

University of Washington
Faculty Council on Faculty Affairs
March 12, 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 February 26, 2019
 3. Subcommittee reports:
 - Non-departmentalized tenure & promotion process (Jack Lee) (see attachment)
 - Equity & inclusion (Purnima Dhavan)
 4. EFC code changes (Jack Lee) (see attachment)
 5. Proposed interim and part-time lecturer code changes (Dan Jacoby & Jack Lee) (see attachments)
 6. Good of the order
 7. Adjourn
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1. Call to order

The meeting was called to order at 11:00 a.m.

2. Review of the minutes from February 26, 2019

The minutes from February 26, 2019 were approved as written.

3. Subcommittee reports:

- **Non-departmentalized tenure & promotion process (Jack Lee) (see attachment)**

Lee, the chair, shared his response to the non-departmentalized Elected Faculty Council chairs (Exhibit 1).

- **Equity & inclusion (Purnima Dhavan)**

The chair notified the council that he invited Robin Angotti, chair of the Faculty Council on Women in Academia (FCWA), to the FCFA meeting on April 16. Purnima Dhavan also forwarded the invitation and meeting information to Brenda Williams, chair of Faculty Council on Multicultural Affairs.

The chair commented that this subcommittee might consider drafting code language or a resolution that would require or encourage units to publicly post promotion and tenure guidelines.

4. EFC code changes (Jack Lee) (see attachment)

The chair informed the council that he presented the proposed Elected Faculty Council (EFC) code changes at the last EFC meeting. The EFC chairs took issue with some proposed language, and so the

chair drafted a new version of the Class A (Exhibit 2). The council reviewed the language and offered additional amendments. The council voted to forward the new draft to the Senate Executive Committee.

5. Proposed interim and part-time lecturer code changes (Dan Jacoby & Jack Lee) (see attachments)

The chair shared that there has been significant pushback on the proposal. The council has limited data on how many part-time lecturers are at the University and how departments/units would be impacted. The chair proposed that the council request more data and analyze what impact the proposed code changes might have.

Members discussed the current proposals and how the council might move forward. Some members expressed support for a Class C resolution. Members also agreed that having more administrative data and hearing from individuals in part-time lecturer positions would be helpful in moving forward.

Members had questions around the three year timeline. The drafted code proposal distinguishes any part of three academic years, however; Academic HR defines the timeline as three consecutive years.

Dan Jacoby presented a draft Class C resolution (Exhibit 3). The council reviewed the document and suggested edits. The chair asked Jim Gregory, Aaron Katz and Dan to revise the Class C resolution and present at the next council meeting.

6. Good of the order

Nothing was stated.

7. Adjourn

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

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

Present: **Faculty:** Jack Lee (chair), Steve Buck, Aaron Katz, Purnima Dhavan, Jacob Vigdor, Kamran Nemat, Dan Jacoby, Tom Hazlet, James Gregory, Mary Pat Wenderoth, Lauren Montgomery

President's designee: Cheryl Cameron

Ex-officio reps: Judith Henchy, Bryan Crockett

Guests: Mike Townsend

Absent: **Faculty:** Joseph Janes, Dawn Lehman, Míceál Vaughan, Margaret Adam

Ex-officio reps: JoAnn Taricani, Padmaja Vrudhula

Exhibits

Exhibit 1 – Email from Jack Lee to EFC chairs in undepartmentalized colleges.pdf

Exhibit 2 – Class A Proposal-EFC changes 031119.docx

Exhibit 3 – Proposed Class C Resolution on faculty Hiring.docx



Jack Lee <johnmlee@uw.edu>

Sat, Mar 2, 2019 at 8:23 AM

To: Lisa Kelly <lisak2@uw.edu>, Mary Kay Gugerty <gugerty@uw.edu>, Elham Kazemi <ekazemi@u.washington.edu>, Kevin Haggerty <haggerty@uw.edu>, Wanda Pratt <wpratt@uw.edu>

Cc: Lauren Hatchett <lhatch@uw.edu>

Dear faculty council chairs in the undepartmentalized colleges,

The Faculty Council on Faculty Affairs met on Tuesday, Feb 26, to discuss our proposed amendments to the Faculty Code regarding the promotion and tenure procedures in undepartmentalized schools and colleges. Based on the joint response we received from the elected faculty council chairs in the five affected colleges, the council decided to put an indefinite hold on any further consideration of our proposed code changes.

Instead, the council asked me to communicate the following to you.

One of the primary motivations for FCFA taking up this issue was concern about the faculty code requirement that every college or school include a review of promotion and tenure recommendations by a college council, and especially its implementation and effects in undepartmentalized schools and colleges. Is this an unneeded and redundant burden for those schools and colleges, or is it an attempt to address a real need? If the latter, is the code language sufficient to ensure that this need is actually addressed?

In our discussion on Tuesday, the council reaffirmed its support for the principle that every college or school should have some sort of secondary review of promotion and tenure recommendations before they go to the dean. The purposes of that review, as we see it, are

- to protect the rights of individual candidates; in particular, if a candidate chooses to respond to the initial recommendation in accordance with [Section 24-54 B](#) of the faculty code, the second-level review is an opportunity for elected representatives of the faculty to weigh both the initial recommendation and the candidate's response.
- to ensure that no individual or faction can have outsize influence on promotion or tenure decisions.
- to ensure that the standards of the college or school and of the university are upheld.

The council agreed that the secondary review should be sufficiently independent to ensure that these goals are met. There was considerable discussion on the question of whether this need for independence should lead to a requirement that faculty members who had already voted on the initial promotion or tenure recommendation be prevented from participating or voting in the secondary review ("taking two bites of the apple"). Although there was a general consensus that preventing such participation and voting is a good way to preserve the independence of the secondary review, members also noted that the current faculty code ([24-54 C](#)) stipulates only that in departmentalized colleges, a college council member from the candidate's department *may* (as opposed to "shall") be excused from participation. We read this as an indication that in general, preventing faculty members from voting twice is not an absolute requirement.

We would like to invite each of the faculty council chairs from the five undepartmentalized schools and colleges to send us a brief note addressing the following questions:

1. To what extent do the current procedures in your college or school satisfy the purposes of secondary review described above? (You need not include a detailed description of your P&T procedures, if they are clearly described in your unit's publicly available bylaws.)
2. If current procedures are not fully satisfying these purposes, what modifications or improvements would you suggest? Would revisions to the faculty code be required to implement these modifications or improvements?
3. Are there other changes to the faculty code that would help to clarify, support, and enforce the intended purposes of the secondary review in undepartmentalized colleges?

We had originally hoped to come to a resolution on this issue during this academic year, which would have necessitated finalizing any proposed code changes by March 12. But it now seems unlikely that we'll be able to stay within that timeline, so there's much less time pressure. Let me suggest that you try to send your response by the first day of spring quarter (April 1) if possible. If you think you'll need more time than that, just let me know what schedule will work for you.

Thanks for all your attention and careful thought about these questions.

Best regards,

Jack Lee
Chair, Faculty Council on Faculty Affairs

Exhibit 1

John M Lee, Professor of Mathematics
Box 354350, University of Washington
Seattle, WA 98195-4350
johnmlee@uw.edu, 206-543-1735

Proposed Amendments to our Class A Proposal on EFC Membership

From Jack Lee

At a recent meeting of EFC chairs, there was a discussion of our Class A proposal regarding EFC membership, and two problems emerged. Since the proposal will not be voted on until the April 18 senate meeting, we have one more chance to amend it at the April 1 SEC meeting.

The problems are:

1. **Voting members of EFCs should be voting faculty.** I thought we had stipulated that voting members of EFCs had to be voting faculty, but somehow the wording we settled on didn't reflect that. So the first amendment should address that.
2. **“Chairs” vs. “heads of appointing units.”** As I reported at our last meeting, there was concern in SEC that “chairs” might not encompass all the people we mean to exclude from voting membership, because some departments have “directors” instead of chairs, and there might be yet other titles in some colleges. The SEC settled on the term “heads of appointing units” in place of chairs. But at the EFC chairs’ meeting, it became clear that this phrase is far too opaque to be of much use. It’s not used anywhere else in the faculty code. We need to replace it with something clearer.

Here are some phrases from executive orders that might be useful:

- EO 64: "department chair or academic appointing unit head"
- EO 20: "deans, directors, and chairs of departments or equivalent units"
- EO I: "The director or chair of a department (including departmental-level programs)"

I prefer the EO I language, and that’s what I’ve inserted (slightly modified) below.

Proposed Changes to Faculty Code, Chapter 23: Colleges, Schools, and Departments

Introduction

The Faculty Council on Faculty Affairs voted on January 29, 2019, to forward proposed Class A legislation to the Senate Executive Committee and Faculty Senate for consideration. The motion was approved by a majority of voting members.

Rationale

In response to a request from the Senate Executive Committee, the Advisory Committee on Faculty Code and Regulations (ACFCR) conducted a review of the Faculty Code and the bylaws

of the University's 27 campuses, colleges, and schools concerning the composition of elected faculty councils. Specifically, the request noted "... it is critical that the composition of Elected Faculty councils are elected faculty only" in conformance with the intent of Section 23-45 of the Code, which is that "the *faculty* of each campus, college, or school ... shall determine its own organization..." [italics added]

In its resulting March 6, 2018 report, ACFCR found:

- The Faculty Code does not explicitly bar administrators from EFC membership;
- The Faculty Code does not explicitly require EFC members be elected by the voting faculty; and
- The bylaws of some units are inconsistent with Section 23-45 or its intent, allowing administrators to nominate or appoint EFC members or to be voting members themselves.

The following proposed changes to Section 23-45 aim to clarify that only voting faculty may be voting members of EFCs and that administrators should not have a formal role in nominating or electing EFC members.

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-, [subject to the provisions of Subsection D below](#).
- 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., subject to the provisions of Subsection D below.

- D.** Every elected faculty council of a campus, school, or college shall be subject to the following provisions.
1. Voting members of elected faculty councils are **voting members of the faculty,** elected by the voting faculty of their respective units;
 2. Chancellors, vice chancellors, deans, associate deans, and **directors or chairs of departments** may not appoint, propose, or elect members to elected faculty councils;
 3. Chancellors, vice chancellors, deans, associate deans, and **directors or chairs of departments** may not be voting members of their respective elected faculty councils, but they may be non-voting ex-officio members.
 4. The chair of each elected faculty council shall be a voting member of the council, and shall set the agendas and preside over meetings.
- DE.** 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.
- EF.** 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.

Whereas Executive Order No. 4 authorizes the faculty to formulate regulations for the immediate government of the University and to share responsibility “In such as... criteria for faculty tenure, appointment, and promotion.”

Whereas the Faculty Code does not authorize a separate class of faculty, including lecturers, hired with search

Whereas the University is committed to Equal Opportunity law requiring search that ensures opportunity for a diverse pool applicants

Whereas the University prioritizes the hiring of a diverse faculty to the fullest extent possible consistent with its scholarly criteria

Whereas the Faculty Council on Women in Academe in 2010 had reported that short contracts were a significant barrier to the advancement of female faculty within the university

Whereas the Faculty Senate has specifically voted to allow multi-year terms for all lecturers whether hired part or full-time

Whereas the hiring of lecturers or other faculty without search involves practices known elsewhere as “permatemp” hiring and which is corrosive to the values espoused above and is contrary to the principles of academic freedom as elaborated by the AAUP to which the University of Washington has committed itself

Whereas the titles of affiliate and clinical faculty are frequently assigned to individuals whose principal employment is not as faculty within the university, and for whom competitive search may constitute an unnecessary barrier to securing the talent of professional instructors active in their fields

RESOLVED

While there are very limited circumstances under which hiring without search become necessary, the burden of proof demonstrating those that search is infeasible shall reside with the departments, programs, schools and colleges within which those appointments are proposed. In addition, the length of those appointments should normally not exceed 1 year, although it may extend to as much as 3 years where there is a well-defined duration of need, such as replacements for faculty leaves or disability.