

University of Washington
Faculty Council on Faculty Affairs
February 19, 2013, 9:00-10:30 a.m.
142 Gerberding Hall

Meeting Synopsis:

1. Call to Order
2. Review of the Minutes from January 22, 2013
3. Report on Openness in the Promotion and Tenure Process
4. Class A Legislation – Academic Freedom
5. What's next?
6. Adjourn

1) Call to Order

Meeting was called to order at 9:06 a.m. by Chair Gail Stygall.

2) Review of the Minutes from January 22, 2013

Minutes from the February 5, 2013, meeting were not approved as there was *not* a quorum of voting members.

3) Report on Openness in the Promotion and Tenure Process

Chair Stygall reported on feedback on this proposal from the Senate Executive Committee (SEC) at its meeting of February 11. At that meeting the proposal was referred back to the FCFA with instructions that the Council re-examine feedback from the Board of Deans and from Provost Cauce, who had expressed concern about how this will affect small departments. In response to Cauce, Stygall sent her a copy of Professor Christie's *Small Department Chair Survey*, which she has done – but has yet to hear back from Cauce. One member of the SEC, also a chair of a small department, concurred with Cauce's concern. But most of the comments were procedural rather than substantive – generally about the timing of deadlines. Others addressed concerns where particular schools (e.g., the School of Medicine) may have different kinds of procedures that need to be considered in coordinating with this proposal.

Some responders were confused about independent analysis. Stygall suggested the Council look at the language to determine whether this portion of the proposal might be written more clearly. This provision offers the chair of a department the opportunity to offer an independent analysis of the decision. That provision is a part of existing Code language, but the proposal expands it. The candidate now has the opportunity to review and comment on the analysis. Stygall asked Council to review this portion of the proposal for further discussion next week.

Stygall reiterated that the (mostly procedural) responses from the Board of Deans and the concerns about small departments from the SEC should not stop the progress of this legislation. The proposal requires that chairs and deans would have to communicate with candidates about the decisions they make. This would be the major revision of the Code. Stygall feels that although this would not be a comfortable thing for chairs and deans, having it in the Code would at least provide administrative justification for these potentially uncomfortable conversations.

Stygall suggested that by the time of the next meeting the Council the SEC minutes from the February 11 meeting will have been drafted, and the Council will be able to address specific comments from the

Board of Deans and those concerns expressed about small departments from the SEC. In preparation for this discussion, Stygall will distribute a copy of Christie's *Small Department Chair Survey*. Stygall feels that this survey will demonstrate that the proposed process actually may not amount to a great deal of concern for small departments.

4) Class A Legislation – Academic Freedom

Based on the discussion at the last (February 5) FCFA meeting Stygall asked if anyone had further thoughts on ways to integrate parts of the first two paragraphs of the AAUP proposal on Academic Freedom into the existing statement of principle. Council members reported having difficulty in grappling with the proposal because of its apparent conflicting statements and “mushy” wording.

The Council grappled with the protections provided under the auspices of academic freedom. Everyone could agree that Academic Freedom certainly applied to faculty and their individual research and (to a large extent) their teaching. But it was not quite so clear that faculty governance issues, and criticism of administrative decisions, would also fall under Academic Freedom. When is faculty criticism of administration appropriate (and even necessary) and when is it not? Should the way an individual faculty member's actions reflect on the University be a consideration? Are faculty protected by the principles of academic freedom? By First Amendment protections? By both?

After extensive discussion of what is and is not included under the protections of academic freedom, Council members asked for a primer on academic freedom. Cameron agreed to recruit someone to address the Council at a future meeting.

Henchy suggested that having the backing of the AAUP may be a good thing in this case – making it more than simply a local issue – but not one was completely certain that this proposal was anything more than a local AAUP proposal. Stygall volunteered to find out whether the AAUP proposal is a draft or recorded policy.

Stygall has additional AAUP material, including a document: *Academic Freedom, Shared Governance and the First Amendment after Garcetti v. Caballos* by Rachel B. Levinson. She will distribute the document electronically to FCFA members.

5) What's next?

- Landis will send Stygall the School of Nursing Social Media Policy.
- Stygall will invite Janelle Taylor to attend the next meeting of the FCFA.
- Stygall will find out whether the AAUP proposal is a draft or recorded policy.
- Stygall will re-distribute the Levinson paper.
- Cameron will find someone to do a “primer” on Academic Freedom for the Council.

6) Adjourn

Chair Stygall adjourned the meeting at 10:20 a.m.

Minutes by Susan Folk, Faculty Council Support, sfolk@u.washington.edu

Present: **Faculty:** Stygall (Chair), Landis, Johnson, Watts
 Ex-Officio: McNerney (ASUW), Henchy
 President's Designee: Cameron

Absent: **Faculty:** Ricker (on-leave), Vaughn, Huber, Buck, O'Brien
 Ex-Officio: Rees (GPSS), Sukol (PSO)