

Agenda
Senate Executive Committee Meeting
Monday, January 4, 2021, 2:30 p.m.

[Zoom](#)

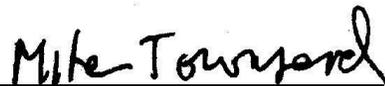
Phone:

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You will be prompted to enter the meeting ID: 560 829 4138

1. Call to Order and Approval of Agenda.
2. Senate Chair's Remarks – Robin Angotti. **[Exhibit A]**
3. Reports and Opportunity for Questions.
 - a. Report of the Secretary of the Faculty. **[Exhibit B]**
 - b. Report of the Chair of the Senate Committee on Planning and Budgeting. **[Exhibit C]**
 - c. Report of the Faculty Legislative Representative. **[Exhibit D]**
4. President's Remarks – Ana Mari Cauce.
5. Consent Agenda.
 - a. Approve the November 16, 2020, SEC minutes.
 - b. Approve the December 3, 2020, Faculty Senate minutes.
6. Announcements.
7. New Business.
 - a. Class A Legislation – Diversity Statement – second consideration. **[Exhibit E]**
Faculty Council on Women in Academia.
Action: Approve for Faculty Senate consideration.
 - b. Class A Legislation – Title Cleanup – second consideration. **[Exhibit F]**
Faculty Council on Faculty Affairs.
Action: Approve for Faculty Senate consideration.
 - c. Class A Legislation – Voting Time Limits – second consideration. **[Exhibit G]**
Faculty Council on Faculty Affairs.
Action: Approve for Faculty Senate consideration.
 - d. Class A Legislation – Clinical Appointment Lengths – second consideration. **[Exhibit H]**
Faculty Council on Faculty Affairs.
Action: Approve for Faculty Senate consideration.
 - e. Class B Legislation – Medical Excuse Notes. **[Exhibit I]**
Faculty Council on Student Affairs.
Action: Approve for Faculty Senate consideration.
 - f. Approval of the January 21, 2021, Faculty Senate Agenda. **[Exhibit J]**
Action: Approve for distribution to Faculty Senators.
8. Adjournment.

Prepared by:



Mike Townsend
Secretary of the Faculty

Approved by:



Robin Angotti, Chair
Faculty Senate

NOTE: If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Monday, January 11 at 2:30 p.m. via Zoom.

Report of the Faculty Senate Chair
Robin Angotti, Professor, UW Bothell

Although I recognize that numerical dates are abstract, I have to admit that I am glad 2020 is now hindsight. At the University of Washington, we have fallen into some semblance of routine with virtual classes and meetings and the online format is growing more familiar to us, although is not entirely comfortable. There is hope on the horizon with two approved vaccines and a number of future vaccines lined up for future consideration. There is much to be optimistic about as we head into 2021. There is also much work to be done.

After the whirlwind finish to 2020 with 10 pieces of legislation discussed at the final Senate meeting, I hope everyone took a little pause. This first meeting for winter quarter is a little lighter, yet no less important. We have the second consideration of four pieces of class A legislation that passed the Senate in December as well as new class B legislation to discuss regarding medical excuse notes.

There is a considerable amount of work ongoing in the faculty councils, which bodes for a busy winter and spring. The Faculty Council on Faculty Affairs is considering the legislation on the faculty grievance and discipline policy, the Faculty Council on Tri-Campus Policy continues to discuss potential legislation to fix inconsistencies in code language as a result of Bothell and Tacoma now having schools and Deans, the Faculty Council on Academic Standards continues its work to address issues affecting scholastic regulations which affect all the campuses. These are just a few examples of the work of the councils in this new year. All of the 11 councils are equally hard at work to improve the function of the academic enterprise of the university.

The state legislative session is about to begin which will have huge implications for the budget for the upcoming biennium. Senate leadership looks forward to regular updates from our faculty legislative rep, Jake Vigdor and deputy rep, JoAnn Taricani.

All of the things mentioned above are forward thinking items. I know that it is hard right now to think about the future, some days it is all we can do to get through the day. But it is imperative right now to be bold. Many of the problems we face didn't start with the pandemic, there were cracks in the foundation of higher education before 2020 and if we continue to ignore them, they will make the structure crumble. These issues include funding, diversity, equity, tenure, enrollment, and include challenges from outside entities such as big tech who are dipping into the education arena to think of different ways to educate for the job market. We have this moment to face these challenges and to creatively think about how to move the academy and the university forward for the 22nd century. Let's not throw away our shot. We can be leaders or we can follow others who will chart the course for the future of higher education.

Report of the Secretary of the Faculty

Mike Townsend, Associate Professor, School of Law

1. Faculty Senate Vice Chair Search Update: The Senate Vice Chair Nominating Committee will soon be interviewing nominees for the 2021-22 Vice Chair. The ideal candidate would be an accomplished senior faculty member who has served in leadership roles within the university and who has the breadth of understanding to speak for the faculty across the university. If you are interested or know someone who would be well qualified for the position, please contact Joey Burgess (jmbg@uw.edu) in the Faculty Senate Office.
2. Committee on Committees: The Committee on Committees will soon be seeking candidates for membership on various Faculty Councils and Committees. Contact Joey Burgess (jmbg@uw.edu) for further information.
3. Annual Faculty Lecture: The University Faculty Lecture Award Selection Committee is currently accepting nominations for the 2020-2021 University Faculty Lecture. Please send applications to secfac@uw.edu. The purpose of the University Faculty Lecture Award is twofold: to honor University of Washington faculty members whose scholarship or creative work is widely respected by their colleagues as original and important, and to share those accomplishments with the community, both on and off the campus, through a public lecture. Each year since 1974, a distinguished member of our faculty has been chosen for this honor.

Report of the Chair of the Senate Committee on Planning and Budgeting
Joseph Janes, Associate Professor, Information School

The Senate Committee on Planning and Budget meets weekly with the Provost, the Vice-Provost for Planning and Budget, and the head of the Board of Deans. SCPB is charged with consulting on all matters relating to the University budget and on a wide range of program and policy decisions.

Since our last report, SCPB has met once and discussed the following topics:

- A status reports and in-depth discussion with leadership and staff from the Office of Global Affairs, focusing on faculty-led study-abroad programs, as well as their overall financial position, reserves, outlook, and future strategy
- Continuing detailed discussion of an administration plan for bridge funding and hiring to diversify the faculty, yielding recommendations and suggestions for implementation and assessment

Report of the Faculty Legislative Representative
Jacob Vigdor, Professor, Evans School of Public Policy & Governance

This report includes commentary on Governor Inslee's proposed budget for the 2021-23 fiscal biennium, as well as an update on the faculty regent bill (HB 1051).

Governor Inslee's Proposed Budget

The State of Washington operates using a two-year budget cycle. Our current cycle will end on June 30, 2021. In the upcoming legislative session the state will adopt a budget for the period from July 1, 2021 to June 30, 2023. As is customary, this process kicks off with a proposed budget from the governor's office. This is only a proposal and the final version passed by the legislature could look quite different. Nonetheless, this document serves as a starting point for negotiations.

Higher Education

The governor's proposed budget calls out several initiatives to support the higher education sector in general, and the University of Washington in particular. The broad initiatives center on advancing equity through improving student access to financial aid and non-financial resources to students who have experienced homelessness or foster care. Here at UW, the governor seeks to commit \$112 million over two years to support care for Medicaid patients and the uninsured at UW Medicine, Harborview, and UW Dentistry. There are smaller proposals to fund mental health faculty and fellowships (\$2.4M), and a new debt-financed Interdisciplinary Education Research Center for the College of Engineering (\$70.4M). If passed as proposed, the budget would result in a net increase of \$40M/year in support flowing from the state's "near general fund" to UW, thanks largely to the uncompensated care provisions.

All that said, the governor's proposal would result in a net cut of \$118 million to UW's operating budget over two years (\$59M/year). I know this sounds strange. "How can a budget simultaneously forward more state money to the University *and* cause it to have a smaller operating budget?" It's because beyond sending resources to our three campuses, the state has the power to influence how we spend money we earn elsewhere – through tuition, grants, contracts, patient care, and so forth.

The bulk of the UW budget reductions would accrue through cuts in employment, salaries, and benefits. The proposal calls for a two-year salary freeze, following the *de facto* freeze in place for 2020/21. The proposal also calls for one-day-a-month involuntary furloughs, translating into a 4.6% pay cut in effect for the next two years, as well as reduced benefit spending. These actions would reduce UW's operating budget by \$63.5 million over two years (\$31.8M/year). The governor's budget also calls for \$171M in savings from "temporary layoffs and other savings" (\$85.5M/year).

These cuts are proposed in an environment where revenue for the 2021-23 cycle is projected to be over 7% higher than the current cycle, and in a budget document that also proposed to enact a new capital gains tax, discussed further below, to boost revenues another 2%. The bulk of salaries and benefits at UW are not directly supported by state funds; only about 19% of the projected savings associated with involuntary furloughs would translate into a reduction in the state's operating budget. Put another way, for every \$5 in reduced salary generated by furloughs, \$1 would be returned to the state and \$4 to the University.

Clearly, the state has many pressing priorities to address with limited funds. We have fared better than our siblings in the 4-year system in terms of enrollment and finances. Some of our colleagues on other campuses have already endured involuntary furloughs. One could look upon our relative good fortune and conclude that we would be all right with a little bit less. It will be important to remind our representatives in state government that our success reflects the hard work and ingenuity of our faculty, who derive most of their compensation from tuition, fees, grants, and contracts rather than the state budget. Our efforts bring hundreds of millions of dollars into the state of Washington each year, from research sponsors and out-of-state students, that might otherwise be spent elsewhere.

The Proposed Capital Gains Tax

Results from the faculty survey I circulated at the beginning of the academic year indicate that improving the progressivity of Washington's tax regime is a significant priority for many. Governor Inslee's budget includes a proposal for a capital gains tax. The proposed tax rate of 9% would apply to gains over \$25,000 for individuals and over \$50,000 for joint filing households. The tax would apply only to gains on financial assets, not homes.

Taxpayers realize a capital gain upon selling an asset worth more than what they paid for it. So, if you bought a single share of Amazon stock five years ago for \$600 and sold it today for \$3,300, your realized capital gain would be \$2,700. If you had bought and sold ten shares instead of one, and file your income taxes as a single person, your capital gain of \$27,000 would result in a state tax bill (to go alongside Federal capital gains taxes). The 9% rate would apply to the portion of your gain over \$25,000. So the check you'd write to the State of Washington would amount to $(27,000 - 25,000) \times 0.09 = \180 .

Capital gains taxes are considered progressive because lower-income households tend to have few assets to their name, particularly once you rule out home equity. The proposal to exempt capital gains below \$25,000 for single individuals increases the progressivity still further. Capital gains are subject to state taxation in 41 states.

There's one essential drawback to the capital gains tax: it's not the most dependable source of revenue, particularly during economic downturns. When the stock market is down, investors may be less likely to sell – and if you do sell, your realized capital gain is likely to be smaller than it otherwise would be. Other things equal, it's better to have sources of revenue that don't dry up in a recession. Property taxes, for example, are pretty dependable in good times and bad. But they aren't as progressive as a capital gains tax.

If you've followed Washington state tax policy for a long time, you probably know that the state operates under a court precedent, dating to 1933, that interprets our state constitution as requiring taxes to be levied at a uniform rate. That's the main reason why we don't have an income tax today – voters actually passed a progressive income tax ballot proposition in 1932 by a 70-30 margin. Efforts to amend the state constitution to allow a progressive income tax via a ballot proposition have failed five times since 1933, most recently in 2010.

Interpreted strictly, a tax that exempts the first \$25,000 of income from a specific source would not pass muster, whereas a tax with no exemption would be fine. This raises some question as to why the governor wouldn't just propose a simpler 9% tax on all capital gains with no exemption. It would still be a progressive tax because the wealthy are much more likely to have capital gains.

If the tax proposal were to pass the legislature in its current form, it would almost certainly be challenged in court, where its fate would be uncertain. Defenders of the tax might point to Washington's estate tax, which features an exemption as well as a progressive rate structure (higher tax rates for more valuable estates) yet passed muster in the courts.

Faculty Regent Bill

The University of Washington and Washington State University have repeatedly supported a bill that would create an 11th position on the UW Board of Regents, reserved for a member of the faculty. This bill has been introduced in multiple legislative sessions, made some progress toward being enacted as law, but fallen short each time.

There was some speculation that this might be a good year to take a break from advocating for this bill. The legislature, working remotely for this session, will likely consider fewer bills than in a typical session. Nonetheless, the bill's perennial sponsor in the House, Rep. Gerry Pollet of the 46th district, has filed [HB 1051](#) to be considered in the 2021 session. If you know Rep. Pollet or are his constituent (the 46th district includes the Seattle neighborhoods of Laurelhurst, Wedgwood, Maple Leaf, Lake City, along with Lake Forest Park and Kenmore), it would certainly be appropriate to thank him for his support of shared governance. I will be working with legislators in the House and Senate to try to get this bill across the finish line this session.

Class A legislation proposing changes to the Faculty Code, Chapter 24

To: Senate Chair Robin Angotti
From: Gautham Reddy, Chair, Faculty Council on Multicultural Affairs
CC: Faculty Council on Multicultural Affairs
Date November 9, 2020
Re: Proposed Class A Legislation to require that candidates for certain initial faculty appointments submit a statement of contributions to diversity, equity, and inclusion

Introduction

In the 2018-19 academic year, the Faculty Council on Multicultural Affairs (FCMA) discussed a proposal to require that prospective and current faculty members submit a statement of contributions to diversity, equity, and inclusion. Following the circulation in the spring of 2019 of the draft legislation that contemplated changes applicable to both initial faculty appointments and promotion, the FCMA refined the proposal and provided responses to questions raised following circulation of the initial draft.

Additionally, the prior FCMA chair, Brenda Williams, met individually with numerous members of campus leadership in October and November 2019, to solicit feedback about the impact of the proposed change on both appointment and promotion.

In consideration of the questions raised, the feedback provided, and the continued discussion and debate during FCMA's regularly scheduled meetings, the FCMA voted to amend the proposed legislation to clarify that the legislation requiring a diversity statement should apply prospectively only to new faculty appointments.

The proposed legislation was unanimously passed by the FCMA in February 2020; because of the Covid-19 pandemic, the SEC and the Senate could not consider the proposal in the spring quarter of 2020. In October 2020, the FCMA revived the proposal and voted unanimously to forward proposed Class A legislation amending Faculty code section 24-32 to the Senate Executive Committee for ultimate consideration by the Faculty Senate.

Reasons for Proposed Changes

President Cauce described the University's mission in the UW Diversity Blueprint 2017 – 2021 as one that values diversity in perspectives, creates a welcoming learning environment for all students and promotes broad access and equal opportunity. The Blueprint articulates diversity goals, recommended priorities and suggested action steps in support of the University's mission, including the goal and recommended priority to attract and retain diverse faculty. The plan provides the following suggested action steps in support of this goal:

1. Strengthen and diversify faculty hiring practices;
2. Utilize best practices to improve the recruitment of underrepresented faculty; and
3. Develop school/college practices that support the retention and advancement of underrepresented faculty.

Through this proposed change, the Faculty Council on Multicultural Affairs supports the University's mission to strengthen the recruitment of diverse faculty and to ensure that efforts at retention and advancement become central to the university. Moreover, FCMA seeks to support the recruitment of faculty who contribute to the University's diversity and equity mission through the implementation of a diversity statement requirement for initial appointment and to encourage all faculty to support the development of diverse faculty members and students.

Over the course of this and the previous Academic year, the FCMA reviewed and ultimately selected Faculty Code Chapter 24.32 (Appointment and Promotion of Faculty Members) for proposed revision to

support the University's ongoing effort to attract and retain diverse faculty in new appointments. Requiring new faculty applicants to provide a statement of past and proposed contributions to diversity, equity, and inclusion strengthens faculty hiring practices by providing additional information to appointment committees that allows for more informed decisions when deliberating on the hiring of new faculty.

Procedural Background

At the initial meeting of the Faculty Council on Multicultural Affairs in October 2018, the council reviewed goals provided by then Senate Chair George Sandison. Among the goals was a mandate to continue to evaluate relevant sections of the Faculty Code and associated practices through the lens of multicultural affairs, diversity, and difference, with the objectives of strengthening equity and fairness.

During the course of the fall (2018) and winter (2019) quarter meetings, the Council engaged in a discussion regarding the practice on other campuses to require a statement regarding contributions to diversity for all faculty hiring. A similar policy requiring a personal statement detailing contributions to diversity exists at all University of California campuses, prior to consideration for hiring. Many of the UC campuses also consider the diversity statement during the promotion review process. The FCMA proposal includes the option to provide a statement of proposed contributions to diversity in order to include all candidates in the overall mission of the University. During the fall (2019) quarter meetings, the FCMA amended the proposed legislation to its current form, rendering the requirement applicable to initial appointments only. In the fall quarter of 2020, the FCMA unanimously reaffirmed its commitment to the proposed legislation.

Sample Diversity Statements:

See Appendix A for a local sample diversity statement:

Appendix A Sample

See below links for models from other schools:

[Berkeley recommendations on Diversity Statements](#)

[UC Davis describes various types of contributions to diversity](#)

[UC San Diego offers examples of diversity statements](#)

[Six examples of submitted Diversity Statements](#)

Overview of Questions Considered before December 2019 amendment:

- Is this intending to add "diversity" to the existing 3 aspects of appointment/promotion/tenure (scholarship, teaching, service)? Cut across them? And since we do articulate what we mean by those, why not also do so for diversity?
 - i. The FCMA proposed legislation intends to incorporate diversity, equity, and inclusion into each of the three existing aspects of appointment (scholarship, teaching and service);
 - ii. The FCMA is unaware of a University wide definition of diversity. Individual schools and units do have local definitions of diversity and the definitions are not uniform across the campus. This Class A legislation does not propose a definition for diversity.
- Why add to this section rather than 24-52?
 - i. 24-52 appears to provide procedural guidance to appointment committees, whereas 24-32 provides for the Scholarly and Professional Qualifications of faculty members.

- Would this also impact merit reviews (24-57)?
 - i. The FCMA proposed legislation intends to amend section 24-32 as it relates to new faculty appointments only.
- I also think there are political considerations, per Mike's comment (the prior revision was explicitly described as *not* requiring this, which might raise concerns among many).
 - i. The FCMA discussed, drafted and ultimately recommended this proposed legislation following a motion by a member of the Council made during the 2018-19 Academic year.
- In a future holistic evaluation of a candidate does council anticipate just an evaluation of a personal statement assuming the candidate does not have a significant contribution in any of the three traditional areas of evaluation for appointment and promotion. Just wondering how junior faculty might respond to this requirement. (Can council members easily give example responses for themselves?)
 - i. The FCMA proposed legislation intends to amend section 24-32 as it relates to **new faculty appointments** only. The legislation contemplates an opportunity by candidates to present on their planned contributions where past contributions are lacking.
 - ii. The FCMA provides a model Diversity Statement in the appendix and also provides links to models statements from other campuses.

Following discussion of the questions raised and the feedback provided by campus leadership, in December of 2019, the FCMA voted unanimously to amend the proposed legislation, clarifying that the legislation requiring a diversity statement applies to new faculty appointments only.

Proposed Change

The FCMA proposes one change to the section governing the appointment and promotion of faculty members, specifically to the Section 24-32, governing the Scholarly and Professional Qualification of Faculty members.

1 **Section 24-32 Scholarly and Professional Qualifications of Faculty Members**

2 The University faculty is committed to the full range of academic responsibilities: scholarship and
3 research, teaching, and service. Individual faculty will, in the ordinary course of their development,
4 determine the weight of these various commitments, and adjust them from time to time during their
5 careers, in response to their individual, professional development and the changing needs of their
6 profession, their programs, departments, schools and colleges, and the University. Such versatility and
7 flexibility are hallmarks of respected institutions of higher education because they are conducive to
8 establishing and maintaining the excellence of a university and to fulfilling the educational and social role
9 of the institution. All candidates for initial faculty appointment to the ranks and/or titles listed in Section 21-
10 32.A (Voting Membership in the Faculty) shall submit a statement of past and planned contributions to
11 diversity, equity, and inclusion. Academic units and search committees shall consider a candidate's
12 statement as part of a comprehensive evaluation of scholarship and research, teaching, and service. In
13 accord with the University's expressed commitment to excellence and equity, any contributions in
14 scholarship and research, teaching, and service that address diversity and equal opportunity shall be
15 included and considered among the professional and scholarly qualifications for appointment and
16 promotion outlined below.

17 A. Scholarship, the essence of effective teaching and research, is the obligation of all members of
18 the faculty. The scholarship of faculty members may be judged by the character of their advanced
19 degrees and by their contribution to knowledge in the form of publication and instruction; it is
20 reflected not only in their reputation among other scholars and professionals but in the
21 performance of their students.

22 B. The creative function of a university requires faculty devoted to inquiry and research, whose
23 attainment may be in the realm of scholarly investigation, in constructive contributions in
24 professional fields, or in the creative arts, such as musical composition, creative writing, or
25 original design in engineering or architecture. While numbers (publications, grant dollars,
26 students) provide some measure of such accomplishment, more important is the quality of the
27 faculty member's published or other creative work.

28 Important elements in evaluating the scholarly ability and attainments of faculty members include
29 the range and variety of their intellectual interests; the receipt of grants, awards, and fellowships;
30 the professional and/or public impact of their work; and their success in directing productive work
31 by advanced students and in training graduate and professional students in scholarly methods.
32 Other important elements of scholarly achievement include involvement in and contributions to
33 interdisciplinary research and teaching; participation and leadership in professional associations
34 and in the editing of professional journals; the judgment of professional colleagues; and
35 membership on boards and committees.

36 C. The scope of faculty teaching is broader than conventional classroom instruction; it comprises a
37 variety of teaching formats and media, including undergraduate and graduate instruction for
38 matriculated students, and special training or continuing education. The educational function of a
39 university requires faculty who can teach effectively. Instruction must be judged according to its
40 essential purposes and the conditions which they impose. Some elements in assessing effective
41 teaching include:

- 42 • The ability to organize and conduct a course of study appropriate to the level of
43 instruction and the nature of the subject matter;
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- 45 • The consistency with which the teacher brings to the students the latest research findings
46 and professional debates within the discipline;
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- 48 • The ability to stimulate intellectual inquiry so that students develop the skills to examine
49 and evaluate ideas and arguments;

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- The extent to which the teacher encourages discussion and debate which enables the students to articulate the ideas they are exploring;
 - The degree to which teaching strategies that encourage the educational advancement of students from all backgrounds and life experiences are utilized;
 - The availability of the teacher to the student beyond the classroom environment; and
 - The regularity with which the teacher examines or reexamines the organization and readings for a course of study and explores new approaches to effective educational methods.

61 A major activity related to teaching is the instructor's participation in academic advising and
62 counseling, whether this takes the form of assisting students to select courses or discussing the
63 students' long- range goals. The assessment of teaching effectiveness shall include student and
64 faculty evaluation. Where possible, measures of student achievements in terms of their academic
65 and professional careers, life skills, and citizenship should be considered.

66 D. Contributions to a profession through published discussion of methods or through public
67 demonstration of an achieved skill should be recognized as furthering the University's educational
68 function. Included among these contributions are professional service activities that address the
69 professional advancement of individuals from underrepresented groups from the faculty
70 member's field.

71 E. The University encourages faculty participation in public service. Such professional and scholarly
72 service to schools, business and industry, and local, state, national, and international
73 organizations is an integral part of the University's mission. Of similar importance to the University
74 is faculty participation in University committee work and other administrative tasks and clinical
75 duties, including the faculty member's involvement in the recruitment, retention, and mentoring of
76 scholars and students in an effort to promote diversity and equal opportunity. Both types of
77 service make an important contribution and should be included in the individual faculty profile.

78 F. Competence in professional service to the University and the public should be considered in
79 judging a faculty member's qualifications, but except in unusual circumstances skill in instruction
80 and research should be deemed of greater importance.

81 *Section 13-31, April 16, 1956; S-A 58, May 16, 1978; S-A 64, May 29, 1981; S-A 71, February 5, 1985; S-*
82 *A 75, April 6, 1987; S-A 86, December 8, 1992; S-A 99, July 9, 1999; S-A 125, June 11, 2012: all with*
83 *Presidential approval; RC, October 27, 2017; S-A 143, June 22, 2018 with Presidential approval.*

Approved by:
Senate Executive Committee
November 16, 2020

Approved by:
Faculty Senate
December 3, 2020

Class A legislation proposing changes to the Faculty Code, Chapters 21, 24, and 25

Proposed Amendments to the Faculty Code: Title Cleanup

On October 27, 2020, the Faculty Council on Faculty Affairs approved the following proposed Class A legislation for submission to the faculty senate.

Background and Rationale

There are three faculty titles in the code that do not reflect current practice: Research Associate, Senior Lecturer, and Full-Time Lecturer. This is a minor revision of the code to bring it in line with current practice.

What We Propose to Do

1. **Delete the Research Associate title:** The union contract for postdoctoral scholars made this title obsolete, so we are proposing to remove all references to it from the code.
2. **Delete the Senior Lecturer title:** As a result of the faculty vote to establish the Teaching Professor titles last year, all Senior Lecturers who were either full-time or on annual contracts at 50% FTE or more were converted to Associate Teaching Professors. However, there were a few part-time Senior Lecturers hired at less than 50% who were not converted, so we left that title in the code. As of now, there are no longer any faculty members with that title, and no further hires will be made with that title, so we are proposing to remove all references to it from the code.
3. **Eliminate voting rights for Temporary Full-time Lecturers:** All full-time lecturers have been converted to Assistant Teaching Professors *except* those designated by the Office of Academic Personnel as "Lecturer Full-Time Temporary." This is a job title that can be conferred without a competitive search, intended to address unanticipated short-term instructional needs. Individuals with this title are limited to annual appointments for up to 3 consecutive years. It never made much sense for individuals with this title to be given voting rights, but the faculty code did not distinguish between temporary and non-temporary full-time lecturers. Now that the only remaining full-time lecturers are in the "temporary" category, we propose to remove voting rights from this title.

Operative Date of This Legislation

This proposal stipulates that the specific part of the legislation regarding voting rights for full-time lecturers (in Section 21-32) will not become operative until September 16, 2021. This is because temporary full-time lecturers already serving on full-year contracts might have been hired with the understanding that they would have voting rights. This legislation keeps those voting rights in place through the end of current contracts, but eliminates them for any future contracts.

All other parts of the legislation will become operative according to the usual timeline (as soon as the legislation is signed by the president).

The Proposed Class A Legislation:

Be it resolved by the Faculty Senate to submit to the faculty for approval or rejection:

1. That Chapters 21, 24, and 25 of the Faculty Code be amended to read as shown below.
2. That the amendment to Section 21-32 shall become operative on September 16, 2021.
3. That all other amendments in this legislation shall become operative in accordance with the provisions of Section 29-38 A of the Faculty Code.

1 **Chapter 21**

2
3 **Organization of the University Faculty**

4
5 **Section 21-31 Membership in the Faculty**

6
7 The University faculty consists of:

- 8
9
- 10 • The President,
 - 11 • The Provost,
 - 12 • The professors,
 - 13 • The associate professors,
 - 14 • The assistant professors,
 - 15 • The ~~senior lecturers and~~ senior artists in residence,
 - 16 • The professors of practice,
 - 17 • The lecturers and artists in residence,
 - 18 • The instructors,
 - 19 • The teaching ~~and research~~ associates,

20 whether serving under visiting, acting, research, teaching, clinical, or affiliate appointment, whether
21 serving part-time or full-time, and whether serving in an active or emeritus capacity. The faculty,
22 beginning with the professor, are listed in order for purposes of determining voting eligibility based on
23 superior rank.

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25 *Section 13-31, April 16, 1956; S-A 29, June 8, 1964, S-A 32, May 8, 1967, S-A 78, December 14, 1988:*
26 *all with Presidential approval; RC, February 1, 2008; S-A 124, July 5, 2011; S-A 133, June 11, 2014: both*
27 *with Presidential approval; RC, September 30, 2014; S-A 147, September 16, 2020: with Presidential*
28 *approval.*

29
30 **Section 21-32 Voting Membership in the Faculty**

31
32 Since the establishment of the teaching professor titles, the only full-time lecturers remaining on the
33 faculty are those designated "temporary." The following change will eliminate their voting rights as of
34 September 16, 2021.

35
36 **A.** Except as provided in [Subsection B](#) of this section the voting members of the University faculty
37 are those faculty members holding the rank and/or title of:

- 38
- 39 • Professor, 50% appointment or greater,
 - 40
 - 41 • Research professor, 50% appointment or greater
 - 42
 - 43 • Teaching professor, 50% appointment or greater,
 - 44
 - 45 • Associate professor, 50% appointment or greater,
 - 46
 - 47 • Research associate professor, 50% appointment or greater,
 - 48
 - 49 • Associate teaching professor, 50% appointment or greater,
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 - 51 • Assistant professor, 50% appointment or greater,
 - 52
 - 53 • Research assistant professor, 50% appointment or greater,
 - 54
 - 55 • Assistant teaching professor, 50% appointment or greater,
 - 56
 - 57 • Full-time senior artist in residence,
 - 58
 - 59 • ~~Full-time lecturer,~~
- 60

- 61 • Full-time artist in residence, or
 62
 63 • A retired assistant professor, associate professor, or professor (including those with
 64 research or teaching titles), or a retired principal lecturer or senior lecturer, during the
 65 quarter(s) that person is serving on a part-time basis.
 66

67 *Section 13-31, April 16, 1956; S-A 32, May 8, 1967; S-A 37, February 8, 1971; S-A 45, January 17, 1975;*
 68 *S-A 78, December 14, 1988; S-A 98, May 12, 1998; S-A 103, March 6, 2001; S-A 108, June 21, 2002;*
 69 *S-A 124, July 5, 2011; S-A 133, June 11, 2014; S-A 141, May 24, 2018; S-A 147, September 16,*
 70 *2020: all with Presidential approval.*

71 Chapter 24

72 Appointment and Promotion of Faculty Members

73 Section 24-34 Qualifications for Appointment at Specific Ranks and Titles

74 B. Qualifications for Appointments with Specific Titles

- 75
 76
 77
 78 1. Lecturer and artist in residence are instructional titles that may be conferred on persons
 79 who have special instructional roles. Appointments may be renewed pursuant to [Section](#)
 80 [24-53](#).
 81
 82 2. Senior lecturer and senior artist in residence are instructional titles that may be
 83 conferred on persons who have special instructional roles and who have extensive
 84 training, competence, and experience in their discipline. Appointments may be renewed
 85 pursuant to [Section 24-53](#).
 86
 87 5. Appointment to one of the ranks in [Subsection A](#) above with a research title requires
 88 qualifications corresponding to those prescribed for that rank, with primary emphasis
 89 upon research. Tenure is not acquired under research appointments.
 90
 91
 92

93 Research professor and research associate professor appointments are term
 94 appointments for a period not to exceed five years. The question of their renewal shall be
 95 considered by the voting faculty who are superior in academic rank to the person being
 96 considered and are faculty of the department (or undepartmentalized college or school) in
 97 which the appointments are held, except that the voting faculty at rank of professor shall
 98 consider whether to recommend renewal or non-renewal of the appointment of a
 99 research professor. Such consideration shall be conducted in accord with the provisions
 100 of [Section 24-53](#).
 101

102 Research assistant professor appointments are for a term not to exceed three years with
 103 renewals and extensions to a maximum of eight years (see [Section 24-41, Subsection](#)
 104 [H.](#)) The question of their renewal shall be considered by the faculty who are superior in
 105 academic rank to the person being considered and are faculty of the department (or
 106 undepartmentalized college or school) in which the appointments are held. Such
 107 consideration shall be conducted in accord with the provisions of [Section 24-41](#).
 108

109 ~~Research associate appointments are for a term not to exceed three years, with renewals~~
 110 ~~to a maximum of six years. The question of their renewal shall be considered by the~~
 111 ~~faculty who are superior in academic rank to the person being considered and are faculty~~
 112 ~~of the department (or undepartmentalized college or school) in which the appointments~~
 113 ~~are held. Such consideration shall be conducted in accord with the provisions of [Section](#)~~
 114 ~~[24-53](#).~~
 115

116 Research faculty titles and the qualifications for them are described in [Section 24-35](#).
 117

118 *Section 13-31, April 16, 1956; S-A 23, February 22, 1959; S-A 32, May 8, 1967; S-A 33, June 13, 1967;*
 119 *S-A 37, February 8, 1971; S-A 64, May 29, 1981; S-A 78, December 14, 1988; S-A 81, January 30, 1990;*
 120 *S-A 94, October 24, 1995; S-A 97, January 10, 1997; S-A 103, March 6, 2001; S-A 108, June 21, 2002;*

121 S-A 109, June 5, 2003: all with Presidential approval; RC, April 18, 2006; S-A 124, July 5, 2011; S-A 133,
 122 June 11, 2014; S-A 140, June 26, 2017; S-A 142, June 22, 2018; S-A 147, September 16, 2020: all with
 123 Presidential approval.

124

125 Section 24-35 Research Personnel Appointments

126

127 A. Research titles designate appointments for faculty whose primary responsibility is research. The
 128 research titles are:

129

- 130 • Research professor
- 131 • Research associate professor
- 132 • Research assistant professor
- 133 • ~~Research associate~~

134

135 B. Research professors, research associate professors, and research assistant professors are
 136 eligible for appointment to the graduate faculty, are expected to take active roles in generating
 137 research funding, and are eligible to act as principal investigators for grants and contracts.
 138 Research faculty may participate in the regular instructional program but are not required to do
 139 so, except insofar as required by their funding source.

140

141 ~~C. Research associate is considered a junior rank equivalent to instructor. This junior faculty
 142 appointment, which requires the same qualifications as those of an instructor, normally serves to
 143 advance the competence of a person who has recently completed higher professional training, in
 144 most fields marked by a doctoral degree. Appointees will work under the direction of principal
 145 investigators for the benefit of the research programs, the department's educational program, and
 146 their own professional growth. Research associates may not be principal investigators on
 147 research grants or contracts.~~

148

149 S-A 64, May 29, 1981; S-A 81, January 30, 1990: both with Presidential approval.

150

151 Section 24-41 Duration of Nontenure Appointments

152

153 B. Lecturer, Artist Residence, and Professor of Practice

154

155 1. Appointment as a full-time artist in residence shall be for a term not to exceed five years.

156

157 Appointment as a full-time lecturer shall be for a term not to exceed one year. Such appointments
 158 are limited to three consecutive years.

159

160 The normal appointment period of a part-time lecturer or artist in residence shall be for one year
 161 or less with exceptions to be reviewed by the Provost.

162

163 2. Appointment as a full-time senior artist in residence shall be for a term not to exceed five years.

164

165 The normal appointment period of a part-time ~~senior lecturer or~~ senior artist in residence shall be
 166 for one year or less with exceptions to be reviewed by the Provost.

167

168 3. Except as provided in [Subsection B.4](#) below, at least six months (or three months in the case of
 169 an initial annual appointment) before the expiration date of an appointment of a full-time lecturer,
 170 artist in residence, senior artist in residence, or professor of practice, the dean shall determine,
 171 pursuant to [Section 24-53](#), whether this appointment shall be renewed and shall inform the faculty
 172 member in writing of the decision.

173

174 4. A renewal decision in accord with [Subsection B.3](#) above is not required where an initial
 175 appointment of a full-time lecturer, artist in residence, senior artist in residence, or professor of
 176 practice, is for one year or less and the appointment is identified at the time of appointment as not
 177 eligible for renewal.

178

179 5. Part-time appointments as lecturer, artist in residence, ~~senior lecturer,~~ and senior artist in
 180 residence are for the period stated in the letter of appointment. If such appointments are to be

181 renewed the procedures in [Section 24-53](#) shall be followed in a timely manner with knowledge of
182 funding availability and staffing needs.
183

184 *Section 13-31, April 16, 1956; S-A 31, December 28, 1966; S-A 41, April 3, 1972; S-A 42, June 9, 1972;*
185 *S-A 49, December 4, 1975; S-A 62, December 2, 1980; S-A 64, May 29, 1981; S-A 67, December 5,*
186 *1983; S-A 68, April 19, 1984; S-A 78, December 14, 1988; S-A 81, January 30, 1990; S-A 98, May 12,*
187 *1998; S-A 102, July 7, 2000; S-A 108, June 21, 2002: all with Presidential approval; RC, June 19, 2008;*
188 *S-A 124, July 5, 2011; S-A 127, June 11, 2012; S-A 133, June 11, 2014; S-A 147, September 16, 2020:*
189 *all with Presidential approval.*
190

191 **Section 24-52 Procedure for New Appointments**

192

193 **C.** In making new appointments administrative officers shall act in the manner prescribed below.
194

195 **1.** If the appointment is to be a departmental one other than that of chair, the chair shall submit all
196 available information concerning candidates suggested by the department, the chair, or the dean
197 to the voting members of the department faculty. The voting faculty of an academic unit may, by
198 majority vote, delegate authority to recommend the appointment of affiliate or clinical faculty,
199 ~~research associates~~, or annual or quarterly part-time lecturers to an elected committee of its
200 voting faculty. In an undepartmentalized college or school, this delegation may be made to an
201 elected committee of its voting faculty. The delegation shall expire one calendar year after it is
202 made.
203

204 *Section 13-31, April 16, 1956; S-A 24, June 23, 1959; S-A 126, June 11, 2012: all with Presidential*
205 *approval.*
206

207 **Section 24-53 Procedure for Renewal of Appointments**

208

209 When it is time to decide upon renewal of a nontenure appointment to the faculty ([Section 24-41](#)), the
210 procedure described below shall be followed.
211

212 **A.** The voting members of the appropriate department (or undepartmentalized college or school) who
213 are superior in academic rank or title to the person under consideration shall decide whether to
214 recommend renewal or termination of the appointment. Research faculty and teaching faculty shall be
215 considered by voting faculty who are superior in rank to the person under consideration, except that
216 the voting faculty at rank of professor shall consider whether to recommend renewal or non-renewal
217 of the appointment of a research professor or teaching professor. Faculty with instructional titles
218 outlined in Section 24-34, Subsections [B.1](#) and [B.2](#) shall be considered by voting faculty who hold a
219 professorial rank or instructional title superior to the person under consideration. The voting faculty of
220 an academic unit may, by majority vote, delegate authority to recommend the renewal of affiliate or
221 clinical faculty, ~~research associate~~, or annual or quarterly part-time lecturer appointments to an
222 elected committee of its voting faculty.
223

224 *Section 13-31, April 16, 1956; S-A 41, April 3, 1972; S-A 60, June 25, 1979; S-A 81, January 30, 1990; S-*
225 *A 94, October 24, 1995; S-A 124, July 5, 2011; S-A 126, June 11, 2012; S-A 147, September 16, 2020:*
226 *all with Presidential approval.*
227

228 **Section 24-57 Procedural Safeguards for Promotion, Merit-Based Salary, and Tenure**

229 **Considerations**

230

231 All procedures regarding promotion, merit-based salary, and tenure considerations outlined in the
232 relevant sections of the Faculty Code must be followed. Open communication among faculty, and
233 between faculty and administration, must be maintained in order to insure informed decision making, to
234 protect the rights of the individual and to aid the faculty in the development of their professional and
235 scholarly careers.
236

237 Each faculty member must be allowed to pursue those areas of inquiry which are of personal scholarly
238 interest; at the same time, however, each faculty member must be informed of the expectations a
239 department holds for him or her and of the manner in which his or her activities contribute to the current
240 and future goals of the department, school, college, and University. In order to enable the faculty member

241 to establish priorities in the overall effort of professional career development and to fulfill the University's
242 obligations of fair appraisal and continual monitoring of faculty development, the following procedural
243 safeguards shall be adopted in each department, school, or college.

244

245 **A. Assessment of Teaching Effectiveness**

246

247 To implement the provision stipulated in [Section 24-32, Subsection C](#), the standardized student
248 assessment of teaching procedure which the University makes available may be used for obtaining
249 student evaluation of teaching effectiveness, unless the college, school, or department has adopted
250 an alternate procedure for student evaluation, in which case the latter may be used. Each faculty
251 member shall have at least one course evaluated by students in any academic year during which that
252 member teaches one or more courses. The teaching effectiveness of each faculty member also shall
253 be evaluated by colleagues using procedures adopted within the appropriate department, school, or
254 college.

255

256 The reference to lecturers is removed from the following paragraph because all remaining lecturers are
257 on at most one-year contracts, and the first sentence below already requires an evaluation of teaching
258 effectiveness before renewal. Thus it is not necessary to stipulate separately that lecturers need to have a
259 collegial teaching evaluation annually.

260

261 The collegial evaluation of teaching effectiveness shall be conducted prior to recommending any
262 renewal of appointment or promotion of a faculty member. In addition, for faculty at the rank of
263 assistant professor, or associate professor or professor "without tenure" under Chapter 25, [Section](#)
264 [25-32, Subsection D](#), ~~or with the instructional title of lecturer~~ the collegial evaluation shall be
265 conducted every year. For other faculty at the rank of associate professor or professor or with the title
266 of ~~senior lecturer~~, or professor of practice the collegial evaluation shall be conducted at least every
267 three years. A written report of this evaluation shall be maintained and shared with the faculty
268 member.

269

270 **B. Yearly Activity Report**

271

272 Each department (or undepartmentalized college) shall adopt a suggested format by which each
273 faculty member will have the opportunity to provide information on professional activities carried out
274 during the prior year. These reports shall be prepared in writing by each faculty member and
275 submitted to the chair (or dean) in a timely fashion each year, and shall be used as reference and as
276 a source of information for consideration of promotion, merit salary, or tenure. These forms shall be
277 used as evidence for recommendations of promotion, merit salary, or tenure. Such information may
278 be updated by a faculty member at any time during the academic year.

279

280 **C. Regular Conference with Faculty**

281

282 Each year the chair, or where appropriate the dean or his or her designee, shall confer individually
283 with all ~~full-time lecturers~~, assistant professors, and associate professors and professors "without
284 tenure" appointed under Chapter 25, [Section 25-32, Subsection D](#). The chair (or dean or his or her
285 designee) shall confer individually with the other associate professors and senior lecturers at least
286 every two years, and with the other professors and professors of practice at least every three years.
287 The purpose of the regular conference is to help individual faculty members plan and document their
288 career goals. While the documentation of those goals will be part of the faculty member's record for
289 subsequent determinations of merit, the regular conference should be distinct from the merit review
290 pursuant to [Section 24-55](#).

291

292 At each such conference, the chair, dean, or his or her designee, and the faculty members shall
293 discuss:

294

- 295 1. The department's present needs and goals with respect to the department's mission statement
296 and the faculty member's present teaching, scholarly and service responsibilities and
297 accomplishments;

298

299 2. Shared goals for the faculty member's teaching, scholarship, and service in the forthcoming year
 300 (or years, as appropriate) in keeping with the department's needs and goals for the same period;
 301 and

302
 303 3. A shared strategy for achieving those goals.

304
 305 The chair, dean, or his or her designee and the faculty member shall discuss and identify any specific
 306 duties and responsibilities expected of, and resources available to, the faculty member during the coming
 307 year(s), taking into account the academic functions described in [Section 24-32](#). The chair, dean, or his or
 308 her designee should make specific suggestions, as necessary, to improve or aid the faculty member's
 309 work.

310
 311 *S-A 64, May 29, 1981; S-A 79, May 31, 1989; S-A 99, July 9, 1999; S-A 107, June 20, 2002; S-A 124,*
 312 *July 5, 2011; S-A 129, April 16, 2013; S-A 133, June 11, 2014; S-A 147, September 16, 2020: all with*
 313 *Presidential approval.*

314
 315 **Chapter 25**

316
 317 **Tenure of the Faculty**

318
 319 **Section 25-32 Criteria for Tenure**

320
 321 **C.** A faculty member does not acquire tenure under:

- 322
 323 1. An acting appointment, or
 324
 325 2. A visiting appointment, or
 326
 327 3. Any appointment as lecturer, artist in residence, ~~senior lecturer~~, senior artist in residence, or
 328
 329 4. An appointment as teaching associate, or
 330
 331 5. An appointment as professor of practice, or
 332
 333 6. Any appointment specified to be without tenure, or
 334
 335 7. An adjunct appointment, or
 336
 337 8. A research appointment, or
 338
 339 9. A teaching appointment, or
 340
 341 10. A clinical appointment, or
 342
 343 11. An affiliate appointment, or
 344
 345 12. Any other appointment for which the University does not provide the salary from its regularly
 346 appropriated funds, unless the President notifies the appointee in writing that tenure may be
 347 acquired under such appointment.

348
 349 *Section 13-31, April 16, 1956; S-A 22, April 18, 1958; S-A 25, October 29, 1959; S-A 26, December 19,*
 350 *1960; S-A 32, May 8, 1967; S-A 37, February 8, 1971; S-A 41, April 3, 1972; S-A 61, February 22, 1980;*
 351 *S-A 67, December 5, 1983; S-A 78, December 14, 1988; S-A 81, January 30, 1990; S-A 98, June 2,*
 352 *1998; S-A 124, July 5, 2011; S-A 129, April 16, 2013; S-A 133, June 11, 2014; S-A 147, September 16,*
 353 *2020: all with Presidential approval.*

Approved by:
Faculty Senate
December 3, 2020

Class A legislation proposing changes to the Faculty Code, Chapter 29**Proposed Amendment to the Faculty Code: Time Limits for Class A Legislation**

On November 10, 2020, the Faculty Council on Faculty Affairs approved the following proposed Class A legislation for submission to the faculty senate.

Background and Rationale

The process for amending the Faculty Code (Class A Legislation by the Faculty Senate) is deliberately long and involved, because such actions should not be taken hastily. But there's one part of the process that is longer than it needs to be – after the second senate vote on an amendment, the Secretary of the Faculty is given 14 days to send out the text of the amendment and a ballot, and then voting faculty are given 21 days to send back their votes. This made sense when all of these things had to be done by snail mail, but now that these votes are handled electronically, such long time limits are unnecessary. Reducing them will make the amendment process a little less cumbersome and time-consuming, without undermining the deliberateness with which such amendments should be undertaken.

What We Propose to Do

Primarily, this amendment will reduce the time limit for faculty to submit their votes on Class A legislation from 21 calendar days to 14 calendar days. In addition, the time limit for the Secretary of the Faculty to send out the (electronic) ballots is reduced from 14 days to 7, and we are proposing to codify the Secretary's current practice of sending out a reminder a few days before the voting deadline. A study of recent voting patterns has revealed that the vast majority of votes on Class A legislation are cast either during the few days after the ballots are sent out, or during the last couple of days after the reminder is sent.

The current time limit for faculty to respond to Class B legislation (everything other than amendments to the Faculty Code) is 14 days, and we are not proposing to change that, so the time limits for both classes of legislation will be the same.

The Proposed Class A Legislation

Be it resolved by the Faculty Senate to submit to the faculty for approval or rejection that Chapter 29 of the Faculty Code be amended to read as shown below.

1 **Chapter 21**

2
3 **Amendment of the Faculty Code**

4
5 **Section 29-36 Faculty Vote on Amendments**

6
7 **A.** Within ~~44~~ 7 calendar days after the Senate approves a proposed amendment to the Faculty
8 Code, the Secretary shall send to each voting member of the faculty:

9
10 **1.** A statement:

11 **a.** Setting forth the text of the proposed amendment;

12
13 **b.** Presenting the arguments for the amendment and, if any, the arguments against
14 it; and

15
16 **c.** Specifying the final date upon which ballots may be cast; and

17
18 **2.** A ballot upon which a vote may be cast either for or against the proposal.

19
20 **B.** Not less than 2 calendar days nor more than 5 calendar days before the end of the voting period,
21 the Secretary shall send a reminder about the voting deadline to voting members who have not
22 yet voted.

23
24 ~~B.C.~~ Following the voting instructions provided by the Secretary, eligible faculty shall vote on the
25 proposed amendment. In order to be counted, the vote shall be submitted no later than the 21st
26 calendar day after the date on which the Secretary distributed ballots to the faculty.

27
28 ~~C.D.~~ To become effective, a proposed amendment to the Faculty Code shall require either an
29 affirmative majority vote of the eligible voting members of the faculty, or a two-thirds majority vote
30 of those casting ballots.

31
32 *Section 13-31, April 16, 1956; S-A 70, December 1, 1984; S-A 73, May 24, 1985; S-A 88, May 25, 1993;*
33 *S-A 110, July 9, 2003: all with Presidential approval.*

Approved by:
Senate Executive Committee
November 16, 2020

Approved by:
Faculty Senate
December 3, 2020

Class A legislation proposing changes to the Faculty Code, Chapter 24

Proposed Amendment to the Faculty Code: Appointment Lengths for Clinical Faculty

On November 10, 2020, the Faculty Council on Faculty Affairs approved the following proposed Class A legislation for submission to the faculty senate.

Background and Rationale

The current faculty code limits faculty members with Clinical titles to annual appointments only. This limitation seems to have originally been established when the Clinical title was used only as a courtesy title for clinicians who received their salaries from other sources. But now there are other types of clinical faculty, and the one-year limitation applies to all of them, whether in unpaid courtesy positions or full-time or part-time salaried positions. Many physicians are hired by the School of Medicine as full-time salaried faculty members with the titles of Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor, and the faculty code limits them all to one year appointments at a time. These faculty members are playing an essential role in the COVID-19 pandemic response, and School of Medicine has observed that these limited contract terms cause severe difficulties in recruitment and retention. A joint SOM task force including representatives of the Dean's office and the elected faculty councils has requested that we modify the code to create a pathway for multi-year appointments for salaried clinical faculty.

What We Propose to Do

There are many clinical faculty members in many units throughout the university, and there are many complicated issues that need to be addressed regarding them. In the coming year, FCFA expects to consult with all the units that hire clinical faculty and explore what comprehensive changes might need to be made to the sections of code governing their appointments. But the issue of contract lengths is an immediate problem, especially during a pandemic, so we are proposing a stopgap measure to allow multi-year appointments for clinical faculty under limited circumstances with approval of the Provost. The new language in Section 24-34 B.11 below ("with exceptions to be reviewed by the Provost") is copied from the section on part-time lecturer appointments ([24-41 B.1](#)). It retains the default appointment length of one year, but allows the Provost to approve exceptions. Our discussions with Academic Human Resources have led to a tentative agreement on the following conditions for approval of multi-year appointments:

- Salaried Clinical Assistant, Associate, or Full Professor at 50% FTE or more
- Hired after a competitive search
- Departmental commitment to a contract of 2 to 5 years

In addition to providing the possibility for longer contracts, this amendment stipulates that appointments and reappointments of clinical faculty on multi-year contracts must be voted on by all eligible faculty, not just a subcommittee (see the changes to Sections 24-52 and 24-53 below).

These changes will affect clinical faculty in all units of the university, not only in the School of Medicine.

The Proposed Class A Legislation

Be it resolved by the Faculty Senate to submit to the faculty for approval or rejection that Chapter 24 of the Faculty Code be amended to read as shown below.

1 **Section 24-34 Qualifications for Appointment at Specific Ranks and Titles**

2
3 **B. Qualifications for Appointments with Specific Titles**

- 4
5 11. A *clinical* appointment in the appropriate rank or title is usually made to a person who holds a
6 primary appointment with an outside agency or non-academic unit of the University, or who is in
7 private practice. Clinical faculty make substantial contributions to University programs through
8 their expertise, interest, and motivation to work with the faculty in preparing and assisting with the
9 instruction of students in practicum settings. ~~Clinical appointments are annual.~~ The normal
10 appointment period of a clinical faculty member shall be one year with exceptions to be reviewed
11 by the Provost; the question of their renewal shall be considered ~~each year~~ by the faculty of the
12 department (or undepartmentalized college or school) in which they are held.

13
14 *Section 13-31, April 16, 1956; S-A 23, February 22, 1959; S-A 32, May 8, 1967; S-A 33, June 13, 1967;*
15 *S-A 37, February 8, 1971; S-A 64, May 29, 1981; S-A 78, December 14, 1988; S-A 81, January 30, 1990;*
16 *S-A 94, October 24, 1995; S-A 97, January 10, 1997; S-A 103, March 6, 2001; S-A 108, June 21, 2002;*
17 *S-A 109, June 5, 2003: all with Presidential approval; RC, April 18, 2006; S-A 124, July 5, 2011; S-A 133,*
18 *June 11, 2014; S-A 140, June 26, 2017; S-A 142, June 22, 2018; S-A 147, September 16, 2020: all with*
19 *Presidential approval.*

20
21 **Section 24-52 Procedure for New Appointments**

- 22
23 **C.** In making new appointments administrative officers shall act in the manner prescribed below.

- 24 1. If the appointment is to be a departmental one other than that of chair, the chair shall submit all
25 available information concerning candidates suggested by the department, the chair, or the dean
26 to the voting members of the department faculty. The voting faculty of an academic unit may, by
27 majority vote, delegate authority to recommend the appointment of affiliate ~~or clinical~~ faculty,
28 annual clinical faculty, or annual or quarterly part-time lecturers to an elected committee of its
29 voting faculty. In an undepartmentalized college or school, this delegation may be made to an
30 elected committee of its voting faculty. The delegation shall expire one calendar year after it is
31 made.

32
33 *Section 13-31, April 16, 1956; S-A 24, June 23, 1959; S-A 126, June 11, 2012: all with Presidential*
34 *approval.*

35
36 **Section 24-53 Procedure for Renewal of Appointments**

37
38 When it is time to decide upon renewal of a nontenure appointment to the faculty ([Section 24-41](#)), the
39 procedure described below shall be followed.

- 40
41 **A.** The voting members of the appropriate department (or undepartmentalized college or school) who
42 are superior in academic rank or title to the person under consideration shall decide whether to
43 recommend renewal or termination of the appointment. Research faculty and teaching faculty shall be
44 considered by voting faculty who are superior in rank to the person under consideration, except that
45 the voting faculty at rank of professor shall consider whether to recommend renewal or non-renewal
46 of the appointment of a research professor or teaching professor. Faculty with instructional titles
47 outlined in Section 24-34, Subsections [B.1](#) and [B.2](#) shall be considered by voting faculty who hold a
48 professorial rank or instructional title superior to the person under consideration. The voting faculty of
49 an academic unit may, by majority vote, delegate authority to recommend the renewal of affiliate ~~or~~
50 ~~clinical~~ faculty, annual clinical faculty, or annual or quarterly part-time lecturer appointments to an
51 elected committee of its voting faculty. In an undepartmentalized college or school, this delegation
52 may be made to an elected committee of its voting faculty. The delegation:

- 53
54 1. Does not alter faculty rank requirements for considering appointment renewals, and
55 2. Shall expire one calendar year after it is made.

56 *Section 13-31, April 16, 1956; S-A 41, April 3, 1972; S-A 60, June 25, 1979; S-A 81, January 30, 1990; S-*
57 *A 94, October 24, 1995; S-A 124, July 5, 2011; S-A 126, June 11, 2012; S-A 147, September 16, 2020:*
58 *all with Presidential approval.*

Approved by:
Senate Executive Committee
November 16, 2020

Approved by:
Faculty Senate
December 3, 2020

**Class B Legislation
Student Governance and Policies
Scholastic Regulations
Chapter 112; Section 1 (General Requirements)**

Background and Rationale

Current UW policies regarding student absences for short-term illnesses allow instructors to require that students provide “medical excuse notes” which are documents from a medical provider attesting to the severity of a short-term illness and the need for a student to be absent from class as a result. Unfortunately, a curricular strategy of routinely requiring students to obtain medical excuse notes provides little or no value and has unintended, adverse consequences for the student, the University, and medical providers. Medical providers want to help students with their health needs, but students who visit a medical provider purely to obtain a document regarding illness have been pressured into entering into a costly and potentially risky provider-patient relationship without a true medical need.

Faculty Senate and ASUW leadership, in conjunction with colleagues at Hall Health, have identified several key areas of concern:

- Hall Health Access and Resources — Hall Health is often (over) filled to capacity. Students who don't really want to be a patient are diminishing access for those who do have a medical need to seek care and wish to be seen. The generation of excuse notes is a wasteful use of expensive and limited health care staff time and resources. Estimates from Hall Health suggest as much as \$250,000 annually is spent attending to some 2,500 note requests, and that visits for such requests represent approximately 5 percent of total student visits.
- Financial Burdens and Inequities – Students who are uninsured/underinsured, including low income students, DACA students, and minority students are at a financial disadvantage when seeking medical care. Policies that require a student to seek care for an administrative reason place a financial burden on these students and affect students in extremely unequal ways.
- Student Safety — Students who see a provider to get a note have a specific objective: get the note. There is pressure to make sure that the symptoms are described in such a way that the provider will generate a note. Exaggeration of symptoms leads to testing or procedures that have risk, and patients may be harmed as a result. The risk/benefit ratio in these cases is extreme.
- Unrealistic expectation of provider-patient relationship — Lacking omniscience, a provider must rely on the patient's description of the symptoms. Sometimes this is after the illness has already resolved. Providers are trained to be advocates for their patients and so a note will be generated almost 100 percent of the time. Thus, requiring a student to obtain a medical excuse note has no value as an actual check on student behavior.
- Education — The academic relationship between instructors and students belongs in the classroom. Instructors are in the best position to judge academic performance by students. Further, as students develop and prepare for their careers later in life, they should experience an environment that reflects the realities that will be experienced after graduation. Hall Health in particular wants to promote responsible self-care for minor ailments and health concerns, an important educational component that encourages self-reliance and resilience.

Given these serious concerns, Faculty Senate and ASUW leadership have begun efforts to discourage requests for medical excuse notes by instructors. Of note is that limiting routine medical excuse notes would not have any bearing on documentation needed for disability, hardship, or other significant circumstances (including medical conditions) requiring longer term absences from the University; nor would such limitations prevent instructors from requiring students to justify the unavoidable nature of an absence, or require that instructors develop new accommodations.

Nevertheless, changing faculty use of medical excuse notes will have meaningful impacts on virtually every classroom across campus and will require broad discussion of the impact of the use of medical excuse notes and the reasons to change current practices, along with development and dissemination of best practices guidelines that both protect students and maintain instructor rights and authority, and clear communication of guidelines to students and to current and future instructors.

1 **Student Governance and Policies**

2
3 **Scholastic Regulations**

4 **Chapter 112**

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6
7 **1. General Requirements**

- 8
9 B. A student absent from any examination or class activity through sickness or other cause
10 judged by the instructor to be unavoidable shall be given an opportunity to take a
11 rescheduled examination or perform work judged by the instructor to be the equivalent.
12 Instructors are prohibited from requiring students to provide medical or legal documentation
13 as proof in such cases. If the instructor determines that neither alternative is feasible during
14 the current quarter, the instructor may exempt the student from the requirement. Examples of
15 unavoidable cause include death or serious illness in the immediate family, illness of the
16 student, and, provided previous notification is given, observance of regularly scheduled
17 religious obligations and might possibly include attendance at academic conferences or field
18 trips, or participation in University-sponsored activities such as debating contests or athletic
19 competition. The regulations for Incompletes in Scholastic Regulations, [Chapter 110,](#)
20 [Subsection 1.A.3](#) shall apply.
21

22
23 *S-B 110, May 26, 1970; S-B 112, October 27, 1970; S-B 140, December 1982; S-B 155, June 18, 1993:*
24 *all with Presidential approval.*

Agenda
Faculty Senate Meeting
Thursday, January 21, 2021, 2:30 p.m.
Zoom

1. Call to Order and Approval of Agenda.
2. Faculty Senate Chair's Remarks – Professor Robin Angotti.
3. Reports and Opportunity for Questions.
 - a. Report of the Secretary of the Faculty.
 - b. Report of the Chair of the Senate on Planning and Budgeting.
 - c. Report of the Faculty Legislative Representative.
4. President's Remarks – Ana Mari Cauce.
5. Requests for Information.

Summary of Executive Committee Actions and Upcoming Issues of January 4, 2021.

 - a. Approval of the November 16, 2020, Senate Executive Committee minutes.
 - b. Approval of the December 3, 2020, Faculty Senate minutes.
6. Memorial Resolution.
7. Consent Agenda.
8. Announcements.
9. New Business
 - a. Class A Legislation – Title Cleanup – second consideration.
Action: Approve for faculty vote.
 - b. Class A Legislation – Voting Time Limits – second consideration.
Action: Approve for faculty vote.
 - c. Class A Legislation – Clinical Appointment Lengths – second consideration.
Action: Approve for faculty vote.
 - d. Class A Legislation – Diversity Statement – second consideration.
Action: Approve for faculty vote.
 - e. Class B Legislation – Medical Excuse Notes
Action: Approve for distribution to the faculty.
10. Discussion Items.
 - a. Finance Transformation update
11. Good of the Order.
12. Adjournment.

Prepared by: Mike Townsend
Mike Townsend
Secretary of the Faculty

Approved by: Robin Angotti
Robin Angotti, Chair
Faculty Senate

NOTE: If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Thursday, January 28, at 2:30 p.m. via Zoom.