

University of Washington
Faculty Council on Faculty Affairs
January 15, 2019
11:00 a.m. – 12:30 p.m.
Odegaard Undergraduate Library 320

Meeting Synopsis

1. Call to order
 2. Review of the minutes from December 11, 2018
 3. Subcommittee reports:
 - Equity and inclusion subcommittee (Jack Lee)
 - Non-departmentalized tenure & promotion process (Jacob Vigdor & Jack Lee)
 4. Proposed EFC code changes (Tom Hazlet & Aaron Katz) (see attachment)
 5. Proposed teaching professor track (Jack Lee)
 6. New business:
 - Terms of office for Faculty Senate Chair and Vice-Chair (Jack Lee)
 7. Good of the order
 8. Adjourn
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1. Call to order

The meeting was called to order at 11:05 a.m.

2. Review of the minutes from December 11, 2018

The minutes from December 11, 2018 were approved with one minor edit.

3. Subcommittee reports:

- **Equity and inclusion subcommittee (Jack Lee)**
 - Lee, the chair, updated the council on behalf of Purnima Dhavan. Robin Angotti, the chair of the Faculty Council on Women in Academia, will attend FCFA on February 12. On February 14, Dhavan (with other sub-committee members) will attend the Faculty Council on Multicultural Affairs meeting.
- **Non-departmentalized tenure & promotion process (Jacob Vigdor & Jack Lee)**
 - The chair and Jake Vigdor sent the drafted revisions to the code to the President, Provost, Faculty Senate leadership, Elected Faculty Council Chairs (at the five non-departmentalized colleges), and Board of Deans and Chancellors for feedback. The majority wanted more time to review the proposal before providing feedback. One pushback involved Bothell and Tacoma regarding clarity around how this legislation would impact those respective campuses. The chair and Vigdor presented two alternative draft versions that address the issue (Exhibits 1 & 2).

Members discussed each version. The chair commented that it will be nearly impossible to craft language that will anticipate any possible changes to the governing structures of the Bothell and Tacoma campuses, so whatever

recommendation the council forwards should at least work in the present. If Bothell and Tacoma change the way they operate, the council should revisit the code. The council made a minor amendment to remove mention of chancellor in the second draft version (Exhibit 2). As they are still waiting for more feedback from stakeholders, the chair then asked the council to approve Exhibit 2 as the current draft. The council approved the draft language in the second version.

4. Proposed EFC code changes (Tom Hazlet & Aaron Katz) (see attachment)

Tom Hazlet presented proposed revisions to the current EFC code (Exhibit 3). Members reviewed and discussed the proposed language. Members raised questions about the fourth point and whether it was necessary and/or redundant. The council made revisions to the drafted language in the meeting. Another member suggested duplicating the same language in point B. The chair, Mike Townsend, Tom Hazlet and Aaron Katz will make additional revisions and send back to the council.

5. Proposed teaching professor track (Jack Lee)

The chair updated the council on the status on the proposed teaching professor track. The chair summarized that the proposal received feedback that suggested that only changing the title, rather than making substantive changes to the terms and conditions of employment, may undermine the spirit of the change if more part-time lecturers are hired as a result. The chair asked the council to discuss how to proceed. Members agreed that there is a need for substantive changes that include more protections for teaching faculty. The chair offered adding something tenure-like (at Berkeley their teaching faculty have security of employment) and/or six year up-or-out as potential additions. Another member suggested exploring a ten year contract rather than tenure as a substantive change. The council will continue this conversation at the next meeting.

6. New business:

- **Terms of office for Faculty Senate Chair and Vice-Chair (Jack Lee)**

The chair shared that he has discussed, with former Senate Chairs and Vice Chairs, the duration of Faculty Senate leadership positions. Many have felt that the position is too short. The chair proposed that the council consider legislation that would decouple the Senate Committee on Planning and Budgeting (SCPB) chair from the Senate Chair and Vice Chair. He further proposed that the Senate Chair and Vice Chair both serve two year terms. Members discussed merits of extending the terms. A member noted that a SCPB Chair has to have experience on the committee before taking on that responsibility. The chair will draft a proposal and present a draft at a future council meeting.

7. Good of the order

Nothing was stated.

8. Adjourn

The meeting was adjourned at 12:30 p.m.

Minutes by Lauren Hatchett, lehatch@uw.edu, council analyst

Present: **Faculty:** Jack Lee (chair), Margaret Adam, Steve Buck, Jacob Vigdor, Kamran Nemati, Dan Jacoby, Tom Hazlet, Míceál Vaughan, Lauren Montgomery, James Gregory, Mary Pat Wenderoth
Ex-officio reps: Judith Henchy, Padmaja Vrudhula, Bryan Crockett
Guests: Mike Townsend

Absent: **Faculty:** Joseph Janes, Aaron Katz, Purnima Dhavan, Dawn Lehman
Ex-officio reps: JoAnn Taricani
President's designee: Cheryl Cameron

Exhibits

Exhibit 1 – Tenurecoderevisions-edits from Bothell.docx

Exhibit 2 – tenurecoderevisions with UWB-T language 01142019 Revised 011519.docx

Exhibit 3 – efc cleanup proposed changes to code - Revised 011519.docx

Memorandum

November 28, 2018

To: Faculty Council on Faculty Affairs
 From: Jake Vigdor
 Re: Proposed code revisions

Goals of the proposed code revisions

These code revisions intend to establish an independent layer of review for non-departmentalized schools [at UW Seattle](#), analogous to what the Faculty Code dictates in departmentalized units—In departmentalized units, a committee or council consisting predominantly or exclusively of members from outside a candidate’s department advises the dean. By construction, this committee or council provides an independent (or at least substantially independent) layer of review. Under current faculty code, elected councils or committees in non-departmentalized units [at UW Seattle](#) cannot make the same claim to independence, as members will generally have already participated in deliberations and voted. [Schools at UW Bothell and UW Tacoma already have this independent layer of review as established in Sec. 23-45.B.](#)

The specific goals are to:

- Establish a cross-unit Joint Council [for non-departmentalized schools at UW Seattle](#) and procedures for selecting members
- Charge the Joint Council and regulate its workings
- Amend existing procedure to incorporate the Joint Council

Establishing and charging a cross-unit council

The Faculty Code (~~24-54~~[23-45](#):C) mandates that deans be advised by a committee or council for promotion and tenure decisions. Establishing a cross-unit council would constitute an intervention in the governance structure of colleges and schools. Chapter 23 of the faculty code concerns the governance structure of colleges, schools, and departments. The proposed code revisions here introduce the Joint Council on Promotion and Tenure as a feature of governance in non-departmentalized units [at UW Seattle](#).

The Faculty Code (24-54:C) defers certain decisions about committees or councils to colleges and schools, which then codify their practices in by-laws. For example, code currently allows schools and colleges discretion as to whether council members are recused from deliberations or votes on candidates they have previously voted on. Some of ~~UW's~~ departmentalized units [at UW Seattle](#) explicitly call for recusal, others do not. The proposed code revisions here incorporate content that would ordinarily be found in school or college by-laws. As the proposed Joint Council on Promotion and Tenure is not an entity covered by the by-laws of any single school or college, the Faculty Code is the appropriate place to spell out these provisions.

Proposed amendments to Chapter 23-45 (part)

C. Each school or college shall have an elected faculty council or councils which shall ~~advise the dean on matters of faculty promotion and tenure, and~~ advise the dean on matters involving academic policy, including priorities, resource and salary allocation, and budgets. ~~In departmentalized colleges and schools at University of Washington Seattle, an elected faculty council shall advise the dean on matters of faculty promotion and tenure.~~ In accord with Subsection A, the faculty of each school or college shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected.

D. Each non-departmentalized college or school at University of Washington Seattle shall elect one representative to a Joint Council on Promotion and Tenure, which shall collectively advise the dean of each such college or school on matters of faculty promotion and tenure. These representatives shall hold the rank of professor, with voting rights on all personnel matters as described in the *Faculty Code*. Representatives shall serve three-year staggered terms to ensure continuity in membership across successive years. In accord with Subsection A, the faculty of each non-departmentalized school or college shall determine for itself the procedure by which representatives are elected.

In accord with the provisions of Chapter 24, Section 24-54, Subsection C, this Joint Council on Promotion and Tenure shall adhere to the following procedures:

1. Any representative to the Joint Council on Promotion and Tenure who is also a member of a candidate's school or college shall be excused from any council deliberation or vote on that candidate.
2. With the exception of representatives excused according to subsection D.1, all representatives shall have equal voting rights.
3. To establish a quorum, a majority of council representatives must participate in any vote.
4. Representatives to the Joint Council on Promotion and Tenure not excused according to subsection D.1 shall prepare and submit the Joint Council's recommendations with reasons therefor to the dean of the originating college or school, in accord with the provisions of Chapter 24, Section 24-54, Subsection C. If the recommendation of the Joint Council on Promotion and Tenure is not favorable, or if it conflicts with the faculty vote, then the Joint Council recommendation with reasons therefor shall be provided to the candidate. For purposes of confidentiality, specific attributions and vote counts shall be omitted from this report.

~~D.E.~~ The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's, or school's procedure to assure that the councils are established in conformity with the provisions of this section.

~~E.F.~~ The Graduate School shall determine its own organization and rules of procedure. It may directly control its affairs or may delegate to a council, executive committee, or other

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committees any of its powers, provided that such council or committees shall be representative of the various fields of graduate study.

Amending tenure and promotion procedure to incorporate the Joint Council

Minor amendments to the faculty code are required to shift the routing of cases to the Joint Council if they originate in non-departmentalized units.

Proposed amendments to Chapter 24-54 Subsection C

The deans and chancellors shall be advised by a committee or council ~~of the college or school.~~ **In a departmentalized school or college** this advisory group, shall be elected by the faculty of the college or school. **In a non-departmentalized school or college at University of Washington Seattle, the dean shall be advised by the Joint Council on Promotion and Tenure., The committee or council** shall consider each case presented to it and submit its recommendations with reasons therefor to the dean. If the recommendation of the committee or council is not favorable, or if it conflicts with the faculty vote, then the council or committee recommendation with reasons therefor shall be provided to the candidate. For purposes of confidentiality, specific attributions shall be omitted and vote counts may be omitted from this report. In a departmentalized school or college, when a candidate for promotion is under consideration, any member of the committee or council who is also a member of the candidate's department may be excused.

Commentary

- The establishment of a committee with membership from each non-departmentalized unit mirrors the procedure used at the University of Minnesota.
- At Minnesota, this committee reports to the provost rather than deans. The use of a cross-unit committee to advise deans rather than the provost mirrors the procedure used at the University of Wisconsin-Madison.
- The use of three-year terms is common to many peer institutions as well as most UW departmentalized units (SoM, CBE, CoE, Foster, Dentistry, Nursing, SPH, Engineering).
- The use of staggered terms is common to many peer institutions as well as several UW departmentalized units (Engineering, SoM, CBE, CoE).
- Restriction of membership to full professors mirrors practices established in the by-laws of five departmentalized units at UW (A&S, Engineering, Foster, Pharmacy, SoM) as well as many peer institutions.
- Recusal of faculty from the originating unit for deliberation and vote mirrors codified procedure in the UW College of Engineering, the University of Minnesota, as well as many other peer institutions (e.g., many UC campuses, Maryland, Rutgers, Ohio State, Arizona). While in theory a committee member belonging to the originating unit may offer perspective or advocacy on a candidate, there is no guarantee that a member's views will be representative of their unit's faculty, nor is there a guarantee that a member can represent the candidate's teaching, research and service accurately and

without incorporating their personal views. It is left to originating units to provide this contextual and interpretive material.

- These proposed code revisions are silent as to whether the joint council is to advise only on procedural issues or on both procedure and the substance of a case. This mirrors the silence in existing faculty code. Peer institutions commonly establish that both procedure and merits lie within the purview of their advisory committees; no peer institution explicitly restricts committee review to procedural matters.
- These proposed revisions are silent as to the question of re-election or term limits of council members.
- The proposed joint council would have fewer members than university-wide committees at many peer institutions, but the typical university-wide committee oversees an entire campus rather than a minor subset of units.
- These proposed revisions leave certain questions of procedure, such as whether an in-person deliberation is required for every case, to the discretion of the proposed joint council. This is consistent with written by-laws in UW departmentalized units.
- Language on voting rights in 22-92:B and 22-92:C.2 has the effect of excluding research professors per 21-32:C and professors with titles modified by the terms acting, visiting, clinical, affiliate, of practice, or emeritus per 21-32:B. Adjunct faculty would be ineligible to serve in units where they hold the adjunct appointment, also per 21-32:B.
- Per RCW 42.30.110 (1)(g), all meetings of the joint council except organizational meetings at which no candidates are discussed would qualify as executive sessions and thus be exempt from the Open Public Meetings Act.

Memorandum

November 28, 2018

To: Faculty Council on Faculty Affairs

From: Jake Vigdor

Re: Proposed code revisions

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The specific goals are to:

- Establish a cross-unit Joint Council and procedures for selecting members
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Establishing and charging a cross-unit council

The Faculty Code (24-54:C) mandates that deans be advised by a committee or council for promotion and tenure decisions. Establishing a cross-unit council would constitute an intervention in the governance structure of colleges and schools. Chapter 23 of the faculty code concerns the governance structure of colleges, schools, and departments. The proposed code revisions here introduce the Joint Council on Promotion and Tenure as a feature of governance in non-departmentalized units.

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Proposed amendments to Chapter 23-45 (part)

C. Each school or college shall have an elected faculty council or councils which shall ~~advise the dean on matters of faculty promotion and tenure, and~~ advise the dean on matters involving academic policy, including priorities, resource and salary allocation, and budgets. ~~In departmentalized colleges and schools, an elected faculty council shall advise the dean on matters of faculty promotion and tenure.~~ In accord with Subsection A, the faculty of each school or college shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected.

D. ~~Each non-departmentalized college or school, except those where tenure and promotion cases are reviewed by a campus-elected faculty body, shall elect one representative to a Joint Council on Promotion and Tenure, which shall collectively advise the dean of each such college or school on matters of faculty promotion and tenure. These representatives shall hold the rank of professor, with voting rights on all personnel matters as described in the Faculty Code. Representatives shall serve three-year staggered terms to ensure continuity in membership across successive years. In accord with Subsection A, the faculty of each non-departmentalized school or college shall determine for itself the procedure by which representatives are elected.~~

~~In accord with the provisions of Chapter 24, Section 24-54, Subsection C, this Joint Council on Promotion and Tenure shall adhere to the following procedures:~~

1. ~~Any representative to the Joint Council on Promotion and Tenure who is also a member of a candidate's school or college shall be excused from any council deliberation or vote on that candidate.~~
2. ~~With the exception of representatives excused according to subsection D.1, all representatives shall have equal voting rights.~~
3. ~~To establish a quorum, a majority of council representatives must participate in any vote.~~
4. ~~Representatives to the Joint Council on Promotion and Tenure not excused according to subsection D.1 shall prepare and submit the Joint Council's recommendations with reasons therefor to the dean of the originating college or school, in accord with the provisions of Chapter 24, Section 24-54, Subsection C. If the recommendation of the Joint Council on Promotion and Tenure is not favorable, or if it conflicts with the faculty vote, then the Joint Council recommendation with reasons therefor shall be provided to the candidate. For purposes of confidentiality, specific attributions and vote counts shall be omitted from this report.~~

~~D-E.~~ The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's, or school's procedure to assure that the councils are established in conformity with the provisions of this section.

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Commentary

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- These proposed revisions leave certain questions of procedure, such as whether an in-person deliberation is required for every case, to the discretion of the proposed joint council. This is consistent with written by-laws in UW departmentalized units.
- Language on voting rights in 22-92:B and 22-92:C.2 has the effect of excluding research professors per 21-32:C and professors with titles modified by the terms acting, visiting, clinical, affiliate, of practice, or emeritus per 21-32:B. Adjunct faculty would be ineligible to serve in units where they hold the adjunct appointment, also per 21-32:B.
- Per RCW 42.30.110 (1)(g), all meetings of the joint council except organizational meetings at which no candidates are discussed would qualify as executive sessions and thus be exempt from the Open Public Meetings Act.

Issues:

- Recusal from JCPT (Jack)
- Dean participation (Dawn)
- UWB/UWT (Dan)

Cheryl: RCEP reorganization code – need to consult with the 5 units

Mike: don't tweak the code on deans. Ignore the Bothell/Tacoma issues

Jim: Motion to route the draft forward to affected units (EFCs and board of deans), SEC.

Joe: Intersects with EFCs. Do we want to have two cracks at EFCs this year? It will open the door to think about a university-wide committee. If we think that's the right idea then why don't we propose it.

Mary: Who pays for the council?

The motion passes.

Issues to be resolved:

- Which administrators? (Definition) – exploring boundaries of shared governance

Section 23-45 Campus, College, and School Faculties: Authority to Determine Organization and Procedure

- A. Subject to the provisions of [Section 23-46](#), the faculty of each campus, college, or school other than the Graduate School shall determine its own organization and rules of procedure except as stipulated in Subsections [B](#) and [C](#) of this section. The organization and rules of procedure of a department may be determined by the department faculty, but shall be subject to review by the appropriate campus, school, or college faculty.

- B. The University of Washington Bothell and the University of Washington Tacoma shall each have an elected faculty council or councils that shall advise their respective chancellors on matters affecting the general welfare of their respective campuses, matters of faculty promotion and tenure, and on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with [Subsection A](#), the faculty of each campus shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected.

- C. Each school or college shall have an elected faculty council or councils which shall advise the dean on matters of faculty promotion and tenure, and advise the dean on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with [Subsection A](#), the faculty of each school or college shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected, provided that:-
 - 1. [Members of elected faculty councils are voting faculty members elected by the voting faculty of their respective units;](#)
 - 2. [Deans, associate deans, and chairs may not appoint, propose, or elect members to elected faculty councils;](#)
 - 3. [Deans, associate deans, and chairs may not be voting members of their respective elected faculty councils; and](#)
 - 4. [If a dean, associate dean, or chair is an ex-officio member of their respective elected faculty council, they must be a non-voting member. A dean may be an ex-officio member without vote.](#)

- D. The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's, or school's procedure to assure that the councils are established in conformity with the provisions of this section.

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- E.** The Graduate School shall determine its own organization and rules of procedure. It may directly control its affairs or may delegate to a council, executive committee, or other committees any of its powers, provided that such council or committees shall be representative of the various fields of graduate study.

