Minutes  
Senate Executive Committee Meeting  
Monday, May 6, 2013, 2:30 p.m.  
142 Gerberding

Present: Gregory, Lee, Astley, Evans, Turns, Morrison, Taricani, Giebel, Shen, Dillon, Stygall, Olmstead, Joseph, Baird, Young, Killien, Fridley, Cauce  
Absent: Stern, Tresser  
Guests: Miceal Vaughan, Lisa Coutu

1. Call to Order and Approval of Agenda.  
The meeting was called to order by chair James Gregory at 2:39 p.m.. The agenda was approved.

[Exhibit A]  
At this last meeting of the SEC for the academic year, Chair Gregory thanked everyone for their service and reported on the current status of legislation addressed at the last SEC meeting. He also reminded members that the Faculty Salary Advisory group, of which SEC members are a part, will be meeting on May 20. He reminded all SEC members that the SEC acts for the Faculty Senate over the summer as needed. He doesn't anticipate any major issues or actions over the summer. Gregory reported that intellectual property policy discussions with the administration are moving in a positive direction, as are the faculty salary policy discussions.

President Young thanked the Faculty Senate members for a positive and constructive year. The regular session of the state legislature ended a week ago, and the special session will start next Monday. There does not seem to be any indication that the budget negotiators are any closer to an agreement than they were at the end of the regular session. Undergraduate admissions for Fall 2013 are going well with higher yields, and likely higher average grade points and test scores. There has been outreach to improve the yields among demographic groups who have had lower yields in the past. Taricani asked about international student admission issues and Young provided an update on his perspectives based on federal legislation under discussion; situation is very dynamic. Also, the cost to the UW of dealing with visa issues for faculty is increasing.

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

Gregory invited Susan Astley, chair of Special Committee on Intellectual Property and Commercialization, to provide an update. She indicated that discussions among the faculty and the administration are progressing and moving in a favorable direction. Gregory added his perspectives about the importance of addressing issues of “scholarship” in policies. In the abstract there seems to be little disagreement, but concerns arise when specifics are being discussed. Cauce indicated that “present assignment” language has been removed from the Royalty Research Fund grants.

Giebel asked if there was a winter quarter report on faculty retention offers. Gregory referred him to the SCPB website.

5. Consent Agenda.  
a. Approval of the April 8, 2013, SEC minutes.  
b. Approval of the April 25, 2013, Faculty Senate minutes.  
c. Approve Nominees for 2013-14 Faculty Councils and Committees.  [Exhibit D]  
d. Approve nominations for 2013-14 Senate Executive Committee positions.  [Exhibit E]  
e. Approve 2013-2014 Schedule of Faculty Senate and Senate Executive Committee Meetings.  [Exhibit F]  

The consent agenda was approved.
6. Announcements.
Gregory announced that the Faculty Council on Teaching and Learning will be presenting a Class C Resolution at the May 16 Faculty Senate meeting in support of the University Beyond Bars program; a program for higher education inside prisons founded through the efforts of faculty from the University of Washington and other universities in the region.

7. Unfinished Business.
Class A Legislation – Second Consideration. [Exhibit G]
Title: Changes to 24-54 the Promotion and Tenure Process.
Action: Conduct final review of proposal to submit this legislation to the faculty for approval or rejection.

Gregory summarized the Class A legislative process. After first review by the Senate Executive Committee, the Faculty Senate considers Class A legislation once, sends it back to the SEC for a second consideration. At the second reading, the role of the SEC in making amendments is responsive. They may amend legislation only in response to requests made by either the President and/or the Advisory Committee on Faculty Code and Regulations, which reviews it after the first Senate consideration.

The President approved the legislation with no changes. The Advisory Committee on Faculty Code and Regulations submitted proposed revisions. Killien gave brief remarks on the proposed changes. Gregory thanked Secretary Killien and the Advisory Committee on Faculty Code and Regulations for their work on the legislation and proposed revisions.

The amended legislation was unanimously approved.

8. New Business
a. Class A Legislation – First Consideration. [Exhibit H]
Title: Changes to 24-54 A Statement of Principle: Academic Freedom and Responsibility.
Action: Conduct first review of proposal for Faculty Senate consideration.

Gail Stygall, chair of the Faculty Council on Faculty Affairs (FCFA), presented the motion to submit the legislation in Exhibit J, “A statement of principle: Academic Freedom and Responsibility,” amending section 24–54 of the Faculty Code for Faculty Senate consideration. Her discussion focused on the background for the legislation including recent legal cases involving public employees that might have implications for shared governance activities and academic freedom of faculty. FCFA has been working on this issue since mid-year, examining language from a variety of sources. The present legislation includes some language from the University of Utah that FCFA found helpful. Gregory mentioned that this topic was brought to his attention through a national campaign by AAUP.

President Young commented on his experience at Utah and in Olympia with defending principles of academic freedom for faculty. He believes it is important to articulate clearly the relationship between rights of citizenship under the First Amendment and academic freedom rights and responsibility. He strongly favors protection of academic freedom. He requests additional time to review and respond to the legal implications of the proposed legislation. Cauce mentioned the need to balance academic freedom and needs for civility. Young and Cauce each mentioned past experiences with pressures from donors to influence faculty publication and other curricular issues.

One SEC member brought up the issue of language about consensual relationships and should that be part of this revision. Giebel shared an experience that he had when he was to host a speaker that canceled because of credible death threats that were made. He was disappointed to learn that the University does not have a fund that supports protecting controversial speakers. The president explained that putting budgetary requirements in the legislation would make it very difficult. The provost explained that whenever any speaker that requires security is a required part of the budget for any group proposing to bring a speaker.
Jack Lee moved to refer the legislation to an SEC ad hoc committee to work with the administration on possible amendments. The committee will be chaired by Jim Gregory and include Gail Stygall and Christoph Giebel; the committee will report back to SEC at its October 7, 2013, meeting. The motion passed.

b. Discussion: Lecturer Workgroups Update.
Lisa Coutu (UWS), Katie Baird (UWT), and Pamela Joseph (UWB) provided updates from their respective campus’ lecturer workgroups. Baird indicated one issue will be what flexibility in practices and policies there might be at each campus. UWT is interested in a path to the conversions of lecturers hired through a non-competitive process to a competitive position without a new search.

Pam Joseph indicated they began their work at UWB last year and many issues emerged, including the problems of long-serving lecturers hired through a non-competitive process. They favor using an “opportunity hire” process for these individuals. They are concerned about language in the Faculty Code that describes lecturers as “instructional faculty” only and the need to recognize the service and scholarship of lecturers. Individuals from a variety of positions have been involved in the discussion at UWB. Joseph explained that many at Bothell would like a tweak to the Faculty Code because they believe the definition of part-time faculty is too narrow. A concern is that part-time faculty are actually working full-time through concurrent part-time appointments in multiple departments. Cauce explained that the new payroll system should help with such tracking.

Lisa Coutu indicated she had been a lecturer on the Seattle campus since 1997; the UWS workgroup has focused on the charge given by Provost Cauce and is preparing specific recommendations about policies for lecturers hired for Fall 2013. These include regular reviews for promotion and for multi-year contracts. The group will then move to recommendations for lecturers currently employed.

Cauce responded that she has reviewed drafts from all campuses and is optimistic; shared values are apparent and it is getting easier to do competitive hiring. She is open to some flexibility among the campuses but favors as much consistency as possible. The issue of how to move forward with lecturers currently employed is more challenging and she does not see support for large numbers of ‘conversions’ or ‘opportunity hires.’ The three workgroup chairs are meeting with Provost Cauce on May 7, 2013 for an extended discussion of these issues. The question arose about whether a “national” search would be required? Coutu responded that the principle UWS is using addresses “competitive” searches that may or may not be a national search, depending on the qualifications for the position. She also emphasized that the UWS workgroup is focusing on strategic planning in academic units.

Gregory asked what the path forward will be. Cauce responded that if Code changes are required, they will come forward through the legislative process. Other policies, that may not require Code changes, will be shared with SEC. Gregory asked that an update be provided at the next Senate meeting.

c. Approval of the May 16, 2013, Faculty Senate Agenda. [Exhibit I]
Action: Approve for distribution to Faculty Senators.

The agenda, amended to add “Lecturer Workgroups Update” to Item 4, “Summary of Executive Committee Actions and Upcoming Issues of May 6, 2013,” was approved.

The meeting was adjourned at 4:35.

Prepared by: Marcia Killien, Secretary of the Faculty
Approved by: James Gregory, Chair of the Faculty Senate
Report of the Faculty Senate Chair
James Gregory, Professor, History

This is the final SEC meeting and we have a full agenda. The Senate, at its April 25 meeting, passed three measures that had been forwarded from SEC. The Class B measure establishing “Limited Admission” student status passed without modification. The Class B establishing a diversity course graduate requirement passed with amendments modifying the course description language. The President has signed both measures. They will now be published as a Class B Bulletin and emailed to voting faculty. If fewer than 5% of the eligible voting faculty object in writing, they are enacted. Otherwise they will come back to the SEC for reconsideration next fall.

The Class A measure modifying faculty promotion procedures was passed with amendments that had been proposed by Provost Cauce. It now returns to SEC for final consideration. The President has signed it without modification. We may receive a report from the Code Cops suggesting changes. If so it will be sent later this week. These are the only modifications that can be considered. Otherwise SEC votes yes or no.

Under new business I am expecting a Class A measure to clarify the Academic Freedom and Responsibilities section of the Faculty Code. The Faculty Council on Faculty Affairs is still working on the measure and they will present it to SEC if it is approved.

We hope to have sufficient time to discuss three other matters:

**Intellectual Property:** I am happy to report that discussions between the administration and the Special Committee on Intellectual Property and Commercialization (SCIPC) are now going smoothly. Chief of Staff Jack Johnson has agreed to slow the pace and fully address concerns raised by SCIPC. Among other things, SCIPC asked for report on IP policies at peer universities to learn whether other institutions have policies requiring “present assignment” of all future inventions as opposed to the “promise to assign” language that is our current policy (Executive Order 36). That research will be done this summer and SCIPC chair Susan Astley will be involved in planning the study. Susan will provide an update on current discussions. See her enclosed report for background on the IP negotiations.

**Lecturers’ workgroups:** At its January 31 meeting, the Senate discussed the issue of lecturers who are hired year after year without any hope of longer contracts. In response Provost Cauce authorized the creation of three workgroups; one for each campus, to see what steps might be taken to insure that most lecturers are hired through a competitive search and thus become eligible for promotions. The workgroups have not completed their work but we want to have a brief discussion of how their reports will be handled and how decisions will be made.

**Summer Surprises:** Since this is the final SEC meeting and the Senate will hold its final meeting on May 16, we need to discuss how to handle issues that may arise this summer.
Report of the Chair of the Senate Committee on Planning and Budgeting
Susan Astley, Professor of Epidemiology and Pediatrics

The SCPB advises the administration and informs the Faculty Senate on long-range planning, preparation of budgets, and distribution of funds, with a particular focus on faculty concerns. The Committee consults with the Executive Committee and the Senate on matters of policy. The Spring 2013 Agenda will soon be posted on the Senate website. A number of issues came before the Senate last year that will continue to be addressed in the SCPB this year. And new issues will arise as the year progresses. Below is a summary of the key issues we are currently addressing. For each issue, I will present a brief history followed by the most recent updates.

Faculty Salary Policy: At our first Senate meeting in October, 2011, Senator Giebel proposed a Class C Resolution “Shared Governance and the Faculty Salary Policy” that was approved by the Senate in December and led directly to the establishment of the Salary Policy Working Group (SPWG) in March 2012. I served as the Co-Chair of this committee from March-Dec 2012. As I approach the end of my 3-year Senate leadership role, Jack Lee, Senate Vice Chair was selected to serve as Co-Chair starting Dec, 2012. I will remain a member of the SPWG. The group’s charge is to examine the following 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? These topics are paramount as we slowly move out of this recession, face our 4th and hopefully final year of salary freezes, and fully implement Activity Based Budgeting. Working under the presumption that salary increases will be awarded in 2013-14, the SPWG spent March-Oct 2012 drafting guidelines for the allocation of these funds. Drafts of these guidelines were shared with the SPWG Advisory Group on 11/19/12 and the SCPB on 01/07/13 and 01/14/13 to solicit comments. The SPWG Advisory Group includes all faculty members of the SCPB, SEC, Jim Gregory’s Cabinet, Faculty Council Chairs, and Chairs of the Bothell and Tacoma Faculty. The Provost distributed her 2013-14 Guidelines for Salary Adjustment February 20, 2013, (attached). The SPWG’s met on January 17, 2013, and began addressing question 2: “Are there entirely new salary models that might be more sustainable and flexible over the next decade? A proposal currently being discussed is a salary system that would add “steps” to the promotion ladder at the full professor rank (and possibly at the associate professor rank). This concept was shared with the SPWG Advisory Group on February 25, 2013. The Senate will be consulted in spring quarter. This will be my last update on this topic. As I no longer serve as the chair of this salary policy committee, I will leave it up to the faculty Chair of the committee, Jack Lee, Faculty Senate Vice Chair to keep you abreast of the committee’s progress. I also refer you to the Jim Gregory’s reports to the Senate and SEC for brief summaries of progress to date. The most recent comparisons of UW 2012 faculty salaries by rank to our Global Challenge Peers, Faculty Salary Comparisons by Rank, 2012, demonstrate we have lost all the gains achieved in the early 2000’s. In 2002 UW faculty salaries were 13% below the peer average. This gap dropped to 7% below the peer average by 2008, but rose back to 12% below the peer average by 2012. By rank, UW full professors are 16% below peer average, associate professors are 9.2% below peer average, and assistant professors are 2.2% above peer average.

Online Learning: One need only read the headlines to see the impact online learning will have (is having) on all forms of education across this country, not just higher education. Jan Carline, chair of the Faculty Council on Teaching and Learning, shared the Council’s year-long evidence-based review of the strengths and limitations of online learning with the Senate in December, 2011. The implications of online education on access, quality of instruction, faculty time, class size, cost, even intellectual property are broad. The potential benefits of online learning are unlimited, if implemented strategically and guided by an evidence base. This year we will address the most recent developments in online education at the UW: the Proposed Online Learning Undergraduate Degree Completion Program Pilot, MOOCs (Massive Online Open Courses), and Coursera (a platform to offer MOOCs). The Degree Completion proposal was discussed at length at the October 15, 2012, SCPB meeting and October 25, 2012, Senate meeting. Discussions will continue as the details of this proposed program coalesce. On April 22, David Szatmary provided an overview (strategic plan, budget, outcomes) for UWEO.

Intellectual Property (IP): As we move into the 21st century, intellectual property takes on a whole new meaning, as every aspect of our lives and careers move online. The playing field is rapidly changing and
policies are needed to address these changes. In February 2012, Professor Storti brought to the Senate’s attention the need to review new language regarding assignment of IP recently inserted in the “Request for Approval of Outside Professional Work for Compensation” form. This discussion led to the discovery that the Intellectual Property Management Advisory Committee (IPMAC), established 15 years ago through EO 36, held its last meeting in March 2010. As of April 2012, IPMAC has been reinstated by the President. The committee is charged with reviewing the policy set forth in EO 36 and recommending such changes to the President as deemed desirable. The committee will also advise the President on broader IP issues that arise in the promotion and protection of research. IPMAC will have a very full agenda over the ensuing years and I recommended IPMAC present annually to the Faculty Senate. In September 2012, Ana Mari established a work group to revise the “Request for Approval of Outside Professional Work for Compensation” form. Professor Breidenthal is a member of the work group. The workgroup revised the Compensation Form and submitted it to the Senate Leadership on 11/14/12 for their review. The revised Compensation Form was addressed at the November 26, 2012, SCPB meeting and was reviewed by the newly established Special Committee on IP and Commercialization (SCIPC) on November 27, 2012. The establishment of the SCIPC was approved by the SEC on November 5, 2012. SCIPC is charged to review all University of Washington policies and practices related to faculty Intellectual Property, including its management and commercialization. These policies are broadly outlined in EO 36 and APS 59.4, and managed in part through the Center for Commercialization (C4C). Any proposed changes to such policies/practices shall be brought to this Special Committee as a part of shared governance. This special committee shall report to the Senate Executive Committee. The committee consists of five faculty members (voting) and a presidential designee (nonvoting). One of the faculty members will be the Chair of the Faculty Council on Research. Members will normally serve a three year term, but the initial terms will be staggered. Members include: Susan Astley, School of Public Health (serving as Chair); Kate O’Neill, School of Law; Matthew Sparke, A&S; Duane Storti, College of Engineering; Tueng Shen, School of Medicine; and Gerald Miller, Physics and Chair of the Faculty Council on Research, and Jack Johnson, Chief of Staff, Office of President (serving as the Presidential designee). SCIPC meeting schedules, agendas, and minutes are posted on the SCIPC website. SCIPC’s proposed revisions to the revised Compensation Form are posted on the SCIPC website. We learned at our Jan 29, 2013 SCIPC meeting that our recommendation to remove the IP language from the Compensation Form has been followed. But the administration now proposes to accompany the Compensation Form with a separate IP Agreement Form (which requires revision of EO36: UW IP Policy). This proposed IP Agreement Form would be distributed to all faculty, not just those submitting the Compensation Form. The IP Agreement would require all faculty to assign to the University all their right, title, and interest in all future inventions. Language in the IP Agreement form attempts to define and distinguish inventions from scholarly work. Scholarly work belongs to the faculty; inventions ‘belong’ to the University. But with advancements in technology, how does one distinguish between scholarly work and inventions? Why are they distinguished and treated differently? For example, software is currently classified as an invention, thus a faculty member is required to sign it over to the UW. But to a faculty member in science, their software is as much their scholarly work as a musical composition is to a faculty member in music. Along these same lines, who owns the content of faculty websites or online courses? Who owns the copyrights and patents when multiple faculty are involved in a project? What role does the Center for Commercialization (C4C) have in helping faculty protect and commercialize their innovations? How can C4C best meet the faculty’s needs? Faculty are state employees, but what aspect of our duties are ‘works for hire’? Academia is not private industry, but what happens when a faculty member engages with private industry? These are important questions to address that have tremendous impact on faculty, thus faculty must be involved in these discussions. Two groups of faculty were solely established to address/discuss these issues: IPMAC and SCIPC. These issues are also being addressed in some of the Faculty Councils. But it is time to engage a broader segment of the faculty. The senate leadership is bringing these issues to the SEC, SCPB, and Senate this quarter. We will post core documents central to this discussion on SCIPC’s website. I encourage all faculty to avail themselves of this information. With today’s technology, matters of copyright, patents, trademarks, and licensing impact the full spectrum of faculty from the sciences to the arts. We need to educate ourselves on these matters. As the UW considers revisions to its IP policy, IPMAC and SCIPC are conducting a comparative study of IP policies at UW peer institutions.

Gender Equity in Faculty Promotion and Tenure: In my final report to the Regents in June, 2012, I addressed the topic of gender equity at the UW. The timing of my report coincided with the week Congress failed to pass the Paycheck Fairness Act; an Act requiring equal pay for comparable work.
Overall, women in the U.S. make 77 cents to a man’s dollar. I shared with the Regents that I could not help but notice some compelling statistics presented in the University of Washington 2011 Facts for Academic Personnel, included in their meeting notes for the day. While 53% of students (undergraduate through professional) are female, only 38% of the faculty is female. This statistic becomes more troubling as you compare the proportion of female faculty across the ranks (Lecturer 58%, Assistant Professor 45%, Associate Professor 43%, Full Professor 27%). There are even a handful of departments at the University of Washington that have never promoted a woman to full professor in the history of the department. Among the Tenure/Tenure Track faculty, the proportion of women has increased by only 5 percentage points over the past ten years (2001 29% women, 2011 34% women). The New Hire statistics for 2011 may help explain, in part, why so little progress has been made in the past ten years. Only 44% of Professional Faculty new hires were female. The percentage of female hires drops precipitously as one advances up the ranks (47% of Assistant Professors hired were female; 36% of Associate Professors hired were female; and only 18% of Full Professors hired were female). Of the 3,899 professional faculty in 2011, 52% are tenure/tenure track, 38% WOT, and 10% Research. Of the tenure/tenure track positions across the schools in 2011, many schools had less than 25% of their tenure positions held by women (Public Health 23%, Pharmacy 25%, Medicine 21%, Environment 25%, Foster 19%, Engineering 20%). The proportion of assistant, associate, and full professors who are female within each department in 2012 is posted on the Senate website. These statistics do not bode well for gender equity in faculty rank and underscore the importance of a thorough review of gender and race equity in salary compensation. Small, but significant salary inequities across race and gender were identified in a 1997 study of UW faculty entitled “Faculty Salary Study, UW June 1997”. It will be important to identify and minimize factors that may be impeding women from advancing to or being hired into full professor positions. This topic was addressed at the November 29, 2012 Senate meeting and the January 7 and April 22, 2013 SCPB meetings. The Faculty Senate unanimously endorsed A Resolution Addressing Faculty Demographics that requested all units and departments “make an effort to evaluate and discuss faculty demographics during this academic year”. Resources to help that discussion are posted on the Senate website under Issues Under Consideration. I am pleased to report that faculty from the School of Public Health are responding to the resolution by bringing the topic to the School’s Faculty Council, the School’s Diversity Committee, and identifying the issue as a Strategic Objective to address in the School’s Self-Study March 2013 report in preparation for accreditation. There is also talk of establishing a school-wide task force to address this issue head on. I encourage all schools/colleges to take action. The most current 2012 data, Faculty Composition 2012, presented at the April 22, 2013 SCPB meeting continue to demonstrate significant inequities in the proportion of women holding the rank of full professor. Among UW tenured/tenure track faculty in Fall 2012, the proportion of women in each rank was as follows: full professor 36.3%, associate professor 49.1%, and assistant professor 45.5%. Compiling and posting these statistics is an important first step in informing faculty and administration of the breadth and magnitude of this problem. But these statistics will remain unchanged until schools and departments develop and implement action plans to reverse these trends.
The 2013 Regular Session of the Washington State Legislature was adjourned sine die late in the afternoon on Sunday April 28 without having agreed on a budget for the 2013-2015 biennium. The governor immediately ordered a special session of the legislature to be convened on May 13 so that a budget can be passed. He has asked the leadership of the “four corners” (the Republicans and the Democrats in the House and the Senate) and the representatives and senators who had been tasked with writing and negotiating budgets to remain in Olympia and continue their work toward passing a budget instead of waiting until the special session is convened.

In our state a special session of the legislature is thirty days long so the one that convenes on Monday May 13 is scheduled to adjourn on Tuesday June 11. The new biennium begins on July 1.

The next state economic forecast review is scheduled for Thursday June 6. The state’s Economic and Revenue Forecast Council prepares economic forecasts (for the U.S. and the state) in order to complete a state General Fund revenue forecast. The next revenue forecast review is scheduled for June 18 which is after the special session concludes. The June revenue forecast review is an update to the forecast that was released in March and used to prepare the budget proposals that are the subject of the current budget negotiations. While there might be talk about the legislature possibly waiting for the June revenue forecast update prior to passing a budget, doing so would risk substantially complicating the task of reaching a compromise because of the myriad expectations of how any additional or reduced revenue projections would be incorporated.

As we look to the end of the budget negotiating process it is important to note that higher education, and therefore the University of Washington, is in the relatively small portion of the state budget where flexibility exists for the budget writers. Unlike legally mandated responsibilities for things like providing K-12 education for Washington’s children and feeding and caring for the incarcerated, higher education is funded entirely at the discretion of the legislature and the Governor. While the current budget proposals are OK (they should be much better but could be much worse) there is reason for great concern about the level of state support that our university could be facing when the 2013-15 operating budget is eventually adopted.

The Board of Regents of the University of Washington has a meeting scheduled for June 13, 2013 – two days after the special legislative session must adjourn. Ideally the legislature will have completed their work so the board can have the opportunity to adopt a budget for the university at that time. Hopefully it can be a budget that reflects a state legislature that views supporting the work of the University of Washington’s students and faculty as a most critical investment in our state’s future and not as a piggy bank to raid in order to expedite a difficult and conflicted state budget negotiation.
2013 – 2014 Faculty Member Appointments to University and Senate Committees.

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

• Elizabeth Sanders, College of Education, as a member for a term beginning September 16, 2013, and ending September 15, 2016.
• Peter Hoff, Statistics, College of Arts and Sciences, as a member for a term beginning September 16, 2013, and ending September 15, 2016.
• Robert Harrison, Forest Resources, College of the Environment, as a member for a term beginning September 16, 2013, and ending September 15, 2016.

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

• Joe Janes, Information School, as a member for a term beginning September 16, 2013, and ending September 15, 2016.

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

• Joseph Babigumira, Global Health, School of Public Health, as a member for a term beginning September 16, 2013 and ending September 15, 2016.
• James Carothers, Chemical Engineering, College of Engineering, 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, 2013, and ending September 15, 2014.
• Juliet Shields, English, College of Arts & Sciences, as a member for a term beginning September 16, 2013, and ending September 15, 2016.
• George Demiris, Biobehavioral Nursing and Health Systems, School of Nursing, as a member for a term beginning September 16, 2013 and ending September 15, 2016.

Faculty Council on Student Affairs (Meets Tuesdays at 1:30 p.m.)

• Charles Treser, Environmental and Occupational Health Sciences, School of Public Health, as chair for a term beginning September 16, 2013, and ending September 15, 2014.

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

• Jan Carline, Medical Education, School of Medicine, as a member for a term beginning September 16, 2013, and ending September 15, 2016.

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

• Bill Erdly, Computing and Software Systems, UW Bothell, as chair for a term beginning September 16, 2013, and ending September 15, 2014.

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

• Chris Ozubko, Art, College of Arts and Sciences, as a member for a term beginning September 16, 2013, and ending September 15, 2015.
Faculty Council on Women in Academia (Meets Mondays at 12:30 p.m.)

- Karen Edwards, Epidemiology, School of Public Health, as a member for a term beginning September 16, 2013, and ending September 15, 2016.

Special Committee on Intellectual Property and Commercialization (Meets Tuesdays at 3:30)

- Susan Astley, Epidemiology, School of Public Health, as chair for a term beginning September 16, 2013, and ending September 15, 2014.
- Dan Jacoby, School of Interdisciplinary Arts & Sciences, UW Bothell, as a member for a term beginning September 16, 2013, and ending September 15, 2016.
Nominations for 2013-14 Senate Executive Committee Positions

Open Seat Nominations

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<th>Positions</th>
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<td><strong>Medicine – 2 positions</strong></td>
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<tr>
<td>Position 1</td>
<td>Edward Gill, Cardiology</td>
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<td>Ben Greer, Obstetrics &amp; Gynecology</td>
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<td>Eric Stern, Radiology</td>
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<td>Positions 2</td>
<td>Melissa Lewis, Psychiatry &amp; Behavioral Sciences</td>
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<td>Tueng Shen, Ophthalmology/Bioengineering</td>
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<td><strong>Arts and Sciences – 2 positions</strong></td>
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<td>Position 1</td>
<td>Leah Ceccarelli, Communication</td>
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<td>Richard Wright, Linguistics</td>
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<td>Position 2</td>
<td>Fred Bookstein, Statistics</td>
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<td>Kyle Crowder, Sociology</td>
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<td>Leroy Searle, English</td>
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<td><strong>Engineering – 1 position</strong></td>
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<td>Duane Storti, Mechanical Engineering</td>
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<td><strong>Other health science colleges</strong></td>
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<td>1 – 1 position</td>
<td>Susan Astley, Public Health</td>
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<td>Diane Morrison, Social Work</td>
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<td>Chuck Treser, Public Health</td>
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<td><strong>Environment and Built Environments – 1 position</strong></td>
<td>Alex Anderson, Built Environments</td>
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<td>Erika Harnett, Environment</td>
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<td>Rob Wood, Environment</td>
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<td><strong>Professional Schools</strong></td>
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<td>2 – 1 position</td>
<td>Gail Joseph, Education</td>
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<td>Brett Rubio, ROTC</td>
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Faculty Council Nominations
1. Faculty Council Faculty Affairs
2. Faculty Council on Multicultural Affairs
3. Faculty Council on Teaching and Learning

**Nominating Committee:** Norman Beauchamp, Medicine; Dan Luchtel, Public Health, Susan Nolen, Education, JoAnn Taricani, Arts and 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

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1 Public Health, Dentistry, Pharmacy, Nursing, Social Work
2 Business, Education, Evans, Information, Law, ROTC
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**

Executive Committee seats were allocated on the basis of academic geography. The eight elected SEC positions were allocated as follows:

- School of Medicine – 2 positions
- College of Arts and Sciences – 2 positions
- College Engineering – 1 position
- Other health science colleges (Public Health, Dentistry, Pharmacy, Nursing, Social Work) – 1 position
- College of the Environment and College of Built Environment – 1 position
- Professional schools (Law, Business, Education, Evans, Information) – 1 position

The Nominating Committee sent a request for nominations to all current and incoming Senators, listing the eight contested positions; nine self-nominations were received, all were placed in their corresponding positions. The Committee then added to the list as needed.

The faculty council chairs were selected based on a list of upcoming issues that were given to us by the faculty senate vice chair.
<table>
<thead>
<tr>
<th>Meeting Type</th>
<th>Date</th>
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<tbody>
<tr>
<td>Executive Committee Agenda Deadline</td>
<td>September 30</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>October 7</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>October 14</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>October 24</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>October 31</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>November 8</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>November 18</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>November 25</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>December 5</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>December 12</td>
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### Winter Quarter, 2014

<table>
<thead>
<tr>
<th>Meeting Type</th>
<th>Date</th>
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<tbody>
<tr>
<td>Executive Committee Agenda Deadline</td>
<td>January 3</td>
</tr>
<tr>
<td>Executive Committee Meeting</td>
<td>January 13</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>January 21 (Tues.)</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>January 30</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>February 6</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>February 3</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>February 10</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>February 18 (Tues.)</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>February 27</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>March 6</td>
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### Spring Quarter, 2014

<table>
<thead>
<tr>
<th>Meeting Type</th>
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<tbody>
<tr>
<td>Executive Committee Agenda Deadline</td>
<td>March 31</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>April 7</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>April 14</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>April 24</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>May 1</td>
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<tr>
<td>Executive Committee Agenda Deadline</td>
<td>April 25</td>
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<tr>
<td>Executive Committee Meeting</td>
<td>May 5</td>
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<tr>
<td>SEC Continuation Meeting</td>
<td>May 12</td>
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<tr>
<td>Faculty Senate Meeting</td>
<td>May 15</td>
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<tr>
<td>Senate Continuation Meeting</td>
<td>May 22</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.

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3. Continuation meetings will occur if necessary to conduct unfinished or special business of the SEC or Senate.
Class A Legislation
Faculty Code Section 24-54. Changes in the Promotion & Tenure Process
Justification Statement and Proposed Language

Background and Rationale

Introduction

The Senate Executive Committee and Faculty Senate has approved the first consideration of this legislation and is forwarding to the SEC for final consideration, Class A legislation that modifies Section 24–54 of the Faculty Code, “Procedure for Promotions” in two major areas:

1. Requires additional disclosure to the candidate of the recommendations of the Elected Faculty Council and the Dean.
2. Provides one additional opportunity (if the dean’s initial recommendation is unfavorable) for candidates to respond to recommendations.

Reasons for proposed changes

- The goal is to encourage best practices in communication throughout the promotion process.

- Inconsistent practices exist among the departments, schools, colleges, and campuses in what candidates are told about the recommendations being made at each level of the promotion process.

- Candidates who aren’t informed of recommendations and rationale may have unrealistic expectations about the level of support for their advancement or may be unduly anxious. Annual reviews vary in the level of honest and clear feedback provided to candidates, and may be limited to department level perspectives that could differ at the school/college/campus/university level.

Background:

The proposed legislation was initially prepared by the Faculty Council on Faculty Affairs after lengthy debate and consideration that began in Fall 2011, including communication with chairs of the elected faculty councils, chairs of small departments, the Board of Deans, and the Provost. The legislation was approved, in amended form, by the Senate Executive Committee.

Currently, in the Faculty Code, candidates for promotion are only required to receive information about their case after the faculty of their academic unit has taken a vote. The proposed changes would allow the candidate to learn about the recommendation of the elected college council, hear from the dean, respond in writing before the Dean makes a final decision, and be informed of the final decision and reasons therefor.

Advisory Committee on Faculty Code and Regulations Comments:

After reviewing the proposed legislation amending Section 24-54 of the Faculty Code (Class A 130), the Advisory Committee on Faculty Code and Regulations suggests a few changes in the language of the proposed amendment:

1. at the end of the last paragraph of subsection B (line 48), correct 'candidates' to 'candidate';

2. for the sake of consistency in this section, it might be wise to add 'promotion' before 'decision' in subsection D (lines 67 and 72);

3. because the change from 'President' to 'Provost' in subsection D (line 69) conflicts with the referral to the 'President' in cases involving tenure (i.e. Section 25-41.B), we recommend that you change the first appearance of 'President' in Section 25-41.B) to 'Provost' to ensure consistency. (As we understand it, the change from President to Provost in 24-54 reflects current practices in promotion cases, and we presume the same applies in such cases that also award tenure.)
Finally, this last issue, as well as the revision of 'decision' to 'recommendation' (line 67) drew our attention and considerable concern to the conflicting references to the dean's actions: e.g., in the headline of D the verb is 'decide'; in 62 we now have 'decision or recommendation'; in 67 and 68 the word is 'recommendation'; and in 72 it is 'decision.' While the intent may seem clear enough to most of us--namely that some cases are decided at the level of the dean while others are not--the vacillation in terminology may prove quite confusing and unnecessarily unclear.

We believe we have identified at least one reason for the confusion, and for our inability to agree on changes in the Section's language that would clarify matters: namely, that there is no language in the current Faculty Code that explicitly defines 'responsibility for promotions' as there is both for making appointments to the faculty (Section 24-51) and for awarding tenure to the same (25-51.B, third paragraph). We therefore strongly recommend that the Senate leadership set the wheels in motion to correct this oversight and, in the process, clear up the mixed signals being sent by the vacillation between 'decide/decision' and 'recommendation' in this revised Section 24-54.

Part of the problem here resides in the mixing of promotions involving tenure with those that do not; and these are aggravated by the attempt to cover under one heading all promotion decisions (mandatory and not), as well as to include cases which may be terminated by a negative decision by a dean with those in which the dean's positive recommendation must be sent forward to the Provost.

We are left, too, with uncertainty, under the revised Section 24-54 and the report of current practice, whether the Provost's decision in positive promotion cases is, itself, final--or whether it becomes recommendatory to the President (and Board of Regents). Separating the various situations and circumstances, and clarify which actions are decisions and which are recommendations would be to everyone's benefit in the longer term.
Class A Legislation
Faculty Code Section 24-54. Changes to Promotion & Tenure
Justification Statement and Proposed Language

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 shall consider the whole record of candidates' qualifications described in Section 24–32.

B. The record of the candidate being considered for promotion shall be assembled following the guidelines of the candidate's college and unit. The candidate is responsible for assembling the promotion record, which shall include a self–assessment of the candidate's qualifications for promotion. External letters of review shall be kept confidential from the candidate.

For departments (or college/school if undepartmentalized) where an initial report and/or recommendation on the qualifications of the candidate for promotion is produced by a subcommittee of the faculty senior in rank and title, the report shall be written. The department chair (or chair's designee or the dean of an undepartmentalized school or college, or the dean's designee) shall provide the candidate with a written summary of the committee's report and recommendation. For purposes of confidentiality, all names specific attributions shall be omitted and vote counts may be omitted from the candidate's summary. The candidate may respond in writing within seven calendar days. The chair or dean shall forward the candidate's response, if any, together with the committee's report to the voting faculty.

The voting faculty of the candidate's department (or college/school if undepartmentalized) superior in rank and title to the candidate shall then meet to discuss the candidate's record. and to A vote on the promotion question shall occur following the discussion.

The department chair (or the chair's designee or the dean of an undepartmentalized school or college or the dean's designee) shall write a formal report of these proceedings for the candidate, summarizing the discussion and recommendation. For purposes of confidentiality, all names specific attributions shall be omitted and vote counts may be omitted from this report. The candidate may then respond in writing to the department chair (or dean in an undepartmentalized school or college) within seven calendar days.

If this the faculty recommendation is a departmental one, and is favorable, or if the promotion decision is mandatory, or if the candidate has written a response to the departmental vote, the chair shall transmit all documents produced in this promotion process to the appropriate dean, with his or her independent analysis and recommendation. The chair may at his or her discretion, share the chair's recommendations with the candidates.

C. The dean shall be advised by a committee or council of the college or school. This advisory group, elected by the faculty of the college or school, shall consider each case presented to it and submit its recommendations with reasons therefor to the dean. If the recommendation of the committee or
council is not favorable, or if it conflicts with the faculty vote, then the council or committee recommendation with reasons therefor shall be provided to the candidate. For purposes of confidentiality, specific attributions shall be omitted and vote counts may be omitted from this report. In a departmentalized school or college, when a candidate for promotion is under consideration, any member of the committee or council who is also a member of the candidate's department may be excused.

D. After receiving the recommendation of this committee or council the dean shall decide the matter.

Prior to the issuance of a decision or recommendation by the dean that is not favorable, the dean shall provide the candidate with his or her initial recommendation and reasons therefor. In such cases, the dean or the dean’s designee shall then discuss the case with the candidate. The candidate may then respond in writing to the dean within seven calendar days of the discussion.

If the decision recommendation of the dean is favorable, or if the promotion decision is mandatory, the dean shall transmit his or her recommendation and the candidate’s response, if it exists, to the candidate and to the Provost President. For purposes of confidentiality, specific attributions shall be omitted and vote counts may be omitted from the report to the candidate.

If the promotion decision of the dean is not favorable and not mandatory, and the candidate has written a response to the dean, the dean shall transmit his or her decision and the candidate’s response to the Provost for information purposes.

E. After the case is decided, the dean shall ensure that the candidate is informed in writing in a timely way of the result of the case and, if the result is not favorable, the reasons therefor.

Section 25-41 Granting of Tenure: Policy and Procedure

B. Consistent with the timelines set in Section 25-32, Subsection A.2 for full-time assistant professors and Chapter 24, Section 24-45 for part-time assistant professors, and Section 25-32, Subsection D for associate professors or professors “without tenure,” a decision shall be made in the following manner:

A recommendation that the faculty member be granted or denied tenure shall be sent to the dean of the school or college. This recommendation shall be based upon a majority vote of the eligible professors and associate professors of the department, or of the school or college if it is not departmentalized. If the chair does not concur in the recommendation she or he may also submit his or her own recommendation.

The dean, advised as prescribed in Chapter 24, Section 24-54, Subsection C shall then make his or her recommendation to the Provost-President, and if tenure is to be granted it shall be conferred by the President acting for the Board of Regents.

Approved by:
Senate Executive Committee
April 8, 2013

Approved by:
Faculty Senate
April 25, 2013

Approved by:
Senate Executive Committee
May 6, 2013
Background and Rationale

Changes to A Statement of Principle: Academic Freedom and Responsibility
Class A Legislation Proposed by the Faculty Council on Faculty Affairs

Section 24-33 (formerly Section 13-31) is one of the older sections of the University of Washington Faculty Code, first approved by the Faculty Senate and President on April 16, 1956. Much of the language of the document has remained unchanged since that time, although there is a footnote added in 1992 on Faculty/Student Relationships and Conflicts of Interest. The initial date of 1956 indicates that this addition to the Code was adopted after the Canwell Committee (a state-level legislative committee similar to HUAC). Several professors lost their jobs in this investigation. A statement on academic freedom seemed quite necessary at the time to preclude future investigations that abridged that academic freedom.

More recently, at least one recent Supreme Court decision, *Garcetti v. Ceballos* 547 U.S. 410 (2006), complicated the relationship between the First Amendment and speaking when a public employee. Although academic freedom has not been addressed directly, it became clear that what was not addressed in our academic freedom statement was our role in shared governance. *Garcetti* involved criticism of an elected prosecutor; his firing was upheld. Many faculty have and voice opinions about administrative decisions and much of this is part of shared faculty-administration governance of the university.

FCFA also added language taken from the University of Utah’s statement on Faculty Rights and Responsibilities and from the national AAUP. We needed to define what academic freedom is and give examples of some of the situations in which faculty should not be subject to reprisals, punishment, for what they said or for what other people think of what they said.

These are fairly straightforward changes, mostly additions giving a more complete definition of academic freedom.

The final sentence of the section was deleted by the Council’s recommendation. It seemed to the Council to contradict most of what went before it.

We don’t anticipate that we will need to invoke Academic Freedom in the immediate future, but we have been very concerned about both attorneys and those outside the academy not understanding what effect shared governance would have on faculty speech and writing.
Section 24-33. A Statement of Principle: Academic Freedom and Responsibility

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 shared governance and the general welfare of the University.

Faculty members have the legal rights and privileges of citizens. They may not be subject to punishment or reprisal for the exercise of such rights and privileges.

Faculty members have the right to academic freedom and the right to examine and communicate ideas by any lawful means even should such activities generate hostility or pressures against the faculty member or the University. Their constitutionally protected exercise of freedom of association, assembly, and expression, including participation in political activities, does not constitute a violation of duties to the University, to their profession, or to students.

Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest, one is not speaking for the institution. 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 and damage institutional facilities or disrupt the classes of one’s instructors or colleagues. Speakers on campus must not only be protected from violence, but also be 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 student’s beliefs or 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, gender, religion, political activity, sexual orientation, or sexual, romantic, familial, or other personal relationships.)

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. Within the approved curriculum, it is the instructors’ mastery of their subjects and their own scholarship which entitles them to their classrooms and to freedom in the presentation of their subjects how the curriculum is presented and the right to express their own opinions. 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.

SEC referred to special committee
May 6, 2013
1. Call to Order and Approval of Agenda.

2. Report of the Chair – Professor James Gregory.


4. Opportunities for Questions and Requests for Information.
      i. Approval of the April 8, 2013, SEC minutes.
      ii. Approval of the April 25, 2013, Faculty Senate minutes.
      iii. Approval of 2013-2014 Schedule of Faculty Senate and Senate Executive Committee
            Meetings.
      iv. Lecturer Workgroups Update.
   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.
   a. Approve Nominations for Councils and Committees.
   b. Approve Nominations for 2013-14 Senate Executive Committee Positions.

6. Memorial Resolution.

7. Announcements.

8. Unfinished Business.
   a. Class A Legislation – Second Consideration.
      Title: Changes to 24-54 the Promotion and Tenure Process.
      Action: Conduct final review of proposal to submit legislation to the faculty for approval or rejection.
   b. Discussion: Undergraduate Social Science Online Degree Completion Program – Judy Howard.

9. New Business
   Report of the Director of Athletics, Scott Woodward.

10. Good of the Order.

11. Adjournment.

Prepared by: Marcia Killien, Secretary of the Faculty
Approved by: James Gregory, 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 23 at 2:30 p.m. in Savery 260.