UNIVERSITY OF WASHINGTON  
FACULTY COUNCIL ON FACULTY AFFAIRS  

The Faculty Council on Faculty Affairs met on October 8, 2003, at 1:30 p.m., in 36 Gerberding Hall. Chair Kate O’Neill presided.

Ex-officio: Krieger-Brockett, Blumenthal, Walker, Johnson, Olswang, Vaughn  

Absent:  Regular: Ceccarelli, Demorest, Lydon-Rochelle  
Ex-officio: Stygall  

Guest: Ia Dubois  

Synopsis:  
Welcome & Introductions  
Approve agenda  
Approve May 2003 minutes  

Overview of ongoing work and recruitment of subcommittee members:  
1. Report on review of UW grievance procedures (Kirtley)  
2. Report on report for Winn settlement (O’Neill)  
3. Tuition waiver (O’Neill, for Demorest)  

Action items:  
4. Voting rights for ex officio members  
5. Proposed legislation for part-time lecturers  
6. Response to Executive Order #36 revisions re Intellectual Property transfer and management  

O’Neill called the meeting to order at 1:30 p.m..  

Approval of agenda  
The October 8 agenda was approved.  

Approval of minutes  
The May 14 minutes were approved.  

Welcome and Introductions  
After inviting members to introduce themselves, Chair Kate O’Neill revisited the purpose and structure of the Faculty Affairs Council for the benefit of new and continuing members. FCFA is part of the Faculty Senate, and reports to the Senate leadership, and to the Faculty Senate as a whole, to advise on legislation that amends the Faculty Code.  

The Council reviews faculty concerns, problems, and issues brought to its attention by the Faculty Senate leadership or other faculty members, with the caveat that Faculty Affairs issues pertain to groups of faculty rather than to individual faculty members. These issues can include any aspect of faculty employment other than retirement and benefits – academic freedom, promotion and tenure standards, discipline and adjudications, curriculum issues, and a wide variety of other issues. Much of the work of the Council is done in subcommittees, rather than as a committee of the whole. Communication on these issues is a two-way street, O’Neill said. FCFA members are information bearers as well as information receivers.
**Report on review of UW grievance procedures (Kirtley)**

This is a carryover issue from last year. Kirtley's subcommittee is looking at the existing dispute resolution processes at the UW to identify alternative dispute resolution models that might be faster, fairer, and less angst-provoking.

The Dispute Resolution subcommittee is charged to:
- Identify the various entities and processes in place on campus to resolve disputes between and among faculty, staff, and students,
- Investigate dispute resolution systems at other research universities,
- Compare the UW system against those elsewhere, and
- Prepare a written recommendation, based on this research, as to what changes might be warranted, with a view toward improving the UW's dispute resolution systems.

To date, Kirtley's research assistant has made lists of all the dispute resolution processes at the UW, including those for faculty, students, and various categories of staff. Kirtley and his RA have also read the well-regarded book *Mediation in the Campus Community* by James C. Worters, to glean information about ways dispute resolution is done elsewhere. They are now comparing the UW system with other university systems, to see what is being done elsewhere that is not being done here and vice versa.

Kirtley said he needs to reinvigorate and reconvene the subcommittee; he invited new members to join in this work. Lea Vaughn, Jack Hildebrandt, Joe Janes, Beth Kolko, Melissa Johnson, and Kate O'Neill volunteered.

**Report on report for Winn settlement (O'Neill)**

The Faculty Senate passed a Class C resolution directing Faculty Affairs to investigate the multimillion-dollar settlement that was offered to Dr. Richard Winn, who left the University as a result of irregularities in medical billings. O'Neill attended several meetings at the Medical School and has a lot of documentation on the why, how, and powers that were used to create the settlement agreement. O'Neill proposes to draft a summary of this information for the next meeting and would welcome help.

Dr. Winn has now been reemployed by Mt. Sinai Hospital in New York. His salary from Mt. Sinai will govern the amount of money the University is obligated to pay under the terms of the settlement agreement.

The Council can reflect on the draft report, O'Neill said, and can then report back to the Faculty Senate.

**Tuition waiver (O'Neill, for Demorest)**

New Council member Steve Demorest has schedule conflicts and cannot attend FCFA meetings this quarter, but would like to remain on the tuition waiver subcommittee. This group is exploring the possibility of extending tuition waivers to faculty family members as an additional benefit and as a retention tool, as described in the draft proposal Demorest provided. O'Neill commented that Legislative Rep. Gail Stygall says there is some interest in this in the legislature, and Jim West believes there are no amendments needed to state law to put this benefit in place. Steven Olswang said the administration believes that waivers are under the authority of the legislature and amendments to the law would have to be made.

Vaughn suggested that this issue might be referred to the Retirement, Insurance, and Benefits Council for study and action. The Faculty Code should be consulted to determine where this issue should properly be addressed.
Voting rights for ex officio members

After a brief discussion, it was moved, seconded, and unanimously passed to grant FCFA voting rights for the academic year to ex officio members as follows:

Robert Blumenthal, Emeritus Faculty
Paula Walker, ALUW
Melissa Johnson, PSO Representative,
Barbara Krieger-Brockett, Faculty Women

Action on voting rights for ASUW and GPSS was deferred until these groups name their representatives.

Proposed legislation for part-time lecturers

Fifty percent of large-enrollment classes at the UW are taught by part-time lecturers. In order to make these lecturer positions more equal and more respected, the subcommittee on part-time lecturers proposes to grant the vote to part-time lecturers. The vote would be granted in the third year to part-time lecturers who have worked 50% time or more for the two preceding years, in a single academic unit. Part-time lecturers would only vote in one unit.

This proposal did not pass the Senate Executive Committee in its first year, but has now been revised. The subcommittee presented its latest draft for Council approval, with the intention of resubmitting it to SEC at their next meeting.

Olswang advised the Council that this item had been on the October 6 SEC agenda, but was "pulled" by President Huntsman. Krieger-Brockett thought Faculty Senate Chair Doug Wadden pulled the agenda item, but Olswang, who commented that he himself has been part of the group working to elevate lecturers, said the legislation was withdrawn from the SEC agenda at Huntsman's request.

Olswang said there was a surprising amount of concern among deans and department chairs over this proposed legislation, because it would add about 150 voting faculty member to the voting ranks – an increase of 10% in Arts and Sciences, for example. The concern seems to be related to ongoing concern about the research faculty vote, Olswang added. Research faculty titles are being eliminated in some departments because their votes distort the quorum in departments. There is substantial negative reaction to adding a potential 150 members to the voting ranks, Olswang said, and this is the primary reason the President asked FCFA to reconsider the legislation. There was also concern about the difficulty of identifying the part-time faculty who will be eligible in any given quarter.

Olswang agreed with subcommittee chair Ia Dubois that this legislation disproportionately affects women, and affects part-time lecturers who are some of the most solidly integrated teaching faculty at the University.

Vaughn championed granting the vote to these part-time faculty, because to do otherwise perpetuates their sense of being second-class citizens at the University and encourages non-participation in the life of their departments, creating a circular argument that they should not be given the vote because they do not participate. This is a culture issue – there should be no distinction between the rights and privileges of these faculty and full-time faculty. Dubois said the subcommittee's aim is to change the University culture to accept that lecturers are the same as any other faculty, but on a different path. Lecturers who want to be active should be allowed to do so.

The sticking point for this legislation is achieving quorum so departments can do departmental business. Dan Luchtel asked what is needed to achieve quorum. As presently constituted, the quorum requirement for schools and colleges in Section 23.46 of the Faculty Code states:
A. Except as provided in Subsections B and C, a proposed action or proposed rule of a college, school, or department faculty under the authority of Sections 23-43 and 23-44 is effective if passed by a quorum majority of its voting members present at a meeting or responding by mail, or of its authorized council or committee, and if approved by the dean. Approval by the dean is not required in internal department matters.

"Quorum majority" means:

1. in the case of a vote taken at a meeting, a majority of those members voting at a meeting at which at least half the members entitled to vote are present; and

2. in the case of a vote taken by mailed (written) ballots, a majority of those voting, provided that at least half of the members entitled to vote have cast ballots.

Olswang suggested that perhaps Luchtel is on the right track in thinking about the definition of quorum. The quorum rules were changed some years ago for Faculty Senate meetings – perhaps a similar change needs to be considered for schools and colleges. O'Neill said she had previously suggested this. Olswang said that it is, however, very important that a majority of voting faculty participate in departmental decisions. Dubois pointed out that lecturers cannot vote on promotion and tenure decisions for any rank higher than their own, and that continuing part-time lecturers should not be excluded from the discussions of the future actions of their departments.

William Wilson said it has been suggested in some quarters that research faculty do not have much dedication to teaching, and that lecturers do not have the same dedication to the search agenda. So you might wind up with a very small fraction of the total voting faculty who were interested in any particular issue and would actually participate. That could be disastrous, Wilson concluded. Michael Hadjimichalikis commented that lecturers play a crucial role in teaching and research – they should be included, not isolated.

Dubois said that this is an issue under discussion at many universities nationwide – it would be good for the UW as a whole to take a progressive stance in the matter.

Olswang stressed that he has only relayed the administration’s view that the legislation should be debated further in Council, to make certain these issue are addressed. He personally advocates for the Council moving ahead with the legislation if it decides to do so. Krieger-Brockett thanked Olswang for his valuable help and participation on the subcommittee.

Kirtley asked how quickly units could have a system in place to keep track of PT lecturers' eligibility for the vote. Dubois responded that units in the schools and colleges do not seem to have a problem with tracking this eligibility. But as a totality, she said, it seems to become difficult. "If you get the legislation passed," Olswang said, "the administration will find a way to implement it without impediment." If the legislation is passed, it becomes effective upon signature by the President, which could be in 2004.

O'Neill outlined three options for "next steps" for the proposed legislation:

- More work on the proposal by the subcommittee
- Table the proposal until next meeting
- Vote on the proposal as it stands today

It was moved, seconded and passed (11 yeas, 1 nay) to adopt the proposed legislation in principle, subject to review by the Code Cops at their next meeting. Olswang will provide better data on the numbers of part-time lecturers so the proposal can go to SEC with accurate information as part of the background and rationale for the legislation.
Katherine Graubard raised the issue of quorum vote as mandated in the Code, since it will come up over and over unless it is dealt with. Perhaps the Council can address what it takes to achieve quorum and make a Code change that works. This would be Class A legislation. Olswang said that would be a very big conversation – he would not advise commingling it with the PT lecturer legislation unless the legislation does not pass.

The consensus in Council was that legislation to ease or simplify the quorum requirements in Faculty Code Section 23.46 be postponed until it can be given further thought and study.

**Response to Executive Order #36 revisions re Intellectual Property (IP) transfer and management**

O'Neill asked members to read the IP materials that were emailed with the October 8 agenda, to fully understand who owns intellectual property, how ownership is transferred, and how faculty members get paid for intellectual property they create.

The Faculty Council on Research and IPMAC were in favor of the revisions to the IP policy; Faculty Affairs suggested several changes (some of which were adopted). Faculty Affairs should respond to Mac Parks’ comments to Sandra Silberstein’s letter describing FCFA’s position on the document.

Olswang said he thought the Executive Order #36 revisions had already been passed to the President and signed in July, so that the new payout structure could be implemented. FCFA can ask for amendments to the IP Policy at any time, however. Olswang will get copies of the final documents for the Council. (NOTE: It was later discovered that the Order has not been signed as of October 8, but signature is imminent.)

The meeting was adjourned at 2:55 p.m. *Minutes by Linda Fullerton, Recorder.*