



UNIVERSITY *of* WASHINGTON

Michael K. Young
President

April 16, 2013

Professor Marcia G. Killien
Secretary of the Faculty
Box 351271

Dear Professor Killien:

Thank you for allowing me an extension of time to review the legislation passed by the Faculty Senate in Class A Bulletin No. 129: Volume Two, Chapters 24 and 25, as reported in your letter of March 25, 2013. It was very helpful to have the additional days to consider this.

I am now comfortable approving this legislation, following the discussions we have had about the intended effect of the word "consecutive" in the second line of Section 25-32.D. The Senate has explained that the section in question means that an individual may be appointed to the rank of associate professor or full professor "without tenure" for *one* three-year term and – *provided it follows consecutively* – that individual may have one *additional* three-year term, *but no more than that*. In other words, the total number of years for such an appointment is *six*, and that is permitted only where the second appointment is *consecutive* with the first.

This interpretation addresses the concern raised by my office. However, because this section remains a bit ambiguous, I would encourage the Senate to clarify it at its earliest opportunity.

Sincerely,


Michael K. Young

cc: James Gregory, Chair, Faculty Senate
Ana Mari Cauce, Provost
Cheryl Cameron, Vice Provost for Academic Personnel
Jack Johnson, Chief of Staff
Rebecca Deardorff, Director of Rules Coordination



March 25, 2013

Michael K. Young, President
Office of the President
301 Gerberding Hall
Box 351230

Dear President Young:

In accordance with the rules, the faculty has approved the Faculty Code amendment in Class A Bulletin No. 129: Volume Two, Chapters 24 and 25.

The results of the election submitted to the faculty for vote on March 1, 2011, are:

Total ballots distributed electronically:	4,359
Total ballots returned:	1,212
Percent of faculty who voted:	28%
Percentage of "yes" votes:	85.48%
Percentage of "no" votes:	5.53%
Percentage of abstentions:	8.99%

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

Attached is Professor James Gregory certification that the faculty has voted to approve the changes as proposed in Class "A" Bulletin No. 129. 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,

Marcia Killien
Secretary of the Faculty

/ab

Cc: James N. Gregory, Faculty Senate Chair
Jack Johnson, Chief of Staff, Office of the President
Rebecca Deardorff, Director of Rules Coordination

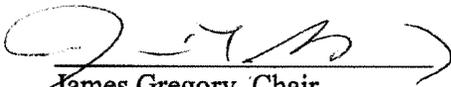
Class A Legislation #129

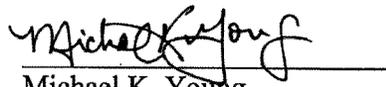
Proposed amendments to the Faculty Code.

Volume Two,
Chapter 24, Section 57
Chapter 25, Sections 32 and 41
(Related to Appointment Term Length)

CERTIFIED AS APPROVED:

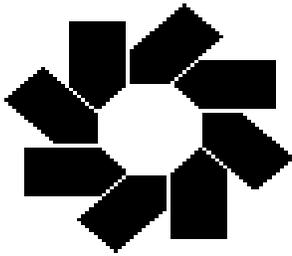
APPROVED:


James Gregory, Chair
Faculty Senate


Michael K. Young
President

Date: 3/25/2013

Date: 4/16/13
(See accompanying letter)



University of Washington
FACULTY SENATE
Box 351271

Class A Bulletin No. 129

March 1, 2013

GENERAL LEGISLATIVE ACTION

At its meeting on February 28, 2013, the Faculty Senate approved legislation that would make changes to the length of the "Without Tenure" appointment term. These changes, which would amend the Faculty Code, have been approved twice by a majority at both the Faculty Senate Executive Committee and the Faculty Senate. The Faculty Council on Faculty Affairs (FCFA) developed and approved this legislation.

PLEASE VOTE BY March 22, 2013, 5 p.m.

Rationale: A small number of faculty are appointed to the tenure-track at the rank of associate or full professor, but without awarding tenure at the time of appointment, as provided for in the Faculty Code §25-32. This type of appointment is used, for example, to hire faculty from other universities who are near a tenure decision, and also to hire persons from industry or other non-academic settings who are at a mature stage in their careers, but may not have a demonstrated record of academic teaching or research funding similar to that of the typical tenured associate or full professor. The number of these "without tenure" appointments has been small, no more than five at any time out of the two thousand tenure track/tenure faculty on campus. This number is unlikely to grow, as faculty and industry people who are at a more junior stage of their careers receive tenure-track assistant professor offers, and senior faculty who are tenured and more senior industry or non-academic people will in general not accept an offer that is "without tenure". This type of "without tenure" appointment differs from the appointment that is without tenure due to reason of funding (WOT) in which the person is not eligible for tenure.

The Faculty Code §25-32 presently provides that appointment as associate or full professor "without tenure" is for a term of not more than three years. While this term has proven sufficient for faculty hired from other institutions who have existing academic research programs and teaching experience, some units (particularly Engineering) find that "without tenure" hires from industry need more time to transition to academic research and properly establish their research and teaching program before being considered for tenure.

"Recognizing the value to the University of faculty with significant industrial experience, the proposed change to the Faculty Code will allow "without tenure" senior faculty appointments to be made for a term of three years with a possibility of renewal for another three years. The expectation is that "without tenure" hires from academia will continue to be expected to achieve tenure promptly, and will not be renewed for the second three year term unless there are exceptional circumstances. The first three year term protects the university from hires who prove ill-suited to teaching or university research. The second three year term protects the faculty member by ensuring sufficient time to achieve tenure.

The proposed legislation provides for a mandatory tenure decision in the sixth year of the appointment. This is consistent with the timing for assistant professor tenure decisions.

The legislation also ensures that faculty appointed "without tenure" receive an annual progress review, similar to assistant professors. This legislation was unanimously approved by the Faculty Senate on 2/28/13.

Proposed Amendments to the Faculty Code:

Section 25-32 Criteria for Tenure

- A. Unless he or she is disqualified under any other provision of this section, a full-time member of the faculty has tenure if:
1. He or she is a professor or associate professor; or

2. He or she has held full-time rank as assistant professor in the University for seven or more years and has not had his or her term of appointment extended by the Provost or received the prescribed-notice terminating his or her appointment.
- B. Generally, recommendation for tenure (Section 25-41) is made concurrently with recommendation for promotion to the rank of associate professor (except in the circumstances listed in the subsequent paragraphs of this section.) ~~Only under exceptional circumstances may a faculty member with the rank of assistant professor be recommended for tenure without promotion.~~
- C. A faculty member does not acquire tenure under:
1. An acting appointment, or
 2. A visiting appointment, or
 3. Any appointment as lecturer, artist in residence, senior lecturer, senior artist in residence, principal lecturer, or
 4. An appointment as teaching associate, or
 45. Any ~~initial~~ appointment specified to be without tenure, or
 56. An adjunct appointment, or
 67. A research appointment, or
 78. A clinical appointment, or
 89. An affiliate appointment, or
 910. Any other appointment for which the University does not provide the salary from its regularly appropriated funds, unless the President notifies the appointee in writing that tenure may be acquired under such appointment. ~~Each appointment governed by this provision shall contain notice whether tenure may or may not be acquired.~~
- D. Appointments to the rank of associate professor or ~~full~~ professor "without tenure," as specified in Subsection ~~C.4 C.5~~ above, are limited to not more than two consecutive appointments, each of three years' durations-appointments. The first appointment is for a basic period of three years, subject to earlier dismissal for cause. During the second year of the initial appointment, the appointment will be considered for renewal consistent with the provisions of Chapter 24, Section 24-41, Subsection- A for assistant professors. If the associate professor or professor is reappointed, the three-year period of reappointment must include a tenure decision and terminal year in the event that tenure is not granted. To meet this expectation, the tenure review must be conducted no later than the second year of the second three-year appointment; during this second term of appointment, postponement of the tenure decision is not an option. In the case where tenure is not granted in the mandatory fifth year, the sixth year will be the terminal year of appointment. The part-time renewal periods provided for assistant professors in Chapter 24, Section 24-45, -Subsection D do not apply to associate professors and professors without tenure.
- Appointments to the rank of associate professor or ~~full~~-professor "without tenure by reason of funding," as specified in Subsection ~~C.9 C.10~~ above, are continuing appointments governed by Chapter 24, Section 24-4440.
- E. A faculty member with tenure may resign a portion of his or her appointment with the agreement of his or her department chair, dean, and the President, while retaining tenure in his or her part-time appointment.
- F. A part-time assistant professor appointed pursuant to Chapter 24, Section 24-45 accumulates eligibility for tenure under Subsection A of this section.
- G. Time spent on leaves of absence from the University does not count in the accumulation of time toward tenure.

Section 13-31, April 16, 1956; S-A 22, April 18, 1958; S-A 25, October 29, 1959; S-A 26, December 19, 1960; S-A 32, May 8, 1967; S-A 37, February 8, 1971; S-A 41, April 3, 1972; S-A 61, February 22, 1980; S-A 67,

December 5, 1983; S–A 78, December 14, 1988; S–A 81, January 30, 1990; S–A 98, June 2, 1998; S–A 124, July 5, 2011: all with Presidential approval.

Section 25-41 Granting of Tenure: Policy and Procedure

[For "Documentation for Recommendations for Promotions, Tenure, or Merit Increases," see Executive Order No. 45]

- A. Tenure should be granted to faculty members of such scholarly and professional character and qualifications that the University, so far as its resources permit, can justifiably undertake to employ them for the rest of their academic careers. Such a policy requires that the granting of tenure be considered carefully. It should be a specific act, even more significant than promotion in academic rank, which is exercised only after careful consideration of the candidate's scholarly and professional character and qualifications.
- B. ~~Not later than the end of the academic year prior to that in which an assistant professor would acquire tenure under the provisions of Section 25-32, Subsection A.2, or in which the appointment of an associate professor or a full professor without tenure would end under Section 25-32, Subsection D, or in which a review for tenure is required pursuant to Section 25-45, Subsection D, a decision shall be made in the following manner. Consistent with the timelines set in Section 25-32, Subsection A.2 for full-time assistant professors and Chapter 24, Section 24-45 for part-time assistant professors, and Section 25-32, Subsection D for associate professors or professors "without tenure," a decision shall be made in the following manner:~~

A recommendation that the ~~assistant professor~~ faculty member be granted or denied tenure shall be sent to the dean of the school or college. This recommendation shall be based upon a majority vote of the eligible professors and associate professors of the department, or of the school or college if it is not departmentalized. If the chair does not concur in the recommendation she or he may also submit his or her own recommendation.

The dean, advised as prescribed in Chapter 24, Section 24-54, Subsection C shall then make his or her recommendation to the President, and if tenure is to be granted it shall be conferred by the President acting for the Board of Regents.

If the ~~assistant professor's~~ faculty member's tenure is granted, the President shall so notify him or her in writing. If tenure is denied, the dean shall notify the individual in writing that the appointment will terminate at the end of the succeeding academic year.

A faculty member whose tenure is denied may engage in the administrative and conciliatory proceedings described in Chapter 27, and may file a petition for review as provided in Section 25-64.

If a tenure decision is postponed for reconsideration, the assistant professor's dean shall cause him or her to be notified in writing that the appointment will terminate at the end of the second succeeding academic year unless reconsideration in the meantime shall have resulted in the granting of tenure.

- C. If it is desired to appoint to a position with tenure other faculty members referred to in Section 25-32, the procedures for recommendation and granting described in Subsection B above shall be followed, except that a denial of tenure shall not of itself lead to termination of appointment.

Section 24–57 Procedural Safeguards for Promotion, Merit–Based Salary, and Tenure Considerations

All procedures regarding promotion, merit–based salary, and tenure considerations outlined in the relevant sections of the *Faculty Code* must be followed. Open communication among faculty, and between faculty and administration, must be maintained in order to insure informed decision making, to protect the rights of the individual and to aid the faculty in the development of their professional and scholarly careers.

Each faculty member must be allowed to pursue those areas of inquiry which are of personal scholarly interest; at the same time, however, each faculty member must be informed of the expectations a department holds for him or her and of the manner in which his or her activities contribute to the current and future goals of the department, school, college, and University. In order to enable the faculty member to establish priorities in the overall effort of professional career development and to fulfill the University's obligations of fair appraisal and continual monitoring of faculty development, the following procedural safeguards shall be adopted in each department, school, or college.

A. Assessment of Teaching Effectiveness

To implement the provision stipulated in Section 24–32, Subsection C, the standardized student assessment of teaching procedure which the University makes available may be used for obtaining student evaluation of teaching effectiveness, unless the college, school, or department has adopted an alternate procedure for student evaluation, in which case the latter may be used. Each faculty member shall have at least one course evaluated by students in any academic year during which that member teaches one or more courses. The teaching effectiveness of each faculty member also shall be evaluated by colleagues using procedures adopted within the appropriate department, school, or college.

The collegial evaluation of teaching effectiveness shall be conducted prior to recommending any renewal of appointment or promotion of a faculty member. In addition, for faculty at the rank of assistant professor, or associate professor or professor “without tenure” under Chapter 25, Section 25-32, Subsection D, or with the instructional title of lecturer the collegial evaluation shall be conducted every year. For other faculty at the rank of associate professor or professor or with the instructional title of senior lecturer or principal lecturer the collegial evaluation shall be conducted at least every three years. A written report of this evaluation shall be maintained and shared with the faculty member.

B. Yearly Activity Report

Each department (or undepartmentalized college) shall adopt a suggested format by which each faculty member will have the opportunity to provide information on professional activities carried out during the prior year. These reports shall be prepared in writing by each faculty member and submitted to the chair (or dean) in a timely fashion each year, and shall be used as reference and as a source of information for consideration of promotion, merit salary, or tenure. These forms shall be used as evidence for recommendations of promotion, merit salary, or tenure. Such information may be updated by a faculty member at any time during the academic year.

C. Regular Conference with Faculty

Each year the chair, or where appropriate the dean, or his or her designee, shall confer individually with all full-time lecturers, and assistant professors, and associate professors and professors “without tenure” appointed under Chapter 25, Section 25-32, Subsection D. The chair (or dean or his or her designee) shall confer individually with the other associate professors and senior lecturers at least every two years, and with the other professors and principal lecturers at least every three years. The purpose of the regular conference is to help individual faculty members plan and document their career goals. While the documentation of those goals will be part of the faculty member's record for subsequent determinations of merit, the regular conference should be distinct from the merit review pursuant to Section 24–55.

Approved by:
Senate Executive Committee
April 2, 2012

Sent back for further consideration by:
Faculty Senate
April 18, 2012

Approved by:
Faculty Senate
January 31, 2013

Approved by
Senate Executive Committee
February 11, 2013

Approved by:
Faculty Senate
February 28, 2013