

MINUTES OF THE FACULTY SENATE
Gowen Hall, Room 301
2:30 p.m., Thursday, 30 January 2003

The meeting began at 2:40 p.m.

Introductory Comments – Sandra Silberstein, Chair, Faculty Senate

(The comments below are the text of the Chair's remarks.)

Last week for her Danz lecture, filmmaker and cultural theorist Trinh Minh-ha gave a talk entitled "Far Away [comma] From Home, The Comma Between." She began by recalling herself as a young immigrant, lying awake at night as her senses told her that she was not Home. Home became a visceral touchstone from which the current context was measured. On the same day, I received a concerned phone call about one of my relatives, who is slipping into dementia. Moved to a new facility, and declining medicine for a day, she believed that she was an alien. She couldn't eat, because the meals were probably not alien food.

After my own panic subsided, I wondered why she hadn't decided that everyone else was an alien. The answer came from Trinh Minh-Ha. My relative, surrounded by her belonging, in what should have been her space, was not home. But her interpreting devices were "from home."

In some sense we, too, are aliens—educated in great universities, all of us. And then, together with our books and research, transported to another place that we interpret "from home"--through a sense of academic home that we carry with us. But our context is utterly changed. Our state funding is shrinking, our classes are larger. There are more part-timers and a larger administration. Participation in governance is utterly changed from the collegial days that at least some of us experienced as graduate students.

My relative took her medicine and averred within days that the new facility was very "homey." But what is our medicine? What can make the current context resonate as if "from home?" Our only remedies will come from action.

There has been some progress on the joint governance front. As an interim structure, the chairs of four of our Faculty councils will be sitting on a jointly appointed Undergraduate Education Committee. Thanks to the efforts of the Senate and Vice Provost for Undergraduate Education George Bridges, Faculty and administration will be working much more closely on undergraduate education issues. And salary discussions move along. You will hear in the SCPB report, that we are, in some sense for the first time, trying to model salaries over time—looking simultaneously at goals/values/policies and at real numbers over time for UW employees. These discussions will come increasingly to the Senate, and the Faculty will need to weigh in on critical planning and budgeting issues.

We are all cautious, perhaps demented, observers. Waiting to see what the Governor, the Legislature, the Regents, President Bush will do. But waiting is not a remedy. We must increasingly, like Trinh Minh-ha, find our voice. As you know, I have constituted a Council of Former Faculty Senate Chairs. That group has forwarded a letter to the Regents outlining their deliberations on the necessary attributes of the next university President. You all received a copy of that letter when you entered. In the context of the on-going search,

both the Regents and the Search Committee will be holding public forums. Independent of these, on March 10, 4:00-6:00 in Kane 210 the Faculty will speak out. The Council of Chairs will be convening a forum on the values and mission of the University of Washington and the challenges facing its next President. Please pass the word widely, and please put this on your calendars. Members of the Regents and Search Committee will be attending and the Senate needs to be heard. Alien as an under-funded university can sometimes seem to us, the Faculty must work to make this a home in which we can remain.

Report from the Senate Committee on Planning and Budgeting (SCPB)– Doug Wadden, Chair

The Committee has met four times since the last Senate meeting, and is still in the early stages of planning. The Committee has focused on enrollment information, and residency requirements. The University has a two-year window of opportunity to arrive at a plan for graduate student enrollments. Hopefully, the planning will allow a better understanding of the pressures on graduate students and arrive at an acceptable plan for all parties. The goal is to have a projected set of tuition increases, enrollment expectations, and residency rules that will allow graduate students to plan accordingly.

The second focus has been on developing a salary plan that addresses all elements of the Faculty salary policy. Some discussion has focused on what it really means to “catch-up” to our peers: What is the real average by which salaries should be measured? What would it take, and how long would it take, to catch up to our peers? What would be the effect of providing no more than the minimal 2% salary increases identified in the current salary policy? We know, already, that following this latter strategy would leave us significantly behind our peers. This means that we are watching the proposed budgets of the Governor and Legislature carefully. Over the next four to six months, SCPB will participate in discussions regarding this policy as well as any proposed cuts. This process has been in parallel with discussions before the Board of Deans as well.

Legislative Report – Jan Sjøvik, Faculty Legislative Representative

This is the third week of the legislative session, Sjøvik began. By way of background, he pointed out that Republicans control the Senate and Democrats control the House. The Governor’s budget proposal attempted to cover a \$2 billion plus budget shortfall without increasing revenues. This budget was greeted with dismay by members of the Governor’s own political party but with apparent great happiness by the Senate Republicans. In fact, the Senate Republicans have already passed a supplemental budget that purports to put the Governor’s budget principles into place.

The legislative representatives have been trying to put forth a balanced perspective for legislatures. So far, all University related lobbying groups – students, Faculty and administration – have been on the same page and working together. The only possible point of dispute may be tuition-setting authority which is of concern particularly to the graduate and professional school student group. At the same time, Sjøvik and Stygall have been working with their colleagues in the Council of Faculty Representatives (CFR). Their message is the same: Higher education is suffering from underfunding and it is the students who are suffering from larger classes and the brain drain of Faculty. Recently, our legislative representatives have begun meeting with individual legislators. Their reception has been interesting. Most of the legislators agree that our cause is “just,” but that it would be inappropriate to raise taxes or other sources of revenue enhancements.

Some of the things we might want to keep an eye on:

1. The budget process, although this will not “heat up” until March;
2. A bill regarding tuition-setting authority for all categories of students except resident undergraduates; and
3. A bill that might give the children of Faculty the right to register for courses on a space available basis for a \$5 fee per course.

Questions/

1. Paul Beame (Computer Science and Engineering): He raised questions about proposals that would change the requirements for residency. Sjøvik explained that the short answer is that these requirements have been tightened up, and the SCPB recently reviewed this issue. Wadden added that this is correct, and that students would need to show that they have come to the state for purposes other than education before beginning school. Several councils have reviewed this issue. Beam responded that there have been reports in the media that there would be limits on the time to complete majors. Huntsman said that this actually refers to a bill that limits the tuition charged for credits taken. It would provide subsidized tuition up to 120 hours but require charging the full cost of education after this. This would affect people in double majors and students who take overloads. So the question becomes how do we ration the state subsidy, and ask students to make rational plans for their education.
2. Ann Mescher (Mechanical Engineering): She asked whether it is completely irrational to lobby for tuition-setting authority for undergraduates. Sjøvik replied that the administration has decided not to pursue this based on a realistic assessment of the likelihood of getting it. Huntsman added that the Administration believes that this is a reasonable position, but has chosen, at this time, to pursue only non-resident, and graduate and professional student tuition authority. This decision was made for several reasons. First, our students have lobbied vigorously and effectively against this. This effort took the students out of the conversation about the level of state support, overall, for higher education. Placing that issue on hold allows for more unanimity between all parties. Also, it appears likely the Legislature will raise resident tuition more than the University would have if it had the authority.

Report of the President – Lee Huntsman, Interim President

Focusing first on Olympia, Huntsman noted, wryly, that a sense of humor has been helpful. Given the preceding comments, he chose to focus on two issues.

Last time, he talked about the way that the University had chosen to position itself as the Legislative session began. We were aiming for a targeted, single-issue message that we will pursue persistently: no enrollment increases without increased funding. Our Regents have pursued this strategy in concert with the WSU Regents. This stance is unusual, especially given that demographics call for increasing enrollment. Since the last Senate meeting, the Governor has announced his budget, which the University sees as a step backward. We have converted the Governor's budget into a per student spending figure in order to demonstrate how the budget cuts continue. We have been aided by media attention on higher education issues, especially in the *Post Intelligencer*. This coverage has been good and it has been continuous.

This strategy has been generally well received, and is now causing some “squirming” in Olympia which he characterized as “good.” But it is still quite early in the session, he added. Many other bills that could affect us have been popping up. Our agenda in Olympia has been to stay on message, but to watch carefully for any other legislation that could affect the University. The cooperation between administration, Faculty and students has been working well. We have also been trying to reach the broadest array of audiences for our message. The University administration has written to alumni, contacted business leaders, and had one-on-one conversations with legislative leaders. The decision to narrow the message has gotten “a lot of traction.” This is not to say this will be easy; the legislature is really in a box. We will continue to point out that this is a decade-long downturn. Also, we have been trying to point out that the research universities, particularly, can be the engines that drive economic development. Huntsman characterized his portrayal of alternatives as being blunt: mediocrity, shifting costs to students, or providing adequate funding.

On the city front, he is delighted to report that the negotiations for the master plan have come before the City Council and have been approved. We had strong support from the Mayor’s office and are pleased about the outcome. The Mayor’s office has chosen to focus on economic development, and one of the targeted areas, in fact, first on the list, is the University District. He is hopeful that this will lead to a turn-around for development in this area. He described Mayor Nickels as forthright in his support for the University. It is a real political breakthrough to have a mayor who sees the University as an asset.

Questions/

1. Alan Hess (Finance): He asked about what has been going up in the state budget? Huntsman replied that the main big-ticket items are corrections, and healthcare. What has hurt higher education is that enrollments have increased without a concomitant increase in funding. Huntsman stated that he believes the state has not figured out a way to make smart investments in higher education, but that, on the other hand, we need to understand our funding picture in a nation-wide climate of decreasing public support for higher education.
2. Paula Szkody (Astronomy): “What happens when we have capped enrollment?” she asked, “especially in light of the guarantee of community college entrance. Does this mean we’ll have a higher mix of community college transfer students? How will this affect the type of students we get? Is there any plan to address this, especially since community colleges are cheaper than four year colleges.” Huntsman, noting how good these questions are, addressed first the mix of students. The short answer is no. There is, however, a transfer agreement that states that transfer students who have an associate degree and a 2.75 GPA are “admissible,” not necessarily admitted. We still control the number of students admitted. This pool has grown as more people complete the community college requirements. In the past, only 20% of community college students graduated but this number is increasing, and more want to transfer. The community colleges have become increasingly nervous as the University discusses enrollment strategies. It will get tougher and tougher to get into UW for both freshman and transfer students. We are over-enrolled by 1500 students, and we are actively trying to manage that down. We do not want to send a message that we can manage this greater load of students. Thus, we have begun to defer some transfer applications to manage this.

Call to Order and Approval of the Agenda

The meeting was called to order at 3:25 p.m. There is one addition to the agenda. Item 12 will include an update on and discussion of the Class C resolution regarding the University of Washington Physicians as well as similar §501(c)(3) groups on campus. **Approved.**

Summary of Executive Committee Actions

At its meeting of 13 January 2003, the Senate Executive Committee heard reports about the University budget plans and the budget prospects in the upcoming legislative session from the President, the Chair of the Senate Committee on Planning and Budgeting, and the Faculty Legislative Representative. Led by the Senate Chair, discussion of these reports focused on developing a Faculty salary plan, both for this year and the long-term future. A change in the charge for the Special Committee on Minority Faculty Affairs was approved.

Announcements

The Faculty Senate is sponsoring a Faculty Forum regarding Faculty Perspectives on the Future of the University. Representatives from the past two decades of Faculty Senate chairs will speak on the mission and values of the University of Washington, and the special challenges facing our next president. The forum is scheduled for Monday, March 10, 2003 from 4:00 p.m. in Kane Hall 210. A videotape will be made available to Faculty unable to attend.

Requests for Information

None.

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: Professor Emeritus Philip J. Bourque of Finance and Business Economics, who died on December 28, 2002 after having served the University since 1957. Clinical Professor Emeritus Frank "Chet" Burrell of Endodontics, who died on December 2, 2002 after having served the University since 1952. Professor Emeritus Clifford Donald Foster of Education, who died on December 11, 2002 after having served the University since 1953. Professor Emeritus Ben-Joshua Jaffee of Social Work, who died on December 4, 2002 after having served the University since 1967. Lecturer Niles E. Kelly, Jr. of Communications, who died on December 10, 2002 after having served the University since 1964. Professor Emeritus David R.M. Scott of Forest Resources, who died on December 18, 2002 after having served the University since 1983. Clinical Associate Professor Ben T. Uyeno of Medicine, who died on October 7, 2002 after having served the University since 1951. Professor Emeritus Dael Lee Wolfle of Public Affairs, who died on December 26, 2002 after having served the University since 1969. Be it further resolved, that the Senate Chair be directed to communicate to the immediate survivors the action taken, together with the condolences and sympathy of the faculty.

Nominations and Appointments

None.

Election of the Vice Chair of the Faculty Senate

Wadden introduced a motion: On behalf of the Senate Executive Committee, I nominate Ross Heath and Robert Holzworth as candidates for Vice Chair of the Faculty Senate, serving 2003-2004, and serving as Chair of the Faculty Senate 2004-2005.

- a. Remarks of Ross Heath (Oceanography): Heath expressed the hope that senators have read the text of his comments, provided in December. Heath stated that the University is not heading into trouble, but rather that it is already in trouble. When this is combined with the grim economic forecasts, he believes that we are going to have to solve our own problems. His second point is that given this, it is essential that solutions be arrived at through joint governance. This will be the most successful way to address problems, bringing to bear the intelligence and ideas that reside in the Faculty. He noted that he and Bob Holzworth are both candidates with similar views and qualifications. Heath then pointed out that he has served as a dean and senator for his department. He has been chair of the Council of Research, been involved deeply in the Rose Committee, and served on a review of the Faculty Senate office. One of the problems with shared governance is that it is often accused of being slow and cumbersome. This can be true, but it reminds him of an experience he had when he worked with the Department of Energy which always had the reputation for never having the time to do something right but always having the time to do something over. He hopes we find time to do it right.
- b. Remarks of Bob Holzworth (Geophysics): Hoping that senators have read his remarks, he began by describing his experience with the Senate. He had been chair of FCFA for five years on topics such as the enfranchisement of research faculty, and the collective bargaining legislation. In these venues, he worked by attempting to build consensus: letting everyone have a chance to voice their opinions. But when he believes in something, he is willing to stand up and support his principles, particularly for shared governance. It is our responsibility to be involved in shared governance, he stated. The only real way we can make our voice heard is through legislative actions and our communication with the administration.

He then described the problems we face in moving forward in the light of the budget picture. The only way, he believes, that we can change this decline is by accepting responsibility for our shared governance role and communicating better with the legislature and the public. Along these lines, he has been chairing a committee on collective bargaining. One difference, if we were a union, is that we could hire a lobbyist. We have not done a good job of making the case of the way in which we serve the public.

Questions/

1. Norman Wolf (Pathology): Both of you have stressed shared governance, he remarked, but his colleagues feel that this has not been successful, citing the example of the lack of salary increases last year. He then asked what the candidates would do.

Heath stated that he agrees with Huntsman's strategy of needing to "get in their faces." We need to do whatever it takes to get the attention of those who would choose to ignore us. Holzworth stated that he was on FCFA when this (salary) legislation was passed. This spring, we were told that there were extenuating circumstances, and that he had the sense that the Faculty were not of one mind about this increase. Thus, the

Faculty did not make it clear that we would fight tooth and nail over this policy. In order for such a policy to be implemented, we have to make our stance clear: it is not enough to pass legislation.

(Silberstein added a clarification that the Senate voted unanimously for the 2% increase.)

2. Bob Franza (Bioengineering): When we arrived, we received a letter in which the last sentence reads: "We should place our confidence in our current leadership. . . . We can find a president that we can all enthusiastically endorse. . . ." Is that a realistic record?

Holzworth noted that the president is not elected by the Faculty, and this is not a democracy, he asserted. He does feel that we are here to advise rather than control the decision, and address to the Regents the factors that should matter. It is probably unlikely we could get unanimous endorsement. Heath quoted Twain, "We cannot be loved by all the people all the time." Trying to do this would make for a miserable leader. But that aside, he stated that he agreed with many of the principles described in that letter.

3. A senator from Pediatrics: Would it be a good or bad idea for the Faculty to unionize?

Heath stated that it is very important that the Faculty have this option. On the other hand, he noted that he had worked at a unionized campus and that it is an indication that shared governance has failed. It means that the provisions in the *Code* have not been effective and we have not worked at making it effective. But he would not be uncomfortable if the Faculty voted that way. Holzworth stated that we do have a contract, the *Faculty Code*. Shared governance means that if it is not working, we need to work harder to make it work as well as make it clear what we want. He characterized a union as a more adversarial approach. He does not think that we can get to that point without concluding that there is a real break in shared goals. And that, he said, is a bad situation. He would work very hard to show what the real needs are to avoid this.

4. Barbara Warnick (Communications): Last year, collective bargaining legislation was passed but at the same time, the Rose Report was passed which calls for close working relationships between the Faculty and the administration. Aren't those at odds if we unionize, she asked.

Holzworth stated that a union would be more adversarial, but much of this depends upon the type of leadership on both sides. If this leadership were willing to think about more than economic/pocketbook issues, this might be a collegial relationship. Heath agreed with Holzworth's statement, noting that there are many unknowns about unionizing. Shared governance has a long history, and it would be complicated to work out all of the relationships. The Rose report is intended to make shared governance work more effectively. Some of the Rose Report topics would undoubtedly become topics of collective bargaining.

5. Warren Guntheroth (Pediatrics): Prefacing his question by pointing out that our legislation can be vetoed by the President, he asked what can you do to make this better or worse?

Holzworth stated that this is correct, but noted that Class C legislation is the voice of the Faculty. We are working together with the administration, and we run the campus

collectively. If we are going to have an effective organization, we need to arrive at a consensus regarding what the administration and Faculty think. If you are suggesting that we be independent of the administration, we have some of that at present but he cannot see how we could run the University if we go off in different directions. Heath noted Holzworth's comments in which he stated the University is not a democracy. The buck stops not even with the President, he stated, but with the Regents. The recourse is not necessarily to change the structure, but to go to the Regents and ask if the governance has been effective.

6. David Bachman (Int'l Studies): He asked: What are indicators of good shared governance? What would you do if we moved towards bad shared governance?

Holzworth stated that bad shared governance would be councils that do not do anything. The senators come twice a quarter, in a due diligence fashion, to review the work of the councils. This is a way to evaluate whether there is effective leadership. There are three things we can do here: Class A, B, and C legislation. If you do not see legislation coming from the councils, then the administration will fill the vacuum because that is their job. Heath commented that there are two indicators. One is a set of performance indicators – seeing if obligations noted in the *Code* are being fulfilled. But there is also a procedural indicator. We tend to think of shared governance as just being the Senate. But governance is wider than this and relates also to the units. How seriously is Faculty Senate service treated and considered in each academic unit? Is it regarded seriously or as a burden? By and large, we have good shared governance at the unit levels but he worries much more about the governance at the college council level. We have legislation that bears on the operation of these councils, but it is often not being adhered to. One hope he has is to focus more time on this issue.

7. A senator from Pediatrics: At the last meeting, there was some dismay at the representation of Faculty representation on the presidential search committee.

Holzworth stated that it is a mistake that we do not have a Faculty regent, and that there needs to be more communication. He was surprised that the Faculty Senate Chair was not appointed to the search committee, and that the Faculty are not as well represented as we should have been. Heath agreed with this. This search committee has less representation from Faculty; too many of the members have two hats. Part of the problem, one which we may forget about, is that the Regents turn over much more often, and that they do not necessarily understand how the university works and how shared governance works. Noting that one of the Regents stated that they did not agree to the salary policy, he said maybe we need to be more involved with educating the Regents on the role of the Faculty in governance.

New Business

1. Update on Class C Resolution regarding University of Washington Physicians and other IRS Sec. 501(c)(3) corporations: Douglas Wadden began by noting that the way the Class C resolution was written, the scope of the inquiry was quite broad and was directed towards any private organizations that supervise funds. But specifically, it was directed at funds which are generated by Faculty activities, and it was sent to the Faculty Council on Faculty Affairs (FCFA). An initial review of §501(c)(3) corporations on campus revealed that the UWP agreement has a special status, and that it has an operating agreement with the University. Senate leadership met with Hospital and University officials regarding the media and Senate allegations. There are no findings at

this time that would warrant this going to SCPB which addresses structural issues. The issues presented appear to be management issues. Therefore, the FCFA will continue to investigate this issue. They are looking at the Faculty by-laws for UWP; its operations appear to be consistent with the by-laws. They met with lawyers, management people, and the other private corporations on campus. This is a distressing and sorry event.

Kate O'Neill, Chair, Faculty Council on Faculty Affairs, added that she thinks about this as part of the Council's job in Faculty governance and that the issue, with UWP, is to find whether there is a rule, and whether that rule was broken. If that breach relates to Faculty obligations, one option might be a grievance. The other possibility is that there is a rule – of which there are many in this situation – and it may not have been broken, but that there is a structural flaw in which not all Faculty regard the rules in the same manner. They are going to look into the issues, and then there is always the possibility that there is a rule which is "just a mess." To that end, the Senate and FCFA have some role in trying to repair broken channels of communication or ways in which to avoid this type of event in the future.

Questions/

1. Susan Ott (Medicine): This all sounds very vague. Perhaps we did not ask the right questions, but from the point of view of people she has consulted, physician Faculty have to join UWP. A large tax is placed on Faculty and then this revenue is handled secretly. They want to know how all of this money is being handled.

Wadden replied that they looked at the charter, and that the charter is being followed. He noted that 15% of the Faculty can call for a meeting to look at and analyze the structure of UWP. There is a voting mechanism in place that would allow a challenge of practices. If that is unresponsive, then that is another issue. The membership can challenge practices. Ott responded that she does not know how to get the by-laws, and asked how to find them. Olswang stated that the by-laws are available from the chair, and that it is a public document.

2. Gail Richards(Pediatrics) She made the following three points: (1) UWP is the private practice business of the Faculty members. Although it has close relations with the University, it is not part of the University. UWP must operate within the confines of state and federal laws governing the provision of healthcare and the laws governing the operation of a business. These laws are quite separate from the *Faculty Code*. I would therefore urge the FCFA to conclude that the issues raised in the resolution lie outside the purview of the Council. (2) Mechanisms exist within UWP for member physicians to seek information, express complaints and contribute to decisions. Extensive information has been offered through UWP regarding this issue. UWP mechanisms would be a more appropriate avenue for the writer of the resolution to pursue. (3) The decision that was made regarding the legal situation referenced in the resolution was a business decision made as a choice among alternatives that had pros and cons. To choose going to court would have jeopardized the entire neurosurgery residency program and ended or interrupted the careers of many innocent residents. Additionally, a court case had a significant likelihood of jeopardizing the ability of Harborview Hospital to function as a Trauma Center, with consequent uncalculable harm to the public.
3. Guntheroth (Pediatrics) This resolution has already been voted on, he reminded the body, and he thinks that we need to move on and trust FCFA to look into this. One of the problems at the medical school is that we do not have a truly elected body; rather, it

is selected and this is contrary to the *Code*. So, the Medical School Faculty do not really have good representation.

Election Results

Silberstein announced that Ross Heath was elected as the next Vice Chair of the Senate.

Adjournment

The meeting was adjourned at 4:23 p.m.

SUBMITTED BY: Lea B. Vaughn, Secretary of the Faculty

APPROVED BY: Sandra Silberstein, Chair, Faculty Senate