



April 8, 2021

Ana Mari Cauce, President
Office of the President
301 Gerberding Hall
Box 351230

Dear President Cauce:

In accordance with the rules, the faculty has approved the *Faculty Code* amendment in Class A Bulletin No. 152: Clinical Appointment Lengths.

The results of the election submitted to the faculty for vote on February 5, 2021 are:

| | |
|---|--------|
| Total ballots distributed electronically: | 4,919 |
| Total ballots returned: | 1,189 |
| Percent of faculty who voted: | 24% |
| Percentage of "yes" votes: | 84.19% |
| Percentage of "no" votes: | 4.63% |
| Percentage of "abstentions:" | 11.19% |

(The above percentage figures are based on ballots recorded electronically by the Catalyst Group.)

Attached is Chair Robin Angotti's certification that the faculty has voted to approve the changes as proposed in Class A Bulletin No. 152. Before the *Faculty Code and Governance* can be revised, we need your approval. According to the *Faculty Code*, you have fourteen days to respond.

Sincerely,

Mike Townsend
Secretary of the Faculty

/jmb

Cc: Robin Angotti, Faculty Senate Chair
Margaret Shepherd, Chief Strategy Officer, Office of the President
Barbara Lechtanski, Director, University Policy and Rules Office
Maegan Reilly, Assistant to Chief Strategy Officer

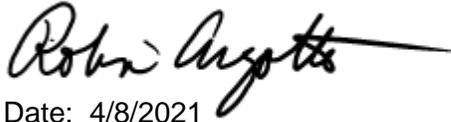
Class A Legislation #152

Proposed amendments to the Faculty Code.

Chapter 24
(Related to: Clinical Appointment Lengths)

CERTIFIED AS APPROVED:

Robin Angotti, Chair
Faculty Senate


Date: 4/8/2021

APPROVED:

Ana Mari Cauce
President


Date: 4/22/2021

GENERAL LEGISLATIVE ACTION

At its meeting on January 21, 2021, the Faculty Senate approved legislation that would amend the Faculty Code related to clinical appointment lengths. These changes have been approved at every step of the legislative process. The Faculty Council on Faculty Affairs has developed and approved this legislation.

Background and Rationale

The current faculty code limits faculty members with Clinical titles to annual appointments only. This limitation seems to have originally been established when the Clinical title was used only as a courtesy title for clinicians who received their salaries from other sources. But now there are other types of clinical faculty, and the one-year limitation applies to all of them, whether in unpaid courtesy positions or full-time or part-time salaried positions. Many physicians are hired by the School of Medicine as full-time salaried faculty members with the titles of Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor, and the faculty code limits them all to one year appointments at a time. These faculty members are playing an essential role in the COVID-19 pandemic response, and School of Medicine has observed that these limited contract terms cause severe difficulties in recruitment and retention. A joint SOM task force including representatives of the Dean's office and the elected faculty councils has requested that we modify the code to create a pathway for multi-year appointments for salaried clinical faculty.

What We Propose to Do

There are many clinical faculty members in many units throughout the university, and there are many complicated issues that need to be addressed regarding them. In the coming year, FCFA expects to consult with all the units that hire clinical faculty and explore what comprehensive changes might need to be made to the sections of code governing their appointments. But the issue of contract lengths is an immediate problem, especially during a pandemic, so we are proposing a stopgap measure to allow multi-year appointments for clinical faculty under limited circumstances with approval of the Provost. The new language in Section 24-34 B.11 below ("with exceptions to be reviewed by the Provost") is copied from the section on part-time lecturer appointments ([24-41 B.1](#)). It retains the default appointment length of one year, but allows the Provost to approve exceptions. Our discussions with Academic Human Resources have led to a tentative agreement on the following conditions for approval of multi-year appointments:

- Salaried Clinical Assistant, Associate, or Full Professor at 50% FTE or more
- Hired after a competitive search
- Departmental commitment to a contract of 2 to 5 years

In addition to providing the possibility for longer contracts, this amendment stipulates that appointments and reappointments of clinical faculty on multi-year contracts must be voted on by all eligible faculty, not just a subcommittee (see the changes to Sections 24-52 and 24-53 below).

These changes will affect clinical faculty in all units of the university, not only in the School of Medicine.

Counter Arguments to Proposal

The legislation does not address possible negative incentives for faculty who have non-compete clauses by virtue of being employees of UW Medicine.

The legislation does not address the fairness of requiring competitive searches for long-time serving clinical faculty.

The Proposed Class A Legislation

Be it resolved by the Faculty Senate to submit to the faculty for approval or rejection that Chapter 24 of the Faculty Code be amended to read as shown below.

Proposed Amendment to the Faculty Code:
(Additions are underlined; deletions are struck through)

University of Washington
Faculty Code and Governance
Faculty Code Chapter 24

Section 24-34 Qualifications for Appointment at Specific Ranks and Titles

B. Qualifications for Appointments with Specific Titles

11. A *clinical* appointment in the appropriate rank or title is usually made to a person who holds a primary appointment with an outside agency or non-academic unit of the University, or who is in private practice. Clinical faculty make substantial contributions to University programs through their expertise, interest, and motivation to work with the faculty in preparing and assisting with the instruction of students in practicum settings. **Clinical appointments are annual. The normal appointment period of a clinical faculty member shall be one year with exceptions to be reviewed by the Provost;** the question of their renewal shall be considered **each year** by the faculty of the department (or undepartmentalized college or school) in which they are held.

Section 13-31, April 16, 1956; S-A 23, February 22, 1959; S-A 32, May 8, 1967; S-A 33, June 13, 1967; S-A 37, February 8, 1971; S-A 64, May 29, 1981; S-A 78, December 14, 1988; S-A 81, January 30, 1990; S-A 94, October 24, 1995; S-A 97, January 10, 1997; S-A 103, March 6, 2001; S-A 108, June 21, 2002; S-A 109, June 5, 2003: all with Presidential approval; RC, April 18, 2006; S-A 124, July 5, 2011; S-A 133, June 11, 2014; S-A 140, June 26, 2017; S-A 142, June 22, 2018; S-A 147, September 16, 2020: all with Presidential approval.

Section 24-52 Procedure for New Appointments

- C. In making new appointments administrative officers shall act in the manner prescribed below.
 1. If the appointment is to be a departmental one other than that of chair, the chair shall submit all available information concerning candidates suggested by the department, the chair, or the dean to the voting members of the department faculty. The voting faculty of an academic unit may, by majority vote, delegate authority to recommend the appointment of affiliate **or clinical** faculty, **annual clinical faculty**, or annual or quarterly part-time lecturers to an elected committee of its voting faculty. In an undepartmentalized college or school, this delegation may be made to an elected committee of its voting faculty. The delegation shall expire one calendar year after it is made.

Section 13-31, April 16, 1956; S-A 24, June 23, 1959; S-A 126, June 11, 2012: all with Presidential approval.

Section 24-53 Procedure for Renewal of Appointments

When it is time to decide upon renewal of a nontenure appointment to the faculty ([Section 24-41](#)), the procedure described below shall be followed.

- A. The voting members of the appropriate department (or undepartmentalized college or school) who are superior in academic rank or title to the person under consideration shall decide whether to recommend renewal or termination of the appointment. Research faculty and teaching faculty shall be considered by voting faculty who are superior in rank to the person under consideration, except that the voting faculty at rank of professor shall consider whether to recommend renewal or non-renewal of the appointment of a research professor or teaching professor. Faculty with instructional titles outlined in Section 24-34, Subsections [B.1](#) and [B.2](#) shall be considered by voting faculty who hold a professorial rank or instructional title superior to the person under consideration. The voting faculty of an academic unit may, by majority vote, delegate authority to recommend the renewal of affiliate **or clinical** faculty, **annual clinical faculty**, or annual or quarterly part-time lecturer appointments to an elected committee of its voting faculty. In an undepartmentalized college or school, this delegation may be made to an elected committee of its voting faculty. The delegation:
 1. Does not alter faculty rank requirements for considering appointment renewals, and
 2. Shall expire one calendar year after it is made.

Section 13-31, April 16, 1956; S-A 41, April 3, 1972; S-A 60, June 25, 1979; S-A 81, January 30, 1990; S-A 94, October 24, 1995; S-A 124, July 5, 2011; S-A 126, June 11, 2012; S-A 147, September 16, 2020: all with Presidential approval.

Approved by:
Senate Executive Committee
November 16, 2020

Approved by:
Faculty Senate
December 3, 2020

Approved by:
Senate Executive Committee
January 4, 2021

Approved by:
Faculty Senate
January 21, 2021