Minutes
Senate Executive Committee Meeting
Monday, November 13, 2017, 2:30 p.m.
142 Gerberding Hall


Absent: Joyce Cooper, Gautham Reddy, Osman Salahuddin, Soh Yeun Kim.

Guests: Robert Gomulkiewicz, Patricia Kramer, Chuck Frevert.

1. Call to Order and Approval of Agenda.

Chair Way called the meeting to order at 2:34 p.m. The agenda was approved.

2. Senate Chair’s Remarks – Thaïsa Way  [Exhibit A]

In some additional prepared remarks, Chair Way described the new faculty-led initiative to review the current dispute-resolution procedures in Chapters 25, 27, and 28 of the Faculty Code. She then summarized parts of her prepared report.

In response to questions, Way said that, broadly speaking, there are two desired outcomes of the Faculty 2050 project. One is to have faculty engage in a full conversation about where we see ourselves now, as present faculty, where we are, or could be, going as future faculty. The conversation would include a wide range of topics including, but not limited to, workload and tenure. The other desired outcome is a white paper, prepared for the Provost, detailing the results of that conversation. Provost Baldasty added that another outcome might be changing the Faculty Code to accommodate and support the 2050 vision.

   a. Report of the Secretary of the Faculty.  [Exhibit B]
   b. Report of the Chair of the Senate Committee on Planning and Budgeting.  [Exhibit C]
   c. Report of the Faculty Legislative Representative. Report will be given at the meeting.
   d. Council Activities Report.  [Exhibit D]

JoAnn Taricani, Faculty Legislative Representative, gave her report. She began by noting that the special election has given control of the State Senate to the Democrats. This changes the body overall, as well the committee membership. The change in leadership will not guarantee that the faculty-regent bill will move forward or that the capital budget issues will be resolved immediately. Our biggest priority is to obtain short-term money (9.5 million dollars) to fully fund the state-approved 4% raise due in the next fiscal year. With respect to this amount, we will be arguing that the state allow us to redirect some previously appropriated funds, and that salaries are tied to institutional excellence and competitiveness. There are a number of factors that have led to the current shortfall. One is that Olympia will only fund increases relative to the previously approved base. University raises have exceeded that base, and we are now responsible for that part of the overall increase going forward. The other factor is the so-called fund-split, which determines how much of approved base raises are paid out of direct appropriations and how much is to be covered by tuition. For us, it is imbalanced toward tuition (66%). The fund-split issue is exacerbated by legislative limits on tuition increases, the in-state percentage of undergraduates, and the Husky Promise.

In response to questions, Taricani said she doubted that competition-clause legislation would move forward; there is significant opposition in the business community.

Questions were asked of Zoe Barsness, Chair of the Senate Committee on Planning and Budgeting (SCPB). Barsness reported that the SCPB discussed the Institute for Health Metrics and Evaluation Reorganization, Consolidation, and Elimination Procedures (RCEP) proposal. There was a mixed vote that slightly favored a limited RCEP, with additional conditions on substantial collaborations between the Schools of Medicine and Public Health. There will be more information in her forthcoming Senate report.

Provost Baldasty spoke to several ongoing efforts and initiatives. Work continues on increasing the use of direct admissions as a tool to improve our enrollment management. On the one hand, we have admitted students who find themselves unable to enroll in their preferred major. On the other hand, we have majors with excess capacity. Moreover, the excess capacity majors tend to be in areas in which it is less expensive to educate. Other universities are ahead of us on enrollment management techniques, and we are trying to catch up. So far, we have focused on engineering, which will have 50% admits direct to college, but other units, such as business, are coming on line.

Under EO 64, the Provost has made available to the Seattle campus some $2 million for unit adjustments to help with compression, especially for full professors. Deans have been encouraged to add funds, if available. The SCPB will be reviewing the unit applications and plans. The Provost is meeting with each Dean and Elected Faculty Council (EFC) to talk about their individual plans, as well as about their priorities and costs going forward.

New Dean searches are underway for Law, Built Environment, and Public Health. Moreover, the Dean of the Graduate School will be stepping down in March; Baldasty will appoint an interim Dean.

In response to questions, Baldasty said that Deans were not given specific instructions on how to deal with compression. Rather, the approach is up to the unit and done in conjunction with input from the EFC’s.

5. Consent Agenda.
   a. Approve the October 2, 2017, SEC minutes.
   b. Approve the October 19, 2017, Faculty Senate minutes.
   c. Approve nominees for Faculty Councils and Committees. [Exhibit E]

Item B from the consent agenda was removed. The remaining consent agenda was approved.

6. Announcements.

There were no announcements.

7. Unfinished Business.

A correction was made to the Senate minutes from October 19, 2017. The following was inserted as Paragraph 8: In response to a question, it was explained that the budgets for UW medicine and the rest of the UW are kept separate except for debt capacity. Having said that, there is no general budgetary firewall as there is at some other institutions. The lack of a firewall is a concern going forward.

As corrected, the Senate minutes were approved.

8. Discussion items.
   a. Lecturer Issues. [Exhibit F]
      Faculty Council on Faculty Affairs.

Joe Janes, Chair of the Faculty Council on Faculty Affairs, summarized his exhibit.

In response to questions, Janes said that his preference is to move forward with a complete package, including Code changes, by the end of the academic year. Some SEC members expressed reservations about the politics and practicalities of a comprehensive package, especially if it includes voting rights. Janes emphasized that changes will be aimed at those faculty members with long-term commitments to the University. Code is not the only way to make progress; the FCFA will also be looking at compiling “best practices.” But several members noted that Code is very important, especially with a new Provost on the horizon. Moreover, lecturers will continue to operate at a disadvantage if increased funding does not follow.
b. Waiver Requests for Restricted Contracts. [Exhibit G]

Faculty Council on Research.

Chuck Frevert, a member of the Faculty Council on Research, summarized the exhibit. The proposed delegation of authority from the faculty to the administration would cover a set of specifically delineated contract provisions selected with respect to a well-understood set of overarching principles. Some members expressed reservations about delegating authority with respect to the 30-to-60-day-right-of-first review. In response, Frevert said that it was not his experience that this class of contracts presented a particular problem; these provisions typically are used to protect patent application timelines, not prevent eventual publication. Still, members wondered whether companies could use the review period to put pressure on the University. Frevert noted that the possibility of pressure is inherent in accepting outside grants. Members expressed concerns about the optics of having authority delegated for this class of contracts. In that regard, it was suggested, and Frevert agreed, that it would be worthwhile to have a certain percentage of delegated decisions periodically reviewed and audited by FCR. Some members expressed concerns about a delay period per se. Frevert acknowledged these concerns, but noted that such provisions are standard in the pharmaceutical industry. Frevert also said that it is important that the administrative personnel doing the reviews have the appropriate background and training.


Robert Gomulkiewicz, Chair, ACIP3. [Exhibit H]

Robert Gomulkiewicz, Chair of ACIP3, summarized the exhibit. He spoke briefly about the creation of ACIP3 out of the older administrative and faculty Intellectual Property (IP) committees. The ACIP3 membership represents the full range of university interests and concerns about IP. ACIP3 will be focusing more on overarching IP issues and principles, less so on low-level rule writing and implementation. With respect to CoMotion, Gomulkiewicz added that the forthcoming sunset of the Hall patents, with the accompanying drop in revenue, is stimulating a re-examination of technology transfer at the UW.

The committee endorses the principles underlying open access, but it focused on possible legal pathways. Both the opt-out and opt-in pathways are legally supportable, with some slight legal advantage to the opt-in approach. The opt-out policy establishes a well-understood legal starting point for authors vis-à-vis publishers, but it may be slightly disadvantageous for junior faculty members who need to get published in certain journals. Opt-out might be more difficult to pass, and would add administrative costs in terms of software complexity and required faculty action. The opt-in approach, which is similar to what we have now, recognizes faculty autonomy, but might result, absent proactive efforts at faculty awareness, in fewer articles appearing in the repository. The committee was split between the two approaches. There was some support for a compromise position, similar to Harvard’s, in which the choice of system is made at the unit level.

Way noted that other universities have addressed open-access directly, and it is time we do as well. She said that we will have to consider the cost aspect. Finally, she described the steps going forward: collecting input and questions, engaging in further discussions with Chairs of relevant faculty councils, deciding which approach to take, and moving legislation before the Senate later this year.

Baldasty noted that the current projected cost figures are $250,000 in ramp-up and $500,000/year in maintenance. He added that the administration does have concerns about costs.

Members had a number of comments and questions. Some wondered about the differences between the current system and any proposed opt-in system. In response, it was noted that the opt-in proposal would create a uniform licensing procedure through executive order/senate legislation as opposed to the somewhat ad-hoc procedure now in place. Moreover, the proposal adds a software-implementation feature. Other members noted that some specific fields, such as mathematics, have their own open-access systems that function quite well, and, because they operate outside of the universities per se, add no institutional costs. It was reiterated that all proposals relate to articles, not books. Questions were raised about which type of proposal works best with respect to those journals that still do not allow for open access. There was broad consensus that any proposal would have to be accompanied by significant faculty education. Several members felt that it was important to move forward with some proposal because of the current practices of the publishing industry. Gomulkiewicz said that the basic reasons that opt-in is slightly stronger are that (a) the Copyright Act prefers overt authorial acts of transfer, and (b) opt-in fits slightly better with the Act’s provisions on conflicts between a non-exclusive license and a
subsequent transfer of the remaining rights. He also noted that co-authors, absent a prior agreement to the contrary, can grant non-exclusive licenses without the permission of the other authors.

   a. Class B Legislation. [Exhibit I]
      Title: Proposed addition of interdisciplinary concentrations.
      Faculty Council on Academic Standards.
      Action: Approve for Faculty Senate Consideration.

A motion was made and seconded to submit the legislation for Faculty Senate consideration.

Way noted that a similar proposal had been considered by the SEC at the May 8, 2017 meeting, but the motion had been withdrawn so that the Faculty Council on Academic Standards (FCAS) could consider concerns raised during the discussion on the May 8 proposal. Sarah Stroup, Chair of FCAS, introduced Patricia Kramer, the former Chair of FCAS, who spoke to the motion. Way summarized the concerns described in the May 8, 2017 minutes. With respect to duplicate-courses and self-serving behavior, Kramer and Barsness noted that there is a general University-wide problem in this regard, and they described the augmented 1503 review process being developed by SCPB and FCAS to address the issue. With respect to resume padding, Kramer said that concentrations allow for no more padding than do currently existing transcriptable credentials. Kramer went on to say that the key difference between an interdisciplinary degree (major/minor) and an interdisciplinary concentration is that the interdisciplinary degree is aimed at bringing different disciplinary perspectives to something that could be, and indeed might become, a subject matter field in its own right (e.g. “nanotechnology”), whereas the concentration is aimed at shared experiences, skills, and competencies that cut across disciplines (e.g. with respect to “leadership”). In response to questions about who runs the concentration, Kramer said that this issue exists for any interdisciplinary transcriptable credential. FCAS’s position is that all such programs have an associated group of faculty designated as running the program. Typically, that faculty would be drawn from more than one unit, although there may be exceptions with respect to units that are already interdisciplinary (e.g. SIAS at UWT). It was suggested that the confusion and concerns surrounding the legislation could be eliminated by explaining that it is merely adding enabling language to the already-existing similar language for majors and minors. It is not aimed at spelling out the process of approval for concentrations any more than the current language does for majors and minors. The relevant processes are spelled out elsewhere. But some members still felt that there should be some allusion to the approval process in the current legislation because of the somewhat unique nature of the proposed concentrations as well as the increasing proliferation of transcriptable credentials. Members hoped that the current discussion would help Kramer and Stroup prepare examples and anticipate questions that might arise in the Faculty Senate, as well as forecast difficulties that might arise during the enhanced 1503 process.

The motion passed.

   b. Request for review of school/college/campus bylaws and Elected Faculty Council composition. [Exhibit J]
      Action: Approve for review.

A motion was made and seconded to request a review of school/college/campus bylaws. Mike Townsend, Secretary of the Faculty, introduced the legislation and summarized the rationale presented in the exhibit.

In response to questions, it was noted that the review will also include a look at ex officio membership. The review is not aimed at immediately disbanding existing Councils, but ensuring proper membership going forward.

The motion passed.

   c. Approval of the November 30, 2017, Faculty Senate Agenda. [Exhibit K]
      Action: Approve for distribution to Faculty Senators.

A motion was made and seconded to distribute the agenda to Senators.

The motion passed.
10. Adjournment.

The meeting was adjourned at 4:53 p.m.

Prepared by: Mike Townsend
Secretary of the Faculty

Approved by: Thaisa Way, Chair
Faculty Senate

NOTE: If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Monday, November 20 at 2:30 p.m. in Gerberding 142.
Report of the Faculty Senate Chair
Thaïsa Way, Professor, College of Built Environments

While this has been for some a relatively quiet fall, the Faculty Senate is hard at work addressing our goals of strengthened shared governance; building fiscal stability; developing a UW Faculty 2050 framework; clarifying career trajectories for lecturers; and fostering a more diverse, equitable, and just community on our campuses. All of this work moves forward productively because we have a remarkable faculty including the many members who step up to do the hard work and builds on our close partnership with the UW President, Provost, Deans, and Chancellors as well as the professional staff.

**Strengthening Shared Governance:** Strengthening the foundations and practices of shared governance is a primary goal of our Faculty Senate leadership. This grounds our work on the UW Faculty 2050 initiative, our discussions of budgets and strategic plans, and our efforts to address issues that are facing our faculty today and in the near term, from calls for open access to the standard of conduct and the process of addressing differences and disputes.

As you will hear at our next meeting, we have continued to investigate the process by which UW can establish an open access (OA) policy for scholarship authored by our faculty members. These efforts reflect a consensus among many faculty members that public universities should provide open public access to the scholarship of their faculty; that universities should develop the repositories for the open scholarship rather than relying on outside industries to do so; and finally that faculty should not be limited by which journals they wish to publish in. Over 660 universities and research institutes currently have OA policies with at least 59 public and private universities in the U.S. that hold their own OA repository including the University of California, the University of Minnesota, Duke, University of Virginia, University of Pennsylvania, MIT, all of Harvard’s 9 schools – and more recently the University of Arizona and the University of Massachusetts – Amherst (See a list of additional universities and funding agencies with open access policies.) The question is not whether but how.

We are working with the new Advisory Committee on Intellectual Property Policies and Practices (ACIP3) to understand how best to move this forward. I encourage you to review the Open Access Policy FAQ here at [http://www.lib.washington.edu/scholpub/faq](http://www.lib.washington.edu/scholpub/faq). While this is based on an initial proposal for how OA would work, and we may amend that, it is a solid foundation for our discussion and consideration.

Another aspect of shared governance is understanding how we foster a standard of conduct among faculty that supports our shared UW vision to educate a diverse student body to become responsible global citizens and future leaders through a challenging learning environment informed by cutting-edge scholarship. This means assuring that our Faculty Codes related to the standard of conduct as well as the adjudicative and conciliatory proceedings for the resolution of differences is clear, timely, equitable, and just. As we have not fully reviewed these sections of the Faculty Code in over 25 years, we have established a review process this year that is being led by the Secretary of the Faculty, Michael Townsend and immediate past chair of the Faculty Senate Zoe Barsness with my support. This process will be led by faculty in partnership with administrative leaders and experts to assure that best practices are established as reflected in our Faculty Code. On this topic, we remind everyone of the UW Faculty Code, Section 25-71.A Standard of Conduct:

A. “The University is an institution having special public responsibility for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, the University also has the obligation to maintain conditions which are conducive to freedom of inquiry and expression in the maximum degree compatible with the orderly conduct of its functions. For these purposes the University is governed by rules and regulations which safeguard its functions, and which, at the same time, protect the rights and freedoms of all members of the academic community. All members of the academic community, including members of the faculty, have an obligation to comply with the rules and regulations of the University and its schools, colleges, and departments.”
Fiscal stability and faculty compensation: We continue to foster collaborative approaches to unit strategic planning and budgets led by our deans and chancellors with our elected faculty councils. This is critical work that requires our faculty representatives understand budget processes and planning as well as how to best engage in the broader strategic planning. The effort is being led and facilitated by the Senate Committee on Planning and Budgeting (SCPB) as well as by Faculty Senate leadership in partnership with our Provost. I also want to take this moment to acknowledge the important work of Elected Faculty Council members and chairs who are working hard to contribute to the critical conversations and planning processes. We will be a stronger university and institution for this hard work and deep focus, by faculty and leaders.

In a similar manner we are working to increase fiscal literacy of the Faculty Senators, as evident in the presentations on the UW budget at the last meeting (by Jeffrey Scott, Sarah Hall, and Provost Baldasty) and our next discussion on shared governance in regards to unit budgets as well as a report by VP for Research, Mary Lidstrom on research indirect costs and distribution. The SCPB, under Zoe Barsness, is developing improved means of compiling and responding to the many questions and inquiries posed by faculty across the UW about budgets, compensation, and related fiscal initiatives. These are included in the SCPB chair reports that are available to all faculty as an attachment to the SEC and senate meeting agendas; these are available via the Faculty Senate website in advance of each SEC and senate meeting: http://www.washington.edu/faculty/senate/minutes-agendas/. We invite all faculty to read the SCPB chair reports and encourage them to submit questions to me as chair at senate@uw.edu.

UW/Faculty 2050: We have hosted work sessions with the Board of Deans and Chancellors (BODC) and with a small group of faculty members to develop a list of the forces and trends that we face as faculty members at a public university today and in the near future. We will be engaging a broader community of faculty in the coming months through workshops, surveys, and focus group discussions. It is fantastic to hear and see the enthusiasm our faculty and our leaders have for this important project to steward our collective future.

Lecturer career paths: Joe Janes will be presenting how the Faculty Council on Faculty Affairs is addressing the need to strengthen and clarify career paths for lecturers. This is critical work across all units and campuses. It will include consideration of criteria and processes for hiring and promotion, as well as titles and responsibilities.

Diversity and Equity: We are honored to note that Faculty Senate leadership is partnering with the Race & Equity Initiative and the Office for Faculty Advancement to launch a new Diversity Leadership Training (DLP) for new chairs and program directors. The program will be developed and stewarded by experienced UW faculty, staff, and administrators with expertise in issues of equity, diversity, and inclusion. Chadwick Allen, Associate Vice Provost for Faculty Advancement, will lead the program with an advisory committee comprised of Ralina Joseph, Associate Professor, Communication, in the College of Arts & Sciences and Director of the Center for Communication, Difference, and Equity; Bruce Nelson, Chair of Earth & Space Sciences and Associate Dean for Research, College of the Environment; Joy Williamson Lott, Professor, History of Education and Associate Dean for Graduate Studies in the College of Education; and Robert Crutchfield, Professor Emeritus and former Chair of Sociology, College of Arts & Sciences. Ed Taylor, Dean and Vice Provost for Undergraduate Academic Affairs, and Thaisa Way, Chair of the Faculty Senate, will be supporting the program. This initiative builds on the efforts and lessons learned of the Leadership Excellence Program that is led in partnership with the Provost, Faculty Senate Leadership, and the BODC.

To assure that we engage the voices of our faculty, Angelisa Paladin, Chair of the Faculty Council on Women in Academia (FCWA) has been nominated to serve on the SEC for this year. FCWA and the Faculty Council on Multicultural Affairs, led by Brenda Williams are important faculty bodies that focus on the challenges and opportunities of diversity, equity, and inclusiveness.
1. **Vice-Chair Nominations:** The search for the 2018-19 Faculty Senate Vice Chair is beginning and currently seeking nominations. The ideal candidate would be an accomplished senior faculty member who has served in leadership roles within the university and who has the breadth of understanding to speak for the faculty across the university. If you are interested or know someone who would be well qualified for the position, please contact Jordan Smith in the Faculty Senate Office.

2. **Committee on Committees:** The Committee on Committees will soon be seeking candidates for membership on various Faculty Councils and Committees. Contact Joey Burgess (jmbg@uw.edu) or Jordan Smith (jjsmith4@uw.edu) for further information.

3. **Senate Executive Committee Vacancy:** One of the faculty council positions on the SEC has become vacant, the Faculty Council on Multicultural Affairs. The Faculty Council on Women in Academia has been nominated to fill the council vacancy. A Faculty Senate election to vote on the replacement will be conducted via Catalyst in the near future.

4. **Changes to Student Governance and Policies Website:** A number of housekeeping changes were made to Chapters 209 and 210:

Report of the Chair of the Senate Committee on Planning and Budgeting
Zoe Barsness, Associate Professor, Milgard School of Business, UW Tacoma

The Senate Committee on Planning and Budget meets weekly with the Provost, the Vice-Provost for Planning and Budget, and the head of the Board of Deans. SCPB is charged with consulting on all matters relating to the University budget and on a wide range of program and policy decisions.

The committee has met three times since the last SEC meeting. Committee members received an introduction to the sources of the now $7.25 billion annual budget of the UW. Nearly half of the core operating budget originates with UW Medicine Health Systems (48%). Grant and contract funds from both public and private sources account for about 18% of the budget and Designated Operating Funds (DOF, which includes allocations of indirect cost recovery from grants and contracts, summer quarter revenue, overhead revenue, fees, and discretionary investment income) account for 5%. State appropriations (5%) and Tuition (8%) components are in the single digits. Nevertheless, the State and Tuition components constitute a significant fraction of the “University Operating Resources” that support our core instructional mission. Annual Gift and Endowment funds account for 4% of the core operating budget. It is important to note, however, that these funds are generally “earmarked” and thus restricted in their use. University auxiliary activities round out the operating budget, and account for 12% of university operating resources.

Challenges that shape the UW’s budget were also identified, including limitations on enrollment growth and mix, per student funding levels, recent legislatively imposed constraints on our tuition-setting authority (which limit the UW to tuition increases of approximately 2% per year for the foreseeable future), rising compensation expenses, mandatory cost increases for utilities, property expenses and compliance, as well as federal funding and policy uncertainties. The committee will explore many of these specific challenges in greater depth over the course of the next few months. For additional information on FY18 budget development please explore the following links:

- [http://opb.washington.edu/content/annual-budgets](http://opb.washington.edu/content/annual-budgets)
- [https://opb.washington.edu/sites/default/files/opb/Budget/Adopted_FY18_Operating_Budget.pdf](https://opb.washington.edu/sites/default/files/opb/Budget/Adopted_FY18_Operating_Budget.pdf)

**FY18 Compensation and Merit**

The committee also explored in depth how the compensation pool for FY18 has been funded and allocated. The Provost authorized a 2% merit pool for eligible and meritorious faculty, librarians, and professional staff in FY18 (see [FY18 merit authorization letter](http://opb.washington.edu/content/annual-budgets) for details). In FY 18, UW Seattle will need $9.1 million to implement the 2% merit increases authorized by the Provost yet will receive only $8.5 million in new tuition and state revenue to support those increases. This discrepancy reflects inherited compensation costs incurred when we chose to make investments in UW merit pools in excess of state authorization and state funding levels during the FY14 – FY17 time period. As a consequence, the split between state and tuition funding of increases to our compensation base for UW faculty and professional staff has shifted such that the state funded portion decreased from approximately 50% in FY13 to 34% in FY18.

In addition to the challenges associated with shifts in the fund split, the UW has not been well served by the complex formulas that the legislative staff in Olympia used to calculate our state allocation for the current biennium. The UW will be requesting a revision of these formulas in the upcoming, supplemental legislative session.

Finally, availability of increased compensation dollars to fund FY18 regular merit has been impacted by the increase in promotion raises from 7.5% to 10% effected by changes made to Executive Order 64 last fall. Three hundred and two faculty received promotion raises this fall, accounting for $2.4 million of the overall FY18 incremental compensation pool.

Coincident with the aforementioned shift in funding split and compensation allocation, institutional flexibility has been further constrained by the imposition of new fees from the state which is now charging the UW $2.4 million to cover the costs of central state agency services to us. Other local financial needs have also intensified, namely increased utility and compliance costs.
In short, while the state’s authorization for three 2% salary increases during the current biennium is a very positive development and appears to provide sufficient funding to cover the FY18 merit increase, in actuality new state dollars will cover only one-third of the costs associated with implementation of the 2% regular merit increase for faculty and professional staff. Thus the remaining two-thirds of the FY18 regular merit increase must be funded by the UW through tuition increases (which are constrained) and a redeployment of unit and central funds.

Even so, in addition to regular merit, the Provost has allocated extra unit adjustment funds to UW Seattle schools and colleges based on the number of senior faculty in the unit. He is providing $2 million in central funds (secured through central administrative cost savings) to match academic units’ self-funded unit adjustments in FY18. The SCPB seeks to assure that the academic units are strongly positioned to take advantage of the Provost’s matching funds in order to address the compression, equity and other strategic compensation needs they have prioritized locally. Thus, the committee is continuing its collaboration with the Provost, Board of Deans and Chancellors, and Elected Faculty Councils to support units’ budget analysis and compensation planning efforts. The first deadline for submission of unit adjustment proposals was November 1 for implementation in February 2018. The second deadline for submission of unit adjustment proposals is January 1, 2018, for implementation in April 2018. The committee will begin reviewing unit adjustment proposals received prior to the November 1 deadline later this month and will continue these reviews through the month of January.

It is important to note that all net operating fee revenue (i.e., tuition after waivers and other financial aid) from UW Bothell and UW Tacoma is distributed in full to each campus. Net operating fee revenue is distributed to Seattle schools and colleges in accordance with Activity Based Budgeting (ABB) formulas.

The formulaic portion of each unit’s ABB budget provides 35 percent of the indirect cost recovery funds generated by the unit and 70 percent of net tuition funds generated by the unit’s students, using a mix of student credit hours (80%) and degrees or majors (20%) as the measure of activity. Thus, academic units across the university (including UWT and UWB) are differentially enabled to fund the authorized 2% merit pool and unit adjustments. For more information on compensation, please see http://opb.washington.edu/content/compensation.

**Activity Based Budgeting**
In line with recommendations of the [2017 ABB Oversight Committee](http://opb.washington.edu/abb-committees-and-reports), the SCPB will review the impact that changes in the ABB formulas effected last year have on unit funding, as well as the purpose and calculation of the ABB supplements. Supplement funds provide support for activities that do not generate tuition revenue (e.g. research, service), and for tuition-generating instructional programs that generate insufficient tuition revenue to cover instructional costs. Despite the very simple calculation that generates supplement values, it has been described as the primary means by which schools and colleges have cross-subsidized each other, as well as the primary means by which state support was directly appropriated for unique and specific programs managed by schools and colleges. The 2017 ABB Oversight Committee suggested that supplement funding levels could be adjusted in response to various changes, including costs due to inflation or evolution of the scope or scale of unit programs. To facilitate its review of the role and calculation of ABB supplements, the committee has formed a small working group which will report back to the larger committee with recommendations for general discussion in early 2018. For more information about ABB and how its implementation has evolved, see: [http://opb.washington.edu/abb-committees-and-reports](http://opb.washington.edu/abb-committees-and-reports).

Other topics the committee has begun to address include several requests for consideration of a limited RCEP (Reorganization, Consolidation or Elimination of Program). We have also began our annual review of units in deficit. This week we heard on the good progress being made at the law school and were updated on the situation in Dentistry. SCPB will continue its review of deficits in the coming months, including an update on Intercollegiate Athletics and central units in deficit (e.g., UW Press, UW TV).

**Updates on Requests for Information Regarding the University Budget and Finances**
In this section of my report, I have compiled the requests for information that were made at the last Senate meeting or directed to me as chair of the SCPB via email in the interim. Responses are those provided by relevant staff at the Office of Planning and Budgeting with input from other administrative
groups where relevant. If the topic was also addressed at SCPB, the responses below are reflective of what was learned during our SCPB discussion. I would like to thank Jeff Scott, Executive Vice President for Finance and Administration, Associate Vice Provost for Planning and Budgeting Sarah Hall and their staffs for their timely and instructive responses to these questions.

Q: *What is the rate of growth for unrestricted net assets at the UW?*
There is no predictable, reliable “growth rate” that can be attributed to Unrestricted Net Position. The components of activity in this category of net position typically include the following:

- Operating losses on unrestricted budgets
- State operating and capital appropriations
- Investment income on unrestricted operating funds
- Interest paid on external debt

These amounts can vary significantly from year to year. Unrestricted Net Position has also been impacted in recent years by Governmental Accounting Standards Board (GASB) accounting changes regarding pension liabilities. These accounting changes have required the UW to reflect a reduction of Unrestricted Net Position equal to our current obligation to fund future pension-related payments (described below).

Q: *Can these resources be deployed to something like faculty salaries?*
Unrestricted Net Position will become a deficit by the end of FY18, due to required recognition of the UW’s obligation related to future pension benefits and funding of other post-employment benefits (OPEB) already earned by UW employees. As such, there will be no “surplus” resources at the center available for redeployment to faculty salaries.

Q: *How much of the unrestricted net assets went to construction and future retirement liability? Was $800 Million was transferred out of unrestricted assets to cover pension liabilities, and if so, what was the motivating situation (e.g., bad forecasting, a shift in salary composition)?*
In FY17 the University purchased or constructed $688 million of capitalized assets. Building & infrastructure additions were $494 million, and equipment additions were $152 million. The rest of the additions were for library materials and significant software solutions such as completion of HR/Payroll Modernization and for UW Medicine’s clinical departments.

The amounts that have been recognized to fund future retirement obligations are as follows:

- For unfunded statewide plans (PERS, TRS, etc.) -- $984 million as of FY17
- For UWSRP retiree benefits earned -- $439 million as of FY17
- For statewide OPEB -- $1,200 million (estimate) to be recognized FY18. Note that recognition of this obligation in FY18 will create a significant deficit in Unrestricted Net Position.

Importantly, the pension liability issue may appear as straightforward, but the University’s supplemental retirement plan (closed to new members March, 2011) requires that we actively save funds to disburse payments to members. It is also important to note that many of the folks included in the plan continue to work and are thus remain eligible under the plan, even though the plan may be closed to new members. Currently, our plan has a healthy savings, but does not have all the cash needed to cover its liabilities.

Q: *And why were those decisions made, if they were made?*
As a governmental entity, the UW is required to comply with GASB accounting standards and as such, has no choice but to recognize our obligations for pension and OPEB liabilities.

Q: *Have any other major items been prioritized over the faculty salary compensation with respect to unrestricted assets?*
Faculty compensation has been (and is currently) the top priority in all university budget decisions. Nothing takes higher priority. When the legislature was not able to provide incremental funding for compensation, the University used what reserves it had and cost savings achieved centrally to provide merit pools of 4% in FY14 and FY15 for UW faculty and professional staff when the state authorized 0% and funded 0%. In FY 6 the UW implemented a 3% merit pool, which the state authorized at 3% but state funds only covered 38% of the incremental compensation. In FY17 the UW
implemented a 4% compensation increase, although the state authorized only a 1.8% increase and state funds covered only 34% of the incremental compensation. Certainly, there have been expenses that we have covered with temporary reserves recently (e.g., maintaining facilities services staff without a capital budget), but we have had to be extremely cautious about use of any funds, whether unrestricted and recurring or temporary, given broader concerns about our University's long-term financial health.

In closing, I encourage any SEC member, Senator or faculty who has questions about the budget or finances to submit his or her questions to me as Chair of SCPB at: senate@uw.edu. The SCPB will compile these questions and answers so as to not overburden our OPB staff, who are working extremely hard to address the complexities of our budget. When analyses and materials in response to questions that are posed by Senators or faculty are shared with the SCPB, I will be sure to include a summary of the SCPB discussions and related materials in my regular reports. This will streamline information sharing while assuring faculty voice and that all faculty have access to the full breadth of responses and related materials.
Report of Faculty Council Activities

Faculty Council on Academic Standards

In addition to the normal business of reviewing curricular changes, the following are major policy issues that FCAS is undertaken or has recently completed:

- Developed and approved a new FCAS Policy during the summer, which states “residency status (WA State; Domestic Non-Resident; International) is not to be used as a criterion for admission to capacity-constrained majors or programs.”
- Successfully filled memberships on subcommittees for 2017-2018. Subcommittees include the Subcommittee on Admissions and Programs (SCAP), Subcommittee on Admissions and Graduations (SCAG), and the Honors Subcommittee.

Faculty Council on Benefits and Retirement

- Forwarded Class B legislation on proposed revisions to Faculty Code and Governance, Chapter 51, Faculty Leave and Vacations, including a revised leave policy for non-birth parents among UW Faculty. The SEC considered the legislation and ultimately requested the council work through substantive questions that arose during discussion, primarily concerning fiscal and human resources-related impacts.
- Evaluated the Seattle (and surrounding region) housing market with a guest from the Runstad Center for Real Estate Studies as a precursor to future discussions concerning supporting UW faculty in relation to housing needs and current trends.

Faculty Council on Multicultural Affairs

- Held their first meeting of 2017-2018 and identified activities of interest for the academic year.
- Reviewed its charge letter forwarded by Faculty Senate leadership and drafted a letter recommending revisions based on feedback from members and expected/feasible council activities.

Faculty Council on Faculty Affairs

- FCFA’s Class A legislation on clarification of roles for faculty members with instructional titles was approved by UW voting faculty and President Ana Mari Cauce late in spring quarter, 2017. The legislation adds a new passage to Faculty Code Chapter 24.34 stating: “individuals appointed to one of the instructional titles in Section 1-3 above may demonstrate their scholarship and research in a variety of specific ways (Section 24-32). While they may choose to do so through publication, such publication shall not be required.”
- The council is continuing its robust investigation into lecturer issues at the UW with the goal of finalizing a “package” of related legislation during the 2017-2018 academic year.

Faculty Council on Research

In addition to its normal business reviewing and voting on classified research contracts, the following are other activities undertaken by the FCR:

- Prompted development of the Shared Research Resources Task Force (SRTF) during the summer of 2017, which is currently operating to improve, facilitate, and increase use of shared research-related resources at the UW.
- Considered legally-sufficient institutional pathways for implementation of a draft university-wide Open Access Policy.
- Received an update and provided feedback on the status of federal research regulatory reform.
Faculty Council on Student Affairs

- Held their first meeting of 2017-2018 and identified activities of interest for the academic year.
- Successfully integrated ASUW Bothell and ASUW Tacoma students into its membership using a new video-conferencing-based meeting space.
- Developed plans to evaluate housing needs for UW students through various mechanisms during 2017-2018.

Faculty Council on Teaching and Learning

Individual subcommittees were established in the council’s first and second meetings, and the FCTL is now working to address issues/topics associated with UW pedagogy in the following areas:

- Best Practices in Online/Hybrid Teaching and Learning Environments
- Cataloging Assessment and Improvement of Teaching & Learning Across Colleges
- Diversity- and Equity-Informed Pedagogies & Teaching Effectiveness
- Faculty 2050
- Learning Analytics Principles

In addition, the council has:

- Provided feedback on development of policies relating to use of student data in learning analytics during late spring quarter, 2017, and was cemented as the university’s primary resource for governing development and implementation of those policies on an ad hoc basis.

Faculty Council on Tri-Campus Policy

- Approved revisions to the university-wide undergraduate curriculum approval mechanism of “Tri-Campus Review” (full approval process not yet completed).
- Held their first meeting of 2017-2018 and identified activities of interest for the academic year and a plan for achieving defined goals.

Faculty Council on University Facilities and Services

- FCUFS has reviewed the following topics so far during 2017-2018 and provided feedback/oversight to administrative guests: A pending campus UAV (unmanned aerial vehicles; aka. drones) policy, which will be a revision to Executive Order 22 (presently deals with helicopter operations on campus)
- One Capital Plan
- Burke Museum
- Population Health Facility
- Transportation Services change

Faculty Council on University Libraries

- Considered legally-sufficient institutional pathways for implementation of a draft university-wide Open Access Policy.
- Received a report and provided feedback on the new Scholarly Communication and Publishing Department of the UW Libraries.

Faculty Council on Women in Academia

- Reviewed and ultimately voted to endorse a legislative proposal from the Faculty Council on Benefits and Retirement relating to UW faculty parental leave policy.
- Held their first meeting of 2017-2018 and identified activities of interest for the academic year.
2017 – 2018 Appointments to University and Senate Committees

Faculty Council on Academic Standards
- Jennifer Payne, Professional Staff Organization, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Connor Casey, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Benefits and Retirement
- Erick Winger, Professional Staff Organization, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Laura Lillard, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Charles Chamberlin, University of Washington Retirement Association, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Faculty Affairs
- Bryan Crockett, Professional Staff Organization, as a member for a term beginning immediately, and ending September 15, 2018.
- Judith Henchy, Association of Librarians of the University of Washington, as a member for a term beginning immediately, and ending September 15, 2018.
- Miceal Vaughan, retired faculty member, as a member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Multicultural Affairs
- Karyn Crow, Professional Staff Organization, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Ann Madhavan, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Research
- Larry Pierce, Professional Staff Organization, as a member for a term beginning immediately, and ending September 15, 2018.
- Jake Busche, Graduate and Professional Student Senate, as a member for a term beginning immediately, and ending September 15, 2018.
- Ann Glusker, Association of Librarians of the University of Washington, as a member for a term beginning immediately, and ending September 15, 2018.
- Charles Hirschman, retired faculty member, as a member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Student Affairs
- Aileen Trilles, Professional Staff Organization, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Sumire Nakamura, Graduate and Professional Student Senate, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Carolyn Martin, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Teaching and Learning (Meets Thursdays at 10:30)
- Laurianne Mullinax, School of Medicine, as a member for a term beginning immediately, and ending September 15, 2020.
- Maria Zontine, Professional Staff Organization, as a member for a term beginning immediately, and ending September 15, 2018.
- Meixi Ng, Graduate and Professional Student Senate, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Amanda Hornby, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Judith Howard, retired faculty member, as a member for a term beginning immediately, and ending September 15, 2018.
Faculty Council on Tri-campus Policy
- Annette Anderson, Professional Staff Organization, as a member for a term beginning immediately, and ending September 15, 2018.
- Lauren Pressley, Association of Librarians of the University of Washington, as a member for a term beginning immediately, and ending September 15, 2018.
- Gowri Shankar, UW Bothell, as an ex-officio member with vote for a term beginning immediately, and ending September 15, 2018.
- Ka Yee Yeung-Rhee, UW Tacoma, as an ex-officio member with vote for a term beginning immediately, and ending September 15, 2018.
- Claudia Gorbman, retired faculty member, as a member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on University Facilities and Services (Meets Thursdays at 10:00)
- John Carroll, Professional Staff Organization, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Chris Byrne, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Steve Goldblatt, retired faculty member, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on University Libraries
- Tim Zastrow, Professional Staff Organization, as a voting member for a term beginning immediately, and ending on September 15, 2018.
- Alanna McAuley, Graduate and Professional Student Senate, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Susan Redalje, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.
- Kate O’Neill, retired faculty member, as a voting member for a term beginning immediately, and ending September 15, 2018.

Faculty Council on Women in Academia (Meets Wednesdays at 3:30)
- Jennifer Payne, Professional Staff Organization, as a voting member for a term beginning immediately, and ending on September 15, 2018.
- Anya Bartelmann, Association of Librarians of the University of Washington, as a voting member for a term beginning immediately, and ending September 15, 2018.

Student Conduct Review Officers
- Eliza Sutton, School of Medicine, as a member for a term beginning immediately, and ending September 15, 2020.
- Scott Hauck, College of Engineering, as a member for a term beginning immediately, and ending September 15, 2020.
- Nancy Kool, UW Bothell, as a member for a term beginning immediately, and ending September 15, 2020.
- Britta Ricker, UW Tacoma, as a member for a term beginning immediately, and ending September 15, 2020.
Faculty Council on Faculty Affairs
Lecturer Issues

On behalf of the Faculty Council on Faculty Affairs, I’m happy to provide an update on our work to date around matters concerning lecturing faculty. As most of you likely know, there has been a great deal of attention on this front over the last several years, and our council is hoping to build on that momentum. In particular, we are in discussion on a number of matters:

- codifying the Provost’s Lecturer Appointment Guidelines within the Faculty Code
- strengthening the career pathway for lecturing faculty, including promotion processes
- reconsidering the voting hierarchy for personnel actions, including merit review
- voting rights for part-time lecturers
- potential changes in titles

Many of these have been under consideration within the FCFA for some time; so far this year, we have been discussing these among ourselves to come to a shared understanding and consensus. We will also be seeking data from the administration on a number of matters to better understand current conditions and recent trends. In addition, we have members who are working on methods of outreach to lecturing faculty as well as elected faculty councils to hear their suggestions and concerns, and intend to begin working on code language soon.

I look forward to discussing this with the SEC at our next meeting.

Joseph Janes
Information School
Chair, Faculty Council on Faculty Affairs
To: Senate Executive Committee

Re: Support of a request by the Faculty Council on Research (FCR) to the UW President’s Office to amend Executive Order #8 in order to delegate responsibility to the Office of Sponsored Programs to make decisions on a limited number of routine requests for restricted contract waivers.

According to Executive Order #8, it is the responsibility of the Faculty Council on Research to “review every proposal for a research grant or contract that carries a provision expressed or implied that seeks to limit participation, access to facilities, or the freedom of the investigators to publish or not to publish the results of such research in full.”

In my experience both as a member and chair of the FCR over the past several years, many of the restricted contracts forwarded to the FCR for review are routine in the types of restrictions included in the contract. During my tenure on the FCR we have never denied these types of waiver requests. These types of restricted contracts include:

- contracts with confidentiality agreements (e.g. clinical trials),
- right of first review (corporate contracts with 30-60 days restrictions),
- consortium agreements (e.g. multi-center clinical trials where all parties must agree to publication of pooled data).

To review requested waivers for restricted contracts, the FCR has a standing sub-committee that does an initial review of each contract and makes a recommendation to the full voting membership of the FCR. At each FCR meeting where the waiver requests are pending, the full FCR has a discussion that takes into consideration the recommendation of the sub-committee followed by a vote. Approval is granted if more than half of the voting members approve the request.

Over the past few years, the FCR has received 10-15 waiver requests annually. Pre-review plus discussion by the full FCR takes a considerable amount of time and effort by the FCR and often delays approval of the contracts for months. This will be a much bigger problem this coming year as the APL has a new basic agreement with the Office of Naval Research where every task order will have a restriction that requires the Project Officer’s prior approval. According to EO 8, the FCR will have to review each task order.

The FCR would like to delegate responsibility for approval of these routine contracts to OSP so that every contract with restrictive clauses do not have to be reviewed by the FCR. These would include:

- Contracts with confidentiality agreements (e.g. clinical trials),
- right of first review for corporate contracts with nor more than 60 days restrictions,
- consortium agreements per standard trails regarding publication restrictions,
- Office of Naval Research task orders.

However, in order to delegate responsibility to Office of Sponsored Programs (OSP), we need to have the President’s office give their approval and amend EO 8. The Secretary of the Faculty and the Chair of the Faculty Senate have recommended that the FCR seek support from the SEC before contacting the President’s office. I believe that the mandate for having the FCR do these contract reviews originated with the Faculty Senate in the late 60s as a means for having the faculty play a role in approving military contracts during the Vietnam War.

The FCR proposes to meet with representatives from the President’s Office and OSP to develop the final list of routine restricted contracts that can be approved by OSP without prior approval by the FCR. All other restricted contracts will continue to be reviewed by the FCR. A list with additional examples of restricted is below.
<table>
<thead>
<tr>
<th>Publication Restriction Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collaboration in which joint publication is envisioned; however, UW cannot independently publish</td>
<td>The parties (sponsor and UW) are collaborators and intend to jointly publish. UW does not have the ability to independently publish results of the collaboration effort.</td>
</tr>
<tr>
<td>Publication decisions by committee; no ability for UW to independently publish</td>
<td>Multi-site clinical study/trial in which the consortia or committee makes publication decisions; no ability to independently publish.</td>
</tr>
<tr>
<td>Prevents publication of information restricted by privacy regulations</td>
<td>The purpose of the publication restriction is to prevent PHI, PII or other personal, student, or other privacy information protected by statute/regulation from being shared.</td>
</tr>
<tr>
<td>Prevents publication of information restricted by export control regulations</td>
<td>The purpose of the publication restriction is to prevent export-controlled information from being shared.</td>
</tr>
<tr>
<td>Prevents publication of classified work</td>
<td>The purpose of the publication restriction is to prevent classified information from being distributed outside the intended clearance limitations.</td>
</tr>
<tr>
<td>Extended period of restriction for sponsor review</td>
<td>The publication restriction is to allow sponsor to review the intended manuscript/publication draft for possible patent protection or to strike its confidential information from the publication, and this restriction exceeds 90 days.</td>
</tr>
<tr>
<td>Sponsor approves all publications</td>
<td>Sponsor has the final approval over all publications or other dissemination of the research results.</td>
</tr>
<tr>
<td>Work-for-hire</td>
<td>Sponsor owns the results therefore we do not have right to publish/disseminate results (typical in services or other procurement agreement, not typically handled by OSP but rather under the auspices of APS 59.5)</td>
</tr>
</tbody>
</table>
Pathways for Open Access to Scholarly Works

The ACIPPPP was established last academic year and in partnership with Thaisa Way, Chair of the Faculty Senate, and Margaret Shepherd, our representative from the Executive Office, we developed a work plan for this academic year with four areas of focus: Pathways to Open Access; Co-Motion and issues of patent support; Global Innovation Exchange (GIX) and related IP issues; and Continuum College and online course materials. Additionally, we will review other Co-Motion policies and the status of the Outside Work Form.

In the fall we have focused on Open Access policies with a subcommittee and report below. We recently received an update on new directions for Co-Motion’s policies and practices regarding patent support. In future meetings we will be discussing the status of changes that had been made to the Outside Work Form during the waning days of IPMAC and SCIPC. Our attention will then turn to intellectual property policies and practices presented by the Global Information Exchange (GIX). During the winter quarter, we will delve further into GIX-related issues and also begin to focus on IP-issues related to online course materials and Continuum College.

ACIP3 Report on Open Access Policies

The Advisory Committee on Intellectual Property Policy & Practice (ACIP3) met on October 27, 2017, to provide guidance to the President and Faculty Senate on pathways for implementing open access to UW faculty’s scholarly works. This guidance is the culmination of several meetings in which we discussed open access pathways. We considered various “opt out” pathways where faculty would provide an initial license to the university via faculty legislation that could only be waived on an article by article basis, and various “opt in” pathways where faculty would provide an initial license to the university via faculty legislation but that license would only become effective if faculty opted to apply it either on a blanket basis for all articles or on an article by article basis.

The committee, as in prior meetings where we discussed the subject, voiced strong and unanimous support for the principle of open access for scholarly works. In fact, several committee members emphasized that any disagreement about UW’s approach to implementing an open access policy should not be taken to signal, internally or externally, lack of support for open access in principle. Apart from that point of unanimity, however, the committee was split on the best implementation pathway. Three members (Gordon Aamot, Mike Rosenfeld, Jane Van Galen) supported recommending an “opt out” pathway where the initial license from faculty would be granted via Class A/B legislation but a faculty member could opt out of open access on an article by article basis. Five members (Jim Gregory, Nancy Hovis, Adam Moore, Fiona Wills, and Pierre Mourad via email) supported recommending an “opt in” pathway (either on a blanket or article by article basis) where the initial license from faculty would be granted via Class A/B legislation, with some members expressing a view that “opt-in” legislation would be more likely to pass and would allow the faculty an opportunity to learn more about the benefits of open access. Some favoring “opt in” suggested that the faculty re-visit the issue of the need for an “opt out” approach after a certain period (e.g., 5 years) of operating under a more robust “opt in” system (i.e., a system with enhanced nagging, nudging, and notice). Some members (Mike Townsend, Nancy Hovis) supported exploring an approach where units on campus could choose between an “opt out” and an “opt in” system on a pilot project basis (as Harvard has done, for example).

ACIP3 Subcommittee Report.

Background

Executive Order 36 is the University of Washington’s Patent, Invention and Copyright policy. Current policy, as well as historical practice, stipulates that university faculty, staff and students retain all rights in copyrightable material they create, including scholarly works, subject to specific exemption or condition.
In April 2015 the Faculty Senate approved a **Class C “Resolution Concerning the UW Open Access Repository & Request for Advice on an Open Access Policy.”** The resolution requested the Provost to direct the Vice Provost for Digital Initiatives and Dean of University Libraries to develop an open access publication policy for recommendation to the University.

**Proposed Open Access Policy**

The Faculty Senate discussed a **recommended policy** for the first time on March 2, 2017. During the discussion, there were several legal questions about the mechanism by which faculty would transfer ownership rights and the survivability of ownership over time. It was determined that these questions needed further discussion before the Senate could debate the merits of the policy. A sub-committee of the Advisory Council on Intellectual Property, Policy and Practice (ACIP3) met to discuss the legal issues over the summer. The faculty will revisit the topic in Fall 2017. The information below is a summary of subcommittee work.

**OPEN ACCESS LICENSE – LEGAL PATHWAYS**

- **“OPT IN”**
  - Policy put in EO 36; Senate uses Class C resolution to indicate support.
- **“OPT OUT”** (for quotes see *)
  - Initial granting of license takes place pursuant to EO36; use Class C resolution to indicate support. Disadvantage is that all legal eggs in one basket.
  - Initial granting of license takes place pursuant to a combination of EO 36 and Senate Class A/B legislation. Disadvantage is that “rule” is spread across various places and authorities.

- **OR**
  - **Opt in grant is article by article.**
  - Can opt in going forward. But can opt out at later date.
  - No opt out.
  - Opt out is article by article.
  - Can opt out going forward. But can opt in at later date.

- **Confirmation step will be utilized on each article to ensure survivability of license vis-à-vis subsequent transfer of copyright.**
SOME THEORETICAL/POLICY CONCERNS

In a sense, the choice at level (A) involves a trade-off between faculty rights and the benefits that an open access policy covering all faculty would bring to the public, authors, and University.

In a sense, the choice at level (B) pits strength of legal arguments supporting initial grant of license against simplicity of policy/rule statement.

In a sense, the choice at (C) would go to the burden on individual faculty members.

In a sense (D) is the linchpin. If Eric Priest is right, then (D) can be handled by (B) or (C) and essentially can be removed from the picture. If not, then (D) may argue in favor of (C)'s article-by-article choices.

Irrevocability of license? Scope of license?

SOME PRACTICAL CONCERNS

If the software implementation puts the onus on the faculty, then practically speaking is not everything article-by-article?

What about faculty liability vis-à-vis signing transfers of copyright that contain no-encumbrance warranties?

What about administrative expense associated with each defined pathway?

Open Access Policy FAQ.

In conclusion, I would be happy to answer any questions that you have about our deliberations.
Class B Legislation
Student Governance and Policies
Scholastic Regulations, Chapter 114, Section 2.H.
Proposed addition of interdisciplinary concentrations

Rationale:

Many undergraduate students take a set of courses outside their major(s) to expand their opportunities for post-baccalaureate experiences. Examples of this are the courses commonly referred to as “pre-med,” independent research projects, and international studies. Currently, there is no way for these experiences to be acknowledged on the student’s transcript. This proposal would create a new transcriptable credential, the interdisciplinary concentration (IC), which allows the formalization of these series of courses.

The IC is explicitly not topic-focused, which differentiates it from majors, minors, and options, all of which are topical. The IC also must include courses from multiple programs.

The impetus for this change is that students would benefit from having a transcript that clearly indicates these additional experiences. As with minors, the intent is that students would not take additional time to complete the IC, but rather receive a credential for a set of courses, most of which they already would have taken. The IC also formalizes which courses are appropriate and simplifies planning for students.

ICs would be created, modified, and administered using the same procedures as majors, minors, and options, i.e., via the 1503 process. Tri-campus and online ICs would be permitted, as long as the pertinent procedures for approval are followed. ICs would be awarded to any student who completes the requirements; in other words, ICs are “open.”

If this Class B legislation is enacted, two ICs would move forward quickly (tentatively named “pre-Health Studies” and “Leadership”) and we anticipate that several others would be developed.

H. Degrees with Minor and/or Interdisciplinary Concentration

Departments, schools, and colleges are authorized to provide a course of study leading to an undergraduate academic minors and/or interdisciplinary concentrations. Requirements are within the purview of the department, school, or college.

1) The A minor shall consist of not less than 25 credits that have a topical focus. Interdisciplinary minors are encouraged. Courses taken to fulfill the minor may also apply as appropriate to the general education, writing, diversity, and reasoning requirements. Completion of the minor will appear on the permanent record.

2) An interdisciplinary concentration shall consist of not less than 30 credits that are organized around a set of skills, prerequisites for post-baccalaureate education, or other experiences. Courses taken to fulfill the interdisciplinary concentration may also apply as appropriate to the general education, writing, diversity, and reasoning requirements. Completion of the interdisciplinary concentration will appear on the permanent record.

2)3) Distance-learning minors or interdisciplinary concentrations (whether entirely new, or a distance-learning version of an existing minor or interdisciplinary concentration) must be approved by the same process as non-distance-learning minors versions. Modes of content delivery must be described and approved at all levels, including unit, college, and Faculty Council on Academic Standards.
Proposal to Request that the Advisory Committee on Faculty Code and Regulations Review School, College, and Campus Bylaws and EFC Composition

Rationale:

As we strengthen shared governance, it is important to assure that school, college, and campus bylaws are consistent with the UW Faculty Code. In addition, it is critical that the composition of Elected Faculty Councils (EFCs) are elected faculty only. This is outlined in Section 23-45 of the Faculty Code.

In the past decade, there have been significant variances from these policies and practices. In some instances, units have included chairs, directors, and other administrators on EFC's. Moreover, there are units in which the dean appoints members of the EFC or where chairs self-appoint. Such practices are not in accordance with the spirit or letter of the Code. This is of particular concern at this time as the Faculty Senate, with support from the Provost, has charged EFC members, as part of their advisory role, to collaborate with deans and chancellors in discussions of budget, compensation, and strategic planning.

It should be noted that Faculty Code Section 23-45.D states: "The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's, or school's procedure to assure that the councils are established in conformity with the provisions of this section."

Request:

That the Advisory Committee on Faculty Code and Regulations engage in a thorough review of each school's, college's and campus's bylaws and procedures to assure that the councils are established in conformity with the requirements of Section 23-45.

Section 23-45 Campus, College, and School Faculties: Authority to Determine Organization and Procedure

A. Subject to the provisions of Section 23-46, the faculty of each campus, college, or school other than the Graduate School shall determine its own organization and rules of procedure except as stipulated in Subsections Band C of this section. The organization and rules of procedure of a department may be determined by the department faculty, but shall be subject to review by the appropriate campus, school, or college faculty.

B. The University of Washington Bothell and the University of Washington Tacoma shall each have an elected faculty council or councils that shall advise their respective chancellors on matters affecting the general welfare of their respective campuses, matters of faculty promotion and tenure, and on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with Subsection A, the faculty of each campus shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected.

C. Each school or college shall have an elected faculty council or councils which shall advise the dean on matters of faculty promotion and tenure, and advise the dean on matters involving academic policy, including priorities, resource and salary allocation, and budgets. In accord with Subsection A, the faculty of each school or college shall determine for itself the organization and structure of its council or councils and the procedure by which the members are elected.

D. The Advisory Committee on Faculty Code and Regulations shall review each campus's, college's, or school's procedure to assure that the councils are established in conformity with the provisions of this section.

E. The Graduate School shall determine its own organization and rules of procedure. It may directly control its affairs or may delegate to a council, executive committee, or other committees any of its powers, provided that such council or committees shall be representative of the various fields of graduate study.
1. Call to Order and Approval of Agenda.

2. Faculty Senate Chair’s Remarks – Professor Thaïsa Way.

   a. Report of the Secretary of the Faculty.
   b. Report of the Chair of the Senate on Planning and Budgeting.
   c. Report of the Faculty Legislative Representative.
   e. Council Activities Report

4. President’s Remarks– Ana Mari Cauce.

5. Requests for Information.
   Summary of Executive Committee Actions and Upcoming Issues of October 2, 2017.
   b. Faculty Senate minutes; c. Waiver requests for restricted contracts; school/college/campus bylaw reviews.

6. Memorial Resolution.

7. Consent Agenda.
   a. Approve Nominees for Faculty Councils and Committees.

8. Announcements.


10. Discussion Items:
    Provost and Board of Deans and Chancellors: Gerald Baldasty, Provost and Executive Vice President.
    Elected Faculty Councils and Senate Committee on Planning and Budgeting: Jacob Wobbrock, EFC, I-school, Sarah Elwood, EFC, Arts and Sciences, Zoe Barsness, Chair, Senate Committee on Planning and Budgeting.
    Indirect Cost Recovery for Research: Mary Lidstrom, Vice Provost for Research
    b. Global Innovation Exchange Update
    Mary Lidstrom, Vice Provost for Research, and Vikram Jandhyala, Vice President for Innovation Strategy.
    c. Lecturer Issues.
    Faculty Council on Faculty Affairs.

    a. Class B Legislation
    Title: Proposed addition of interdisciplinary concentrations.
    Faculty Council on Academic Standards.
    **Action:** Approve for distribution to the faculty.

12. Good of the Order.


**NOTE:** If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Thursday, December 7 at 2:30 p.m. in Johnson Hall 102