

MINUTES OF THE SENATE EXECUTIVE COMMITTEE
Room 142, Gerberding Hall
2:30 p.m., Monday, 5 April 2004

Present: Senate Chair Wadden; Group Representatives, Stecher-Hansen (I), Pace (II), Swanson (III), Buck (IV), Gile (V), Tanimoto (VI), Scheuer (VII), Lovell (VIII); Secretary of the Faculty Vaughn; Faculty Council Chairs Plumb (FCAS), Gillis-Bridges (FCET), Carline (FCIQ), O'Neill (FCFA), Brandt (FCRIB), Schwartz and Pace (FCSA), Killien (FCTCP), Martin (FCUL); Faculty Legislative Representative Stygall, UW Tacoma Representative Kalton; Special Committee Chair Krieger-Brockett (SCFW), Acting Provost Thorud,

Absent: Vice Chair Heath*, President Huntsman*; Group Representatives, Johnson (VII)*, UW Faculty Council Chairs Erdly (FCEO), Kiyak (FCR)*, Schaufelberger (FCUFS),* Seifer (FCUR)*; UW Bothell Representative Krishnamurthy, ASUW Representative Goodnight, GPSS Representative Harrison, Assistant to the President Niccolls

Guest: Vice Chair Elect Ashley Emery, Robert Aronson, outgoing Faculty Athletic Representative and Professor of Law, Patrick Dobel, incoming Faculty Athletic Representative and Professor of Public Affairs, Peter Dukes, Chair, ACIA and Associate Dean of the Business School, Malcolm Parks, Associate Vice Provost for Research, Brent Stewart, Professor of Radiology (representing FCR), Richard Thompson, Acting Athletic Director

The meeting was called to order at 2:35 p.m.

Approval of the Agenda

The agenda, as amended, was **approved**.

Approval of the Minutes

The minutes of the 23 February 2004 Senate Executive Committee meeting and the 11 March 2004 Faculty Senate meeting were **approved**.

Opening Remarks – Douglas Wadden, Chair

Wadden's remarks served to highlight upcoming issues for the spring quarter. The athletic agenda will involve a two to three year period of thoughtful discussion and debate; currently, we are engaged in the information phase. The Senate will hear from people at our University who are involved in these issues and about national reform efforts. Wadden stressed the need to become informed about these issues, both for the good of the students and the University. He then introduced the following: Rob Aronson (Law), outgoing Faculty Athletic Representative (FAR); Patrick Dobel (Evans School of Public Affairs), incoming FAR; Dick Thompson, Interim Athletic Director; and Pete Dukes (Business School), Chair, Athletic Advisory Committee (AAC). Wadden announced that the FCSA would have an ex officio member from the Athletic Advisory Committee. These efforts, he hopes, will have meaning and make a difference; at the same time, they should reflect a thorough, objective analysis of our options.

Similarly, the Tricampus task force is up and moving. The Governor's recent actions will affect this agenda, as Gail Stygall will note later. Wadden noted that the Senate would not,

however, be moving forward this quarter on the *Faculty Code* Chapter 26 RCEP revisions. The draft has raised a number of questions and there will be a working group of faculty and administrators assembled to review the draft before a final edition is brought forward. Some of the revisions are housekeeping; others are perceived as more consequential and substantive.

Wadden also characterized a two-hour faculty leadership meeting with President-designate Emmert as very helpful and successful. The faculty attending made a good impression, and he hoped that it will lead to more meetings of this type. Wadden's perspective, however, is that President Huntsman is still the president of the University and we will do business as usual with President Huntsman. To do otherwise would be premature and not right.

Report from the President – Lee Huntsman

[David Thorud, Provost, made the report for the President]

Thorud characterized the recent legislative session as quite successful and encouraging, and distributed a summary of the session. As it pertains to the budget, they are preparing a final proposal for the Regents' approval in May, anticipating approval in June. The basic outline that they are trying to fulfill will call for minimum salary provisions, recruitment and retention funds, and no budget cuts. There may possibly be some small unit adjustments. Salary is the first priority.

There are other matters: the research infrastructure review has suggested some places for investment on a carry forward basis. There are also some IT investments needed; these will be coming from restricted budgets and will be discussed with the SCPB. Permanent money to allocate is limited; most of the funds will be devoted to salary. There may be some attempts to ease the "bottleneck course" problem. One problem is that investment income has fallen short by about \$10 million; all other revenue items are doing as expected.

At the same time, we are beginning preparations for the 2005-2007 biennium, aiming for a July Regents meeting for approval. Based on previous experience, the administration is not soliciting "wish lists" from deans and chairs; the submitted budget rarely picked these up and they have moved to a strategic model of budgeting.

Finally, the legislature, as we have done internally, mandated a number of planning processes. For example, the newer campuses have to prepare a plan for how they might grow in the future; there is also a HEC Board enrollment study. Timelines are being coordinated and developed for these projects.

Report from the Senate Committee on Planning and Budgeting – Ross Heath, Chair; Vice Chair, Faculty Senate

Doug Wadden gave the report in Heath's absence.]

The SCPB has been discussing the planning bills passed in the recent legislative session as well as the performance contract task force. A group will be working on the content of such an agreement, and we anticipate working with WSU and possibly other regional campuses on the performance contract issue. These discussions will extend into the summer, resulting in a proposal in October. There have also been several proposals regarding funding for computer security, and additional funds needed for collective bargaining for the

payment of bargaining teams and resources. Most of the labor start-up costs will dwindle over the next four years until the costs plateau at a maintenance level. Another item of discussion has been enrollment issues, and there have been discussions of how to use the funds generated by these initiatives.

Report on Legislative Affairs – Gail Stygall, Legislative Representative

Agreeing with Thorud, she agreed this was a more successful session than was anticipated.

She characterized the Governor's veto of the requirement that schools stay within 2% of their budgeted enrollment as a plus because it stops unfunded enrollments. The Governor noted that this restriction should not be imposed given current access issues. He also vetoed the studies of expansion at Bothell and Vancouver. House Bill 2707, which he signed, asks us to look at all possible alternatives without a pre-determined outcome, thus making the Bothell and Vancouver studies unnecessary. There is no money, however, allocated for these studies. The best news is that he vetoed the provisions that would have allowed private bidding on high demand enrollment. Another positive veto was eliminating a 10% cut on travel, supplies, and equipment programs. The sessions' legislation still directs the HEC Board to look at higher education voucher plans.

Stygall asked everyone to review the Legislative Budget summary, noting that the HEC Board directives are much more forceful than in the past. Because of the overlap with performance contracts, these directives provide some clues as to what the legislature thinks should be included in a performance contract. The legislature, as a way of expressing its displeasure with the HEC Board, imposed another advisory board on it. It will include two faculty representatives, one for the four-year colleges and another from the community colleges. This will provide a forum for faculty to express ideas to the HEC Board. Thorud added that there are two kinds of enrollment described in the legislation: general and high demand. Because of the veto of the private role, the rest of the high demand provisions may not have survived.

In passing, Thorud noted that we are in a transition period, and assured the body that the current administration has been working with the President designate. There was also, in response to a question, a discussion of the research study listed in legislation.

Deputy and Legislative Representative Nominations – Doug Wadden, Chair

Wadden nominated Gail Stygall (English) to a second term as legislative representative for a term to run from September 16, 2004 to September 15, 2005. **Unanimously Approved.** Wadden gave Stygall his thanks for undertaking such a difficult job and doing it so well. The body presented her with a round of applause for her efforts.

Wadden then noted that Stygall has located a volunteer for deputy legislative representative. The nominee, Jennifer Souders (Anesthesiology, Group VII), comes from south campus. Prof. Souders has been consistently involved in faculty governance. A legislative representative from south campus could make unique contributions in highlighting research functions of faculty as well as health care issues. Her department is supportive of this appointment, which is important since it will require re-scheduling of her teaching, and clinical appointments. She feels that this experience will enhance the teaching portion of her duties on campus. **Nominated and Unanimously Approved.**

Report from the Secretary of the Faculty – Lea Vaughn

Vaughn made a number of announcements relating to elections and balloting issues, reminding people that Senate elections will run from 19 April to 30 April 2004. She also brought the body up-to-date on plans for a new version of the Husky Card, noting that it will most likely include a picture of each faculty person. No one raised objections to the inclusion of a picture.

Nominations and Appointments

None beyond those already noted.

Information

a. Faculty Council on Research – Brent Stewart (Radiology), Vice Chair, FCR and Mac Parks, Associate. Vice Provost for Research.

The presentation outlined proposed changes that would involve the Handbook provisions on classified information and research contracts. Classified research occurs rarely, but increasingly after “9/11” there have been requests for restrictions on research projects that are not officially classified. The purpose of the proposed revisions is that the Faculty Council on Research (FCR) would review anything that has restrictions on publication, access, or personnel. Research with accompanying restrictions would be reviewed as “classified research” regardless of its official classification. These revisions attempt to guarantee that faculty are able to review any proposed research restrictions. Wadden noted that there was a discussion of this issue earlier this year, and it has become clear that an SEC vote would be important. The Faculty Council on Research (FCR) approved the proposals on 22 May 2003. In response to a question, Parks said this would include restrictions on the nationality of graduate students. FCR would be the review committee in this instance, and as such, it would expand its responsibilities although it does not expand their jurisdiction. Parks noted that Grants and Contracts also work hard to eliminate publication limitation clauses. Wadden suggested that these comments make the case for more faculty education.

b. Faculty Understanding and Involvement in Intercollegiate Athletics – Rob Aronson (Law), Faculty Athletic Representative [FAR]; Patrick Dobel (Evans School), Faculty Athletic Representative Designate; Peter Dukes (Business), Chair, Academic Committee on Intercollegiate Athletics (ACIA); and Dick Thompson, Interim Athletic Director (AD).

After introductions, Wadden noted that the faculty has had the mechanism for some time for greater involvement in athletics but have not exercised it recently. This presentation is the first step in exercising the faculty oversight of student athletes. Aronson outlined the responsibilities of the Faculty Athletic Representative (FAR), much of which focuses on academic integrity and reviewing eligibility for each of 700-plus students. The FAR has direct responsibility, with the Athletic Director, for compliance and reports to the president.

Eligibility certification is an extremely important issue, and the NCAA is seeking to review eligibility every term rather than every year as they did previously. New standards will raise requirements for admission, academic performance and ensure that there is progress towards graduation. While laudatory, these requirements can also be traps for the unwary.

The FAR is also responsible for interpreting NCAA rules for coaches, student athletes, donors, boosters, and staff. When he started, he was the only one doing this but we have added law-trained compliance officers although the FAR has made the final decision. It is not unusual to have ten to fifteen compliance questions per day. There is also a responsibility to serve on NCAA legislative committees. They should also be a liaison between the athletic and academic sides of the university. This area, Aronson said, has been the most problematic and he hopes that there will be a shift towards emphasizing this relationship, especially as the compliance function becomes professionalized, leaving more time for the FAR to develop this relationship. For many faculty, these issues do not become apparent unless there is a crisis.

In response to a question about the NCAA policy on gambling, Aronson said there is a general policy that frowns on all gambling but then there are very specific and detailed rules that forbid certain kinds of conduct. At times, the general policies and the rules can be in conflict or hard to interpret as a package. The current NCAA position, however, is that their policy statement takes precedence. He assumes that the specific legislation that attempts to define permissible and non-permissible gambling will disappear and a list of persons who cannot gamble, defined broadly, will replace it. Essentially the policy is one of zero tolerance but it is not clear what gambling is and this is what makes it difficult to enforce.

A second question focused on class attendance. Aronson said that attendance is a huge problem and one in which the faculty should be involved. There are NCAA rules about class attendance, and limits on the numbers of competitions. For example, these rules are especially a problem for softball, which has a fifty-six game season and the need to play out-of-town because of our weather. The FAR works with faculty and students to minimize the damage from these situations. Ultimately, the institution has to determine internal parameters. The institution can also explore strategies for coping with these rules within the conference and discuss technology options.

Dobel was introduced as the new incoming FAR. First, he thanked Rob Aronson for his excellent service for the last eleven years and noted the respect with which he is held by NCAA officials and the PAC 10. Because he is a new appointment, Dobel focused on his background and the process by which he was selected. At the Evans School, he teaches leadership, management and ethics, and was associate dean for seven years. He has worked with local, state, and national ethics boards and worked on the previous Intercollegiate Athletics Review committee, overseeing the NCAA certification process. He has also served on the Undergraduate Council and is currently chairing the re-certification process. He hopes that athletics will be linked to the Undergraduate Council because of the common interests. The FAR appointment is a presidential appointment lasting five years. He was selected after ACIA, faculty and presidential interviews.

Dobel noted that this is an amorphous position. The NCAA requires that Universities have this position but do not define it. The PAC 10 has greater and more detailed expectations, however. This is an interesting moment because of the change in personnel and an opportunity to get the faculty involved in the conversation. The FAR can act as a bridge between faculty, students, and administration. This is the essence of the job. He believes the FAR should converse with the SEC on a quarterly basis. Second, the ACIA and the SEC should have a more formal, ongoing relationship. Another important dimension of the FAR position will be working with the culture of the institution on the intercollegiate athletic culture, especially with the coaches and the athletes. Finally, the FAR, along with the President and the Athletic Director, cast significant votes on NCAA legislation. To the extent

there are important reform efforts, the SEC and possibly Senate should deliberate on these issues.

Pete Dukes introduced himself as the chair of the Advisory Committee on Intercollegiate Athletics. He is also an Associate Dean of the Business School. The President appoints the ACIA chair, and its role is to advise the President and others on policies relating to athletics; there is no specific agenda. In the past, meetings were infrequent but the focus tended to be on student welfare. Similarly, this group had little to do with compliance issues.

As he passed out the membership roster, he noted that this year the committee was appointed jointly by the Faculty Senate and President. This year, they have had a very active agenda and are getting up to speed on compliance issues as well as ongoing academic concerns. Huntsman, the first President to attend a meeting in five years, and Wadden came to the first meeting of the year and posed a number of questions about the program: Is the program using the best management model? What is the culture of the program? Does it reflect University values? What position should we take on the issue of reform and intercollegiate athletics nationwide? What efforts, if any, should faculty be making to change intercollegiate athletics? The ACIA also provided input to the FAR and AD searches. Thus, their current agenda focuses on compliance issues, cultural issues, and the reform coalition proposals.

Dick Thompson introduced himself as a "lawyer turned public administrator who had planned to retire after most recently serving as the University's Director of Government Relations". As interim athletic director, he is responsible for holding the department together and moving it forward. He sees four major issues: rebuilding the compliance office, participating in representing University for NCAA violation issues, calming the place down, and moving forward. The department, which is self-sustaining, also faces some tough budgetary issues next year. The department's revenues are historically uneven from year to year given its reliance on donations. He is reducing the budget and trying to do this without divisiveness. Changing the culture of the department was analogized to muscle memory – it takes a while to affect culture and a lot of leadership for others to buy into it.

At the end of the presentations, Wadden asked them to come for the next two Faculty Senate meetings and discuss reform efforts. This means that any proposals put forward will be based on information and thoughtful consideration of the challenges and opportunities facing the program. He is counting on these four to come to us with recommendations but because we now have a jointly appointed committee, it is our responsibility as well. We will also be coordinating efforts with the Faculty Council on Student Affairs. In closing, Dukes noted the improvement in student GPA and retention. Graduation rate for athletes is 70% compared to 71% for all undergraduates so there is just a 1% difference. In answer to a final question, Thompson stated that the department has reserves built in for defense fees in the Neuheisel lawsuit.

Second Consideration – Class A Legislation

a. Policy Regarding the Terms of Faculty Senate Officers. Volume Two, Part II, Chapter 22, Section 22-53 Election of Senate Officers.

After noting minor revisions proposed by the Advisory Committee on the Code, the legislation was **Approved**.

b. Policy regarding the Chair of the Senate Committee of Planning and Budgeting. Volume Two, Part II, Chapter 22, Section 22-91 Senate Committee on Planning and Budgeting.

Approved.

Announcements

None.

New Business

The agenda for the Senate meeting was approved.

The meeting adjourned at 4:22 p.m.

SUBMITTED BY: Lea B. Vaughn, Secretary of the Faculty
APPROVED BY: Douglas Wadden, Chair, Faculty Senate