The Faculty Council on Faculty Affairs met on October 9, 2002, at 11:30 a.m., in 26 Gerberding Hall. Chair Kate O’Neill presided.

PRESENT: Professors: Ceccarelli, Graubard, Hildebrandt, Kirtley, Kolko, Lydon-Rochelle, O’Neill, Poznanski Ex-officio: Colonnese, Krieger-Brockett, Olswang, Green, Sjavik, Johnson

ABSENT: Professors: Dzwirek, Luchtel, O’Brien Ex-officio: Vaughn

Synopsis
1. Approve agenda
2. Approve minutes (May and June 2002)
3. Welcome and Introductions
4. Overview of possible issues and action items for 2002-2003
5. Discussion of priorities
6. Appointment of sub-committees

The meeting was called to order at 11:30 a.m.

Approve Agenda
The agenda was approved.

Approve Minutes
The minutes of the May 16 and June 13 meetings were approved.

Welcome and Introductions
Kate O’Neill introduced herself as the new chair of the Faculty Affairs Council and asked all members to introduce themselves.

Voting Rights
O’Neill explained that ex-officio Council members who are not administrative representatives can be granted voting rights, and asked for the will of the Council on this matter.

It was moved, seconded, and unanimously passed to grant voting rights to eligible ex-officio member Carol Green (ALUW). A vote on Melissa Johnson’s voting rights was deferred, to allow Melissa to consult with the PSO Board.

Overview of Possible Issues and Action Items for 2002-2003
O’Neill told members there is a long list of possible issues and action items the Council might take up this year. She thinks it would be efficient to follow the working model Chip Haley introduced, with several subcommittees working on individual issues simultaneously and reporting their findings/work to the committee of the whole.
Issues for 2002-2003 might include:

- Amending Chapter 28, Adjudications.
- Voting via email instead of paper ballot.
- Collegiality - should it be a factor in merit decisions?
- “Banking” of tuition waiver benefit, and expansion to include spouses and children.
- B Salary Plan – is it a code issue?
- Copyright issues.
- Classroom Assignment Policy

Some background on these issues follows:

**Amending Chapter 28, Adjudications**
The code needs some technical corrections, and may also benefit by an explicit prohibition on retaliation after an adjudication proceeding or complaint, as well as more emphasis on ADR (appropriate dispute resolution) methods. Alan Kirtley and Lea Vaughn will be involved in this effort.

**Voting via email instead of paper ballot**
The Faculty Senate office would like to use email voting, which is more efficient, cost-effective, and environmentally-friendly than paper ballots. However, email ballots may violate the Public Meetings Act. Lea Vaughn and Steven Olswang will meet with members of the Attorney General’s office to clarify this point and will have more information for the Council at our next meeting.

**Collegiality - should it be a factor in merit decisions?**
At present, “collegiality” is a factor in promotion, tenure, and merit. Lawsuits and grievances have been filed when lack of “collegiality” or mistreatment of colleagues has been named as a reason for denial of merit, promotion or tenure. Council may want to look into this issue and better define the Code with respect to collegiality as a criterion for promotion, tenure, and merit.

**“Banking” of tuition waiver benefit, and expansion to include spouses and children.**
Prof. Steve Demarest, in the School of Music, has suggested that faculty and staff be allowed to “bank” the six-credit per quarter tuition waiver benefit for their own use or for the use of their spouses and children. In a time when salaries and benefits are eroding, there is great interest in this idea. Olswang commented that this would require action by the State legislature, and that the tuition-waiver benefit applies to all State employees (not just UW faculty and staff) so the impact on the State budget would be substantial. He surmised that it would be a difficult “sell.”

**Unit Adjustment Policy – resolution of issues from 2001-2002.**
In the 2001-02 sessions, FCFA contemplated proposing Class C legislation to strengthen the commitment to Unit Adjustments for excellent departments that are seriously under-funded.
This, however, was not possible since the present commitment was made by Executive Order, which cannot be revised via legislation. Council may want to explore formalizing the Unit Adjustment Policy and the Ten-Year Review process that gives rise to unit adjustments, and to establish criteria for both.

**B Salary Plan – is it a code issue?**
Faculty members whose departments show a five-year history of grant and contract monies can resign up to 25% of their tenure and be paid this 25% from grant funds, known as a “B” portion of their salaries. This does not affect benefits, but can result in salary increases from grant monies and so is a good retention tool. Olswang commented that this is a salary negotiation and not a Code matter. Council members, however, expressed a desire to explore the issue further.

**Lecturer Legislation: Part-time Lecturers – resolution of issues from 2001-02.**
Part-time Lecturers were excluded from voting by action of the SEC, which removed them from consideration for voting rights in Class A legislation passed in 2002. Several PT Lecturers have complained about this. This should be studied with a view to re-submission. Steven Olswang, Barbara Krieger-Brockett, Jim Riley, and Chip Haley volunteered to serve on this subcommittee.

**Copyright issues.**
Traditionally, faculty who publish books have retained copyrights to their work. However, the University has claimed an interest in software copyrights for the past five years. At issue now is whether published works of all kinds are actually “work for hire.” At present, a revised Executive Order on this subject is being transmitted to the Provost. The Faculty Code mandates that the Senate review all Executive Orders – the SEC will refer this Order to FCFA and FCR for study if requested to do so.

**Classroom Assignment Policy.**
The Provost’s new policy on classroom assignment has generated controversy among the faculty. Council may want to review this policy with regard to fairness and efficiency.

O’Neill asked for input from the Council on how to prioritize these issues. Jan Sjavik advised that any State legislation, such as the expansion of tuition waivers, should be ready in draft form no later than early December so that bill sponsors can be recruited. Any later than that and the legislation can easily be crowded off the agenda. Olswang recommended that Dick Thompson and Ernest Morris brief the Council on the statutory authority of the Regents to adopt a tuition waiver policy and the statewide implications of the policy. Olswang believes that no state does this. Leah Ceccarelli stated that Penn State University offers such a plan.

Mona Lydon-Rochelle asked whether Morris and Thompson might be invited to the next FCFA meeting – O’Neill will look into this, and will gather background information on the other issues as well. She asked Council members to think about subcommittees on which they might like to serve. Kirtley said he could be involved in the Chapter 28 revision, but not until January.
Tentative priorities emerged as follows:

- B Salary Plan
- Tuition Waiver legislation (Beth Kolko volunteered to serve but not chair)
- Unit Adjustment Policy/Ten-Year Review correlation
- Voting via email instead of paper ballot.
- Collegiality Issue
- Chapter 28 revisions: Retaliation, ADR, technical changes.

O’Neill asked Council members to review the draft minutes and volunteer for subcommittees so they can be formed at the October 16 meeting.

The meeting was adjourned at 12:40.

*Minutes by Linda Fullerton, Recorder*