Meeting Synopsis

1. Call to order
2. Announcements
3. Review of the minutes from November 24, 2020
4. Update on survey of part-time lecturers (Dan Jacoby, guest)
5. Second look at code changes for faculty ADR & grievance processes (see attachments; Zoe Barsness & Amanda Paye, guests)
6. Good of the Order
7. Adjourn

1. Call to order

The meeting was called to order at 11:01 a.m.

2. Announcements

Chair Lee noted 4 of the proposals were sent to faculty senate last week. They have all passed.

3. Review of the minutes from November 24, 2020

The minutes from November 24, 2020 were approved as written.

4. Update on survey of part-time lecturers (Dan Jacoby, guest)

A draft Catalyst survey will be sent to the council for review. There will be an optional meeting for those interested to discuss the survey prior to the Winter Break with the aim to have a survey sent out right after Winter Break.

Gia Anguiano will be joining the council to assist with survey design.

5. Second look at code changes for faculty ADR & grievance processes (see attachments; Zoe Barsness & Amanda Paye, guests)

Zoe Barsness shared a PowerPoint overview of the Class A legislation (Exhibit 1).

Chair Lee noted the complexity of the grievance language will be continually discussed over the next few months. The legislation cannot go forward to the senate without FCFA approval. FCFA will handle substantive policy decisions and the drafting committee will write the code.
The most common feedback received relates to the complexity of the procedures. Addressing this may involve simplifying the process, such as consolidating steps or removing excess roles. The increased presence of administrators on a grievance panel has caused concern. It was noted that the use of an administrator to represent the university in a grievance process helps to limit the president’s need to intervene. Members suggested to confirm members of the panel are faculty members who have held administrative posts.

Zoe Barsness noted many of the issues were discussed at length with several committees and brought up discussion points from other faculty council meetings. A member questioned if dividing these revisions into individual legislations rather than one large legislation might help speed this up. Barsness noted this work has been brought to the senate twice for discussion so when it is brought forward to the senate, any substantive issues have been addressed. Dividing this might slow the process down.

Another member highlighted their continued concern around the faculty administrator role and specifying processes. It was noted that clarifying what can be grieved, and what cannot, would save time in the identifying procedure. The proposed process was designed to be broad reaching but also to separate the grievance from discipline processes.

Another legislative draft will be created in response to the issues discussed at the meeting. FCFA will continue this discussion in January 2021. Chair Lee will send out a poll for volunteers to join the optional meeting to discuss the survey of part-time lecturers.

6. Good of the order

Nothing was stated.

7. Adjourn

The meeting was adjourned at 12:35 p.m.

Minutes by Alexandra Portillo, xanport@uw.edu, council analyst

Present: Faculty Code Section 21-61 A: Megan Callow, Gregory Lund, Aaron Katz, Jack Lee (chair), Jacob Vigdor, Teresa Ward, Mary Pat Wenderoth, Karam Dana, James Gregory

Faculty Code Section 21-61 B: Xin Ying Hsu, Cass Hartnett, Miċeál Vaughan

President’s designee: Cheryl Cameron

Guests: Mike Townsend, Dan Jacoby, Zoe Barsness, Amanda Paye, Gia Anguiano

Absent: Faculty Code Section 21-61 B: Jennette Kachmar

Exhibits

Exhibit 1 – 20-12-2 ADR and Grievance for FCFA
Overview of Class A Legislation of Chapter 27: ADR and Faculty Grievances

Faculty Senate Task Force on Faculty Discipline and Dispute Resolution

Faculty Council on Faculty Affairs
December 8, 2020
MOTIVATING VALUES FRAMEWORK

Community Values

Create processes and outcomes that promote and uphold our shared values, including:
- Academic and intellectual freedom
- Academic, research and professional integrity
- Equity and inclusion
- Ethical behavior, fairness and respect
- Individual and community health and well-being
- Accountability to each other and the community as a whole
- Learning and improvement

Dispute Resolution Processes
- Clear
- Equitable
- Fair
- Transparent
- Ethical
- Timely

Dispute Outcomes
- Efficacy
- Alignment and consistency
- Accountability
- Proportionality
- Accuracy
- Education
CURRENT STATE

CLASS C RESOLUTION: CREATE SEPARATE PROCESSES

Interpersonal Conflict

Chapter 27 ADR (incl. Conciliation)
Does not include allegations of misconduct or policy violation

Contested Administrative Decisions

Chapter 27 NEW Grievance
Decision or action by an administrator that affects terms or conditions of employment

Misconduct

Chapter 28 Revised - Corrective Action and Disciplinary Proceedings
Faculty member alleged to have violated a rule or regulation of the University, its schools, colleges, or departments,
CLASS C RESOLUTION: GRIEVANCE PROCESS PARAMETERS

Draft Class A Legislation consistent with the basics of draft model, which include:

• Creating steps for addressing a grievance within the academic unit which promote early resolution and problem solving;

• Broadening the types of grievances that are accepted for review at the unit level in comparison to the current standard in Chapter 28 for adjudications, with the intent to allow the broadest possible access for faculty grievances; and

• For grievances not resolved at the unit level, creating steps at the institutional level, including an institutional review by a panel.
Faculty Grievances
Appendix A - Class C Resolution

**Unit Level**

- **Faculty member files grievance**
- **Step 1 Review**
  - Faculty administrator (e.g. chair or assoc. dean) meets with grievant, followed by written response
- Grievant requests next step?

**Step 2 Review**

- Next-level faculty administrator (e.g. dean) meets with grievant, followed by written response
- Grievant requests next step?

**Satisfy standard for Institutional Review?**

- **Yes**
  - **Institutional Review**
    - by three-person panel
    - 2 faculty from Faculty Adjudication Panel
    - 1 faculty administrator
  - Discretionary Review by President
- **No**
  - **Outcome from Step 2 Review stands**

**Faculty Grievances**

- Coordinator (currently Chair of the Faculty Adjudication Panel) decides with standard not intended to be more restrictive than current standard for adjudication

- Faculty member contests administrative decision that affects terms or conditions of faculty appointment
- Coordinator (currently Chair of the Faculty Adjudication Panel) decides whether the petition states a matter subject to grievance
- If promotion, tenure, merit, etc., skip to Institutional Review with current code standard of limited review

- Time limits paused during alternative dispute resolution under Chapter 27
DISCRETIONARY REVIEW BY PRESIDENT

• Reduce motivation for review
  ▪ Faculty administrator on panel to assure representation and consideration of administrative interests while sustaining robust, majority faculty representation

• Reduce opportunity for review; reserved for grievances that have:
  ▪ Broad institutional impact
  ▪ Institutional policy implications
  ▪ Where decision and/or solution of the panel may have exceeded its authority (e.g., panel may not be empowered provide the institutional remedy required to address the grievance)

• Enhance accountability; requires President to explain:
  ▪ Institutional considerations for reaching in
  ▪ Reasoning for decision if not a reaffirmation of panel’s decision
  ▪ A solution, if any