



UNIVERSITY *of* WASHINGTON

SECRETARY OF THE FACULTY

Adjudication Filing Procedures

Faculty Code Chapter 28

Secretary of the Faculty
10/1/2014



| Adjudication Overview |

[Chapter 28](#) of the *Faculty Code* sets forth adjudicative procedures to be used in resolving disputes involving faculty members that cannot be resolved by informal means. Informal dispute resolution procedures are available at any time during the adjudication process. Such informal procedures include Conciliation, administered through the Office of the University Ombud. Parties are strongly encouraged to use informal mediation procedures whenever possible.

The adjudicative procedures in this chapter comply with the requirements of the Washington Administrative Procedure Act ([Chapter 34.05 RCW](#)). There are two types of adjudication: the brief adjudication, which is held before a hearing officer and used in cases that do not warrant an extended fact-finding hearing, and the comprehensive adjudication, which uses a hearing officer as well as a faculty panel, or in some cases, a faculty and student or staff panel. Results of brief adjudications are appealable only if a Brief Adjudication Review Panel reverses or amends the decision of the hearing officer. Results of brief or comprehensive adjudications in which the President is a party are appealable to the Board of Regents. Results of adjudications in which the President is not a party are appealable to the President. Subject to the provisions of [Chapter 34.05 RCW](#) relating to exhaustion of administrative remedies, parties shall avail themselves of these proceedings prior to seeking judicial review beyond the University.

| Filing an Adjudication |

First Steps |

If you are considering filing an adjudication you must first consult with the Secretary of the Faculty. The Secretary will walk you through the adjudication process and offer tips as to how an adjudication could help you achieve your goals. Realize that adjudications are time consuming and can damage professional relationships. These proceedings go on for months, sometimes years, and may be appealed in court following a decision within the university.

If you ultimately decide to file an adjudication, please read carefully all instructions herein and review the rest of the [dispute resolution page](#) on our website.

Filing Procedure |

Adjudications must be filed with the Secretary of the Faculty. A petition for adjudication has three components:

- [A Notice of Request for Adjudication](#)
- A petition document as outlined in [Section 28-36](#) of the *Faculty Code*



- Attachments (any supporting documentation specifically referenced in or supplementary to the petition)

The Notice of Request for Adjudication is submitted as a cover page to a petition document.

A petition requesting a brief or comprehensive adjudication follows the Notice. According to the *Faculty Code*, the petition “shall set forth with reasonable particularity the reason for the request for adjudication, the relief sought, and the facts relied upon as the grounds for the petition and the relief sought.” The petition must also follow the time limitations set forth in *Faculty Code Section 28-35*. If time limitations are not met, the petition must allege that circumstances exist which would make it grossly unjust for the Adjudication Panel Chair to refuse to grant the petition on the basis of untimeliness.

Any documents (emails, meeting notes, letters, etc.) referenced in the petition must be included as attachments to the petition. Attachments must be clearly referenced in the petition and numbered in sequential order like this: **[Attachment 4]**. Attachment lists can be helpful for complicated petitions.

Petitions must be submitted electronically to the Secretary of the Faculty. The Secretary will work with a petitioner to accommodate disability or other complications in filing a petition. A complete petition includes the Notice of Request for Adjudication, the Petition, and all attachments.

A final petition should look like this:

Name	Date modified	Type
1- Notice of Request for Adjudication Against Gerberding	3/7/2014 2:31 PM	Adobe Acrobat D...
2- Petition for Adjudication Against Gerberding	3/7/2014 2:31 PM	Adobe Acrobat D...
3- Attachment List	3/7/2014 2:31 PM	Adobe Acrobat D...
Attachment 1 - Letter from Faculty Council	3/7/2014 2:31 PM	Adobe Acrobat D...
Attachment 2 - Letter from President Gerberding	3/7/2014 2:31 PM	Adobe Acrobat D...
Attachment 3 - Harry the Husky's CV	3/7/2014 2:31 PM	Adobe Acrobat D...
Attachment 4 - Email from Chair	3/7/2014 2:34 PM	Outlook Item
Attachment 5 - Outside Employment Offer	2/3/2014 12:06 PM	Microsoft Word D...
Attachment 6 - Annual Review Letter	2/3/2014 12:06 PM	Microsoft Word D...
Attachment 7 - List of Voting Faculty	3/7/2014 9:02 AM	Microsoft Excel W...

OR

Name	Date modified	Type
1- Notice of Request for Adjudication Against Gerberding	3/7/2014 2:31 PM	Adobe Acrobat D...
2- Petition for Adjudication Against Gerberding <u>and Attachments 1-27</u>	3/7/2014 2:31 PM	Adobe Acrobat D...

The Secretary reserves the right to deny forwarding any petition that is not properly submitted, but staff will work with the petitioner to complete the submission in a timely manner.



A completed petition for adjudication will be accepted by the Secretary, date stamped, and forwarded to the petition respondents for their action according to the timelines in the *Faculty Code*. Once a petition is accepted by the Secretary, additional documentation or changes to the petition will not be accepted unless specifically requested by the Adjudication Panel Chair.

| **Process** |

The entire adjudication process is outlined in [this timeline](#). Highlights from the beginning of the process are as follows:

- A complete petition is filed with the Secretary of the Faculty
- Petition is sent to respondents for response (within 7 days of receipt of completed petition)
- Response is received by the Secretary within 30 days and forwarded to all parties
- Adjudication Panel Chair determines whether or not the adjudication is timely and proper. If yes, Chair determines if the adjudication should be comprehensive or brief (within 14 days of response sent out to all parties)
- Adjudication Panel Chair appoints hearing officer and panel (subject to objection, within 14 days of response sent out to all parties)
- Following the initial steps, a pre-hearing conference, discovery of evidence, summoning of witnesses, and formal hearings take place until the hearing panel makes a final decision.

Important Contacts |

Secretary of the Faculty (for adjudication inquiries and filing, faculty rights, and other consultation)
secfac@uw.edu or 206.543.2637
[Website](#)

University Ombud (for informal dispute resolution and [Conciliatory Proceedings](#))
ombud@uw.edu
[Website](#)