

MINUTES OF THE SENATE EXECUTIVE COMMITTEE
1 April 2002
301 Regents' Room, Gerberding Hall

Present: Senate Chair Holt and President McCormick; Vice Chair Silberstein; Group Representatives Stygall (I), Pace (II), Wilcock (III), Salas (IV), Allen (V), Janssen (VI), Maizels (VII), , Killien (VIII); Faculty Legislative Representative Ludwig, Deputy Legislative Representative Sjøvik; Faculty Council Chairs Wadden (FCAS), Buck (FCEO), Haley (FCFA), Heath (FCR), Carline (FCIQ), Martin (FCRIB), Schaufelberger (FCUFS), Emerick (FCUR), UW Bothell Representative Jacoby, UW Tacoma Representative Primomo; GPSS Representative Nixon, ASUW Representative You; Special Committee Chair Krieger-Brockett (SCFW), Provost Huntsman, Assistant to the President Niccolls.

Absent: Group Representatives Souders (VII)*; UW Faculty Council Chairs , Nelson (FCSA)*, Diaz (FCET), Meszaros (FCTCP), Zick (FCUL), Tom Colonnese (SPMFA), Government Relations Representative Taricani, Secretary of the Faculty Vaughn

Call to Order and Approval of the Agenda

Chair Bradley Holt called the meeting to order at 2:37 p.m. The agenda was approved as written.

Approval of Minutes

The minutes of the February 23, 2002 meeting of the Senate Executive Committee and the March 14, 2002 meeting of the Faculty Senate were approved as written.

Announcements

There will be a special budget meeting on April 4th from 4-5 p.m. in the Walker Ames Room to provide the members of college/campus budget councils and other faculty with information about the budget situation and process. Speakers will include Bradley Holt, President McCormick, Provost Lee Huntsman, and Vice Provost Harlan Patterson. There will be an opportunity to ask questions and a reception after the meeting.

Nominations for the Annual Faculty Lectureship are being accepted through this week. If you have any nominations, please contact either Sandra Silberstein or the Senate office.

Report of the President

The president indicated that his report would be brief since little has changed since his last report to the Faculty Senate.

It is important for everyone to have an opportunity to learn what is going on and to ask questions, so in addition to the April 4 meeting for the faculty, the President will be sponsoring a meeting for all members of the University community. The meeting will probably be held on April 24 from 5-7 p.m. [The later time for the meeting is due to the heavy demand on Kane Hall for classes.]

The Board of Regents will hold two meetings on the budget scheduled for April 23 and 29. The Provost will walk the Regents through a straw budget and tuition options. The Regents will make a final decision at their May meeting.

Steve Buck (FCEO) thanked the President for hosting the dinner for the Executive Committee; it was a good discussion. He then went on to point out that registration for autumn quarter begins on May 10. It would be helpful if departments could know their budgets before registration so that they don't have students signing up for classes that might have to be cancelled. The Provost explained that there is no way a final budget could be ready by then, but he will raise that concern at a meeting with the Deans on Wednesday.

Report from the Senate Committee on Planning and Budgeting

SCPB Chair Sandra Silberstein indicated that they are waiting to see what the Governor will do with the Retention & Recruitment money that was in the budget approved by the legislature. In the meantime, the committee is looking at internal budget tradeoffs. There is budget policy (Executive Order No. 64) to mandate a minimum 2% raise for meritorious faculty. If the budget situation becomes serious enough that cancellation of this policy is being considered, then the Senate leadership will want it discussed at the SEC and at the Senate. At this time, however, the leadership is simply reminding everyone that this policy exists.

Report on Legislative Affairs

Faculty Legislative Representative Richard Ludwig reviewed the results of the legislative session in relation to the five items that were of importance to the University and faculty: 1) budget, 2) TA/RA enabling legislation, 3) getting bonding capacity for University research facilities, 4) faculty enabling legislation, and 5) changes in the retirement program. All passed except the retirement program. Two have been signed (the TA/RA enabling legislation, and bonding capacity). The budget has not yet been signed and they are working with the Governor's office to try to retain the Recruitment & Retention money. The Governor is discussing the faculty enabling legislation with his staff. He can sign the entire bill, sign the bill but veto Sections 2 and 5, or veto the entire bill. At this time, there is no indication as to what he will do.

Issues Currently under Consideration by Faculty Councils and Committees

Members were directed to the handout which was emailed to them. If there are questions or comments about any of the items, please contact the appropriate Council or Committee chair.

Report from the Faculty Council on Instructional Quality

Steven Buck, chair of the Council, referred members to the documentation on design and evaluation of Distance Learning (DL) courses that was emailed. This is meant to be a resource for those who are setting up or reviewing DL courses. The council met with Tim Washburn, Executive Director of Admissions and Records; Van Johnson, Associate Registrar; and Matt Winslow, Publications Coordinator of the University Catalog/Curriculum about how the UW course evaluation form might be revised to fit these courses. The main concern right now is to make this information available to all faculty while targeting those who are

involved in curriculum review. The council is working with the Senate office to identify those people. This material will be made available on the web.

Class A Legislation on Faculty Conferences--First Consideration

Holt reviewed the process for passing Class A legislation. He stressed that this is the only time the SEC can suggest amendments to the legislation. At the second consideration the only amendments to be considered are those suggested by the Advisory Committee on *Faculty Code* and Regulations.

It was moved and seconded to approve sending the legislation to the Senate. Charles Haley, chair of the Faculty Council on Faculty Affairs, was introduced to explain the legislation. Haley said that a question was raised as to whether or not the faculty conferences were working properly, so the Council looked at it. It appears that there are two areas that need to be addressed. The first is to emphasize that the conference is supposed to be a collaborative conference to plan and is not a merit evaluation of the faculty member. This is a meeting that is supposed to be separate from the merit review. The second issue is to try to come up with a system to deal with disagreements or conflicts the participants might have about the meeting documentation. Also, in some units there is a delegate who conducts the meetings, so that needs to be addressed in the *Code*.

Holt gave a short background of this portion of the *Code*. Several years ago there was a major revision of Chapter 24, and at that time most people believed it would be good to provide faculty members with an opportunity to plan their future and to reach agreement with their chairs about the area(s) they would emphasize. Holt asked the FCFA to review this portion of Chapter 24 to determine how it is working, and this legislation is their response to two apparent problems.

William Wilcock asked if there was any data about how many faculty have had these conferences. This legislation doesn't address the fact that these may not be done. He is hesitant to make any changes until it has run through an entire cycle. Holt replied that the information they have is anecdotal. Provost Huntsman asked if the information the council received was from a wide spectrum of units, from both those doing the conferences poorly and those doing them well, in order to get a balance of opinions. Haley answered that they did receive responses to their survey that indicated good experiences with the conferences. Due to the manner in which the survey was done, it is not possible to know what units the 165 responses came from. Both Haley and Holt explained that the intent of this legislation is to clarify the language in order to be consistent with the original intent and to confirm that these conferences are separate from merit reviews. Some chairs complain about the workload, but since these are not for merit, they can be spaced through the year and not done all in one quarter.

Craig Allen reiterated the concern that there hasn't been a full three-year cycle for the conferences, and we will be changing the *Code* without having history about the experiences. As a manager he would not like to be boxed in by such specificity in what the report should include. He suggested that we wait a year and see what the experience is, and that a form might be devised to simplify the process for the chair and faculty member and guide them through the process.

Douglas Wadden pointed out that the conference and documentation is most critical for junior and non-tenured faculty. When other faculty are doing assessment of reappointment or tenure, it is important that they have the information (paper trail) of what has been

discussed. This legislation should simply clarify language that is currently too broad; if it complicates the process then we may not want to do it.

Barbara Krieger-Brockett explained that having a paper trail is especially important for junior faculty because it will document any requests or agreements about needed resources.

A question came up about where do conversations about the past take place (since these conferences are only for planning). Holt and Haley explained that merit reviews are for the purpose of looking backwards and evaluating. Nancy Maizels said that it seems unrealistic to expect two meetings because you can't disconnect the planning from the evaluating. Marcia Killien said that her interpretation is that two meetings are not required, but that there must be two separate portions of the meeting (clearly stated)--one for planning and one for merit/evaluation. Haley confirmed that is what was intended.

Holt pointed out that the merit process is done by colleagues, not the chair, and that is a separate policy. Huntsman agreed, saying that is a crucial distinction, that the intent of the policy was to create an official way to allow flexibility on a case-by-case basis. While there are unit norms and general expectations, this would allow individuals and chairs to decide that they could do something a little different than the normal balance, and that when the time came for merit reviews there would be a record of these agreements. It wasn't intended to be an elaborate evaluation that would apply to everyone.

Janet Primomo said that the reality is that the chair will be involved in the merit decision at some level--usually he/she assigns the dollar amounts. If colleagues are involved in the process, then any planning agreements need to be written down.

Killien mentioned that tenured faculty have conferences every three years and that much in the environment can change within that time, e.g., a new chair or dean, which can dramatically change unit expectations. Haley and others explained that the language is that conferences will take place "at least" every three years, but there is no reason a faculty member cannot request an early conference.

Holt proposed a change to Section 24-57.D, second paragraph, to add a final sentence: "The document shall not include any judgments about the merits of the faculty member." It was moved and seconded.

Wilcock expressed his opinion that it is artificial to separate the two; he sees merit review and future planning as one process. Holt countered that in looking at merit the faculty should only receive a document that has planning agreements, it should not include any statements of merit or judgment. Wadden said that he thinks this is confusing, because if you meet with faculty and make a three year plan and they aren't following through, then you need to counsel them to redirect energies. You would need to document this in your planning. Clark Pace explained that the evaluation of the success or failure of the plan would be handled in the merit review.

Killien pointed out that one issue to clarify is which part of the discussion is to be included in the public document. For example, at merit review, peers need to know if there have been agreements to reduce teaching or service in order to focus on research, but they do not need to know of any part of the conference that may have involved evaluation discussion. Sandra Silberstein asked if Holt is making a distinction between statements of merit about the plan and merit of the individual.

Silberstein asked why these conferences are necessary; what protection does it offer to faculty. Pace gave himself as an example: he was asked to write a 200 page document as part of his unit's accreditation last year, so he did not do as much publishing for himself. He would like that documented and acknowledged in tenure/merit review. Krieger-Brockett said that the most critical time is when there is a change in administration (either chair or dean), especially for untenured faculty. A paper trail would allow the faculty member to be evaluated based on what was agreed would be done (even if the agreement were made in an earlier administration). John Schaufelberger pointed out that it was originally intended to provide a mechanism so that everyone didn't have to fit the same mold to be successful, and it provided for the chair to meet with everyone to work out what he/she would do. The idea was that what the faculty member wanted to focus on would fit with the strategic plan and the documentation would show how what the person was doing helped the unit meet its goals.

Holt explained he would like the *Code* amended so that the written document can state what was agreed upon, but not merit. Wilcock pointed out that there are often no written documents for either the planning conference or merit reviews.

Daniel Jacoby mentioned that there are three sets of decision makers: the chair, the merit review group, and the promotion/tenure committee. The chair does have discretion in merit/tenure/promotion and can act as a maverick. He would like to see better documentation and a tighter alignment among chair, merit review and promotion/tenure.

The motion to amend was called to question and failed on a vote of 4 yes and 6 no.

Schaufelberger pointed out that the first paragraph of Section 24-57.C does not include reference to delegates as has been added to the rest of the document, and there is not a clear definition of delegate. Haley explained that in practice, many chairs or deans, especially in large units, delegate the task to someone else, and these delegates have not always felt that they were required to follow the *Code*. This change will make it clear that delegates are also required to provide written documentation of the conferences. There was a friendly amendment to add "or delegate" in the first paragraph after the word "dean" in two places.

Ross Heath suggested that the conventional use is "chair, dean or his/her designee." If the word delegate were desired, that could be put in parenthesis after designee. There was a friendly amendment to replace delegate with "or his/her designee" throughout the document.

Nancy Maizels raised questions about the time frame and expressed concern that ten days was not enough time, especially since faculty will not know if the duties are fairly allocated until all faculty have had conferences. Huntsman pointed out that these conferences are not intended to "allocate fairly" but to negotiate the individual's plan, and the letter is to accurately capture the conversation. If, upon reflection, you decide that your duties are unfair, then you go back to your chair and renegotiate. The ten day time frame is only to address whether or not the letter accurately reflects the conversation.

Maizels raised a question as to whether or not this document might be considered a legal contract since this is the only written documentation of work expectations. Huntsman explained that when they started the process many chairs were concerned about that very thing. But this is only for those faculty who are stepping outside of the norm and doing something different. However, Wadden pointed out, that there isn't any other written

document. The way this is transmitted it is basically the formal review. Huntsman said that if this part of the *Code* is becoming a way to allocate work, then it may need to be fine-tuned. Wilcock suggested that rather than have conferences for every faculty member, maybe conferences could be initiated only if a particular faculty member wanted to do something different. But other members pointed out that there are departments that are doing this in good faith and have met with all faculty to get the cycle started and have been useful. Krieger-Brockett said that some faculty like having a plan in place that helps them, the unit and the University meet goals. There are many good things about this policy, but it may be applied unequally across campus.

Diane Martin said that in her department this process has been very positive since they have faculty who are doing a variety of things. Often faculty, especially junior faculty, come to the meeting with a plan in mind. Her department head had conferences with all faculty the first year and looked to see how the individual goals fit with the department goals. This has not been used just for faculty with unusual plans. Krieger-Brockett pointed out that in her experience departments have very different expectations for teaching, service and research loads, and this process is helpful to recognize that some faculty have to take on more teaching so that other faculty can do more research.

Haley reminded the members that there is a section to deal with disagreements and asked that the committee look at that section. There was some question about whether or not the three-person panel could fairly review because they will not be able to tell if the document is accurate (unless they were in the meeting). To make the document challenge-proof would mean it would have to be very bland.

Allen asked that if this legislation were to go forward he would ask for a fuller discussion of the problems that have arisen in this process, so that he can explain to his faculty why this legislation is needed. Gail Stygall asked if disputes on underlying issues in the documents should be issues for adjudication rather than a separate panel?

To answer the concern that this is too much like an employment contract, Holt proposed the following amendment: Section 24-57.C, third paragraph, delete "specific duties and": "The chair, dean, or his/her designee shall identify ~~specific duties and~~ responsibilities . . ." and in 24-57.D, second paragraph delete "in sufficient detail" so that it reads, "This conference document shall also articulate ~~in sufficient detail~~ the discussed commitments . . ." This proposal was moved and seconded. The vote on the motion was Yes: 1; No: 6. The motion to amend failed.

Stygall expressed concern that there is no way to force these planning conferences to happen, and if there are colleges where the college council expects the paper trail and some departments don't do the conferences, the faculty member can be placed at a disadvantage.

Huntsman reiterated that his recollection of the reason for this portion of the *Code* was not because merit reviews were inadequate, but came from a desire to customize the work expectations. He did not have the idea that this was intended to be a process to develop goals for the individual or to be an employment contract. If this is happening, then perhaps the *Code* needs to be rethought.

The main motion (as amended) was approved on a vote of 5 yes, 3 no and 5 abstentions. The amended legislation will be forwarded to the Faculty Senate.

Class A Legislation on Lecturer Titles and Durations of Appointments--First Consideration

It was moved and seconded to approve the legislation for submission to the Faculty Senate and the faculty. Haley reminded the members that this was discussed last quarter in a draft form. There are three major issues: 1) establish a Principal Lecturer title, 2) provide voting privileges for certain part time lecturers, and 3) increase job security for senior and principal lecturers. In answer to a question, Haley explained that the intent of the part-time lecturer voting eligibility was intended to allow lecturers to vote if they have had six consecutive quarters of teaching (not counting summer quarter). Holt spoke to the issue that it will be difficult for the Senate office to administer that, and to do so might require additional resources. Stygall suggested that perhaps departments would be better able to track and provide the information to the Senate office.

Donald Janssen said that Group 6 senators have discussed this and there is a feeling that since part-time lecturers tend to be appointed without as much scrutiny (as other ranks) and are often hired with excess research money to buy out teaching, it is easy to see how a lecturer might be used over several quarters and would gain voting rights. This would, in effect, give increased voting power to the faculty member who was hiring the lecturer (might "have" the lecturer's vote). Another possibility is that Ph.D. students could be hired as lecturers rather than as teaching assistants which would save money (since there would be no tuition waiver) and give voting status. Haley explained that the concern about inappropriate people voting was raised in the council and Steve Olswang suggested that a way to deal with it is to hire at an "acting" rank, which never have voting rights. Janssen replied that would work only if the hiring official agreed there might be a problem.

Killien asked for clarification as to how the principal lecturer rank differs from senior lecturer; in Nursing senior lecturers already meet the standards for principal lecturers. Haley explained that the principal lecturer rank has a higher standard than does senior lecturer. She also asked about how the longer appointment would increase security. In Nursing those positions are contingent on funds, so someone could have an appointment but wouldn't be working because the teaching varies yearly depending on available funds.

Stygall expressed the opinion that if we have people who are here repeatedly on part-time status and they are not given a stake in the process, she has concerns about what that says about our commitment to teaching and the university.

Christina Emerick explained that lecturer appointments vary widely across campus. Many departments use lecturers as a hedge and are not willing to make a commitment. She believes it is an inhuman way to deal with a fairly large part of the University workforce and the people who teach a large number of students. She said that she has taught at the University for 18 years: when she began she had one year contracts, then three year contracts, and when she became a senior lecturer, five year contracts. She was told last December that in her college all lecturers (including senior lecturers) would have only one year contracts. She is back to where she was when she began 18 years ago.

Allen reminded the group that at the last Senate meeting the President predicted that with the budget reductions there would be fewer, but larger classes. He said that this is not just an issue of fairness, but of fair representation of the people who are heavily involved in the teaching mission of the University. If you exclude lecturers you exclude an important part of the teaching group, and if we are going to have more part-time faculty, then they should be represented.

Krieger-Brockett told the group that the Special Committee on Faculty Women found that 45% of lecturers are women and only 23% of ladder faculty are women. This is an equity issue as well as one of regularizing appointments.

Jacoby expressed appreciation for the intent of the legislation but asked why lecturers do not receive tenure. Under AAUP guidelines anyone who teaches is faculty and after a certain number of years as faculty they should have the opportunity to be tenured. Holt indicated that he believed that was a misreading of the AAUP guidelines.

There was a motion to strike "part-time" in Section 21-32 (list of voting membership), but it died for lack of a second.

Holt asked the group if they would like to consider the legislation as one piece or separate it.

Maizels informed the committee that in the Medical School research plays a large part in the decisions that are made by faculty and that lecturers do not participate in that part of department life. It would not be looked upon favorably if lecturers were to get voting rights in areas where they are not involved. This is a central part of governance and needs to be carefully considered. Clark Pace agreed and said that in his department part-time lecturers teach, but do not participate in service or research.

It was moved and seconded to strike the new portion of 21-32 that refers to voting rights for part-time faculty. The motion was approved on a vote of 6 yes, 5 no, and 1 abstention.

There was a motion to call the question, it was seconded and approved on a vote of 8 yes, 1 no.

The amended legislation was approved on a vote of 8 yes, 2 no, 2 abstentions.

Class A Legislation on Emeritus and Senior Titles--First Consideration

It was moved and seconded to approve the legislation for submission to the Faculty Senate and the faculty. Diane Martin introduced the legislation and explained that under current state law, faculty members cannot retire early than age 62 (before 62 they have to resign rather than retire). This legislation would allow faculty to retire earlier and receive emeritus title if they meet the listed qualifications.

The second part of the legislation would establish the senior title which could be used by those retired faculty who receive the emeritus title. Its use would be voluntary on the part of the individual faculty member. This was done in response to concerns expressed to the committee that emeritus faculty who are re-employed sometimes have difficulty getting grants because there may be an assumption that an emeritus faculty member is not committed to the work.

There was spirited discussion about the need for specifying the age and years of service. In answer to questions, Martin explained that the 1996 changes in the University of Washington Retirement Plan (UWRP) were to change internal policy, and this legislation would simply put that into *Code*. The best way to make changes would be to change state law, but since that will take some time; this legislation will provide a way for faculty to retire early. The years of service must be continuous at the UW, which is typical at

universities across the nation. Haley pointed out that the new language of eligibility is more restrictive than the current language (which simply calls for 10 years of service), and questioned why we would want more restrictive language and why retirement language is being put in a section about titles. Martin explained that she understands from Steve Olswang that without this language a faculty member cannot retire until 62 due to state law and that inserting this language in the *Faculty Code* will allow faculty to retire early without having to get the law changed. She agreed that this is a retirement issue, but that until the law is changed this is the best way to handle it.

Richard Ludwig asked about the definition of department action, especially in the case where a department chair might overrule a faculty vote. Martin said the council did not discuss that issue. Eighty percent of all faculty who retire receive emeritus status. In general, those who do not receive it are those faculty who do not attain full professor rank.

Heath suggested that the "Senior Professor" title might not be the best, given the unfortunate possibility of a double meaning. Martin agreed, but said the council couldn't come up with a better term, and senior title is used at other universities and is recognized by NIH and other granting agencies. Emerick wondered if it is commonly used, then wouldn't the senior title begin to be viewed the same as emeritus?

It was moved and seconded to divide the legislation.

Pace said that he would have an easier time supporting the senior title change than he would the eligibility changes, since this portion of the *Code* has to do with titles and not retirement. Krieger-Brockett asked about the benefits to emeritus faculty. Martin explained that retired faculty get parking, reduced IMA fees, library privileges, etc. If they resign they do not get the same privileges. There are some faculty who would like to retire before 62, but do not because they do not want to resign and lose these benefits. Jan Sjøvik suggested that allowing faculty to retire early is important to provide opportunities to bring in younger faculty members.

Haley referred to the section that states, "shall be deemed to have retired" and pointed out that under that it appears that the faculty member doesn't have to do anything to initiate retirement. Allen asserted that people won't understand the differences between retirement and resignation. Somehow it needs to be made clear or else some faculty might think this is the UW retirement plan and policy.

The motion to split the legislation was approved on a vote of 5 yes, 2 no, 4 abstentions.-4

Senior Title portion:

Silberstein proposed a friendly amendment to eliminate the senior title and change the wording to: "a faculty member who has been awarded the Emeritus title, but who remains reemployed by the University after the date of his or her retirement retains their pre-employment title." After brief discussion, the proposed amendment was withdrawn.

While this issue has been brought before the Faculty Council over a period of several years, most information about the need for a senior title is anecdotal.

The senior title portion of the legislation failed on a vote of 1 yes, 4 no, 1 abstention.

Emeritus Eligibility:

Silberstein proposed an amendment to change Section 24-34.B.9 (new portion) to read, "For purposes of eligibility for Emeritus status only. The motion was seconded. Maizels suggested including reference to where the retirement policies are listed, but Janssen wondered why it needed to refer to retirement at all. Haley suggested that there is a need to look at the definition of voting faculty for early retirees (if they do not in fact retire but resign) and to include language for that. Martin reiterated that the real changes need to come from the state legislation. However, that will take some time, so this is provided as a "band aid."

Allen moved that the legislation (Section 24-34.B.9) be remanded to committee and that it be organized differently into separate paragraphs: 1) section before the strikeout (through "President of the University"), 2) a section to make clear this is only referring to title and not retirement, and 3) voting rights. The motion was seconded.

The motion to remand to committee was approved on a vote of 8 yes, 1 no, 1 abstain.

Information:

Holt reminded all group representatives to send email to their senators about the legislation and your comments.

New business:

There was no new business.

Review of Senate Agenda

The Senate agenda for April 18, 2002 was approved after deletion of No. 12, Legislation on Emeritus and Senior Titles.

Adjournment

It was moved, seconded and approved to adjourn the meeting. The meeting adjourned at 5:20 p.m.

PREPARED BY: Marilyn Gray, Staff Assistant, for Lea Vaughn, Secretary of the Faculty
APPROVED BY: Bradley Holt, Chair, Faculty Senate and Lea B. Vaughn, Secretary of the Faculty