

Minutes
Faculty Senate Meeting
Thursday, January 27, 2011, 2:30 p.m.
Savery Hall, Room 260

1. Call to Order and Approval of Agenda.

The meeting was called to order at 2:34 by Chair JW Harrington.
The Agenda was approved.

2. Report of the Chair – Professor James “JW” Harrington. [Exhibit A]

Harrington referred the Senators to his written report and blog entries. In additional remarks he emphasized the importance of good communication among members of SEC, the Senate, and the faculty in academic units. Some Faculty Council chairs have expressed concern that they have less opportunity under the new SEC structure to learn about the items under consideration by other councils. Harrington noted that each Faculty Council chair receives a summary of Faculty Council issues that is circulated quarterly in advance of an SEC meeting and is included in the next Senate agenda. Also, any Faculty Council chair present at an SEC meeting can raise any matter he or she wishes. A “mailman” list of all Senators is available for use by members of SEC or the Senate. Harrington also encouraged Senators to communicate with their constituents in their respective schools/colleges/campuses. “Mailman” lists are available for use by Senators for each school/college/campus that Senators can use to send emails to all voting faculty in these units. Informal summaries of SEC and Senate meetings are posted on the Senate online blog so Senators can read and comment on posts, and also copy and paste these summaries in emails or refer faculty to those posts.

Harrington was asked when the mailman lists were last updated; the Secretary of the Faculty responded that the lists are based on faculty information available on October 31, 2010. He also pointed out that all SEC and Senate rosters can be found on the Senate website.

3. Report of the President – Interim President Phyllis Wise.

The Washington State legislature is in session from January 10-April 24, unless extended. Many University officials have been in Olympia to speak, testify, and provide information. She believes more citizens are aware of higher education issues than ever before. The University has not asked for new money this year, but asked for more flexibility to increase efficiency and to meet goals. President Wise discussed the Governor’s budget proposal and clarified how the presentation of the proposal may under-estimate the actual cuts to the University that also include a proposed 3% salary cut to all state employees and a cap on contributions toward retirement of 6%. These proposals are currently being studied by the University’s Attorney General to see if they violate contractual agreements. State support of higher education appears to be eroding more rapidly than expected. President Wise emphasized that it is critically important to consider alternative funding models to sustain the university and commitments to students. She voiced confidence that over the next many years UW will come out of this financial circumstance perhaps even stronger than if cuts hadn’t been made. However, the coming process will be painful and difficult.

In response to questions from Senators, President Wise confirmed that there has been a slight cut in the UW’s indirect cost recovery rate; this rate is renegotiated every five years. The cut was less than expected and will show a stepwise increase over the next several years. This cut will not, at present, affect Activity Based Budgeting (ABB) allocations because ABB is not yet fully implemented.

In response to a question about the current focus of fundraising at the University, President Wise stated that donors contribute to what they are passionate about; the UW provides them with information about options, but never tries to dissuade donors from their own passions. In the future there will be a need to educate donors to understand changes in the ‘ecosystem’ of funding by the

state and urge them to donate to the central ecosystem/core of the university. Of five revenue streams, only two are fungible (tuition, state allocation).

President Wise was asked about the proposal to eliminate the supplemental retirement benefit and responded that she believed the current policy was not sustainable. The proposal is currently being discussed in the Faculty Council on Benefits and Retirement.

4. Opportunities for Questions and Requests for Information.

- a. Summary of Executive Committee Actions and Upcoming Issues of January 10, 2011. [Exhibit B]
- b. Report of the Secretary of the Faculty. [Exhibit C]
- c. Report of the Chair of the Senate Committee on Planning and Budgeting. [Exhibit D]
- d. Report of the Faculty Legislative Representative. [Exhibit E]

Report of the Advisory Committee on *Faculty Code* and Regulations to the Senate Executive Committee. [Exhibit F]

Harrington summarized in a PowerPoint presentation to the Senate the report that was accepted by the SEC [Exhibit G]. The SEC formally requested the Faculty Council on Faculty Affairs (FCFA) to conduct a review of the relevant portions of the Faculty Code and propose revisions based on that review, and directed the Senate Chair to invite the President (through her designee(s) on FCFA) to participate in this review and make any amendments to EO 61 that might be needed to align these two parts of our guidelines. Harrington suggested that the Senate should expect the possibility of recommendations for *Faculty Code* changes or clarifications later this year or next academic year. He thanked the Advisory Committee for their hard work.

Senator Janelle Taylor presented a letter she received in response to her request of the National AAUP office [Exhibit H]. Taylor summarized the letter, emphasizing the discussion of the role of the dean as final decision-maker and the role of faculty hearing committees/adjudication panels. The letter indicated that the UW *Faculty Code* meets the AAUP principles and that AAUP agrees with the statements in the Report of the Advisory committee on *Faculty Code* and Regulations, and upholds the view that adjudication panel members need not be experts in the specific field of the faculty member being disciplined. The letter was offered by Taylor to the Senate as it may be useful in future deliberations.

In the discussion that followed, several Senators recommended that SEC adopt a more succinct summary of the Advisory Committee's report, perhaps using the points in Harrington's PowerPoint presentation as a draft. Harrington indicated he would ask SEC to do so.

There were no questions about other reports provided to the Senate.

5. Invited Guests.

There were no invited guests.

6. Consent Agenda.

Approve Nominees for Faculty Councils and Committees. [Exhibit I]

The consent agenda was approved.

7. Memorial Resolution.

Vice Chair Susan Astley presented the memorial resolution.

BE IT RESOLVED that the minutes of this meeting record the sorrow of the entire faculty upon its loss by death of these friends and colleagues:

Assistant Professor Marian Thompson Arlin of Home Economics who died September 19, 2010, after having served the University since 1964.

Lecturer Robert A. Blumenthal of Management and Organization who died October 23, 2010, after having served the University since 1956.

Professor Emeritus Jay Gregory Dash of Physics who died November 20, 2010, after having served the University since 1961.

Professor Emeritus Lionel Friedman of Romance Language and Literature who died November 20, 2010, after having served the University since 1961.

Affiliate Professor Robert Gross of Dentistry who died November 14, 2010, after having served the University since 1967.

The resolution was approved by a standing vote.

8. Announcements.

Secretary of the Faculty Killien announced that the Faculty Council on Faculty Affairs is seeking nominations for additional members. Nominees should be able to participate in twice monthly meetings on Tuesdays, 9-10:30am. Information about the Council can be found on the Senate website at <http://www.washington.edu/faculty/committees/> . Please send names of nominees to secfac@uw.edu.

9. Unfinished Business.

There was no unfinished business.

10. New Business.

a. Nomination of Candidates for 2011-12 Faculty Senate Vice Chair.

Vice Chair Astley presented the following motion:

On behalf of the Senate Executive Committee I nominate James Gregory and Vandra Huber as candidates for Vice Chair of the Faculty Senate, serving 2011-2012, as Chair of the Faculty Senate 2012-2013, and as Chair of the Senate Committee on Planning and Budgeting 2013-2014.

There were no nominations from the floor.

b. 2011-12 Faculty Senate Vice Chair Candidates' Presentations.

Presentation by James Gregory, History [Exhibit J]

Presentation by Vandra Huber, Business [Exhibit K]

Questions of the candidates were invited. A Senator asked Gregory to compare the Faculty Senate's role in budget matters between the UW and University of California, Berkeley. Gregory responded that he was not sure of the comparisons in this area, but that in general the Senate at Berkeley was stronger and more respected.

The Secretary of the Faculty proposed that the vice chair election will occur electronically within a week; there was no objection. Results will be announced via E-mail following the election certification.

11. Good of the Order.

JW noted that good sources of budget information include the Office of Planning and Budget website and the 2010 UW Annual Report.

12. Adjournment.

The meeting was adjourned at 4:04 P.M.

Prepared by: Marcia Killien, Secretary of the Faculty

Approved by: James "JW" Harrington, Chair of the Faculty Senate

Report of the Faculty Senate Chair
James "JW" Harrington, Professor, Geography

For the Report of the Chair, please see the Senate blog (<http://senateblog.washington.edu>) which includes entries on:

- How have budget cuts affected instruction?
<https://depts.washington.edu/senatblg/archives/458>
- Board of Regents' January Meeting
<https://depts.washington.edu/senatblg/archives/454>
- What is a "zombie," anyway?
<https://depts.washington.edu/senatblg/archives/442>
- INFORMAL summary of 10 January SEC meeting
<https://depts.washington.edu/senatblg/archives/438>
- Report on adjudication regarding cases of academic misconduct
<https://depts.washington.edu/senatblg/archives/440>
- Budget News (from Bruce Balick)
<https://depts.washington.edu/senatblg/archives/416>

Summary of Executive Committee Actions and Upcoming Issues of January 10, 2011.

1. Approval of November 15, 2010 Senate Executive Committee Minutes.
2. Approval of December 2, 2010 Faculty Senate Minutes.
3. Approval of Nominees from Vice Chair Nominating Committee.
Jim Gregory, Professor, History
Vandra Huber, Professor, Business Administration
4. Acceptance of the Report of the Advisory Committee on *Faculty Code* and Regulations.

The SEC formally accepted the Report of the Advisory Committee on *Faculty Code* and Regulations regarding cases of academic misconduct. Please see Exhibit G.

Report of the Secretary of the Faculty
Marcia Killien, Professor, Family and Child Nursing

1. Fourteen nominations for the position of Vice Chair of the Faculty Senate for 2011-12 were received; of these nominees, four agreed to be interviewed by the Nominating Committee. The Nominating Committee recommends two candidates for the ballot: Jim Gregory, History and Vandra Huber, Business. The SEC will vote on January 10, 2011, to determine whether to send these candidates to the Faculty Senate for election.

Thank you to the members of the nominating committee for their service in this important process.
Members of the Nominating Committee were:

Marcia Killien, Committee Chair and Secretary of the Faculty
Susan Astley, Epidemiology, Faculty Senate Vice Chair
Bill Erdly, UW Bothell, Chair, Faculty Council on Tri Campus Policy
Gerry Philipsen, Communication, Past Faculty Senate Chair
John Schaufelberger, Construction Management, Chair, Faculty Council on Academic Standards

2. The Secretary of the Faculty is in the process of contacting each chair of the Elected Faculty Councils of Schools, Colleges, and Campuses to offer assistance for the upcoming election of Senators for terms beginning in Fall 2011, and to inquire about the status of Bylaw changes or updates.

Report of the Senate Committee on Planning and Budgeting
Bruce Balick, Professor of Astronomy

December 15, 2010

Mary Lidstrom, Interim Provost and Executive Vice President
Office of the Provost
UW Mailbox: 351237

Subject: Principles and recommendations for crafting UW's 2011-13 Biennial Budget

Dear Provost Lidstrom:

Interim President Wise succinctly summarized the core of the University of Washington's mission: "the focus of our community remains . . . on our students at all stages of their learning." However, a very difficult budget biennium lies ahead for the University. Total support for our "Core Educational Budget" — the part of the budget that lies at the heart of our mission of instruction, learning, research, scholarship, and community service — may well decline for the fourth year in a row as our state appropriation drops faster than tuition revenues increase. These cuts may very well force programmatic changes and curtailments that, in turn, raise profound questions about our priorities. All resulting changes — especially those that threaten our academic quality, access, affordability, and scholarship — are of direct concern to each of the members of the Senate Committee on Planning and Budgeting (SCPB) and the entire academic community.

We concur with and support the words of Interim President Wise. To those ends, and as one of the Provost's main advisory bodies, the SCPB has developed the attached list of budget design principles and recommendations for your consideration as you make difficult decisions about allocations to academic and administrative units in the 2011-2013 biennial budget. Although our principles are enduring, our recommendations (*shown in italics*) apply specifically to the state-and tuition-supported elements of the University's Core Educational Budget that will be crafted during the Spring of 2011. The principles are listed in approximate priority order; however, the recommendations are grouped by subject, not necessarily by priority.

We are happy to continue to discuss these and other budget-related issues with you as our revenue picture comes into better focus.

Sincerely,



Bruce Balick, Chair
Senate Committee on Planning and Budgeting
Professor of Astronomy

/nlb

Attachment

cc: Members of SCPB

Principles and Recommendations for Crafting UW's 2011-13 Biennial Budget

Principle 1: Respond to budget changes strategically. Our students are among the state's most important resource. Our faculty provide the means for our students to succeed in their education and for the state to prosper. However, continued budget cuts are taking an accumulating toll. Repeated across-the-board budget cuts are not a suitable strategy for long-term success, excellence, and prosperity. Alternate strategies include:

- a. encourage academic units to decrease the cost of our primary services (principally instruction) and their delivery as long as doing so maintains the overall excellence of our academic program,
- b. reduce the level of administration and infrastructure service whose impact lies furthest from the classroom, possibly through simplifications and consolidations, and
- c. balance student needs, the scope of our programs, and our overall instructional quality through the reprioritization of our strategic goals and the evaluation of the effectiveness of our program expenditures.

Recommendations

1. *Aggressively continue the work of the goal-setting, strategic-planning and program-evaluation initiatives in progress (i.e., 2y2d, Organizational Effectiveness, and the Program Evaluation initiatives).*
2. *Require that the deans engage with their elected Faculty Councils to develop strategic priorities for their academic units. This will be a necessity in the event that units must cope with painful internal decisions about reducing or eliminating programs.*
3. *Consider consolidations and reorganizations of units that result in significant reprogrammable funds.*
4. *Prioritize and possibly reduce the levels of service provided by non-academic units. The infrastructure that most directly supports teaching and learning quality, excellent scholarship (e.g., libraries), and essential student services (e.g., advising) should be protected first.*
5. *Preserve access to UW for lowest-income students.*
6. *Create a pool of central bridge funds that allow disruptive changes in academic programs and student support to be managed thoughtfully.*
7. *As a short-term measure allow vacant state-funded faculty positions to remain open to meet the most urgent needs except where the integrity of programs that meet key strategic needs would be compromised. (See also Principle 3.)*

Principle 2: Value the faculty. Faculty drive the University's mission of instruction, research, and community service. Their confidence in high-level appreciation of and fair and competitive compensation for their work is essential if UW is to proceed to function collaboratively through the coming period of budgetary unpredictability and retain its devoted faculty.

8. *We must strive to fairly reward meritorious performance and to remain competitive among our peers.*
9. *Promotion and tenure policies, including promotion raises, must be sustained at all faculty levels.*
10. *The Provost should reaffirm our commitment to established principles of promotion and compensation.*
11. *Faculty numbers may not keep pace with undergraduate enrollment, so student-faculty ratios and teaching loads are likely to increase. Encourage the use of TAs where they add instructional value and control the negative impacts of rising faculty teaching loads. It is important that we not lose TA positions in programs where these TA's provide a key part of the education services.*

Principle 3: Maintain faculty demographic balance. The long-term health of academic programs requires a good demographic mix of faculty. An imbalance arises when opportunities for junior level faculty positions are not sustained.

12. *Propose effective ways to entice earlier faculty retirements for faculty review.*

Principle 4: The actual per-student cost of delivering of instruction differ widely across programs. In addition, instructor training, course web-page preparation, and new low-cost instruction delivery methods (e.g., on-line learning exercises and exams) can be time-consuming investments that are critical for reducing long-term costs. These efforts need to be recognized and compensated in unit funding allocations.

13. *Consider differential per-student instructional costs across the units as the new budget is crafted.*
14. *Be aware of the accumulating impacts and the responses of diligent units to previous budget cuts. We urge that best practices of successful programs to cut the costs of instruction be posted.*

Principle 5: Curtail (but continue) strategic investments. To remain a world-class institution of higher education it is vital that we continue to invest in the most urgent facets of our mission with vision and purpose at a rate consonant with financial reality.

15. *Centrally funded strategic investments must continue. Nonetheless defer all but the most vital investments at least until the University's revenues stabilize.*

Report of the Faculty Legislative Representative
Jim Fridley, Professor, Forest Resources, Professor, Mechanical Engineering

The 2011 legislative session is now fully underway and the budget, both for the remainder of the current, 2009-2011, fiscal biennium (ending June 30) and the coming 2011-2013 biennium are at the center of everyone's attention.

In the "even you can be a Ways and Means Committee chair" department, a local statewide public education advocacy organization has developed a tool that allows anybody to experiment with budget cuts and priorities. It is an interesting (and for many captivating) way to see for one's self how difficult the budget decisions are, given the actual choices. The budget balancing tool can be found at: <http://www.educationvoters.org/session-2011/budget/>. It's very much worth spending some time to experience the challenges of writing the state biennial budget.

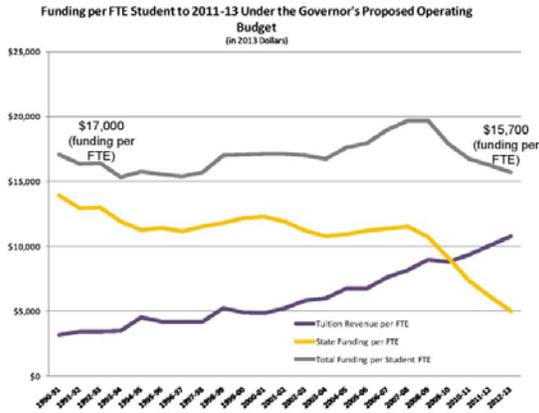
Higher education has been receiving much greater attention, in the Governor's State of the State address, in committees, and in private and hallway conversations, than it has in recent legislative sessions. This is likely due the combination of general recognition of its importance to the future of our state and the fact that it is among relatively few options that the legislature has for severely cutting state general fund expenditures. Thus the budget and higher education committee members are genuinely concerned about the implications of the upcoming budget decisions. Nonetheless the general tone of the higher education committee meetings and related discussions is much more positive than in recent years. The committees are extremely interested in all aspects of higher education and have been holding work sessions to learn about who we are, what we do, the impacts of our work and the associated costs and funding arrangements.

There is a wealth of easily digested information about higher education in the various presentations, over the recent weeks, to the House and Senate committees. The legislature has implemented an "Electronic Bill Book" (EBB) and committee materials are easily found online by looking for "Committee Documents" on the web page for any committee, or directly at: <http://apps.leg.wa.gov/cmd/default.aspx>.

Washington's institutions of higher education have been shown to be extremely efficient and highly effective in their work as measured by the cost of degree attainment, the time to degree attainment and the overall success of enrolled students in attaining degrees. In fact, it is reasonable to assert that as a state we are among the very best (perhaps *the* best) in these regards. Unfortunately though, our state is nearly last in participation rates in higher education at the bachelor's degree level. In that sense we are not as a state succeeding in providing adequate four-year higher education to our citizens.

It has also been clearly demonstrated that contrary to what many may have said the actual cost of providing a University of Washington bachelor's degree education has remained nearly constant over the past couple of decades. What has happened though is that the state's contribution through appropriation to the university has declined while student tuition has increased. Thus the cost has shifted from the State to the student. This is shown in Provost Lidstrom's presentation slide from a January 13 House Higher Education Committee work session:

Educational cost continues to shift to students and families while total funding remains constant



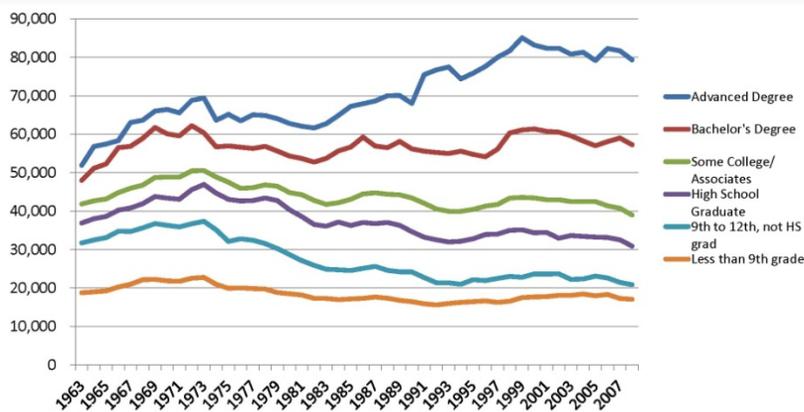
Total Funding Per student FTE (or "cost" per FTE) has remained fairly constant at the UW, the burden of cost has shifted to students.

Note: The state funding curve includes the Governor's proposed 2011-13 Operating Budget.

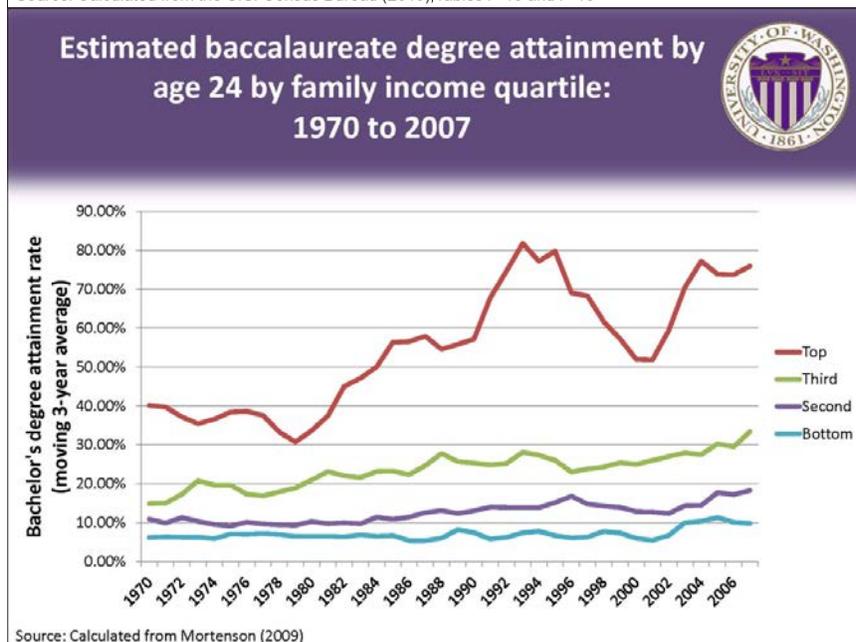
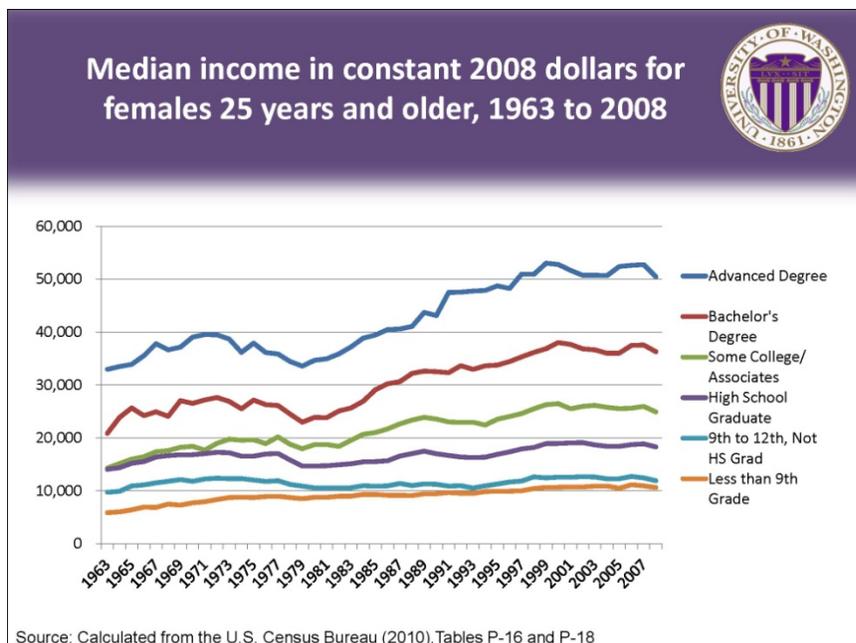
University of Washington

Professor Bill Zumeta (Evans School) was invited to discuss the value and impact of higher education on society at a January 10 meeting of the House Higher Education Committee. Like all materials provided to legislature committees his presentation slides can be found in the EBB. He provided compelling evidence of the importance of higher education both as a social benefit and a private good but three slides (pp 8-10, presented below) from his presentation suggest a situation in higher education that might be of particular concern to many people, especially as decisions regarding the use of very limited public funds are receiving greater and greater attention.

Median income in constant 2008 dollars for males 25 years and older, 1963-2008



Source: Calculated from the U.S. Census Bureau (2010), Tables P-16 and P-18



It might be worth some UW faculty consideration, perhaps through the faculty senate or the faculty councils, of the implications, and what if any role the University of Washington should have in influencing the balance and future trajectory of bachelor's degree attainment as portrayed in the third graph, especially given the value of the degree as demonstrated in the previous two.

Faculty might also be interested in keeping an eye on bills that have been identified as possibly having direct relevance to the University of Washington. The bill tracker at <http://www.washington.edu/admin/pb/billtracker/> is maintained by the UW Office of Planning and Budgeting and makes this tracking easier to do than it has been in the past.

The legislative session is 105 days long and, as a reminder of how far off the end is, day 105 falls on Sunday of the 5th week of UW's Spring Quarter. The session is fully underway but as Provost Lidstrom observed in an email to the UW Community earlier this week, "we're only in the first steps of what will inevitably be a very long process." Pay attention but be patient!

6 January 2011

Professor J.W. Harrington
Chair, Faculty Senate
36 Gerberding Hall
Box 351271

Dear J.W.,

At its 15 November meeting, the Senate Executive Committee requested that the Advisory Committee on Faculty Code and Regulations provide its advice regarding "whether there is a conflict between these two sections of the handbook:

1. The University Handbook Volume 4, Part 9, Chapter 1, Policy for Addressing Allegations of Scientific and Scholarly Misconduct, Section 5.B.1, Investigation; and
2. The Faculty Code Chapter 28, Adjudicative Proceedings for the Resolution of Differences, Sections 28-32, Cases Subject To Adjudications and 28-35, Time Limitations on Initiating Adjudications."

In subsequent communications with you and the Secretary of the Faculty, this general request was focused in four specific questions:

1. Are there any procedural conflicts among the Handbook section on Scientific Misconduct (specifically, Vol. 4, Part IX, Ch.1, Sec. 5.B), the Faculty Code Section 25-71.D.2, and Faculty Code Chapter 28)?
2. According to the Handbook and Code, can deans make findings of academic misconduct that are 'the final decision of the University' and not subject to review by the faculty through the Adjudication Procedure?
3. Under the Code (Chapter 28), the President has the right to overturn the decision of an adjudication panel only with a clear justification specifically by declaring the Panel 1) 'arbitrary and capricious,' 2) 'materially and prejudicially unfair,' or 3) 'not in accordance with the law or University rules or regulations' (28-61.D). How specific must the justification be? Is there any provision or requirement for further review of that decision and justification? Would such a review by the Faculty Senate or other body (e.g. Board of Regents) be against the Code?
4. Must an adjudication hearing (or any other faculty review hearing) be held before a dean or Provost can impose any disciplinary or punitive actions against a faculty member? Or is this required just in cases that meet the standards appearing in 25-71.D.?

The Advisory Committee, after deliberating on these questions, submits to you the attached draft of our responses. We are marking these as *draft* for purposes of distribution to the SEC in advance of Monday's meeting. If we have any substantive changes or additions, we will present them at the meeting.

Collegially yours,

Míceál F. Vaughan
Chair, Advisory Committee on
Faculty Code and Regulations

**Response of the Advisory Committee on Faculty Code and Regulations
to the Senate Executive Committee's questions
(from its meeting of 15 November 2010)**

Summary

While there are some potential inconsistencies in a few overlapping details of the procedures articulated in *Faculty Code* Section 25-71 (Standard of Conduct) and Executive Order #61 (currently published in the *University Handbook*, Volume Four, Part IX, Chapter 1), there are no overt conflicts in the language of the two. Similarly, there are no overt conflicts between the Executive Order and Chapter 28, though in certain particular details the relations between various procedures could be made much more clear.

The inconsistencies do, nevertheless, leave room for contradictory interpretations and it would be prudent to clarify these matters as they are applied in future cases of alleged scientific or scholarly misconduct.

Responses to SEC Questions

The SEC has asked us to consider a number of specific questions regarding the relations between *Faculty Code* Section 25-71 and Executive Order #61. We shall examine each in turn and provide our responses.

1. Are there any procedural conflicts among the Handbook section on Scientific Misconduct (specifically, Vol. 4, Part IX, Ch.1, Sec. 5.B), the *Faculty Code* Section 25-71.D.2, and *Faculty Code* Chapter 28?

E.O. #61 deals exclusively with procedures to be followed when allegations are made of scientific and scholarly misconduct by faculty, staff, or students; insofar as such allegations may involve faculty, this is but one (D.2) of three distinct kinds of allegations of misconduct addressed by Section 25-71. Chapter 28 delineates procedures for adjudication of differences involving faculty. One of those "differences" subject to adjudication is action by the Provost to discipline faculty for misconduct.

Under 25.71, after being informed of an allegation of misconduct, a department chair (or dean in an undepartmentalized school/college) "shall inform ... and shall offer" to discuss the allegation with the accuser and accused, in hopes of resolving the matter by "mutual consent of all parties" (25.71.B). Moreover, the chair (or dean) or the faculty member "may initiate conciliatory proceedings" (25.71.C), invoking procedures detailed in Section 27-41.

COMMENT: There is some incompatibility here, in the spirit if not in the letter of the "law." This should be addressed and, it would appear, the distinction between "informal" oral allegations and "formal" written allegations would need to be clarified (or completely done away with). Does the initiation of an OSI inquiry *only* occur when a written allegation of misconduct is filed with it? Or is a department chair (or dean) required to report any oral allegations to the OSI immediately, putting them in writing? The latter does not seem to be required, but it may indeed be intended by the "*are to be made in writing*" at the beginning of the E.O.'s Section 4. Does that mean that nothing is to be done if the allegation is not put in writing? Clarification is obviously needed.

If (under 25-71.B and C) there is no "mutual consent" resolving the matter, and if conciliation is not pursued (or subsequently fails), Section 25-71.D implies that the allegation is now reported to the faculty member's dean: "if the dean ... determines that the alleged violation is of sufficient seriousness to justify consideration of the filing of a formal statement of charges that might lead to dismissal, reduction of salary, or suspension for more than one quarter, he or she shall ... proceed as provided in" E.O. #61.

Since the 2003 revision, E.O. #61 now states (Section 4): "Allegations of scientific or scholarly misconduct **are to be made in writing and, submitted to the Office of Scholarly Integrity (OSI)**" (emphasis added). It appears to be incumbent on the dean to provide a written allegation (if the original complainant has not already done so). The previous wording of this sentence read: "Most frequently, allegations of scientific or scholarly misconduct are reported within a department to a chairperson." The earlier version of this sentence was, therefore, more directly compatible with Section 25-71.B, where such allegations are expected to begin with "the department chair or the dean of a non-departmentalized school or college."

Further, while 25-71.D clearly vests the responsibility for the final decision to proceed against a faculty member with the dean of his/her school/college, any previous stages of his/her inquiry and investigation are not spelled out in detail in this *Code* subsection, which simply begins:

If a mutually agreeable resolution is not achieved under Paragraphs B or C of this section, and if the dean (after consultation in the case of a departmentalized school or college with the department chair and the faculty member) determines that the alleged violation is of sufficient seriousness to justify consideration of the filing of a formal statement of charges....

The means by which the dean arrives at this determination are not articulated, beyond the required "consultation." E.O. #61 details both an inquiry stage and an investigation, should the inquiry provide grounds for further proceedings. During the inquiry stage, OSI assumes primary responsibility, while keeping the dean informed; during the investigation, on the other hand, the dean appoints an "ad hoc advisory committee of at least three scholars" to conduct the investigation, and this committee is "supported by the OSI." A written report, detailing the committee's "findings of fact, a preliminary determination, and any recommendations based on those facts," is submitted to the dean and copied to the accused faculty member and the OSI.

COMMENT: Any attempt to clarify the initial stages of dealing with oral allegations raised in the previous COMMENT should take care to reconcile the stages of inquiry and investigation articulated in the E.O. with the procedures less clearly detailed in the opening paragraph of Section 25-71.D. It should also make explicit the point at which and manner by which a department chair shall report an unresolved allegation to the dean.

Having been directed to follow the procedures of E.O. #61, if the dean, after conclusion of the investigation, "determines that scientific or scholarly misconduct has occurred" s/he is directed (E.O. #61, Section 5.B.1) *back* to the procedures articulated in the *Faculty Code*, being directed to act:

against a faculty member in accordance with the *University Handbook* (Volume Two, Part II, Chapter 25, Section 25-71.E, and Chapter 28), deliver to the appropriate academic administrator a written report stating that reasonable cause exists to adjudicate charges of wrongdoing brought against the faculty member, with enough of the underlying facts to provide the reasons for this conclusion.

The "appropriate academic administrator" in such a case is the Provost, who is responsible (under Section 28-32.A) for initiating an adjudication "before taking any disciplinary or punitive action against such faculty member...."

COMMENT: These stages of the proceedings are quite explicit and unambiguous in integrating the two parts of the Handbook: proceedings up to Code Section 25-71.D.2 are preliminary to those in E.O. #61; AND the inquiry and investigation under E.O. #61 are preliminary to those in Code Section 25-71.E.

2. According to the *Handbook* and *Code*, can deans make findings of academic misconduct that are “the final decision of the University” and not subject to review by the faculty through the Adjudication Procedure?

A dean, the administrative head of the faculty of a school or college, is in no position to make any determination in the name of the University, unless specifically delegated to do so by the President and Regents.

The *Faculty Code* is quite explicit in requiring that any disciplinary or punitive action against a faculty member (28-32.A) can only occur as a result of an adjudication initiated by the Provost.

A dean’s “determin[ation] that scientific or scholarly misconduct has occurred” (E.O. #61, Section 5.B) is clearly only a local determination, since it simply initiates further actions: i.e., “deliver[ing] to the appropriate academic administrator [in 25-71.E: the Provost] a written report stating that reasonable cause exists to adjudicate charges of wrongdoing” (E.O. #61, Section 5.B.1 AND *Code* Section 15-71.E). At that point, should the Provost believe that “such reasonable cause exists, then, before taking any disciplinary or punitive action against such faculty member, the Provost shall initiate an adjudication for resolution of such charges...” (*Code* Section 28-32.A).

COMMENT: The simple answer to this question, therefore, is No. The foregoing account of the relations between Section 25-71 and E.O. #61 makes clear that a dean’s decision is only preliminary to action taken by the Provost by means of the Adjudication procedures spelled out in Chapter 28.

There is, however, one wrinkle here that deserves attention. Section 25-71.D specifies what is to occur if the “formal statement of charges ... might lead to dismissal, reduction of salary, or suspension for more than one quarter.” This *appears* to leave open the possibility of a dean’s imposing a suspension for one quarter or less without having to follow the procedures under D.2 and E, and Chapter 28.

It does not, in fact, accord power to a dean (or Provost) the power to suspend a faculty member for less than a quarter without the faculty member’s consent, or absent formal concerns about public health or safety (in cases of adjudicative proceedings under Section 28-36.D, or RCW 34.05.479: Emergency adjudicative proceedings). A dean *may* move to suspend a faculty member for a quarter (or less)—on grounds of misconduct (or otherwise)—without explicitly being directed to comply with D.2 and E. This cannot, however, be interpreted as a “final decision of the University” unless the faculty member accepts the discipline without demurral.

Any lesser suspension imposed by a dean or other administrative official, for whatever reason, may stand, at least implicitly, as the “final decision of the University” if the faculty member accepts it, and does not initiate an adjudication under Chapter 28. Any administrative actions may, of course, may provide grounds for a faculty member to initiate an adjudication by alleging that the actions taken by the dean were in violation of University regulations or constitute an injustice, and that these action affected “the terms, conditions, or course of employment” of the faculty member (28-32.B.1 and 3).

COMMENT: Only if the accused faculty member accepts a dean’s decision in a matter of scientific or scholarly misconduct that results in suspension for one quarter or less can a dean’s findings of such misconduct be inferred to be the “final decision of the University.” But that inference unnecessarily stretches the scope of such a “decision.”

3. Under the *Code* (Chapter 28), the President has the right to overturn the decision of an adjudication Hearing Panel only with a clear justification specifically by declaring the Panel 1) “arbitrary and capricious,” 2) “materially and prejudicially unfair,” or 3) “not in accordance with the law or University rules or regulations” (28-61.D).

How specific must the justification be? Is there any provision or requirement for further review of that decision and justification? Would such a review by the Faculty Senate or other body (eg. Board of Regents) be against the *Code*?

Faculty Code Section 28-61.D requires the President to “includ[e] specific findings as to why the decision of the Panel was arbitrary or capricious, or why the procedures followed by the Panel in reaching its decision were materially and prejudicially unfair or not in accordance with the law or University rules or regulations” when reversing or amending an adjudication decision.

This clearly requires the justification to be more specific than a simple statement that the in the President’s judgment the Panel was, e.g., “arbitrary and capricious.” There is no further guidance in the *Code* as to how specific it should be. Since the President’s decision becomes at this point final, the “findings” must be “specific” enough to withstand scrutiny should the case be advanced to judicial review outside the University.

On the question about further (internal) review of the President’s “decision and justification,” Section 28-61.F specifically permits “any party” to file a petition for reconsideration or clarification within 10 days of the mailing of a final decision. This petition is lodged with the President, who will dispose of the matter by “denying the petition, granting the petition and dissolving or modifying the order or decision, or granting the petition and setting the matter for further hearing.” If, within twenty days, the President does not take any of these actions, the petition is deemed to be denied.

Section 28-61.F explicitly mentions the possibility of “further administrative review or for judicial review, if available.” This is consistent with the introductory paragraphs of Chapter 28, which refers to the Administrative Procedures Act of the Revised Code of Washington: “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 review beyond the University.” One can confidently presume that the “specific findings” called for in 28-61.D will be the subject to such “review beyond the University.”

COMMENT: If the faculty member’s petition is denied and s/he considers the President’s decision an injustice, that faculty member may initiate a new adjudication against the President under 28-32.B.3. This adjudication would certainly review the President’s justifications. In such a case the review process would involve Board of Regents (rather than the President) as the final judge (28-61.C).

The *Faculty Code* does not currently anticipate, and therefore does not permit, any review of the President’s decision by either the Faculty Senate or the Board of Regents. It would require revision of the *Code* to allow such review. (The Senate may, of course, investigate or discuss anything it wishes and pass resolutions regarding any issue.)

However, since “any authority delegated by the Board [of Regents] shall always be subject to the ultimate authority of the Board.” (Board of Regents Standing Orders, Chapter 1, Section 1), this provision could be interpreted as authorizing the Regents to review and overturn the adjudication decision of the President, if they so choose. But the Board of Regents (Standing Orders, Chapter 1, Section 2) has delegated to the President the “formulating, prescribing and issuing rules, regulations, and executive orders ... for the immediate government of the University” and requires consultation with the “University faculty” regarding the same.

While the SEC is authorized to interpret the *Faculty Code*, it is not empowered to interpret the Board of Regents Standing Orders, or the President’s Executive Orders, to mean that an appeal to the Regents may be made of a Presidential decision in an adjudication.

4. Must an adjudication hearing (or any other faculty review hearing) be held before a dean or Provost can impose any disciplinary or punitive actions against a faculty member? Or is this required just in cases that meet the standards appearing in 25-71.D?

As pointed out above in response to the second question, Section 28-31.A states quite unambiguously that action to discipline or punish a faculty member depends on the action of the Provost:

If the University Complaint Investigation and Resolution Office (UCIRO), a dean or any other authorized administrative official files with the Provost a written report that claims reasonable causes exist to adjudicate charges that a faculty member has violated University regulations or state or federal laws pertaining to the faculty member's performance of his or her duties, the Provost shall determine whether such reasonable cause exists.

and

If the Provost believes such reasonable cause exists, then, before taking **any disciplinary or punitive action** (emphasis added) against such faculty member, the Provost shall initiate an adjudication for resolution of such charges by filing a petition in the time and manner specified below.

Any "disciplinary or punitive actions" proposed by a dean that involves "dismissal, reduction of salary, or suspension for more than one quarter" (Section 25-71.D) specifically requires the matter be sent to the Provost (Section 25-71.E) for processing under Chapter 28. Any lesser punishment or discipline imposed by a dean or other administrative official *which the faculty member does not accept* also becomes subject to adjudicative review under Chapter 28 upon petition by the faculty member.

Conclusions

In his letter (May 7, 2003) to Interim President Huntsman transmitting recommended revisions to E.O. #61, Vice Provost Olswang remarked that the revisions incorporated "only the recommendations that were technical in nature." He noted, however, that in the review of the proposed revisions, he had received "recommendations for both technical and substantive changes." In closing his letter, he said that "[t]he proposed substantive changes should be reconsidered at some future date when the policy is more comprehensively reviewed." On the basis of the questions being posed by the SEC, and from their implications, it is clearly now time for the policy to be "more comprehensively reviewed."

Since the last major revision in 1985 of Chapter 28 (Adjudicative Procedures) a number of administrative changes have been made that have direct bearing on these procedures. Specifically, two new offices have been established: the Office of Scholarly Integrity (OSI) and the University Complaint Investigation and Resolution Office (UCIRO). There is, however, no direct reference to the OSI in the *Faculty Code*, and the role of UCIRO is ostensibly limited to cases covered by Section 25-71.D.1 (i.e., to address "allegations of unlawful discrimination or sexual harassment"). However, the multiple references to UCIRO in Chapter 28 and in the most recent revision of E.O. #61 seem to imply broader scope to its role.

If nothing else results from this review of the relations between Section 25-71 and E.O. #61, we recommend that the SEC go on record to require a thorough reconsideration of both these sections of the *Handbook*, and a concerted effort to regularize their underlying policies and procedures.

APPENDIX: A Brief History of the Revisions to Code Section 25-71, and E.O. #61
(prepared by Mícéál F. Vaughan, Chair, Advisory Committee on Faculty Code and Regulations)

1970:

Section 25-71 (Standard of Conduct) was added to *Faculty Code* Chapter 25 (Tenure of the Faculty) by vote of the faculty and with approval by President Charles Odegaard on June 17, 1970. In its original form, the section comprised, essentially, the current Sec. 25-71.A, a general statement about faculty conduct. It was subsequently amended by faculty vote and with Presidential approval three times: May 24, 1985; December 8, 1992; and July 11, 1994.

1985:

The 1985 revision added a series of new subsections (B-E), detailing specific procedures to be followed by a department chair and, subsequently, by a dean, when such allegations are made. (In that same vote [S-A 73] the faculty approved new statutes in the *Faculty Code* establishing Chapter 27. Administrative and Conciliatory Proceedings for the Resolution of Differences, and Chapter 28. Adjudicative Proceedings for the Resolution of Differences: and made some related changes to Section 25-51. Grounds for Removal of Persons with Tenure for Cause.)

1989:

On June 14, 1989, President William Gerberding first issued Executive Order 61 (Procedural Guidelines Addressing Allegations of Scientific or Scholarly Misconduct). E.O. #61 has been revised four times: October 2, 1990; April 14, 1994; September 24, 1996; and most recently May 14, 2003.

Its original promulgation came at the instance of Provost Laurel Wilkening, who (in her letter of June 2, 1989) reported that this had been developed by the Vice Provost for Research and Dean of the Graduate School (Gene Woodruff) "in conformance with new federal guidelines." She noted that the document had been "reviewed by the Board of Deans several times, the Faculty Council on Faculty Affairs, and approved by the Faculty Senate Executive Committee."

This Executive Order implements procedures for investigating allegations against faculty which are referred to in *Faculty Code* Section 25-71, and these investigations are referred to as potentially leading to actions under Chapter 28 (Adjudicative Procedures for the Resolution of Differences).

The letter from the President's Special Assistant (Ruth Mahan) to the Secretary of the Faculty (John Bollard), transmitting the new Order for inclusion in the *University Handbook*, offered a number of likely places for the Order's publication, without any expressed preference. She stated that "Since the policy relates functionally to Section 25-71, I think it might be more convenient for handbook users if it were inserted as 25-72." The Secretary did not, in fact, take any of her suggestions, and subsequently published E.O. #61 as *University Handbook*, Volume Four, Part II, Ch.1, Section 8. Addressing Allegations of Misconduct in Scientific and Scholarly Research).

In its original version, E.O. #61 assigned responsibility for investigating allegations of to "hands of the College and School Deans," as specified by "[c]urrent institutional rules [Handbook, Volume II, Section 25-71D": i.e., the section of the *Faculty Code* discussed above. The Order proceeded to require that the Vice Provost for Research and Dean of the Graduate School, who "is generally responsible for all research programs and activities carried on at the University[,] shall be kept informed ... at all stages of an inquiry or investigation." The guidelines for the investigation of allegations tracks closely those spelled out in Sec. 25-71, adding some refinements in detail about the "ad hoc advisory committee of at least three scholars who are not directly involved in the matter being considered." If the dean wishes to discipline or dismiss a faculty member, the proceedings are to be conducted "in accordance with the Handbook (Volume II. Section 25-71E, and Chapter 28)."

1990:

In 1990, as a result of administrative changes, E.O. #61 was revised to delete "for Research" from "Vice Provost for Research and Dean of the Graduate School."

1994 (April):

In April 1994, more substantive changes were made in E.O. #61 at the instance of Provost Wayne Clough, "to ensure University policies are consistent with federal regulations and other requirements of the Faculty Code." Having been discussed by the Board of Deans and reviewed by the Faculty Council on Faculty Affairs, whose "additional suggestions for revision ... have been incorporated" in the revision issued by the President. The major feature of this revision was the establishment of "an Office of Scholarly Integrity (OSI) under the Vice Provost and Dean of the Graduate School." The functions of the OSI during the inquiry and investigation stages are spelled out in detail, with regular reporting to the dean of the accused faculty member and the Vice Provost and Dean of the Graduate School, who is the administrative officer supervising the OSI.

At this point the text of Section 8 (Volume Four, Part II, Ch.1: Classified and Proprietary, Research) was relocated in the *University Handbook*, being moved to its present location as a single chapter in a separate part at the end of Volume Four: i.e., Part IX: Procedural Guidelines Addressing Allegations of Scientific and Scholarly Misconduct.

1994 (June):

In June 1994, substantive revisions were made to Section 25-71. Two new paragraphs were inserted in subsection D to govern cases involving "allegations of unlawful discrimination or sexual harassment" (D.1) or "allegations of scientific and scholarly misconduct" (D.2). The use of a "special investigating committee of three faculty members" to advise the dean (the sole procedure spelled out in the earlier D) was now relegated to "all other kinds of cases" (D.3).

The revision specifies that a dean who determines an "alleged violation is of sufficient seriousness to justify consideration of the filing of a formal statement of charges that might lead to dismissal, reduction of salary, or suspension for more than one quarter ... shall follow" one of the procedures spelled out in D.1-3. (In December 1992, Section 25-71 had been slightly revised, with "may" being altered to "shall" at the end of the first sentence of subsection D. In the 1994 revision, "possible" was deleted before "dismissal" in that sentence; and the phrase "suspension for more than one quarter" was inserted, replacing the less definite "disciplinary action of comparable seriousness.")

The new subsection D.1 required an investigation by the University Complaint Investigation and Resolution Office (UCIRO: here being mentioned for the first time in the *University Handbook*), while D.2 directed the dean to follow the procedures laid out in E.O. #61.

In cases involving allegations of scientific and scholarly misconduct, D.2 now directs the dean for the first time to "proceed as provided in Volume Four, Part IX, Chapter 1" (i.e., the new *Handbook* location for E.O. #61).

2003:

In May 2003, further revisions to E.O. #61 were made. Vice Provost Olswang, in transmitting these to the Interim President Lee Huntsman, stated that the proposed revisions "make technical corrections including recognition of changes in the University's organization and federal regulations dealing with misconduct in research." In an earlier letter to President Richard McCormick (14 December 2002), Vice Provost Olswang reported that responsibility for supervising OSI had been shifted from the Graduate School to the Office of the Provost.

Some of the 2003 revisions to the Order reflect this administrative change, eliminating references to the Dean of the Graduate School, locating the OSI "within the Office of the Provost," and identifying the responsible administrator as Vice Provost (not specifying which, but implying that it was Vice Provost Olswang). There are also repeated references added that detail the involvement of UCIRO in the inquiry and investigation procedures. The revised E.O. #61 is, finally, retitled "Policy for Addressing..." rather than "Procedural Guidelines Addressing" (When published in the *Handbook*, however, while the chapter title was changed, Part IX still retained its earlier "Procedural Guidelines" title.)

2010-2013 Faculty Member Appointments to University and Senate Committees**Faculty Council on Benefits and Retirement**

- Arthur Nowell, Oceanography, as a member for a term effective immediately and ending September 15, 2013.

2010-2011 Representative (Ex-officio) Faculty Council and Committee Nominations**Faculty Council on Multicultural Affairs**

- Eligio Martinez, Graduate and Professional Student Senate, as an ex-officio member without vote for a term effective immediately and ending September 15, 2011.

Faculty Council on Student Affairs

- Mallory Martin, Graduate and Professional Student Senate, as an ex-officio member with vote for a term effective immediately and ending September 15, 2011.

Faculty Council on Teaching and Learning

- Jed Bradley, Associated Students of the University of Washington, as an *ex-officio* member with vote for a term effective immediately and ending September 15, 2011.

Faculty Council on University Facilities and Services

- Daniel Coslett, Graduate and Professional Student Senate, as an ex-officio member with vote for a term effective immediately and ending September 15, 2011.

Vice Chair Candidate Remarks
Jim Gregory, Professor
History

Senate Vice Chair Candidate Remarks James Gregory, Professor, History

Good afternoon fellow Senators. Have you noticed that this election is shaping up as a contest between business and labor--between a professor from the School of Business and one from the Center for Labor Studies? Actually I think that Vandra and I are not far apart in how we think about the priorities for the Faculty Senate. I am honored to share this election with her and will be very pleased with whatever outcome you choose.

Let me outline my perspective and priorities. We serve as elected representatives to a vitally important but also vulnerable institution. At most great universities the Senate has a strong and secure place in the governance system. I taught for 10 years at UC Berkeley before coming here. At Berkeley the Senate was powerful and respected. The UC administration would never make an important decision without the concurrence of the Senate. I moved here in 1993 believing and expecting that shared governance really meant shared governance.

I learned pretty quickly that our system is more complicated. Here shared governance is a promise that works some years and shrinks the next. Our Senate can take nothing for granted. It must constantly assert its legitimacy and vigorously project its authority.

I have been part of this body off and on for the last 17 years. I was first elected to the Senate the way many of us are: I didn't run fast enough. I didn't refuse when someone in my department said, "Let's elect the new guy." That was a clue that something was not right. Six months later I learned more about the vulnerable state of shared governance at UW. President Gerberding, under pressure from the Legislature, appeared at a Senate meeting and announced that he had abolished the research quarter, the long-established practice of packing teaching assignments into two quarters to leave one free for research. He just abolished it. No consultation. I was stunned.

I have been active in faculty governance ever since. I have served two terms on the Senate Committee on Planning and Budget, a total of six years on that critical committee which might be described as the engine room of shared governance. The committee meets weekly with the Provost and other administrators and in theory has full access to all data and information about this \$3 billion a year institution. When it works well the Provost consults meaningfully with SCPB on all significant policy and budget issues. When it doesn't work it is a grinding, time-consuming, exercise in frustration.

I have also served on the cabinet of advisors to six faculty senate chairs: Sandy Silberstein, Gail Stygall, Dan Luchtel, David Lovell, Bruce Balick, and now JW Harrington. Those years have given me a clear idea of the challenges that Senate chairs and vice chairs face. I also come away with enormous respect for the recent Faculty Senate chairs. I've seen the way that JW, Bruce, and their predecessors have poured their hearts into this office and I wish that their accomplishments and sacrifices were better appreciated by our colleagues.

I have also been active in AAUP for more than a dozen years. I served a term as chapter President and currently I am the chapter Secretary. I helped create the Faculty Issues and Concerns listserve and am now backup editor. The AAUP listserve, with its 1400 subscribers, has proved to be an important tool for faculty communication and thus plays a role in our system of governance.

I will mention too my academic credentials. I am a professor in the Department of History and I hold the Harry Bridges Endowed Chair of Labor Studies. The fact that I am a labor scholar and an expert on American political history helps shape the way I think about faculty governance and the challenges we face.

We all realize that we are in the midst of an economic crisis of historic proportions and that as a result the University of Washington is undergoing a structural transformation that is both difficult and ominous. What had been a drift towards privatization has accelerated past the tipping point. As Paul Jenny said at our last meeting, the administration assumes that the millions in lost state funding are never coming back. We are going to move forward, like it or not, mostly on tuition dollars, fees, and research funds, becoming vastly more expensive for students and their families. At the same time we are decisively changing the internal budgeting process with the implementation of ABB. The effects are still largely unknown, but it is pretty clear that we are going to be seeing consolidations, program eliminations, and major changes in the way that most units and programs work.

To add to the complexity, we are about to experience a leadership change. We have every reason to believe that the search committee will make an excellent choice. We also need to realize that the new President, whoever she or he may be, will expect to have a lot of freedom of action and will be under pressure to make some dramatic moves.

The Senate is going to find itself in a tricky position, caught between the desire to go along with the new president and the need to be vigilant and careful about changes that could permanently damage the University or undermine the already vulnerable institutions of shared governance. The pressure to be "efficient," to solve fiscal problems, can, if we are not very careful, override the admittedly not very efficient process of consultation. Power gets redistributed in moments like this.

What should we do? First we need to be prepared and active. We should do everything we can to encourage our colleagues to pay attention and demonstrate their active concern. Second we should be flexible and pragmatic, open to good ideas and willing to compromise. But third, we have to be determined and tough, ready to say no if proposed changes threaten to undermine venerable and valuable practices. Shared governance and other important "inefficiencies" could be lost in the years ahead if we are not very clear about our willingness to defend them.

There are specific issues that belong also on the agenda: (1) fixing the grievance and adjudication system; (2) working out the wrinkles in our new Senate structures (I am somewhat concerned that with Senators no longer representing departments we are losing touch with constituents); (3) continuing to develop the links to College Councils and continuing the communication practices that David, Bruce, and JW have pioneered; (4) I think we need to fix an omission in the Faculty Code which in its current state provides no explicit guarantee of Academic Freedom; and others.

But what is going to be most important is our ability to respond effectively to the combination of crisis and transformation that is upon us. This is a time to be very tough minded, and I think I can help with that.

We need to make sure that the set of balances that have been key to this institution's success are maintained, that we are not pushed into reckless changes that damage the frameworks and culture that have made this a great place to work, a great place to teach, and a great place to learn.

This may sound like a mostly defensive agenda. I wish it could be otherwise. But I am not going follow the usual script and tell you that I think that bad times can become good times if only we are creative. These are genuinely bad times and the first thing we need to do is get through them without doing unnecessary damage to this great university. That is what I will work on if elected (and also if not elected).

Thank you.

Vice Chair Candidate Remarks
Vandra Huber, Professor
Foster School of Business

To begin, I want to thank the Nominating Committee and the Senate Executive Committee for their efforts in vetting candidates. I am honored to be a candidate for Vice Chair of the Faculty Senate.

Let me begin by describing my background. I am Vandra Huber. In my first life, I was a journalist and served as the first female make-up (composition) editor at a major newspaper. In my second life I worked in human services, handling internal and external communications for a state agency. I earned an MS in labor economic while working. I hold an MBA and DBA from Indiana University. After short stints at Cornell University and the University of Utah, I came to the University of Washington in 1987. I am a full professor of Human Resources and Management in the Foster Business School. For nearly 10 years I was the only female full professor in the Business School. We now have several female full professors. I'm an adjunct professor in the School of Pharmacy. I taught business basic in the retail pharmacy program -- until budget cuts. I've taught courses primarily on the Seattle campus but also on the Bothell campus.

I developed the Foster School's first undergraduate exploration trip to India. Now we have between 3-5 tours annually. Currently, I am the Faculty coordinator for MBA study tours and will be the faculty representative on an MBA study tour to Peru over spring break. I've helped jump start Bosnia-Herzegovina's first private university and learned firsthand about corruption and payoffs. I spent 18 months studying Boeing first labor-management cooperative training initiative and developed a model of what it takes for worker-management cooperation to be successful.

I was a Fulbright Scholar at Chulalongkorn University in Bangkok, Thailand where I taught and worked with the country's consortium of medical schools. I currently run a self-sustaining program, Fundamentals of Business (Admin 510) through UW Continuing Education. Described as a mini- MBA, 60 plus students graduate annually. The population includes new immigrants learning about American business, Microsoft spouses who legally can't work in the US and graduate students from various fields -- civil, mechanical and aeronautical engineering, marine affairs, construction management, education, nursing and medicine -- seeking applied knowledge. The program also attracts employees from diverse Washington companies (e.g. Boeing, Microsoft, and Getty Images) as well as nonprofits such as the Wing Luke Museum. Even the current mayor of Yelm, WA graduated from the program.

My research has focused on decision making processes--in compensation, performance management and negotiations. Most recently I've focused on qualitative research and developed case studies on NGOs (Beadforlife in Uganda) as well as major businesses in the Pacific Northwest (e.g., Costco).

I've described my meandering path route through academia for several reasons. I come from the business school. Business today has a negative image --- Enron, bank bailouts, accounting scandals, giant paychecks to top executive. With Clintonian zeal, I want to go on the record. "I have had nothing to do with those scandals." Second, it's been 30 years since a faculty member from the Business School -- Borje "Bud" Saxberg -- has chaired the Senate. I'm not sure if no one from my college has stepped up to bat or if they've struck out. It is my intent to bat a home run. I believe business smarts are what the Senate leadership needs right now to be an equal with the administration.

Through the years faculty from other units on campus have been quick to remind me when I use business terms such as deliverables, scorecards, metrics --that a university is NOT a business. Its goal is not profit maximization. I disagree. The University of Washington employs more than 30,000 individuals with a direct customer base of 41,000 students. It is a major supplier of intellectual capital to the state's major employers and has a budget of \$3.2 billion. When UW's triple bottom line-- economic, social and environment -- is examined, the potential profits are immense.

Peter Drucker is credited with the statement "If you don't have a case against a business decision, you don't have a case for it." So you might be asking a question about my candidacy, namely what does this

“business” professor have to offer the Faculty Senate. What does she know about the challenges faced by faculty in Arts and Sciences where TA support has been eaten away to bare bones? Can she ever fathom the stress of getting research dollars in today’s depressed funding environment or the uncertainty of being a faculty member without tenure? Can she represent my interests before the administration or legislature?

The honest answer is that I probably don’t know much how bad things are or are not. I have not taught a class of 700 students, coordinated a cadre of TAs, worked with clickers or done tweeting to hold students attention. Nor have I scrambled for research dollars to keep a lab of researchers employed. Those of you who deal with these academic pressures receive my admiration and a promise. That is, that I will work hard to champion your interests and convey your concerns to the administration and to the legislature with passion and zeal.

In terms of University governance experience, I have worked my way up through various committees. I chaired the Faculty Council on Faculty Affairs when significant revisions to Chapters 24 & 25 were made. Preceding these changes, I participated in a study on faculty rewards. Some of the findings were shocking – even for me. We found that some faculty were paid 40% below median pay for peer university faculty; and newly hired assistant professors made more than full professors. In response to these issues, salary floors were put in place. Pay grade compression and inversion were also prevalent. Much debate occurred in the Senate and discussion with the administration on what to do about this. The code was changed to recognize meritorious faculty first rather than as an afterthought in the progression of salary adjustments. This was also the period when Executive Order 64 --requiring a 2% increase for meritorious faculty --was added to the code.

Under my chairmanship, the FCFA also dealt with the issue of voice in the tenure-promotion process. Read the code carefully, it says that prior to a formal vote concerns of the faculty will be summarized and conveyed to the candidate in writing (names deleted) and the candidate can respond to concerns about their record BEFORE a department vote rather than in response to a vote. The right to voice –be they concerns or the response to concerns – is a critical component of academic shared governance. So I am curious, has your department enacted this provision of the code or let it slide by?

Finally, we codified the concept of peer-based performance coaching for faculty who receive two non-meritorious reviews in a row. While only a small number of faculty receive such ratings, they still deserve our respect and our caring attention. I once served on a remedial performance review committee. The committee considered the record of the candidate, identified opportunities for improvement and wrote a report. It was an efficient meeting. But, I contend, it was not effective. We never met with the faculty member. If you haven’t figured it out yet, my “thing” and why I am drawn to work in the Senate is that I place a high value on fairness and respect. My colleague with the low evaluations -- deserved both; so I wrote a minority opinion and attached it to the recommendations.

While the secretary of the faculty senate is the “keeper of the code,” tacit knowledge such as I’ve described is important as we enter the next generation of presidential leadership. And it is this long term, contextual experience that in my opinion separates me as a candidate for Vice Chair from Professor Gregory. We have to know where we are before we can move forward.

As to the future, it goes without saying that the University budget and impending cuts is front and center on our lists of immediate priorities. We have no choice but to deal with the budgetary push down of decreasing state funds. Second, for shared governance/ participative decision making to work, we must have transparency. Provost Lustrum has promised that we will have that. Now it is up to us as corporate citizens to look hard at the data so we can contribute wisely. In my opinion, this is not a time, for academic elitist. Nor is it a time for us against them mentality. Hard decisions are ahead. Cuts in funding and programs are likely. We must present a unified front to the legislature.

While the smaller, more intimate senate is still in its infancy, I commend the current senate chair, JW, for meeting with college council chairs and launching the senate blog to jump start things. I like that I get postings on what is being considered and what has been done. While I appreciate this ground work, I

believe we can do more to strengthen the chain of command between the Senate and College Councils with the desired end result of getting accurate information out fast rather than viral misinformation out right now.

Another area that needs attention is the dispute resolution process. In the private sector, one goes to arbitration to save money and get a quicker resolution of an issue that may be achieved by going to court. It should not take two plus years for an adjudication process to be completed. We also need clear guidelines on the conditions that make a decision binding as in arbitration.

In conclusion, let me share an aspect of my private life. I have loved, bred and shown Scottish Terriers longer than I have been a professor. I'm competitive and quite good at this avocation. In fact, I was written up in the Chronicle of Higher Education when my Scottie "Peggy Sue" won the Westminster dog show a decade ago. My research didn't get a mention. When Anna Nicole, Carrie or Frankie spots a mouse, the dog is tenacious and goal-driven. Typical of the breed, each one stays on task even if it means sitting by a mouse hole for hours until the critter dares venture out again. I am like my Scots – a bit of a diehard. I don't give up. If an issue presents itself and it needs resolution, then I will not stop working for you, my colleagues, until a satisfactory resolution is achieved.

Thank you for your time and hopefully your vote.