

University of Washington
Faculty Council on Faculty Affairs
Monday, October 6, 2008
9:00-10:30 a.m.
36 Gerberding Hall

Council Chair Jan Sjøvik called the meeting to order at 9:05 a.m.

Meeting synopsis:

1. Welcome. Approve the agenda of this meeting.
2. Announcements.
3. Senate restructuring proposal (brief introduction).
4. RCEP (continued discussion).

1. Welcome and approval of agenda.

Sjøvik welcomed all new and returning members of the Council. He noted that there were two additions to the agenda: Alan Kirtley would like to propose further changes to draft legislation changing Chapter 27 concerning Conciliation Procedures and Kevin O'Brien requested some time on the agenda for a heads-up on an issue of concern. The agenda was approved as amended.

It being the first meeting of the academic year, Sjøvik noted that the Council needed to decide if *ex officio* members of the Council should be given voting rights. Historically the FCFA has not granted voting rights to *ex officio* members due to the nature of the work being done in the Council. After some discussion the issue came to a vote, and the Council declined to grant voting rights to *ex officio* members.

2. Announcements.

Sjøvik reported that the revisions to Chapter 27 (Conciliatory Proceedings) that the Council had drafted last spring would be on the agenda of the Senate Executive Committee (SEC) as Class A legislation that afternoon. He then recognized Alan Kirtley and asked him to state his concerns about the revision.

Kirtley introduced himself as a faculty member from the Law School since 1984, with a focus on mediation and negotiation. He has been a Conciliation Officer since 1997 and was on the Faculty Council on Faculty Affairs all but spring quarter last year, when the revision was drafted. He applauded the provision of increasing the number of conciliation officers from six to twelve, but he asked the Council to consider taking a second look at two parts of the draft revision – the portions dealing with legal representation and the one dealing with confidentiality.

Confidentiality (Section 27-41.D). Kirtley's concern was that a Conciliation Officer may not be able to get signatures on conciliation agreements – and would be stalled at the outset of a case. He explained that conciliation is different from mediation in that there's an aggrieved party who may well believe that it's not to his/her advantage to sign such an agreement. This could potentially thwart a faculty member's attempt to use conciliation.

Legal representation (Section 27-41.B). His second concern was with the provision that keeps Conciliation Officers from discussions with anyone other than the parties. Kirtley believes that a Conciliation Officer should be able to talk with anyone related to the parties that may be able to help him in discovering a solution to the dispute.

He asked the Council to consider requesting that the SEC return the draft revision to the Council for further consideration.

Discussion began with a suggestion that given the concerns that have been raised, perhaps it deserves more attention. Vice Provost Cheryl Cameron reminded the Council that Section 27-41.D. was drafted in consultation with the Office of the Attorney General to help ensure the confidentiality of the conciliatory

proceedings. Kirtley suggested there may be a way to draft the revision so that it complies with state law *and* avoids other consequences.

After more discussion, a motion was made and seconded to direct Chair Sjøvik to request that the SEC send this Class A legislation back to the FCFA for more work. The motion was approved.

3. Faculty Senate Restructuring Proposal (brief introduction).

This proposal was the object of discussion twice in the Senate last year. As a result of those discussions the proposal had been revised substantially, and the draft distributed with the agenda is the most recent. The revision has two significant differences in addition to decreasing the overall size of the Senate. First, it abandons the concept of Groups and takes the responsibility for elections out of the office of the Faculty Senate and places it in the departments. Second, the chairs of elected school/college/campus councils would serve on the Senate. Sjøvik urged Council members to study the current draft for future discussions. Faculty Senate Chair David Lovell added that current ex officio members of the Senate are not listed on this draft proposal, but will be included as they are currently included in the Senate membership

4. RCEP (continued discussion).

Copies of the latest version of a revision of the Reorganization, Consolidation, and Elimination of Programs (RCEP) procedures were distributed, reflecting the work of the Council through last Spring Quarter. As background for new members, Chair Sjøvik explained that those who had been involved in recent cases using the procedures had found a number of problems. One of the most vexing issues involved the confidentiality requirement which functioned primarily to feed the rumor mill during the process. The new procedures are more transparent for all involved. The Council has also made adjustments throughout the procedures as indicated in the draft distributed.

Chair Lovell interjected at this point, expressing his appreciation for the work of the Council and its extremely full agenda this year, including revisions of Conciliatory Proceedings, RCEP Procedures and the Structure of the Faculty Senate. Ideally, he would like to see all three issues come before the SEC by the beginning of Winter Quarter.

The Council then proceeded to complete a section-by-section review of the draft RCEP revisions that were distributed with the agenda. The following changes were agreed upon:

- Strike the draft paragraph added to the preamble.
- Remove “(or campus)” from B.2.a.
- Change the first sentence in B.2.h. to “When the Chair of the elected faculty council determines that the council is ready to conclude its review...”

Due to timing, draft review will be continued at the next meeting, October 20, 2008, 9:00-10:30 a.m. in 36 Gerberding hall.

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The meeting was adjourned at 10:30 a.m.

Minutes by Susan Folk
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Present:

Regular: Astley, Bryant-Bertail, Carline, Christie, DiStefano, Kirtley, O'Brien, Philips, Sjøvik
President's Designee: Cameron
Ex Officio: Corbett, Nguyen, Vallier, Harrington, Killien, Lovell, Balick

Absent:

Regular: Ricker, Wilcock