Minutes
Senate Executive Committee Meeting
Monday, April 30, 2012, 2:30 p.m.
142 Gerberding

Present: Gregory, Stygall, Young, Holland, Barsness, Stern, Evans, Baker, Nolen, Vogt, Taricani, Giebel, Johnson, Carline, Cauce, Fridley, McLean, Plummer, Killien

Guests: Jack Lee, Luis Fraga, Mićeál Vaughan

Absent: Astley, Phillipsen, Christie

1. Call to Order and Approval of Agenda.

   The meeting was called to order at 2:40 p.m.

   Secretary of the Faculty Killien asked to add two items to the consent agenda, the first, additional appointments to University and Senate Committees for 2012-2015 [Exhibit C], and second, nominations for 2012-13 Senate Executive Committee positions [Exhibit D]. The revised agenda was approved.

2. Report of the Senate Chair – Susan Astley. [Exhibit A]

   In the absence of the Senate Chair, the report was given by Senate Vice Chair James Gregory. He referred the attendees to Astley’s written report.

   Gregory reported on a meeting of the PAC-12 Faculty Senate leaders held in Seattle on April 14, 2012. It was an informative meeting and his impression was that in general the UW’s Faculty Code and shared governance practices are among the best among the schools represented at the meeting. Among topics discussed was the involvement of faculty in setting university budgets, the relationship between academics and athletics, and the impact of athletic demands on student-athletes.


   President Young expressed his appreciation to those who participated in Husky Fest. Many young people were present and investigated booths of various academic units. Parents of admitted and current students also met with various University administrators and faculty.

   He will be taking a preliminary budget proposal to the Regents this week, for their information; action will occur at their June meeting. University officials are considering the future scheduling of athletic events, especially mid-week games, on student athletes’ academic schedule. Use of charter transportation may actually decrease missed class time.

   In response to a question about how he believes his first year as UW president has gone, Young responded that it has gone very well. He has enjoyed his first year at the University. While he and the faculty don’t always agree, he views this as healthy. He believes there is strong shared governance here and that interactions with faculty leadership have gone well.


   a. Report of the Secretary of the Faculty. [Exhibit B]
   b. Report of the Chair of the Senate Committee on Planning and Budgeting. No report.
   c. Report of the Faculty Legislative Representative. No report.

   There were no questions.
 Killien added to her written report the status of elections to the Faculty Senate, appointments to councils & committees, and SEC nominations. She indicated that most positions have been filled or nominations completed. When asked if non-filled Senate seats could be reallocated, she replied that a college/school/campus elected faculty council could reallocate positions within their respective unit.

Chair of SCPB, Gail Stygall provided a brief report on activities of this committee, indicating that the group had reviewed all the narrative budget requests from academic and administrative units. All are posted on the UW’s website and she encouraged Senators to review the submissions from their units.

5. Consent Agenda.

   a. Approval of the April 2, 2012, SEC minutes and April 19, 2012, Faculty Senate Minutes.
   b. Approve Nominees for Councils and Committees. [Exhibit C]
   c. Approve for Senate Consideration Nominations for 2012-13 Senate Executive Committee Positions. [Exhibit D]
   d. Approve 2012-2013 Schedule of Faculty Senate and Senate Executive Committee Meetings. [Exhibit E]
   e. Approve the May 17, 2012, Faculty Senate Agenda. [Exhibit F]

   The consent agenda was approved.

6. Announcements.

   There were no announcements.

7. Unfinished Business.

   a. Class A Legislation – Second Consideration. [Exhibit G]
      Faculty Council on Multicultural Affairs.
      Title: Code Revisions to Chapters 24-32 and 24-54: Revisions Related to Appointment and Promotion of Faculty.
      Action: Conduct final review of proposal to submit this legislation to the faculty for approval or rejection.

      Mičeáil Vaughan, Chair of the Advisory Committee on Faculty Code and Regulation, proposed amendments to the legislation based on the committee’s review. Luis Fraga spoke in support of the amended language, on behalf of the Faculty Council on Multicultural Affairs.

      The amended legislation was approved.

   b. Class A Legislation – Second Consideration. [Exhibit H]
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 24, Sections 24-52 and 24-53: Revisions Related to Delegation of Authority for Select Faculty Appointments.
      Action: Conduct final review of proposal to submit this legislation to the faculty for approval or rejection.

      Mičeáil Vaughan, Chair of the Advisory Committee on Faculty Code and Regulation, proposed an amendment to the legislation to clarify that any elected committee needed to be composed of eligible voting faculty. There was no discussion.

      The amended legislation was approved.

   c. Class A Legislation – Second Consideration. [Exhibit I]
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 24, Section 24-41: Revisions Related to Part Time Lecturer Appointments.
Action: Conduct final review of proposal to submit legislation to the faculty for approval or rejection.

The legislation was approved.


Senator Giebel introduced for information an upcoming Class A proposal by Janelle Taylor to strengthen academic freedom language in the Faculty Code, Section 24-33. [Exhibit J] The proposal has been referred to FCFA for action in the coming academic year. There was no discussion.

9. Good of the Order.

Information about changes to the retirement plan was provided by Provost Cauce. Information sessions for faculty will be held in May, throughout the summer, and in October. Fidelity has been selected as the record keeper.

Senate Vice Chair Gregory invited a discussion on the functioning of SEC and the Faculty Senate. Several expressed their positive responses to the SEC and Senate restructure of several years ago and indicated they appreciated the increased involvement of elected SEC members. Provost Cauce suggested that the faculty needs to be more nimble and embrace change. The role of University Faculty Councils in the SEC meetings was discussed, with comments supportive of more spontaneous discussion of issues rather than oral reports. The SCPB chair invited more questions from SEC to SCPB. How to foster more discussion of tri-campus issues was also mentioned.

10. Adjournment.

Meeting was adjourned at 3:55 p.m.

Prepared by: Marcia Killien, Secretary of the Faculty
Approved by: Susan Astley, Chair of the Faculty Senate
Joint Salary Policy Working Group Update (latest update)

- President Young established the Joint Salary Policy Working Group on March 13, 2012. There are a total of 12 members (6 appointed by the Faculty Senate leadership and 6 by the Provost’s Office). The group’s charge is to examine the following 2 questions: 1) over the next 6-12 months, how should we proceed with wage increases under the current salary policy and revenue expectations, and 2) in the longer term, are there entirely new salary models that might be more sustainable and flexible over the next decade? The first meetings are scheduled for April 11, May 7, May 21 and June 4. The working group will establish a method of communication with faculty/senate/administration to keep all informed of the group’s deliberations.

Class A Legislation, Proposed Code Revisions Related to Faculty Appointment and Promotion (latest update)

- The Faculty Council on Multicultural Affairs (FCMA) presented Class A Legislation to the SEC on Jan 9, 2012. Their proposed changes in the Faculty Code in Section 24-32 are designed to allow that the work done by faculty in research, teaching, and service that enriches diversity at the UW be recognized in the processes of appointment and promotion. The SEC approved an amended version of the proposal be submitted for Faculty Senate consideration.

- The Class A Legislation was presented to the Senate for first consideration at the January 26, 2012 meeting. Discussion ensued with members voicing both support and concern for the proposed legislation. After discussion, the Class A Legislation was referred to a committee. The committee was named by the Senate Chair and charged with bringing a revised motion for action at the March 1, 2012 Senate meeting. The revised motion was reviewed and approved by the Senate on March 1. The proposed legislation will go before the SEC today for the SEC’s final consideration.


- New language regarding assignment of intellectual property has been placed in the “Request for Approval of Outside Professional Work for Compensation” form (Rev. October 2011). “With this request for outside work, I acknowledge that I am bound by and I agree to comply with the University Patent, Invention, and Copyright Policy (Executive Order 36) (“Policy”), as it may be amended from time to time. In accordance with this Policy, I will disclose all inventions and discoveries I create to the UW Center for Commercialization, including any that I create in connection with any outside work. I agree to assign and I hereby assign to the University all my rights in any intellectual property to which the University has a right of assignment under the Policy, provided I created such intellectual property in the course of my University activities or responsibilities or with more than incidental use of University resources.”

- Faculty members have expressed concern regarding the language (Is this new policy? Why has this language been inserted into this form? Did faculty members with sufficient expertise in IP policy have an opportunity to review/comment on the proposed language prior to its insertion in the Form? ).

- In the course of looking into this matter, it was discovered that the Intellectual Property Management Advisory Board (IPMAC), established 15 years ago through EO 36, held its last meeting in March 2010 and apparently no longer exists/functions. EO36 stipulates: “The President of the University will appoint an Intellectual Property Management Advisory Committee to review periodically the policy set forth in this statement and recommend such changes to the President as the Committee deems desirable. The Committee will also advise on broader intellectual property issues that arise in the promotion and protection of research. The Committee will report to the Vice Provost for Intellectual Property and Technology Transfer and consist of no fewer than five members, a majority of whom shall be chosen from the faculty.” Discussions are underway to reinstate IPMAC.

- A meeting was held on March 26, 2012, between Senate leadership, the previous Chair of IPMAC, and administrative members. The group addressed the following agenda items: 1) Reinstatement of IPMAC; 2) The faculty’s request to suspend the “current assignment language” in the October 2011 revision of the “Request for Approval of Outside Professional Work for Compensation” form until faculty with the necessary expertise (e.g., IPMAC) have had an opportunity to review/comment; and 3) Discuss the reason(s) for insertion of the current assignment language into the form. Is the language consistent with EO 36? How does this language/policy compare with peer institutions? The
group agreed to reinstate IPMAC as soon as possible (by mid April, 2012). The first order of business for IPMAC will be to address items 2 and 3 on the agenda.

- President Young re-instated IPMAC on April 10, 2012. Professor Robert Gomulkiewicz has agreed to serve as chair. As provided in EO 36, there are two elements to IPMAC’s charge:
  1. Review periodically the policy set forth in EO36 and recommend such changes to President Young as the Committee deems desirable; and
  2. Report to the Vice Provost for Commercialization on broader intellectual property issues that arise in the promotion and protection of research.

Faculty Effort Certification and allocation of non-sponsored funds to match effort

Over the years, considerable attention has been focused on how to handle funding and allocation of effort for university service or proposal-writing activities when faculty are funded primarily by sponsored grants or contracts. As outlined in Grants Information Memoranda GIM 35, Faculty Effort Certifications (FECs) are quarterly or semi-annual reports designed to track the effort of faculty who have been paid from and/or committed to sponsored project effort. The FEC is used to ensure compliance with the OMB Circular A-21 requirement to confirm that the distribution of effort “represents a reasonable estimate of the work performed by the employee during the period.” Faculty review and certify their FEC to ensure it reasonably reflects their effort. Use of the UW institutional base salary and average faculty work week are necessary in proposing, charging, and certifying effort. The total UW institutional base salary must be distributed across all of a faculty member’s university research, instruction, administration, service and/or clinical activities. This requirement may not be avoided by characterizing true UW activities such as proposal writing, instruction (including service on thesis committees), university-related administrative duties, service or clinical activities as “unfunded” or “volunteer” activity for which no UW salary is paid. With few exceptions, salary support for teaching, administration, service, clinical activity, institutional governance and proposal preparation effort must come from non-sponsored funds. Appropriate funding sources include, but are not limited to department funds, research cost recovery, gifts and endowments. Considerable progress has been made over the years since this topic was first addressed in the SEC on January 9, 2006 (Exhibit B). A comprehensive FEC website has been established providing departments and faculty with guidance and training that include FEC Newsletters, School and College effort policies, FAQs (e.g., Q: How is my effort preparing my next grant proposal funded? A: During the effort reporting period in which you prepare the proposal, the percentage of your effort spent on proposal preparation must be funded by University sources other than sponsored projects.), and most recently the launch of eFECS. To assess the effectiveness of the University’s effort certification process, it will be important to confirm sufficient non-sponsored funds are available to match faculty’s non-sponsored University efforts. Discussions are underway to address this.
Report of the Secretary of the Faculty
Marcia Killien, Professor, Family and Child Nursing

1. University Faculty Lecture
   Nominations for the 2012-13 University Faculty Lecturer closed on Friday, April 20, 2012. Five nominations were received and are being reviewed by the selection committee.

   Members of the nominating committee are:
   Marcia Killien, Nursing, Secretary of the Faculty, ex officio without vote
   James Gregory, Vice chair, Faculty Senate, ex officio without vote
   Ron Stenkamp, Medicine, Chair, Faculty Council on Research, ex officio without vote
   Jan Carlne, Medicine
   Borje Saxberg, Business
   Steve Page, Public Affairs
   Joe Janes, Information School
   Matthew Sparke, Geography
   Eva Cherniavsky, English

2. Senate and SEC Elections
   The following Schools, Colleges and Campuses have elected Senators for the 2012-14 term: Built Environments, Education, Medicine, Military Units/ROTC, Public Affairs, UW Bothell. The following units have not yet completed their elections: Law, Pharmacy, and Information School. The roster of Senators for 2012-13 will be attached to the May Faculty Senate agenda.

   Nominations for SEC have been received from the nominating committee, consisting of: Norm Beauchamp, Medicine; Bruce Balick, Astronomy; Brad Holt, Engineering; Sandy Silberstein, English. Nominations will be included on the May Senate agenda. Elections for SEC members for 2012-13 will be held the week of May 18.

3. Council membership for 2012-13
   Nominations for membership in the various faculty councils for 2012-13 are being accepted. If you are interested in serving on a council, please contact Alex Bolton at bolt@uw.edu.
2012 – 2015 Faculty Member Appointments to University and Senate Committees.

Faculty Council on Academic Standards (Meets Fridays at 1:30)

- George Dillon, English, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2013.
- George Dillon, English, College of Arts and Sciences, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Susanna Cunningham, Biobehavioral Nursing and Health Systems, School of Nursing, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Richard Keil, Oceanography, College of Ocean and Fishery Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Patricia Kramer, Anthropology, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- David Melin, Naval Science, Navy ROTC, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- David Pengra, Physics, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Benefits and Retirement

- Ashley Emery, Mechanical Engineering, College of Engineering, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Ashley Emery, Mechanical Engineering, College of Engineering, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Glenn Govin, Oral Medicine, School of Dentistry, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- John Mittler, Microbiology, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Faculty Affairs (Meets Thursdays at 9:00 a.m.)

- Gail Stygall, English, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2013.
- Gail Stygall, English, College of Arts and Sciences, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Kurt Johnson, Rehabilitation Medicine, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Gordon Watts, Physics, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Multicultural Affairs (Meets Wednesday at 3:30 p.m.)

- Brett Rubio, Military Science, Army ROTC, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Research (Meets Wednesdays at 9:00 a.m.)

- Gerald Miller, Physics, College of Arts and Sciences, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Cecilia Aragon, Human Centered Design and Engineering, College of Engineering, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Norman Beauchamp, Radiology, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Todd Scheuer, Pharmacology, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
Faculty Council on Student Affairs (Meets Tuesdays at 1:30 p.m.)

- Brian Fabien, Mechanical Engineering, College of Engineering, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Brian Fabien, Mechanical Engineering, College of Engineering, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Peter Eveland, Medical Education, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Mabel Ezeonwu, Nursing, UW Bothell, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Chris Laws, Astronomy, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Jelena Svircev, Rehabilitation Medicine, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Charles Treser, Environmental and Occupational Health Sciences, School of Public Health, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Teaching and Learning (Meets Thursdays at 10:30)

- Jan Carline, Medical Education, School of Medicine, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Robert Harrison, Forest Resources, College of the Environment, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Bruce Nelson, Earth and Space Sciences, College of the Environment, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Dan Turner, Foster School of Business, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Brenda Zierler, Biobehavioral Nursing and Health Systems, School of Nursing, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Tri-campus Policy (Meets Thursdays at 9:00 a.m.)

- Kyle Crowder, Sociology, College of Arts and Sciences, UW Seattle, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on University Facilities and Services (Meets Thursdays at 10:00 a.m.)

- Bill Rorabaugh, History, College of Arts and Sciences, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Joan Fox, Spanish and Portuguese, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- George Stecker, Speech and Hearing, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
Faculty Council on University Libraries (Meets Wednesdays at 2:30 p.m.)

- Joyce Cooper, Mechanical Engineering, College of Engineering, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Kimberlee Gillis-Bridges, English, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Trent Hill, The Information School, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Randall LeVeque, Applied Mathematics, College of Arts and Sciences, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Dianne Lattemann, Psychiatry, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.

Faculty Council on Women in Academia (Meets Mondays at 12:30 p.m.)

- Marjorie Olmstead, Physics, College of Arts and Sciences, as chair for a term beginning September 16, 2012, and ending September 15, 2013.
- Cheryl Cooke, Nursing, UW Bothell, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Laura Evans, School of Public Affairs, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Michael Fialkow, Obstetrics & Gynecology, School of Medicine, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Marcie Lazzari, Social Work, UW Tacoma, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
- Ann Mescher, Mechanical Engineering, College of Engineering, as a member for a term beginning September 16, 2012, and ending September 15, 2015.
Nominations for 2012-13 Senate Executive Committee Positions

Open Seat Nominations

Seat #1  Eric Stern (Medicine)

Seat #2  Laura Evans (Evans School)
         Sue Nolen (Education)

Seat #3  Jennifer Turns (Engineering)
         Ashley Emery (Engineering)

Seat #4  Sandra Bordin (Dentistry)
         Chuck Treser (Public Health)

Seat #5  Diane Morrison (Social Work)
         Arnold "Butch" De Castro (Nursing)

Seat #6  JoAnn Taricani (Arts & Sciences)
         Stephanie Smallwood (Arts & Sciences)

Seat #7  Steve Buck (Arts & Sciences)
         Christoph Giebel (Arts & Sciences)

Seat #8  Tueng Shen (Medicine)
         Ben Greer (Medicine)

Faculty Council Nominations
Faculty Council on Academic Standards
Faculty Council on Faculty Affairs
Faculty Council on Women in Academia

Nominating Committee:  Norman Beauchamp, Medicine; Bruce Balick, Arts and Sciences; Brad Holt, Engineering; Sandy Silberstein, Arts & Sciences.

Charge
Nominate at least one candidate for each of the eight Executive Committee positions and the three Faculty Council Chairs.

Section 22-63 of the Faculty Code provides guidance: “The Chair and immediate past Chair of the Faculty Senate shall appoint a nominating committee that shall nominate at least one candidate for each Executive Committee position. Nominations of Faculty Council Chairs shall consider the relationship of the Council’s work to the Senate’s upcoming agenda. The nominations as a whole shall provide broad representation across academic disciplines, such as Health Sciences, Arts and Sciences, and other schools and colleges, and shall endeavor to balance continuity and turnover of representation.”

How Nominees were selected
The committee put all schools in the University of Washington into one of three categories: School of Medicine, Arts & Sciences, and Other. To enable representation from some historically neglected (and small) “other” units, we reserved only two seats for Arts & Sciences and two for the School of Medicine. We did not consider senators from the Bothell and Tacoma campuses, as there is a dedicated seat for each campus.

For each of the remaining 4 seats, we attempted to find nominees that represented units matched both in size and focus.

We used the list of newly elected senators for next year as a starting point, and tried to balance experience and position as best we could. We contacted just about 20 people to assemble the list above.

The faculty council chairs were selected based on a list of upcoming issues that were given to us by the faculty senate vice chair.
## 2012-2013 Schedule of Senate and Executive Committee Meetings

### Autumn Quarter, 2012

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<th>Event</th>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>October 1</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>October 8</td>
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<tr>
<td>SEC Continuation Meeting¹</td>
<td>October 15</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>October 25</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>November 1</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>October 29</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>November 5</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>November 13</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>November 29</td>
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<td>Senate Continuation Meeting</td>
<td>December 6</td>
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### Winter Quarter, 2013

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<td>Executive Committee Agenda Deadline</td>
<td>January 2</td>
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<td>Executive Committee Meeting</td>
<td>January 14</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>January 22</td>
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<tr>
<td>Faculty Senate Meeting</td>
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<td>Senate Continuation Meeting</td>
<td>February 7</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>February 4</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>February 11</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>February 19</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>February 28</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>March 7</td>
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### Spring Quarter, 2013

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<th>Event</th>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>March 25</td>
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<td>Executive Committee Meeting</td>
<td>April 8</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>April 15</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>April 25</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>May 2</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>April 29</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>May 6</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>May 13</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>May 16</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>May 23</td>
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*Senate meetings will be held at 2:30 p.m. in Savery 260.*  
*Executive Committee meetings will be held at 2:30 p.m. in 142 Gerberding Hall.*  

¹Continuation meetings will occur if necessary to conduct unfinished or special business of the SEC or Senate.
Agenda
Faculty Senate Meeting
Thursday, May 17, 2012, 2:30 p.m.
Savery Hall, Room 260

1. Call to Order and Approval of Agenda.

2. Closing Remarks of the Chair – Professor Susan Astley.


4. Opportunities for Questions and Requests for Information.
      i. Approval of the April 2, 2012, SEC minutes.
      ii. Approval of the April 19, 2012, Faculty Senate minutes.
      iii. Approve 2012-2013 Schedule of Faculty Senate and Senate Executive Committee
           Meetings.
   b. Report of the Secretary of the Faculty.
   c. Report of the Chair of the Senate Committee on Planning and Budgeting.
   d. Report of the Faculty Legislative Representative.

5. Consent Agenda.
   Approve Nominees for Faculty Councils and Committees.

6. Memorial Resolution.

7. Announcements.

8. Unfinished Business.
   a. Class A Legislation – Second Consideration.
      Faculty Council on Multicultural Affairs.
      Title: Code Revisions to Chapters 24-32 and 24-54: Revisions related to appointment and
      promotion of faculty.
      Action: Conduct final review of proposal to submit legislation to the faculty for approval or
      rejection.
   b. Class A Legislation – Second Consideration.
      Faculty Council on Faculty Affairs
      Title: Code Revisions to Chapter 24, Sections 24-52 and 24-53: Revisions Related to Delegation
      of Authority for Select Faculty Appointments.
      Action: Conduct final review of proposal to submit this legislation to the faculty for approval or
      rejection.
   c. Class A Legislation – Second Consideration.
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 24, Section 24-41: Revisions Related to Part Time Lecturer
      Appointments.
      Action: Conduct final review of proposal to submit this legislation to the faculty for approval or
      rejection.

   Motions involving Class C actions should be available in written form by incorporation in the agenda
   or distribution at the meeting. It is preferable that any resolution be submitted to the Senate Chair
   and Secretary of the Faculty no later than the Monday preceding a Senate meeting.
10. Good of the Order.

11. Adjournment.

Prepared by: Marcia Killien, Secretary of the Faculty
Approved by: Susan Astley, Chair of the Faculty Senate

**NOTE:** If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Thursday, May 24, at 2:30 p.m. in Savery 260.
Faculty Code, Chapter 24  Appointment and Promotion of Faculty Members

Section 24–32 Scholarly and Professional Qualifications of Faculty Members

The University faculty is committed to the full range of academic responsibilities: scholarship and research, teaching, and service. Individual faculty will, in the ordinary course of their development, determine the weight of these various commitments, and adjust them from time to time during their careers, in response to their individual, professional development and the changing needs of their profession, of their programs, departments, schools and colleges, and the University. Such versatility and flexibility are hallmarks of respected institutions of higher education because they are conducive to establishing and maintaining the excellence of a university and to fulfilling the educational and social role of the institution. In accordance with the University’s expressed commitment to excellence and equity, contributions in scholarship and research, teaching, and service that address diversity and equal opportunity may be included among the professional and scholarly qualifications for appointment and promotion outlined below.

[Rationale: Delete ‘of’: A copy editing suggestion. Delete ‘ance’: The regular phrase in the Code is ‘in accord with.’]

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

B. The creative function of a university requires faculty devoted to inquiry and research, whose attainment may be in the realm of scholarly investigation, in constructive contributions in professional fields, or in the creative arts, such as musical composition, creative writing, or original design in engineering or architecture. For each of these realms, contributions that address diversity and equal opportunity may be included. While numbers (publications, grant dollars, students) provide some measure of such accomplishment, more important is the quality of the faculty member's published or other creative work.

[Rationale: This sentence is moved to the end of the following paragraph. In the original location, the sentence was unclear about where such contributions might be specifically ‘included.’ If our inference is correct and the intent was that such contributions are to be ‘included’ in ‘evaluating the scholarly attainments of faculty,’ then this appears to be a better location.

However, if the original intent of the passage in the previous paragraph was merely descriptive, then it hardly seems necessary to state it at all. If, however, that is judged to be the proper location for the sentence, then it should begin ‘In each of these realms…” to retain the parallel form of the phrase in the sentence immediately preceding it]

Important elements in evaluating the scholarly ability and attainments of faculty members include the range and variety of their intellectual interests; the receipt of grants, awards, and fellowships; the professional and/or public impact of their work; and their success in directing productive work by advanced students and in training graduate and professional students in scholarly methods. Other important elements of scholarly achievement include involvement in and contributions to interdisciplinary research and teaching; participation and leadership in professional associations and in the editing of professional journals; the judgment of professional colleagues; and membership on boards and committees. In all these, contributions that address diversity and equal opportunity may be included.
C. The scope of faculty teaching is broader than conventional classroom instruction; it comprises a variety of teaching formats and media, including undergraduate and graduate instruction for matriculated students, and special training or educational outreach. The educational function of a university requires faculty who can teach effectively. Instruction must be judged according to its essential purposes and the conditions which they impose. Some elements in assessing effective teaching include the ability to organize and conduct a course of study appropriate to the level of instruction and the nature of the subject matter; the consistency with which the teacher brings to the students the latest research findings and professional debates within the discipline; the ability to stimulate intellectual inquiry so that students develop the skills to examine and evaluate ideas and arguments; 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. A major activity related to teaching is the instructor's participation in academic advising and counseling, whether this takes the form of assisting students to select courses or discussing the students' long-range goals. The assessment of teaching effectiveness shall include student and faculty evaluation. Where possible, measures of student achievements in terms of their academic and professional careers, life skills, and citizenship should be considered.

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

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

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


Section 24–54 Procedure for Promotions
Annually, all eligible members of the faculty shall be informed of the opportunity to be considered for promotion by their department chair (or chair’s designee or the dean of an undepartmentalized school or college, or the dean’s designee). At the request of the faculty member, or if the promotion decision is mandatory, a promotion review shall be conducted following the procedure below.

A. The voting members of the appropriate department (or undepartmentalized college or school) who are superior in academic rank or title to the person under consideration shall decide whether to recommend the promotion. Research faculty shall be considered by voting members of the appropriate department, or undepartmentalized college or school, who are superior in academic rank to the person under consideration. Faculty with instructional titles outlined in Section 24-34 Subsection B shall be considered by voting members of the appropriate department or undepartmentalized college or school who hold an eligible professorial appointment or an instructional title superior to that of the candidate being considered. In this decision they shall take
into account the qualifications prescribed in Sections 24–32, 24–33, 24–34, and 24–35 for the various academic ranks and titles. Promotion shall be based upon the attainment of these qualifications and not upon length of service. In arriving at recommendations for promotion, faculty, chairs, and deans are directed to study shall consider the whole record of candidates’ qualifications described in Section 24–32. A faculty member may present for evaluation contributions in scholarship and research, teaching, and service that address diversity and equal opportunity. If presented, such contributions must be given consideration in evaluation of the candidate’s qualifications for promotion.

[Rationale: Makes clear that all the qualifications for promotion set out in Section 24-32 – including those proposed to be added under the proposed legislation – would need to be given consideration in the promotion process. At the same time, this clarification would avoid the possible interpretation that contributions relating to diversity and equal opportunity would be handled differently than other relevant qualifications.]

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Faculty Council on Multicultural Affairs
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Faculty Senate to Special Committee
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Faculty Senate
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[Amendments by the SEC in response to recommendations by the Advisory Committee on Faculty Code and Regulations are denoted in color.]

Rationale: The issue was raised about the exact status of ‘an elected departmental committee’ and whether such a body could have members who were not voting faculty. A number of Schools/Colleges allow, or even mandate, participation in committees that might be called ‘departmental’ of student members (in many cases giving them voting rights). As a result, we'd recommend the following wording changes to avoid any ambiguity.

Delegation of Authority for Select Faculty Appointments - Chapter 24-52 and 24-53
Many academic units must make and renew hundreds of important, but limited or courtesy, faculty appointments, such as affiliate faculty, clinical faculty, research associate and part time lecturer, each year. The option to delegate the authority for executing these appointment recommendations, because they are often individualized or time sensitive in nature is viewed as providing desirable efficiencies in the appointment process.

The proposed changes to the Faculty Code §24-52 and §24-53 authorize the delegation of these appointment recommendations am elected committee of faculty. As a safeguard, the delegation must be annually authorized by a majority vote of the voting faculty members of an academic unit.

Section 24–52 Procedure for New Appointments

A. Faculty recommendations of appointments are ordinarily rendered through committees, and the procedure depends upon the level of appointment.

1. For recommendation of a departmental appointment other than that of chair, the department members act as an advisory appointment committee. A department may delegate this responsibility to a departmental committee.
2. A committee responsible for recommending the appointment of a department chair should be an ad hoc committee appointed by the dean of the appropriate college, or if the President so desires, by the President.
3. A committee responsible for recommending the appointment of a dean should be an ad hoc committee appointed by the President.

B. The duty of an appointment committee is to search for suitable candidates, to study and determine their qualifications (Sections 24–32 to 24–36), and to obtain and evaluate all data related to the problem of appointment. When, after such a study, the committee finds a candidate or candidates who appear to be qualified it shall transmit its information and recommendation to:

1. The department chair, if the appointment is to be a departmental one other than that of chair, or
2. The appropriate dean, if the appointment is to be one of a department chair, or
3. The President, if the appointment is to be one of a dean.

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

1. If the appointment is to be a departmental one other than that of chair, the chair shall submit all available information concerning candidates suggested by the department, the chair, or the dean to the voting members of the department faculty. The voting faculty of an academic unit may, by majority vote, delegate authority to recommend the appointment of affiliate or clinical faculty, research associates, or annual or quarterly part-time lecturers to an elected departmental committee of its voting faculty. In an undepartmentalized college or school, this delegation may be made to an elected college or school committee of its voting faculty. The delegation shall expire one calendar year after it is made.
Recommendations in favor of appointment, based on a majority vote of the voting members of the faculty or of the elected committee with delegated authority, shall be sent with pertinent information to the appropriate dean. If the chair concurs in the department recommendation, the dean shall make a decision concerning the appointment and, if it is favorable, shall transmit it together with the vote of the department and the recommendation of the chair to the President. In the unusual case where the chair does not concur in the department recommendation, he or she may communicate objections to the dean and may also submit a separate recommendation to the dean from among the candidates who have been considered by the department. If the dean concurs in the chair’s recommendation, or has additional information which raises doubts concerning the department’s recommendation, or finds that the President has such information, the dean shall refer the matter again to the department along with an explanation and comments. After considering the evidence, the department may then either reaffirm its original recommendation, or transmit a new one. After the department’s final recommendation has been sent to the dean, the dean shall make a decision concerning the appointment and, if an appointment is to be recommended, shall transmit it together with the final recommendation of the department and the recommendation of the chair to the President.

2. If the appointment is to be one of a department chair, the dean shall deal directly with the appointment committee in making the decision. The department concerned shall be consulted in making the appointment, but a formal vote is not required.

3. If the appointment is to be one of a dean, the President shall deal directly with the appointment committee in making the decision.

Section 13–31, April 16, 1956; S–A 24, June 23, 1959: both with Presidential approval.

Section 24–53 Procedure for Renewal of Appointments

When it is time to decide upon renewal of a nontenure appointment to the faculty (Section 24–41), the procedure described below shall be followed.

A. The voting members of the appropriate department (or undepartmentalized college or school) who are superior in academic rank or title to the person under consideration shall decide whether to recommend renewal or termination of the appointment. Research faculty shall be considered by voting faculty who are superior in rank to the person under consideration, except that the voting faculty at rank of professor shall consider whether to recommend renewal or non–renewal of the appointment of a research professor. Faculty with instructional titles outlined in Section 24–34, Subsection B shall be considered by voting faculty who hold a professorial rank or instructional title superior to the person under consideration. The voting faculty of an academic unit may, by majority vote, delegate authority to recommend the renewal of affiliate or clinical faculty, research associate, or annual or quarterly part-time lecturer appointments to an elected departmental committee of its voting faculty. In an undepartmentalized college or school, this delegation may be made to an elected college or school committee of its voting faculty. The delegation (a.) does not alter faculty rank requirements for considering appointment renewals and (b) shall expire one calendar year after it is made.

B. If this recommendation is a departmental one, the chair shall transmit it to the dean. If the chair does not concur in the recommendation he or she may also submit a separate recommendation.

C. The dean shall decide the matter within the time prescribed in Section 24–41 and inform the faculty member concerned of the decision.

D. If a faculty member requests a written statement of the reasons for the non–renewal of his or her appointment, the dean shall supply such a written statement within 30 days.

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–A 94, October 24, 1995; S–A 124, July 5, 2011: all with Presidential approval.
Approved by:
Senate Executive Committee
April 2, 2012

Approved by:
Faculty Senate
April 19, 2012

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Senate Executive Committee
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May 17, 2012
Multi-Year Part Time Lecturer Appointments – 24-41

There is a desire in an academic unit to make a multi-year part-time offer to one or more lecturers. The unit believes that a multi-year offer will be more competitive with outside competition for high quality candidates.

FCFA sees no reason not to permit this, with certain safeguards, and proposes changes to the Faculty Code section 21-41B to permit longer appointments. There are no very obvious reasons for the one year appointment limit currently in the Faculty Code, and the idea of improved lecturer quality is attractive.

Multi-year offers require greater attention to the search process than shorter appointments. The proposed change requires these appointments to be reviewed by the Provost to ensure that the proper search process is employed.

Section 24–41 Duration of Nontenure Appointments

A. The first appointment or the reappointment of an assistant professor is for a basic period of three years, subject to earlier dismissal for cause. Although neither appointment period shall extend beyond the academic year in which a decision on tenure is required, the year in which a negative tenure decision is made must be followed by a terminal year of appointment. If the assistant professor is reappointed, the period of reappointment must include a tenure decision. Assistant professors holding positions funded by other than state funds shall be treated in the same way except that the appointment may be to a position without tenure by reason of funding as provided in Subsection D.

Procedures governing the reappointment of assistant professors are as follows:

1. During the second year of the initial appointment, the dean of the assistant professor's college or school shall decide whether:
   a. The appointment is to be renewed under the above provision for reappointment;
   b. The appointment is not to be renewed beyond the initial three–year period, in which case the appointment will terminate at the end of the third year; or
   c. The decision concerning the appointment is to be postponed to the following year.

2. Should the above decision result in a postponement, during the third year of the initial appointment the dean shall decide whether:
   a. The appointment is to be renewed under the above provision for reappointment, or
   b. the appointment is not to be renewed; if it is not, the basic appointment is extended to include a fourth and terminal year.

3. The dean shall inform the professor in writing within 30 days of any decision made pursuant to this section.

B. Lecturer and Artist in Residence

1. Appointment as a full–time lecturer or artist in residence shall be for a term not to exceed five years. Appointment as a part–time lecturer or artist in residence shall be for one year or less.

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

2. Appointment as a full–time senior lecturer, principal lecturer, or senior artist in residence shall be for a term not to exceed five years. The normal appointment period of senior and principal lecturers shall be for a minimum of three years with exceptions to be reviewed by the Provost. Appointment as a part–time senior lecturer, principal lecturer, or senior artist in residence shall be for one year or less.
The normal appointment period of a part–time senior lecturer, principal lecturer or senior artist in residence shall be for one year or less with exceptions to be reviewed by the Provost.

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

4. A renewal decision in accord with Subsection B.3 above is not required where an initial appointment of a full–time lecturer, artist in residence, senior artist in residence, senior lecturer, or principal lecturer is for one year or less and the appointment is identified at the time of appointment as not eligible for renewal.

5. Part–time appointments as lecturer, artist in residence, senior lecturer, principal lecturer, and senior artist in residence are for the period stated in the letter of appointment. If such appointments are to be renewed the procedures in Section 24–53 shall be followed in a timely manner with knowledge of funding availability and staffing needs.

C. A full–time lecturer, artist in residence, or senior lecturer may, prior to expiration of an existing appointment, be considered for appointment as, or promotion to, a senior lecturer, senior artist in residence, or principal lecturer, respectively.

D. Notwithstanding the provisions of Subsection A, appointments of assistant professors who are supported by other than state–appropriated funds are subject to termination should the supporting agency fail to continue the funding for the appointment, provided that the assistant professor supported by other than state–appropriated funds is advised in writing prior to commencement of his or her appointment that such appointment is at all times subject to the continued availability of grant or contract funds.

E. The first appointment or the reappointment of a faculty member to less than 50% of full–time status shall be made on an annual, or shorter, basis. A faculty member who is appointed to a position with less than 50% of full–time status shall not accumulate eligibility toward tenure.

F. The first appointment or the reappointment of a research assistant professor is for a basic period of three years, subject to earlier dismissal for cause. Research assistant professors may not be reappointed more than once, except that a research assistant professor who does not receive promotion in rank must receive a terminal year of appointment. Procedures governing the reappointment of research assistant professors are as follows:

1. During the second year of the initial appointment, the dean of the research assistant professor's college or school shall decide whether:
   a. The appointment is to be renewed under the above provision for reappointment;
   b. The appointment is not to be renewed beyond the initial three–year period, in which case the appointment will cease at the end of the third year; or
   c. The decision concerning the appointment is to be postponed to the following year.

2. Should the above decision result in a postponement, during the third year of the initial appointment the dean shall decide whether:
   a. The appointment is to be renewed under the above provision for reappointment or
   b. The appointment is not to be renewed; if it is not renewed, the basic appointment is extended to include a fourth and terminal year.

3. Not later than the end of the third year of a second appointment, the dean of the research assistant professor's college or school shall decide whether:
a. The research assistant professor is to be appointed as research associate professor, associate professor without tenure by reason of funding or associate professor with tenure; 
b. The appointment is to cease at the end of the following year; or
c. The decision concerning the appointment is to be postponed to the following year. In cases b and c the appointment is extended by one year.

4. Should the above decision result in a postponement, during the extension year of a second appointment, the dean of the research assistant professor’s college or school shall decide whether:
   a. The research assistant professor is to be appointed as research associate professor, associate professor without tenure by reason of funding or associate professor with tenure, or
   b. The appointment is to cease; in which case the basic appointment is extended by one year.

5. The dean shall inform the professor in writing within 30 days of any decision made pursuant to this section.

G. Notwithstanding the provisions of this subsection, research assistant professors are subject to removal during the term of their appointment for cause (see Chapter 25, Section 25–51), for termination of funding, or for reasons of program elimination (see Chapter 25, Section 25–52.)

H. Research professors and research associate professors are not subject to removal during the term of their appointment except by removal for cause (see Chapter 25, Section 25–51), for termination of funding as defined in Subsection I, or for reasons of program elimination (see Chapter 25, Section 25–52.)

I. Termination of funding is defined as failure, for a continuous period of more than 12 months, to obtain funding sufficient to provide at least 50% of the faculty member’s base annual salary. The University is not obligated to provide replacement funding during lapses of a faculty member’s external support.

J. In unusual cases, an individual may be appointed to the title of research assistant professor when there is no known funding to support the appointment. The department and dean shall determine that the individual will seek external funding to support his or her appointment. Such appointments shall be made on an annual or shorter basis, and may be renewed annually upon evidence of research grant or contract pursuit activity. Upon receipt of salary funding support, said appointments shall be converted to initial three-year appointments in conformance with Subsection G.

K. The procedures prescribed in Section 24–53 for renewal of appointments and in Section 24–54 for Procedure for Promotion shall govern actions taken under this section.


Approved by:
Senate Executive Committee
April 2, 2012

Approved by:
Faculty Senate
April 19, 2012

Approved by:
Senate Executive Committee
April 30, 2012
The American Association of University Professors (AAUP)’s 1915 Declaration of Principles on Academic Freedom and Academic Tenure has for nearly a century served as a foundational text for the system of tenure and the concept of academic freedom in the U.S. That statement clearly asserted that for universities to advance knowledge and train students to think for themselves, faculty not only must possess disciplinary expertise but also must be free from the control of their governing board and administration. The Declaration’s authors explained that “[u]niversity teachers should be understood to be, with respect to the conclusions reached and expressed by them, no more subject to the control of the trustees than are judges subject to the control of the president.” By the late 1930s, the principles of academic freedom in teaching, research, and publication had become generally accepted in most of public and nondenominational private higher education, and they were codified in the AAUP’s 1940 Statement of Principles on Academic Freedom and Tenure, the joint formulation of the AAUP and the Association of American Colleges (now the Association of American Colleges and Universities).

One aspect of academic freedom asserted in the 1940 Statement is the role of the faculty member in institutional life as a citizen or an “officer” of the institution. The academic freedom of a faculty member pertains to both (1) speech or action taken as part of the institution’s governing and decision-making processes (for example, within a faculty committee or as part of a grievance filing) and (2) speech or action that is critical of institutional policies and of those in authority and takes place outside an institution’s formal governance mechanisms (such as e-mail messages sent to other faculty members). In its 1994 statement On the Relationship of Faculty Governance to Academic Freedom, the AAUP affirmed the inextricable connection between academic freedom in teaching and research and the free and effective participation of faculty in institutional governance.

A recent Supreme Court decision, Garcetti v. Ceballos (2006), and several subsequent lower-court rulings applying that decision to higher education pose a serious threat to academic freedom and the ability of faculty in public institutions to participate freely in academic governance. In Garcetti v. Ceballos, the Supreme Court allowed a Los Angeles district attorney’s office to discipline a deputy district attorney for having criticized his supervisors’ actions; the Court ruled that when public employees speak “pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.” Although the majority expressly left open whether its ruling should apply to “speech related to scholarship and teaching” in public colleges and universities, subsequent decisions in the lower federal courts concerning faculty speech have disregarded this reservation and now threaten to diminish severely the constitutional protection of the academic freedom of professors whose engagement in governance, as well as their teaching and research, is considered part of their “official duties.”

In the wake of the threats to academic freedom at public universities posed by recent court rulings, it is urgent that policy statements be adopted at the institutional level that will explicitly incorporate protections for faculty speech on institutional academic matters and governance, such as the amendments recently adopted by the Board of Regents of the University of Minnesota.

The University of Washington’s Faculty Code contains language addressing academic freedom in Section 24–33 A Statement of Principle: Academic Freedom and Responsibility. As currently written, this section of the Faculty Code specifies various ways in which people may not infringe upon the academic freedom of others. However, it contains no language that clearly states:

- What academic freedom is;
That faculty at the University of Washington have it; and
That it pertains not only to teaching, research and publication, but also to governance

For these reasons, I as a Faculty Senator from the College of Arts & Sciences wish to propose the addition of two paragraphs to the existing Section 24-33. The text proposed is modeled after texts suggested by the American Association of University Professors, in its 2009 report “Protecting an Independent Faculty Voice: Academic Freedom after Garcetti v. Ceballos,” which is available online at http://www.aaup.org/AAUP/comm/rep/A/postgarcettireport.htm

Section 24–33 A Statement of Principle: Academic Freedom and Responsibility

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes.

Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties and the functioning of the University. Faculty also have the freedom to address the larger community with regard to any matter of social, political, economic, or other interest, without institutional discipline or restraint, save in response to fundamental violations of professional ethics or statements that suggest disciplinary incompetence.

Membership in the academic community imposes on students, faculty members, administrators, and Regents an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways which injure individuals or damage institutional facilities or disrupt the classes of one's instructors or colleagues. Speakers on campus must not only be protected from violence, but given an opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that clearly and significantly impede the functions of the University.

Students and faculty are entitled to an atmosphere conducive to learning and to evenhanded treatment in all aspects of the instructor–student relationship. Faculty members may not refuse to enroll or teach students on the grounds of students' beliefs or the possible uses to which students may put the knowledge to be gained in a course. The students should not be forced by the authority inherent in the instructional relationship to make particular personal choices as to political action or their own roles in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance. (Examples of such matters include but are not limited to personality, personal beliefs, race, sex, religion, political activity, sexual orientation, or sexual, romantic, familial, or other personal relationships.)

It is the instructors' mastery of their subject and their own scholarship which entitle them to their classrooms and to freedom in the presentation of their subjects. It is the responsibility of the instructors to present the subject matter of their courses as approved by the faculty in their collective responsibility for the curriculum. Because academic freedom has traditionally included the instructor's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions, on the other. If such conflicts become acute, and the instructor's attention to his or her obligations as a citizen and a moral agent precludes the fulfillment of substantial academic obligations, he or she cannot escape the responsibility of that choice, but should either request a leave of absence or resign his or her academic position.