steps if the behavior is not corrected/changed. (i.e., detail contingencies &quot;If X happens again, then Y will occur.&quot;).</td>
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<td>• May still be considered developmental, not disciplinary, if coaching or training is required</td>
<td>• Description of any differences of opinion between administrator and faculty member.</td>
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<td>Due Process requirements:</td>
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<td>• Written communication to the faculty member, such as email, summarizing the conversation that occurred, any differences of opinion and any agreements that have been made.</td>
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<td>• Request Faculty acknowledge receipt and has opportunity to respond to the communication summarizing conversation should they have any clarifications, additions or revisions.</td>
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<td>Examples</td>
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<td>Minor Sanctions</td>
<td><strong>Written Reprimand</strong>&lt;br&gt;Definition: Formal notice that the behavior is unacceptable and must be modified. Violation of professional, university policy or legal standards of conduct has occurred.&lt;br&gt;Purpose: Formal documentation of the behavior and consequences should the behavior continue are stipulated.&lt;br&gt;• Steps up a level of formality; less person-to-person&lt;br&gt;• Indicates higher level of severity of violation&lt;br&gt;• Written Reprimand is entered into the employee’s employment file</td>
<td><strong>Written Reprimand Document stipulates:</strong>&lt;br&gt;• Description of the behavior&lt;br&gt;• Summary of which policies, standards have been violated&lt;br&gt;• Summary of warning and confirmation of next steps if the behavior is not corrected/changed. (i.e., detail contingencies “if X happens again, then Y will occur.”).&lt;br&gt;&lt;br&gt;<strong>Due process requirements:</strong>&lt;br&gt;• Provide opportunity for faculty to respond to the written reprimand.&lt;br&gt;• Faculty response to be included in the file as part of the permanent record&lt;br&gt;• Written Reprimand may be reviewed and considered for removal from the file at request of faculty member if behavior improves/changes etc.&lt;br&gt;• If matter is determined to be closed, then the written reprimand is removed from the file.&lt;br&gt;• <strong>NOTE:</strong> Does not require BAP as it does not change conditions or terms of employment.</td>
<td><strong>Recourse:</strong> Mediation&lt;br&gt;&lt;br&gt;<strong>Appeal:</strong> Next administrative level&lt;br&gt;• Dean, if Chair is recording the reprimand&lt;br&gt;• EVCAA at UWB/UWT and Provost, if Dean of undepartmentalized unit at UWS is recording the reprimand</td>
<td><strong>Examples</strong>&lt;br&gt;• UC System&lt;br&gt;• Michigan&lt;br&gt;• Minnesota&lt;br&gt;• Ohio State&lt;br&gt;• Wisconsin (&quot;official reprimand,&quot; presumably written)&lt;br&gt;• AAUP</td>
<td><strong>Peer Comparisons</strong>&lt;br&gt;• UC System&lt;br&gt;• Michigan&lt;br&gt;• Minnesota&lt;br&gt;• Ohio State&lt;br&gt;• Wisconsin (&quot;official reprimand,&quot; presumably written)&lt;br&gt;• AAUP</td>
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<td>Minor Measures</td>
<td><strong>Reassignment of Duties or Other Restrictions on Duties or Privileges</strong>&lt;br&gt;Definition: Immediate suspension with pay, pending ultimate determination of matter.&lt;br&gt;Purpose: Compelling circumstances and concerns for community health and well-being present that require community response, yet time is required for situation to be mitigated or addressed (e.g., has been used in EO31 situations for safety reason).&lt;br&gt;• Concerns are of such a magnitude (e.g., “pulled a knife”) that can’t take risk of leaving person in that position even during period of fact finding after complaint has been made</td>
<td><strong>Reassignment/restrictions for duration of evaluation, investigation/fact finding and sanctioning processes</strong></td>
<td><strong>None</strong></td>
<td><strong>Examples</strong>&lt;br&gt;• Removal from the classroom until there can be an intervention to correct behavior/problematic issues that create risk (e.g., has been used in EO31 situations for safety reasons)&lt;br&gt;• Home assignment (e.g., in some clinical settings or arts units there is a lot of one-on-one work such as patient care or music instruction, so removal from these types of patient care/mentoring/teaching situations may be required)</td>
<td><strong>Peer Comparisons</strong>&lt;br&gt;• Ohio State&lt;br&gt;• Texas&lt;br&gt;• Suspension w/Pay&lt;br&gt;• Illinois&lt;br&gt;• Minnesota&lt;br&gt;• Texas (only under limited circumstances)&lt;br&gt;• Utah&lt;br&gt;• WSU (suspension appears to be accompanied by a reduction in pay)&lt;br&gt;• Wisconsin (suspension is “usually” without pay, and occurs where dismissal proceedings are pending, and substantial harm may result without it)</td>
</tr>
<tr>
<td>Discipline</td>
<td>Definition/Purpose</td>
<td>Procedure/Process</td>
<td>Recourse/Appeal</td>
<td>Examples</td>
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<td><strong>Postponement of Merit</strong></td>
<td>Definition: Suspension of merit until investigation and fact finding completed (e.g., by UCIRO, Office of Research Misconduct Proceedings, Audit or Special Investigatory Committee)</td>
<td>Proceed with annual merit evaluation by academic unit colleagues As unable to assemble the record, administrative merit recommendation held in abeyance during period of fact finding and determination.</td>
<td>None</td>
<td></td>
<td>AAUP</td>
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<tr>
<td><strong>Ineligible for Prospective Benefits for a Specified Period</strong></td>
<td>Definition: Loss of eligibility for a specified period of duration for honorific appointments/positions (e.g., chaired professorships, award of emeritus status), professional leave (e.g., sabbatical), approval of outside work, non-mandatory promotion, or to serve in a new administrative capacity or elected faculty governance role or position (e.g., senate or elected faculty council leadership roles, senator, member of university or unit shared governance committees or councils)</td>
<td>Due Process Requirements: BAP Standing university level Faculty committee (subset of FAP) to serve in advisory role and to provide sanctioning recommendation for deans/administrators</td>
<td>Recourse: Mediation or Conciliation Appeal: Administrative/ Paper Review by Faculty Adjudication Panel</td>
<td>• UC system some points of comparison, but focus is on loss of existing status rather than prospective (e.g., loss of emeritus status) • AAUP generally views reductions/demotions in faculty rank (e.g., from associate to assistant professor), as an inappropriate sanction, except in situations where the promotion is obtained by fraud or dishonesty.</td>
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<tr>
<td><strong>Suspension with Reduced or No Pay</strong></td>
<td>Definition: Suspended, removal from duties with reduced pay or no pay</td>
<td>1. Conference with appropriate administrative officer (E.g., chair, Dean) 2. Fact Finding and Evaluation conducted by appropriate bodies (e.g., UCIRO, Special Investigation Committee, Research Misconduct, Audit) 3. Determination and administrative receipt of initial order 4. Dean consults faculty panel for sanctioning advice OR determination of the sanction Due Process Requirements: FAP</td>
<td>Recourse: Mediation or Conciliation Appeal: Administrative/ Paper Review by Faculty Adjudication Panel</td>
<td>• Illinois • Minnesota • Texas (only under limited circumstances) • Utah • UC system (always without pay) • WSU (suspension appears to be accompanied by a reduction in pay) • Wisconsin (suspension is “usually” without pay, and occurs where dismissal proceedings are pending, and substantial harm may result without it)</td>
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</tbody>
</table>
Q: Exclusivity of the progressive discipline/sanction list?

- List to be constrained with defined “off ramp”
- If employing one of the articulated tools/processes in the list, administrator must follow processes and procedures as outlined in the code.
- If seeking to depart from the list of prescribed corrective interventions and disciplinary sanctions, administrator must consult with chair of the faculty senate (or standing subset of faculty adjudication panel) for advice on appropriateness of intervention/sanction envisioned.
- Administrator retains decision rights on sanctioning after consulting with required faculty sanctioning advisory entity.
Motivating Values for Faculty Disciplinary Code and Dispute Resolution Systems

<table>
<thead>
<tr>
<th>COMMUNITY VALUES</th>
<th>DISPUTE RESOLUTION PROCESSES</th>
<th>DISPUTE OUTCOMES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Clear</td>
<td>Efficacy</td>
</tr>
<tr>
<td></td>
<td>People know what to expect</td>
<td>Seek to achieve resolution at the lowest level of dispute intervention possible</td>
</tr>
<tr>
<td></td>
<td>Processes are understandable and navigable</td>
<td>Strive to address all parties’ concerns</td>
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<td></td>
<td>Equitable</td>
<td>Alignment &amp; Consistency</td>
</tr>
<tr>
<td></td>
<td>Equal access to process for everyone</td>
<td>Outcomes are aligned/consistent with community values as well as the values of the appointing academic unit</td>
</tr>
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<td></td>
<td>Processes and procedures are conducted in a consistent and uniform manner across time, disputes and institutional units</td>
<td>Accountability</td>
</tr>
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<td></td>
<td>Processes are neutral/lack bias:</td>
<td>Decision makers are responsible for exercising their roles with integrity, in a manner consistent with the faculty code and our community values and are responsible for the consequences associated with implementing decision outcomes.</td>
</tr>
<tr>
<td></td>
<td>o No person or group is singled out for discrimination or ill-treatment</td>
<td>Community members are held responsible for their behaviors and outcomes.</td>
</tr>
<tr>
<td></td>
<td>o Provide protections for all community members regardless of status or power (e.g. tenure/non-tenure track faculty, faculty of different rank, staff, students, etc.)</td>
<td>Proportionality</td>
</tr>
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<td></td>
<td>Fair</td>
<td>A range of disciplinary actions is available</td>
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<td></td>
<td>Assures appropriate levels of due process</td>
<td>Disciplinary action matches the presenting transgression and considers relevant history</td>
</tr>
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<td></td>
<td>All appropriate parties are included in the process</td>
<td>Appointment, promotion and merit outcomes match responsibilities and performance expectations</td>
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<td></td>
<td>Parties are treated with dignity, courtesy, and respect</td>
<td>Accuracy</td>
</tr>
<tr>
<td></td>
<td>Mechanisms are available for fixing mistakes</td>
<td>Decisions are based on accurate and available information</td>
</tr>
<tr>
<td></td>
<td>Transparent</td>
<td>Educational</td>
</tr>
<tr>
<td></td>
<td>Relevant information is shared with appropriate parties in a timely manner</td>
<td>Decisions are shared to assure broad understanding of community values, expectations and norms</td>
</tr>
<tr>
<td></td>
<td>Decision making process and criteria are communicated; parties know:</td>
<td>Opportunities for learning, reconciliation and grace are provided as appropriate (e.g., decision outcomes promote a culture that creates space for people to make honest mistakes and come back from them)</td>
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<tr>
<td></td>
<td>o What is happening, when;</td>
<td></td>
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<td></td>
<td>o The outcome received;</td>
<td></td>
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<td></td>
<td>o Why decision outcome occurred</td>
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<tr>
<td></td>
<td>Ethical</td>
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<td></td>
<td>Norms of professional conduct are not violated</td>
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<td></td>
<td>Timely</td>
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<td></td>
<td>Seek to address disputes at earliest point of intervention possible</td>
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<td>Disputes are resolved as quickly as practicable given the nature of the dispute and dispute resolution procedure employed</td>
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</tbody>
</table>
## Dispute Types & Current Approaches

<table>
<thead>
<tr>
<th>Areas</th>
<th>Bucket #1</th>
<th>Bucket #2</th>
<th>Bucket #3</th>
<th>Bucket #4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Interpersonal Conflict</td>
<td>The “In-Between:”</td>
<td>Violation of Standards</td>
<td>Work Performance &amp; Professional Advancement</td>
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<tr>
<td></td>
<td>Faculty work relationships with fellow faculty, leadership, staff, students and trainees etc.</td>
<td>Related to Buckets 1 &amp; 3 but details may be nebulous and/or context dependent. Types are too numerous to describe here.</td>
<td>Research Misconduct, Harassment, Sexual Harassment, Retaliation, Discrimination, Financial fraud, other policies and regulatory violations, etc.</td>
<td>Appointment/Reappointment, Mid-Appointment Review, Tenure and Promotion, Annual Review and Merit Evaluation, Teaching Evaluation, Salary etc.</td>
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<td>Specific Example</td>
<td>Faculty publicly berates a professional staff member in a hostile and denigrating manner</td>
<td>Faculty member made sexually charged comments toward and then touched a graduate student who had previously made it clear she wasn’t interested</td>
<td>Faculty member is denied tenure; Faculty argues he/she received biased annual review or evaluation of merit.</td>
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<td>Colleagues haven’t gotten along for years and snipe at each other in faculty meetings, now won’t speak and are spreading malicious rumors</td>
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<td>Principles of Conduct for UW Community</td>
<td>Principles of Conduct for UW Community</td>
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<td></td>
<td>Applicable written policies, standards or code (within UW)</td>
<td>Principles of Conduct for UW Community</td>
<td>EO 31, 45, 51, 54</td>
<td>Faculty Code: Chapter 21, 23, 24, 25, 27, 28</td>
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<td>EO 31, 51, 54, 54, 57, 61</td>
<td>Faculty Code: Chapter 24, 25, 27, 28 [Note: 25-71 = “Standard of Conduct”]</td>
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<td>Workplace Violence Policy, Domestic Violence Policy [APS 11.7]</td>
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<td>Offices/Entities likely to be involved:</td>
<td>Chair, Dean</td>
<td>Provost</td>
<td>Provost</td>
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<td>Ombud/Conciliation</td>
<td>Academic Personnel/HR</td>
<td>Academic Personnel/HR</td>
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<td>Chair, Dean</td>
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<td>Ombud/Conciliation</td>
<td>Ombud/Conciliation</td>
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<td>Add’l Offices/Entities that may be involved</td>
<td>UCIRO, Title IX, Safe Campus, Colleagues, Sec Fac, Provost, Office of Research Misconduct Proceedings, Graduate School, Student Life</td>
<td>Secretary of Faculty</td>
<td>Secretary of Faculty</td>
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<td>UCIRO, Title IX, Safe Campus, Colleagues, Sec Fac, Provost,</td>
<td>Secretary of Faculty</td>
<td>Adjudication Panel</td>
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<td>Office of Research Misconduct Proceedings, Graduate School, Student Life</td>
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<td>Ombud/Conciliation, Safe Campus, Office of Research, Graduate School, AG’s Office</td>
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<td>Goals/Interests</td>
<td>Education and reconciliation; reduction of disruption; promotion of community health and well-being; early intervention; mitigates/reduces fear of retaliation; training for faculty, chairs and deans</td>
<td>Education and reconciliation; ensuring health and safety; reduction of disruption; promotion of community health and well-being; upholding university policies and standards; commitment to exhaust interest-based approaches before recourse to formal grievance/discipline procedures; early intervention</td>
<td>Education and mentoring; upholding university policies and standards, safeguarding academic freedom and integrity; ensuring health and safety; assuring timely, clear, equitable, fair and transparent and ethical procedures; imposition of proportional discipline; mitigating/reducing institutional risk; taking appropriate corrective action</td>
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<td>Educational and mentoring; upholding university policies and standards, safeguarding academic freedom and integrity; ensuring health and safety; assuring timely, clear, equitable, fair and transparent and ethical procedures; imposing proportional discipline; mitigating/reducing institutional risk; taking appropriate corrective action</td>
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<tr>
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<td>Approaches Used</td>
<td>Facilitation</td>
<td>Uplifting university policies and standards, safeguarding academic freedom and integrity; ensuring health and safety; assuring timely, clear, equitable, fair and transparent and ethical procedures; imposing proportional discipline; mitigating/reducing institutional risk; taking appropriate corrective action</td>
<td>Interest-Based Rights-Based procedures</td>
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<td>Rights-Based procedures</td>
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<td>Educational mentoring; upholding university policies and standards, safeguarding academic freedom and integrity; ensuring health and safety; assuring timely, clear, equitable, fair and transparent and ethical procedures; imposing proportional discipline; mitigating/reducing institutional risk; taking appropriate corrective action</td>
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