

University of Washington
Faculty Council on Student Affairs
October 7, 2014
1:30 pm – 3:00 pm
Gerberding 26

Meeting Synopsis:

1. Call to order
 2. Welcome new and continuing members
 3. Approval of the agenda
 4. Approval of the minutes from June 3, 2014
 5. Chair's report
 6. Faculty Appeals Board
 7. ALUW update
 8. President's representative update
 9. PSO update
 10. New business/future agenda items
 11. Adjourn
-

1) Call to order

The meeting was called to order by Chair Treser at 1:30 p.m.

2) Welcome new and continuing members

Members introduced themselves to the council.

3) Approval of the agenda

The agenda was approved as written.

4) Approval of Minutes from June 3, 2014

The minutes from June 3, 2014 were approved as written.

5) Chair's report

Treser reported that he met with Patricia Kramer, chair of the Faculty Council on Academic Standards, to discuss FCAS' recent concerns surrounding the affordability of education and student debt. Treser also participated in a committee meeting task with streamlining and reorganizing the Student Conduct Code.

There has been a fair amount of discussion about enrollment management at UW. One issue that has come up is that approximately 20% of undergraduates are international students who represent 44% of UW's total tuition income. This is important because any changes to student demographics and tuition will have ramifications on the student body.

Treser reported on President Young's interest in improving student life on campus. While it is not clear to what this means, it is likely connected to bigger facilities and greater amenities for students. However, this can be a disadvantage to lower-income students who cannot afford these improvements. It is possible the council could work with the Faculty Council on University Facilities and Services to address this issue.

Treser outlined his idea of the council's agenda for the upcoming year:

- November: Transportation issues (Josh Kavanagh) and the Student Conduct Code (Elizabeth Lewis)
- December: Student financing and financial aid (Patricia Kramer, ASUW, Kay Lewis)
- January: Student athletics
- February: Admissions (Phil Ballinger)
- March: Office of Student Life and the student experience (Denzil Suite)
- April: Capital planning (Rich Christie from FCUFS)
- May: open
- June: wrap up

Treser distributed the annual report for members to review.

A question was raised asking about the council's role in university governance. Concern was raised that the council will receive reports and presentation about topics, but does not necessarily take action on certain items. Treser explained the council is charged with addressing the student experience on campus while keeping an eye on issues affecting students and identifying action items for the Faculty Senate. The council could also propose legislation or resolutions to be sent to the senate. Treser emphasized that senate leadership is very interested in the council taking up issues that need to be brought to their attention.

Treser reported on additional issues the senate is facing at the moment. Over the last year senate leadership has been addressing the issue of hiring/retaining contingent faculty on the three campuses. This issue has become a problem because the university had previously been hiring non-competitively hired lecturers for one year appointments without a national search. The solution has been to ensure all new appointments be the result of a competitive search but the question still remains what to do with the current faculty who previously hired through this process.

Faculty salary policy has been an issue for the last few years. A new salary policy system has been proposed which would address the compression of faculty salaries. Treser explained compression occurs when new faculty are brought in at market rates while current faculty do not receive raises, which makes the university less attractive in its recruitment and retention efforts. The new system would create a tiered, merit system and hopefully be passed by the senate at the end of the academic year.

The university is also in the process of discussing intellectual property and the impact of *Stanford v. Roche*. The court case involved a Stanford researcher who conducted work with an outside company resulting in a legal dispute surrounding who owns the intellectual property of the invention. The Supreme Court ruled that intellectual property belongs to the investigator prompting UW to develop policies to ensure that intellectual property now belongs to the university. Treser noted that he will be serving on the Special Committee on Intellectual Property and Commercialization to address this issue.

Treser reported that Washington State University's proposal for a new medical school has created a lot of tension between UW and WSU. This comes when the state is asking all agencies to report on a possible 15% budget, possible revenue shortfalls, and a requirement to fully fund K-12 education during the upcoming legislative session.

6) Faculty Appeals Board

Elizabeth Lewis, director of community standards and student conduct, was present to discuss the Student Conduct Code. The Student Conduct Code is codified in the Washington Administrative Code 478-120 and has not been thoroughly reviewed since 1993. Lewis explained that over the last four years a committee has worked on reviewing the code and clarifying issues that are not clearly explained in the WAC, including Title IX, domestic violence and sexual misconduct. The process, as described in the WAC, is very confusing and it is important to streamline the code to make it understandable for faculty and students. Lewis explained that changing the code is a lengthy process and will require consultation with many stakeholder groups, such as ASUW, GPSS, the Faculty Senate, all three campuses and ultimately the Board of Regents.

In the current system when an incident occurs the student has the option for a formal or informal hearing which has different avenues for addressing the incident. If the student chooses the formal review the incident is sent to the University Disciplinary Committee (UDC) which will either result in an initial order.. The student has an opportunity to appeal within 25 days which would be forwarded to the Faculty Appeals Board (FAB). If the FAB order results in a dismissal then it is reviewed by the president's office. The UDC is made up of faculty and students who can only serve 1-year terms but the code is silent regarding FAB. Lewis commented that her office only had one student who opted to go straight to UDC, typically students choose the informal hearing process.

The composition and role of the Faculty Appeal Board is determined by WAC 478-120-100. There is only one FAB for the university which is composed of seven members of the faculty and appointed by the chair of the senate after consultation with the Faculty Council on Student Affairs. Members must include representatives from UW Bothell and Tacoma, and the chair must be appointed by the Faculty Senate chair. The purpose of FAB is to conduct administrative reviews or to conduct a formal hearing following the formal adjudicative model established by the Washington Administrative Procedures Act. Formal hearings may be conducted with the full board or panels of no fewer than three members. If the incident goes through a formal process and contains "exceptional circumstances" (restitution above \$300, suspension, dismissal or hazing) the case is reviewed by FAB. When the incident is reviewed by FAB the burden is on the university to show via a preponderance of the evidence that the student violated the Student Conduct Code. Through these proceedings the student may be represented by counsel who can also participate in the proceedings. If exceptional circumstances do not exist, or the student has not asked for a formal hearing, he/she will undergo an administrative review in which the FAB bases its decision on all documents and recordings considered by the initiating officer, the UDC, oral/written arguments, or additional evidence.

Lewis explained that prior to this review some members have served on the committee for over 20 years, which is challenging because the types of cases change along with the increase demands of what universities' are required to respond to, such as sexual misconduct. Lewis is working with FCAS and the Faculty Senate to evaluate how committee members will be appointed. One concern that needs to be addressed is that the university needs to conduct hearings over the summer in addition to the academic

year. The process of addressing student misconduct is important university business that must go on 12 months a year and cannot stop during the summer. Lewis suggested this is an issue where FCSA could provide feedback.

A question was raised about the timeline in finalizing a new Student Conduct Code. The goal is to send the revised code to the Board of Regents in March and have a new code for Fall 2015. Lewis will send a draft next week for members to review and provide feedback.

Hevly commented that he once served on FAB and one issue that still is not clear is how this process is an appropriate alternative to criminal prosecution. Lewis explained that an administrative review and/or a formal hearing uses a lower burden of proof than the criminal justice system, called "preponderance of evidence". Additionally, the Office of Civil Rights is expecting UW to move forward on Title IX violations, whether or not it is conducted through a criminal process. UW has also heard from students that working with the Seattle Police Department is challenging and they feel safer conducting a review within an academic environment. Lewis' office encourages students to report their case to police but some do not choose to use that option.

Lewis discussed the workload of FAB which has increased to 22 cases a year. This is a volunteer board in which some faculty do not receive release time and requires a great deal of effort. Additionally, FAB puts faculty in a difficult situation where they are dealing with complex issues, such as violence and sexual misconduct, which takes special expertise. Lewis noted that one of the recommendations was to create a Title IX board in which members would receive extensive training and support to address these complex issues. The goal would be to expand the board and to allow for multiple panels addressing several cases at once.

A question was raised if the new Title IX board would only be composed of faculty and students. By expanding membership to staff it may address the issue of finding panel members during the summer months. Lewis stated that many institutions have a diverse membership and staff representation could be possible. Lewis noted that it would be unlikely that students will serve on the Title IX board.

Lewis discussed the national pressure for universities to provide more protection for its students, while at the same time concerns are being raised that institutions are creating parallel criminal justice systems. This is a difficult issue to balance and very few university employees have the sufficient training to deal with these problems effectively in a professional manner. Lewis mentioned that any changes to dealing with student conduct violations will be consistent across all three campuses

7) ALUW Update and Plans

Tawatao reported that Odegaard Undergraduate Library has a new director, John Danniger, who is emphasizing student life and the role of the library. Tawatao will invite Danniger to an upcoming meeting to discuss his thoughts about the library and its impact on student life.

8) President's representative update

Lincoln noted that the university is off to a good start and over 7,000 students moved in smoothly. Major events such as Dawg Days were well attended and experienced high attendance. Lincoln is interested in reporting on the Husky Leadership Initiative, especially its first event on October 29th called U Lead,

We Lead. Lincoln sensed there are many more activities available for students than in the past, especially compared to 10 years ago.

9) PSO Update and Plans

Chan reported that PSO is in the process of planning a regional staff conference with institutions across the state.

10) New business/future agenda items

Treser asked members to contact him with any issues that the council should address. Treser noted that tri-campus issues, such as distance learning, may be interesting for the council to discuss.

11) Adjourn

The meeting was adjourned by Chair Treser at 3:00 p.m.

Minutes by Grayson Court, council support analyst, gcourt@uw.edu

Present: **Faculty:** Treser (Chair), Ezeonwu, Hevly, Lopez, Svircev
Ex-Officio Reps: Chan, Tawatao, Badger
President's Designee: Johnson

Absent: **Faculty:** Fabien, Gill, Laws, Stroup
Ex-Officio Reps: n/a