**UNIVERSITY OF WASHINGTON TACOMA**
**Faculty Assembly Executive Council (EC)**
**Agenda**

Thursday, April 26, 2012
Mattress 352
12:30 – 2:00 p.m.

1. Approval of April 11, 2012 meeting minutes.

2. APC-CC Task Force Progress (*Kent Nelson, Business*)

3. Chancellor's Report (*Debra Friedman*)

4. Lecturer Appointments Policies and Procedures
   - Tri-campus efforts and implementations (*Erica Cline, IAS*)
   - Policies and procedures (*Zoe Barsness and UWT Senators*)
     - Current requirements
     - Proposed Class A legislation regarding multi-year lecturer contracts
       Proposed Class A legislation regarding appointment procedures for non-tenure track faculty and annual/quarterly part-time lecturers

5. Update on Identification of Unit-level Shared Governance Practices

6. Finalize May 4 Faculty Assembly Agenda

7. Standing Committee Reports (APC, APT, CC, FA, SBC)

8. Other items
   - *Substitute for FCTCP Meeting May 24, 9 – 10:30am (Gerberding 36).*
   - *Upcoming full faculty votes*
   - *FCTCP faculty representative needed for 2012 – 2014.*
   - *Upcoming Faculty Assembly Sponsored Events*

| **Upcoming Executive Council Meetings** | **Faculty Assembly Meetings 2011-2012** |
|---|---|
| • Wednesday, May 9, 2012 MAT 352 | • Friday, May 4, 2012 WPH |
| • Thursday, May 24, 2012 MAT 352 | • Friday, May 11, 2012 Longshoreman's Hall [Tentative/Continuation Meeting] |
| • Wednesday, June 6, 2012 MAT 352 | |
| **Upcoming Events Faculty Assembly Sponsored Events**<br>• Faculty Lecture & Discussion: Using Research to Improve Teaching: Learning Styles, A Case in Point (Marcy Stein), 5:00 – 7:00pm, Thursday, May 10, ROOM TBD | |

**UNIVERSITY OF WASHINGTON TACOMA**
**Faculty Assembly Executive Council (EC)**

Thursday, April 26, 2012
Mattress 352
12:30 – 2:00 p.m.

**Attendees**: Zoe Barsness, Chair, Katie Baird, Vice Chair, Donald Chinn, Linda Dawson, Marjorie Dobratz, Charles Emlet, Ehsan Feroz, Debra Friedman, Diane Kinder, Marcie Lazzari, Nita McKinley, , Peter Selkin, Tracy Thompson

**Guests**: Kent Nelson, Erica Cline

**Excused**: Yonn Dierwechter, Beverly Naidus, Mark Pendras, Larry Wear, Charles Williams

1. **Approval of April 11, 2012 meeting minutes.**
   - Motion to approve, seconded, and approved

2. **APC-CC Task Force Progress (Kent Nelson, Business)**
   - K. Nelson gave a brief overview explaining that the task force was established to review the APC and CC committees to see if they are overlapping in processes, and if they should be a combined committee, as well as what would make them more efficient and effective for faculty and staff. The conclusions are that the current processes are not efficient, and committee members are caught up in minutiae that should be resolved before coming to committee. Both committees spend time on accuracy of the forms, vs. content, in order to meet the UWS guidelines when submitted for final approval. The committees should be performing a more significant role in looking at new programs and new curriculum, and other issues regarding policy. Additionally, the committees have typically taken more of a reactive vs. proactive posture, and the goal is to be more proactive. It is suggested that efficiency would be improved if programs have more responsibility and accountability for the technical aspects before submission. A more systematic review process would need to be implemented by programs so that both faculty and staff review the submissions for specific criteria.
   - One approach is that it could be more productive to have the APC and CC combined to streamline the processes of final UWT review before sending to UWS. A proposal would need to be put out for program review.
   - Additional discussions took place:
     - Are there audit standards that might be consistent across units, or is there too much variance to have one standard review process for all units? Is there an example of a successful unit-level review process that might be shared with all units?

- If programs have more responsibility for complying with UWS required regulations, will UWT maintain the high quality of review established by committee before submission to UWS for final review? The response is that there is concern, but K. Nelson replied that Bothell has great site resources so that the work is done correctly, as well as specific staff responsible for the fine-tuning. So that it could be done at UWT with additional support.
- K. Nelson to present his report to the full faculty at the May 4, 2012 Faculty Assembly quarterly meeting.

**3. Lecturer Appointments Policies and Procedures (*moved up on agenda*)**

- Tri-campus efforts and implementations (Erica Cline, IAS)
    - Erica reported that there is a compelling need to have continuity for lecturers for a variety of reasons. With regard to the sciences – knowledge of lab safety and regulations is a specific concern. There need to be more permanent lecturers vs. new lecturers. Permanent lecturers can maintain the ongoing safety training and continuity of sequential classes. A suggested ratio change to 50% permanent tenure track faculty could ensure this continuity.
    - Discussion of what is required for a three-year appointment ensued, including whether a national search is required? Z. Barsness is to discuss this at the next SEC meeting in Seattle. Code may not require a national search for this, but may be required for promotion to senior lecturer.
    - Do we have to do national search, and is it academic HR policy or code?
    - How do part-time lecturers fit in with the contract process regarding one – three-year positions?
    - What constitutes a national search?
    - What is a three-year reappointment? Is this only possible if a national search was conducted for appointment to the lecturer position initially (whether the initial appointment was for a single or multiple year(s)?
    - How does a multi-year contract affect the lecturers in terms of their reappointment on a year-to-year basis?? They would not have to resubmit their full packages each year for vote by faculty. The default would be reappointment baring budgetary constraints. Morale would be better.
- Comment by Chancellor Friedman: There is a current investigation of other methods of conducting a national search because the national search through the Chronicle of Higher Education is too expensive. Technology could aid in providing a more financially beneficial way to search, such as advertising on the internet. Discussion ensued that interviews could be conducted via technology vs. visits to the campus.
- A discussion ensued regarding an issue with H1 visas and international lecturers:
    - There are different types of visas with different required application periods depending on the length of the lecturer appointments (1 or 3

years). UWT is required to be able to support a visa application before it is issued.

- There was a question of where the responsibility for keeping track of length of lecturer appointments and types of visa that are required so that there are no challenges with lecturer appointments ending prior to a quarter-end. Per Chancellor Friedman, visas require a tremendous amount of staff intensive work and must be viewed in the light of whether this is a good investment of university resources, based on the current severe budget cuts.
- Chancellor Friedman stated that the students are the main focus and concern when a lecturer's visa expires before the quarter is finished. It is not acceptable and lecturers should be aware of their visa time frames when accepting a position with the university.
- Due to the intensive staff work to define the position being filled and make sure that there is no one qualified who does not require the H1 visa application process. The only metric by which to judge an international one-year lecturer hire for a position is that the lecturer is the best and only candidate who can fill the role, and that the quality of the hire is the issue.
- Chancellor Friedman said that when an international candidate is being considered in the final hire stage, it should not be up to faculty to investigate the H1 visa fit with the position timeframe, and make a decision to hire or not hire. It should be up to UWT Academic HR (S. Fritz) to investigate and inform the faculty hiring committee. It is not about deliberation, but about immigrations laws. The H1 visa investigation cannot begin sooner than final stage because of the staff intensive work.
- There was a further discussion regarding quality of hires and the fact that hire quality may not be due to lack of desire to hire excellent faculty, but due to the budget constraints, the length of time in which a position is advertised and that the position which needs to be filled is of limited duration or one that is difficult to fill for other reasons (e.g., one for which the supply of lecturers is limited.

**4. Chancellor's Report (*Deborah Friedman*)**

- Discussion from above continued regarding SBC and the SBC's intention to examine faculty staffing strategies next year so as to enhance continuity, and identify those methods/models that could be implemented, so that we can deliver the best curriculum, and sustain excellence.
- Per Chancellor Friedman advice from the faculty will come from the SBC.
- Z. Barsness put out for discussion the ratio of faculty on SBC is for faculty voice. Should an additional faculty member be appointed to the SBC? Discussion ensued on how budget issues are addressed by faculty with university leadership, and how to keep continuity of faculty knowledge of budget issues to participate fully in shared governance. One way is that the current chair of EC moves to a position on the SBC. Cumulative knowledge

gained serving on the committee is valuable. Additionally, an open meeting can always be called if there is an issue.

- Debra and Harlan will be coming to meet with the EC in the May 24th meeting.
- A question was raised regarding the high metric level and who sets it (from prior discussion) and Chancellor Friedman stated that it comes from the units – their own criteria. Lecturers have to be excellent on the evaluations. All the information regarding evaluations from units goes through Vice Chancellor Harrington, as well, and he reviews them information.

**5. Update on Identification of Unit-level Shared Governance Practices**

- Main motivation is to get a sense of how to free up the resources of the FA governance at the campus level so that we can focus on issues that have been on hold for some time, such as writing across the curriculum and literacy. What are the strong practices already in place within units and where do we need more structure. There is a benefit in sharing the unit information across units.
- Z. Barsness stated she is waiting for all unit inventories to come in to help determine what practices are in place across the units. At the May 4, Faculty Assembly general meeting she will give an overview of good practices, areas of responsibility, and discuss where to move in the future.
- She has determined that there are just under 60 faculty--out of 164 faculty--serving on committees. As the campus grows, there will need to be more service and decisions need to be made on how to allocate faculty more effectively.
- The inventory of work in process is the beginning of a dialog to work more collaboratively and create more sense of community.

**6. Finalize May 4 Faculty Assembly Agenda**

- Request for input for the agenda
- Reports from standing committees will be attached to the agenda
- M. Killien short presentation shared governance
- Z. Barsness to discuss where we have been and where do we want to go
- Full professors engagement dialogue May 11
- Bylaws and Appendix A will be presented for vote via catalyst the week following the full FA meeting

**7. Standing Committee Reports (APC, APT, CC, FA, SBC)**

- Put on reports on hold for later discussion and included in the reports for the May 4 meeting.
- Question regarding CLEP was raised and a brief discussion took place that more clarification is needed before an APC and then EC vote. This will be on the EC May meeting agenda.

**8. Other items**

- *Substitute for FCTCP Meeting May 24, 9 – 10:30am (Gerberding 36).*

- *Attendance will be by phone (Katie Baird)*

- *Upcoming full faculty votes*
  - *For Bylaws and Appendix A, Graduate Faculty Council vote, Vice Chair vote*
- *FCTCP faculty representative needed for 2012 – 2014.*
  - *Marcy Stein has accepted running for next term appointment on Graduate Faculty Council*
- *Upcoming Faculty Assembly Sponsored Events*
  - *Announced*

Adjourned 1:59 p.m.

Agenda
Faculty Senate Meeting
Thursday, April 19, 2012, 2:30 p.m.
Savery Hall, Room 260

1. Call to Order and Approval of Agenda.

2. Report of the Chair – Professor James Susan Astley. **[Exhibit A]**

3. Report of the President – President Michael K. Young.

4. Opportunities for Questions and Requests for Information.
   a. Summary of Executive Committee Actions and Upcoming Issues of April 2, 2012.
      i. Approval of February 13, 2012, Senate Executive Committee Minutes.
      ii. Approval of March 1, 2012, Faculty Senate Minutes.
      iii. Report of the Faculty Council Activities. **[Exhibit B]**
   b. Report of the Secretary of the Faculty. **[Exhibit C]**
   c. Report of the Chair of the Senate Committee on Planning and Budgeting. **[Exhibit D]**
   d. Report of the Faculty Legislative Representative. **[Exhibit E]**
   e. Report of the Faculty Athletic Representative. **[Exhibit F]**

5. Consent Agenda.
   Approve Nominees for Faculty Councils and Committees. **[Exhibit G]**

6. Memorial Resolution.

7. Announcements.

8. Unfinished Business.

9. New Business.
   a. Class A Legislation – First Consideration. **[Exhibit H]**
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 24, Sections 24-52 and 24-53: Revisions Related to Delegation of Authority for Select Faculty Appointments.
      Action: Conduct first review of proposal to submit legislation amending the Faculty Code to the faculty for approval or rejection.
   b. Class A Legislation – First Consideration. **[Exhibit I]**
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 25, Section 25-32: Revisions Related to "Without Tenure" Appointment Term Length.
      Action: Conduct first review of proposal to submit legislation amending the Faculty Code to the faculty for approval or rejection.
   c. Class A Legislation – First Consideration. **[Exhibit J]**
      Faculty Council on Faculty Affairs.
      Title: Code Revisions to Chapter 24, Section 24-41: Revisions Related to Part Time Lecturer Appointments.
      Action: Conduct first review of proposal to submit legislation amending the *Faculty Code* to the faculty for approval or rejection.

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

10. Good of the Order.

11. Adjournment.

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

*NOTE: If a continuation meeting is necessary to conduct unfinished or special business, it will be held on Thursday, April 26 at 2:30 p.m. in Savery 260.*

Report of the Faculty Senate Chair
Susan Astley, Professor, Epidemiology and Pediatrics

**Joint Salary Policy Working Group Update**

- President Young established the Joint Salary Policy Working Group on March 13, 2012. There are a total of 12 members (6 appointed by the Faculty Senate leadership and 6 by the Provost's Office). The group's charge is to examine the following 2 questions: 1) over the next 6-12 months, how should we proceed with wage increases under the current salary policy and revenue expectations, and 2) in the longer term, are there entirely new salary models that might be more sustainable and flexible over the next decade?. The first meeting of the joint group was on April 11, 2012.

**Class A Legislation, Proposed Code Revisions Related to Faculty Appointment and Promotion**

- The Faculty Council on Multicultural Affairs (FCMA) presented Class A Legislation to the SEC on January 9, 2012. Their proposed changes in the Faculty Code in Section 24-32 are designed to allow that the work done by faculty in research, teaching, and service that enriches diversity at the UW be recognized in the processes of appointment and promotion. The SEC approved an amended version of the proposal be submitted for Faculty Senate consideration.
- The Class A Legislation was presented to the Senate for first consideration at the January 26, 2012 meeting. Discussion ensued with members voicing both support and concern for the proposed legislation. After discussion, the Class A Legislation was referred to a committee. The committee was named by the Senate Chair and charged with bringing a revised motion for action at the March 1, 2011 Senate meeting. The revised motion was reviewed and approved by the Senate on March 1. The proposed legislation will go before the SEC in May for the SEC's final consideration.

**Intellectual Property and the "Request for Approval of Outside Professional Work for Compensation" form.**

- New language regarding assignment of intellectual property has been placed in the "Request for Approval of Outside Professional Work for Compensation" form (Rev. October 2011).
  "*With this request for outside work, I acknowledge that I am bound by and I agree to comply with the University Patent, Invention, and Copyright Policy (Executive Order 36) ("Policy"), as it may be amended from time to time. In accordance with this Policy, I will disclose all inventions and discoveries I create to the UW Center for Commercialization, including any that I create in connection with any outside work. I agree to assign and I hereby assign to the University all my rights in any intellectual property to which the University has a right of assignment under the Policy, provided I created such intellectual property in the course of my University activities or responsibilities or with more than incidental use of University resources*."
- Faculty members have expressed concern regarding the language (Is this new policy? Why has this language been inserted into this form? Did faculty members with sufficient expertise in IP policy have an opportunity to review/comment on the proposed language prior to its insertion in the Form? ).
- In the course of looking into this matter, it was discovered that the Intellectual Property Management Advisory Board (IPMAC), established 15 years ago through EO 36, held its last meeting in March 2010 and apparently no longer exits/functions. EO36 stipulates: "*The President of the University will appoint an Intellectual Property Management Advisory Committee to review periodically the policy set forth in this statement and recommend such changes to the President as the Committee deems desirable. The Committee will also advise on broader intellectual property issues that arise in the promotion and protection of research. The Committee will report to the Vice Provost for Intellectual Property and Technology Transfer and consist of no fewer than five members, a majority of whom shall be chosen from the faculty*." Discussions are underway to reinstate IPMAC.
- A meeting was held on March 26, 2012 between Senate leadership, the previous Chair of IPMAC, and administrative members. The group addressed the following agenda items: 1) Reinstatement of IPMAC; 2) The faculty's request to suspend the "current assignment language" in the Oct 2011 revision of the "Request for Approval of Outside Professional Work for Compensation" form until faculty with the necessary expertise (e.g., IPMAC) have had an opportunity to review/comment; and 3) Discuss the reason(s) for insertion of the current assignment language into the form. Is the language consistent with EO 36? How does this language/policy compare with peer institutions? The group agreed to reinstate IPMAC as soon as possible (by mid April, 2012). The first order of business for IPMAC will be to address items 2 and 3 on the agenda.

- IPMAC was re-instated April 12, 2012. Its membership and charge will be presented at the April 19, 2012 Senate meeting.

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

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

**Report of the Faculty Council Activities**

**Faculty Council on Academic Standards**

In addition to normal business reviewing curriculum changes, major topics that FCAS is undertaking are:
1. Implementation of revised satisfactory progress policy
2. Enrollment restrictions imposed on students in fee-based programs
3. Potential diversity graduation requirement
4. Academic rigor

**Faculty Council on Benefits and Retirement**

1. Monitor proposed legislation related to benefits and retirement and provide feedback to the UW Benefits Office
2. Review benefits costs including health, life and long-term disability and retirement plan costs and personal cost options and ensure consistency and comparability with best practices for such plans
3. Provide through the faculty senate process information to faculty regarding benefits and retirement

**Faculty Council on Faculty Affairs**

Current Agenda Items (Short Form):
P&T Issues – Openness and consideration of collegiality in the P&T process.

**Faculty Council on Multicultural Affairs**

FCMA has drafted and proposed changes to the Faculty Code in order to make accomplishments related to enriching diversity in teaching, research and service considered, but not required, in faculty, appointments and promotions decisions. Additionally, FCMA has provided feedback to ASUW regarding their proposed Diversity Requirement for Undergraduates.

**Faculty Council on Research**

FCR is continuing to monitor and promote activities strengthening the research environment at the University (our goal as stated in October, 2010).

One of FCR's activities is to review proposals from UW researchers containing restrictions of various sorts (publication policies, personnel, data transfer, etc). FCR dealt with one such proposal of this sort fall quarter and another during the winter quarter.

At FCR's monthly meetings over the fall and winter, FCR has heard several presentations by the Office of Sponsored Programs and the Office of Research personnel on items including challenges for the Research at UW, changes in the Grants Information Memoranda, conflict of interest training, revision of federal Human Subjects regulations, the impact of Activity Based Budgeting model on research, changes in compliance rules for human and animal research, the HHS Salary Cap, and the revised "Request for Outside Work" form. Additionally, FCR received a report on the federal research funding environment from UW Federal Relations."

**Faculty Council on Student Affairs**

FCSA continues to conduct discussions on issues pertinent to students, including recent topics on admissions policies and standards, campus renovations, revisions within the Student Conduct Code, student-athlete issues (sports psychology and missed class time), and the faculty appeal board.

**Faculty Council on Teaching and Learning**

FCTL continues to discuss strategies for faculty development in the use of educational technology, issues of using technology to increase class size, and increasing student engagement. Current agenda items include technology priories across campus (Canvas, Tegrity and e-texts), competency based learning

models, new IASystem (electronic course evaluation system), working to resolve Classroom Support Services issues and discussions with the Senate Chair and Provost on their sense of priorities in the area of teaching and learning.

**Faculty Council on Tri-Campus Policy**

1. Conducting a review of tri-campus information dissemination and faculty member representation between the three faculty governance structures
2. Examined processes for issues related to student conduct code violations and how they are disseminated and treated if/when student seeks cross-campus enrollment
3. Examination of processes for reviewing cross-campus degrees/minors
4. Coordinated Faculty Senate communication of tri-campus awareness regarding governance, policies, new issues, budget, etc
5. Budget and legislative representation related to tri-campus strategic planning

**Faculty Council on University Facilities and Services**

Faculty Council on University Facilities and Services FCUFS continues to examine current construction projects, including the Stadium, HUB, housing west of 15th, Intellectual House, UW / Children's Hospital Housing, and police relocation from the Bryant Building. Other topics have included the impact of Sound Transit at the edge of campus, the UW Smartgrid Project, 520 bridge expansion, bicycles, and the Burke-Gilman Trail.

**Faculty Council on University Libraries**

1. Implementation of the Faculty Fund for Library Excellence, as approved by the Faculty Senate. Fund website is located at https://www.washington.edu/giving/make-a-gift?source_typ=3&source=LIBFAC.
2. Facilitation of Open Access publishing at the UW. The FCUL will continue to seek to engage faculty and students in submitting documentation of their past, current, and future research (i.e., archival and grey literature) to the open access repository ResearchWorks.
3. Strengthening educational partnerships/ the development of a sustainable academic business plan. The FCUL will continue to investigate ways to bring emerging Libraries technologies and initiatives into UW courses. The strategic plan will consider a wide variety of issues, including fee-based and distance courses and programs.
4. Employment of multi-institutional approaches. The FCUL will provide input to continuing Libraries efforts to lead and leverage multi-institutional Libraries initiatives, related to e.g., the Hathi Trust, the Western Storage Trust, and Orbis Cascade activities.
5. Libraries issues related to capital projects. The FCUL will continue to monitor the Odegaard renovation and the provision of HUB services in the Libraries.
6. Inclusion of Librarians on the Senate. The FCUL will continue to follow up on the 2009-2011 discussions on representation of Librarians on the Faculty Senate, the SEC, and on the Faculty.
7. General planning for collections, services, and staff. The FCUL will advise the Libraries on changes in collections, services, and staff in support of its strategic plan and necessitated by continuing budget constraints. Initial topics include the subject librarian framework, physical and virtual space planning, etc.

**Faculty Council on Women in Academia**

1. Survey of Non-Ladder Faculty – Dissemination of the report based on last year's work of FCWA, and follow up with administration to pursue report recommendations.
2. Faculty Mentoring Program –
   a. Follow-up on creation of sub-committee on mentoring by Board of Deans, providing information gathered by FCWA in 2010-11 and supplementing that information as required
   b. Development of "Faculty Matters" memos relevant to all faculty, with emphasis on women, garnered from issues raised in FCWA surveys of both ladder and non-ladder faculty
3. Review of issues relevant to women on campus.

Reminder: Approved council minutes are always available online at http://www.washington.edu/faculty/committees/councils.html

Report of the Secretary of the Faculty
Marcia Killien, Professor, Family and Child Nursing

1. The following Schools/Colleges/Campuses will hold elections for Senators in Spring 2012, with voting for Senators within the academic units scheduled for April 9-16, 2012.

   UW Bothell
   Built Environment
   Education
   Information
   Law
   Medicine
   Pharmacy
   Public Affairs
   ROTC

   The Nominating Committee for the election of SEC members for 2012-13 has been appointed to include: Norm Beauchamp, Medicine; Bruce Balick, Arts and Sciences; Brad Holt Engineering and Sandra Silberstein, Arts and Sciences. SEC nominees will be announced at the May 17 Faculty Senate meeting.

2. Nominations for the University Faculty Lecture Award will be due April 20. Senators are urged to consider nominating colleagues. Detailed information about the nomination process and deadlines was sent to all voting faculty and to academic units on March 27.

3. The Office of University Committees is in the process of nominating members for the various Faculty Councils and Committees for 2012-13. Please send nominations to the Secretary of the Faculty at secfac@uw.edu . We will contact all nominees to determine their interest in serving. All voting faculty have received a survey on which they can express an interest in serving on a Faculty Council or Committee.

4. The Secretary of the Faculty has been invited to several academic units this spring to talk with their faculty on topics of interest, including Academic Freedom and Shared Governance. The Secretary is happy to meet with the faculty in their academic units at any time.

Report of the Chair of the Senate Committee on Planning and Budgeting
Gail Stygall, Professor, English

On February 27, 2012, the SCPB heard from V'Ella Warren on the LEAN program, the improvement and cost savings program for the administrative side of the university. The LEAN program has had the most impact on the financial division and facilities. Some savings achievements were gained through loss of positions, although some care allowed for most of the savings to be made through attrition than direct job losses. Their website is http://f2.washington.edu/fm/leaders/leadership-fm/lean.

At the March 5 meeting, we had the annual consultation with the Provost about faculty salaries, which are again subject to a state freeze. Provost Cauce discussed administrative plans for possible salary increases after this current fiscal year. Provost Cauce also reviewed her letter to deans about the necessary level of merit review. Merit review for all assistant professors and those anticipating promotion from the associate professor level should undergo a regular review. All others may undergo a less complicated review, possibly merit/no-merit only.

The Joint Administration and Faculty Salary Committee has been appointed and they will carry the discussion forward, being charged with developing both short and longer terms plans. The members, appointed by President Michael Young, are as follows:

Provost Ana Mari Cauce
Professor Susan Astley, Faculty Senate Chair
Dean Thomas Baillie, School of Pharmacy
Vice Provost Cheryl Cameron, Academic Personnel
Professor James Gregory, Faculty Senate Vice Chair
Professor Paul Hopkins, Department of Chemistry
Mr. Jack Johnson, Chief of Staff, Office of the President
Professor John M. (Jack) Lee, Department of Mathematics
Interim Dean Robert Stacey, College of Arts and Sciences
Professor Gail Stygall, Chair, SCPB
Professor Míċeál Vaughan, Department of English
Executive Vice Provost, Doug Wadden

The members of the committee will keep SCPB, the SEC and the Senate updated on the committee's work.

At the March 12 SCPB meeting, we also heard from Philip Ballinger, Assistant Vice President for Enrollment, on current projections for next fall's entering class, which will look similar to this year's class in size and make-up. We also received the quarterly report from Vice Provost Cheryl Cameron on retentions. Provost Cauce notified us that, because there are important budget considerations, the UW Faculty/Staff and Washington State Employee Exemption Program is being modified to allow for changes in the waiver policy for "financial or other considerations." Several UW schools and colleges have reviewed the tuition exemption program for its fiscal impact. Several have significant numbers of students with waivers for tuition and would like to be able to adopt appropriate mixes of students. The policy was reviewed and adopted by the Board of Regents.

For the past two meetings, we have been reviewing both academic and administrative budget narratives, asking questions, and assessing issues raised by the budget narratives. For the next several weeks, we will continue to concentrate on budget narratives and trial budget proposals at various tuition increases. I encourage everyone to read your college or school's budget narrative, available on the website of the Office of Planning and Budgeting. These narratives may be found at the following URL:

http://opb.washington.edu/content/annual-budget-discussions-provost-fy13

If you have questions after reading your school or college budget narrative, please contact me, stygall@u.washington.edu.

Finally, at the April 9 SCPB meeting, we also discussed student evaluations, their budget concerns, and the administrative commitment to funding OEA's evaluations for another year so that long-term plans for their cost can be made. This topic was followed by a discussion about a proposed fee for international students to support the additional services they require. A committee has been appointed to decide on an amount for the fee and what services will be provided. The balance of the time was spent on the budget narratives.

Report of the Faculty Legislative Representative
Jim Fridley, Professor, Environmental and Forest Sciences and Mechanical Engineering

Early this morning (4/11) the Washington State Legislature was finally able to pass the supplemental operating and capital budgets that were needed to accommodate an ongoing revenue shortfall beleaguering our state. The budgets were passed shortly after the legislature had entered into *their third* special session – this was after suffering through an autumn 30-day special session, a regular 90-day session, and a spring 30-day special session. The struggles of the legislature have been thoroughly chronicled by the media across the state and the anticipated impacts of the supplemental budgets on the University have been discussed in analyses published on the UW Planning and Budgeting office's website. President Young's 4/11 note to the University of Washington community describes well the efforts and outcomes of the legislative session.

Broadly speaking, over the past three or four years we have seen our state's legislature move from being highly skeptical, if not outright hostile, toward the public baccalaureate educational institutions to clearly recognizing the importance of the results of our work – whether degree attainment, discovery and innovation, or healthcare – to the state and its people. This morning when legislative leaders spoke to the media about their work and frustration in developing and approving the operating budget, they were very quick and proud to proclaim that they had been fully successful in achieving a budget that did no further harm to education **including higher education**. This expression of higher education as a state priority is an extremely important change from recent years.

Despite our progress the next few years still stand to be highly challenging for public higher education. The economic recovery of the public sector is likely to be very slow. Nationally as well as here in Washington the pressure for higher education to find ways to get substantially more people educated to higher level degrees is increasing. So are the pressures to become *even more* efficient through innovative (or even not so innovative) technology and higher education business models. And pressure on state government to invest or reinvest in other government services will be increasing. It's hard to even imagine that by the beginning of the next session of the legislature (January 2013) the challenges in Olympia facing the University of Washington won't be every bit as severe as those we faced in this and recent years.

During their regular session the legislature passed a number of bills directly affecting postsecondary education in our state. A summary of these, copied from materials provided by the Senate Committee Services Office is appended. Feel very free to call or email me if you have any questions about bills that were passed by the legislature.

Respectfully submitted:
Jim Fridley
Professor and Faculty Legislative Representative

**Some of the Bills passed late last night (in order to pass the 2012 Supplemental Budget)**
**There were others too but these were some of the tougher ones**

HB 2127: Making 2011-2013 fiscal biennium supplemental operating appropriations (House 64-34; Senate 44-2)
HB 2824: Addressing comprehensive funding for education by developing a plan for full funding and by freeing certain existing revenues for support of the basic education program (Repeal of I-728; House 74-24; Senate 28-20)
SB 5940: Concerning public school employees' insurance benefits (House 53-45; Senate 25-20)
SB 6074: Funding capital projects (House 85-13; Senate 44-1)
SB 6378: Reforming the state retirement plans: (House 56-42; Senate 27-22)
SB 6636: Requiring a balanced state budget for the current and ensuing fiscal biennium (4yr balanced budget requirement; House 79-19; Senate 38-9)
SJR 8221: Amending the Constitution to include the recommendations of the commission on state debt (House 91-7; Senate 38-7)

**(MOST OF) THE BILLS RELATED TO POSTSECONDARY EDUCATION THAT PASSED IN 2012**
**All of the information below was copied verbatim from the Senate Committee Services website**

**SSB 5217: ALLOWING APPOINTMENT OF STUDENT MEMBERS ON THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES**

• Authorizes a college district board of trustees to establish a sixth trustee that must be filled by a student.

**SSB 6121: REQUIRING THE OFFICE OF STUDENT FINANCIAL ASSISTANCE TO PROVIDE A FINANCIAL AID COUNSELING CURRICULUM FOR INSTITUTIONS OF HIGHER EDUCATION**

**Signed by the Governor*

• Requires the Office of Student Financial Assistance to provide an online financial aid counseling curriculum to all higher education institutions participating in the State Need Grant (SNG) program by July 1, 2013.
• Requires the curriculum to include specific elements, such as an explanation of SNG program rules, an overview of student loan options and consequences, an overview of financial literacy, and student perspectives.
• Requires higher education institutions to take reasonable steps to ensure that each SNG recipient receives the financial aid counseling curriculum by referencing or linking to a website on the SNG Conditions of Award statement by the 2013-14 academic year.
• Allows institutions to also require non-SNG students to participate in the counseling.

**SSB 6468: REQUIRING STATE RESEARCH UNIVERSITIES TO ADOPT POLICIES GOVERNING INVESTMENT OF UNIVERSITY FUNDS**

• The Boards of Regents of the University of Washington and the Washington State University must adopt policies creating investment accounts.
• Public monies from operating funds not needed for immediate expenditure may be deposited into the investment accounts.
• The State Investment Board (SIB) is given full power to invest or reinvest funds in the investment accounts in a manner consistent with SIB investment and management standards.
• Income from SIB investments of investment accounts must be for the exclusive benefit of and credited to the state university, less SIB expense account allocations.
• Investment accounts are investment funds within the meaning of Article XXIX, section 1 of the State Constitution, for determining eligible investment and deposits.
• The SIB must report annually to the Ways & Means Committees of the House of Representatives and the Senate on investment activities for the investment accounts.
• The act takes effect if the proposed constitutional amendment (SJR 8223) is approved and ratified by the voters.

**ESSB 6486: GRANTING COLLECTIVE BARGAINING FOR POSTDOCTORAL AND CLINICAL EMPLOYEES AT CERTAIN STATE UNIVERSITIES**

• Allows postdoctoral and clinical researchers employed by the University of Washington and the Washington State University who are excluded from collective bargaining as faculty to participate in collective bargaining under the provisions of the Public Employees' Collective Bargaining Act.

**SSB 6574: AUTHORIZING CERTAIN CITIES IN WHICH STADIUM AND EXHIBITION CENTERS ARE LOCATED TO IMPOSE ADMISSIONS TAXES IN LIMITED CIRCUMSTANCES**

• The city of Seattle is allowed to collect an admissions tax at Century Link Field during 2012 for college or university games that are played at that location due to the temporary closure of the facility owned by that college or university.

• The city may impose a maximum admissions tax of 5 percent at these events, and the county may not impose an admissions tax at these events.

**SJR 8223: AMENDING THE CONSTITUTION TO PROVIDE CLEAR AUTHORITY TO STATE RESEARCH UNIVERSITIES TO INVEST FUNDS AS AUTHORIZED BY LAW, INCLUDING INVESTMENT IN STOCKS OR BONDS ISSUED BY ANY COMPANY**

• Contingent upon voter approval, the State Constitution is amended to allow public monies of the University of Washington and Washington State University held in investment funds to be invested as authorized by statute.

**2SHB 2156: REGARDING COORDINATION AND EVALUATION OF WORKFORCE TRAINING FOR AEROSPACE AND MATERIALS MANUFACTURING**

• Requires the State Board for Community and Technical Colleges, with certain training providers, to facilitate coordination and alignment of aerospace training programs.

• Requires an advisory committee of industry representatives, labor representatives, and training providers to perform certain duties, such as recommending training programs for review.

• Requires the Workforce Training and Education Coordinating Board to evaluate certain training programs every year and analyze the results of the training system every four years.

**HB 2292 is incorporated in its entirety into 2SHB 2156, as described below:*

• Makes available the Aerospace Training Student Loan Program to students enrolled in aerospace industry courses offered by Renton Technical College.

**SHB 2254: ENACTING THE EDUCATIONAL SUCCESS FOR YOUTH AND ALUMNI OF FOSTER CARE ACT**

• Extends the Passport to College Promise program from June 30, 2013, to June 30, 2022.

• Automatically enrolls foster children in grades 7-12, or ages 18-21 who have not graduated from high school in the College Bound Scholarship program.

• Requires the Department of Social and Health Services to contract with at least one nongovernmental entity to administer a program of education coordination for foster youth, to the extent that funds are appropriated. School districts must to work together to facilitate credit acquisition and on-time graduation for foster youth.

• Requires the Superintendent of Public Instruction (SPI) to report on the implementation status of the state's plan for cross-system collaboration to promote educational stability and improve educational outcomes of foster youth in consultation with others by December 1, 2012, and annually through December 1, 2015.

• Transfers reporting requirements with respect to educational experiences and progress of students in foster care from SPI to the Education Research and Data Center.

Higher Education & Workforce Development April

**SHB 2259: ELIMINATING CERTAIN DUPLICATIVE HIGHER EDUCATION REPORTING REQUIREMENTS**

• Repeals requirements in state law for institutions of higher education related to crime statistics reporting and campus safety plan development.

**HB 2292: INCLUDING RENTON TECHNICAL COLLEGE IN THE AEROSPACE TRAINING STUDENT LOAN PROGRAM**

**HB 2292 is incorporated in its entirety into 2SHB 2156.*

**SHB 2313: CONCERNING THE MEETING PROCEDURES OF THE BOARDS OF TRUSTEES AND BOARDS OF REGENTS OF INSTITUTIONS OF HIGHER EDUCATION**

• Restates that the governing boards of institutions of higher education must follow the procedures for open public meetings required under the Open Public Meetings Act.

• Requires the governing boards to provide time for public comment at meetings.

• Requires each governing board to make public its proposal for tuition and fee increases 21 days before the governing board considers adoption and allow opportunity for public comment. This requirement does not apply if the omnibus appropriations act has not passed the Legislature by May 15.

**SHB 2352: CONCERNING INSTITUTIONS OF HIGHER EDUCATION SERVICES AND ACTIVITIES FEES**

• Requires institutions of higher education to annually post Services and Activities Fees expenditure information on their website by September 30. The information must be clearly visible and easily accessible.
• Requires the Services and Activities Fees budget information to include, at a minimum, all the major categories of expenditure and amounts expended in each category.

**E2SHB 2483: REGARDING HIGHER EDUCATION COORDINATION**

• Creates the Student Achievement Council (Council) to propose goals for increasing the educational attainment in Washington and to monitor progress toward meeting those goals, propose improvements and innovations needed for educational attainment, and to advocate for higher education.
• Creates a nine-member council, made up of five citizens, one of which is a student, and one representative each from the following: the four-year institutions; community and technical college system; the independent, non-profit institutions; and the K-12 education system.
• Requires the Council to employee an executive director, to be appointed by the Governor from a list of three names submitted by the Council.
• Moves the Office of Student Financial Assistance under the direction of the Council.
• Creates a Joint Higher Education Committee to review the work of the Council and provide legislative feedback; to create greater communication, coordination, and alignment between the higher education system and expectations of the Legislature; and provide recommendations for higher education policy. The Committee is made up of four senators and four representatives.

**3SHB 2585: CREATING EFFICIENCIES FOR INSTITUTIONS OF HIGHER EDUCATION**

• Allows institutions of higher education to do the following: (1) make advance payments for equipment maintenance services to be performed up to 60 months after such payment, rather than the current 12 months; (2) implement compensation changes for health care special pay classifications and other identified health care classifications, without getting approval from the Human Resources Director at the Office of Financial Management; (3) require salary and wage payments via direct deposit or alternate payment methods such as payroll cards; and (4) use appropriate means for making and paying for travel arrangements.
• No longer requires formal competitive bidding processes for purchases or personal services contracts at institutions of higher education under $100,000. However, institutions of higher education must include quotations from at least three vendors and keep documented evidence of these quotations for audit purposes for purchases between $10,000 and $100,000.
• Makes local operating fee accounts subject to allotment procedures by budget program and fiscal year and requires allotments to be spent in such a ratio as to conserve appropriated funds.
• Requires institutions of higher education to report on the amount of savings from this Act and how such savings were used to promote student academic success by January 1, 2017.

Report of the Faculty Athletic Representative
Roland "Pete" Dukes, Professor, Accounting

The first seven months of my new role as the University of Washington Faculty Athletics Representative has been a fast paced learning experience. The role involves more day to day oversight of eligibility issues, academic performance issues, and medical issues than I would have expected. That said, I am confident and comfortable with performing these duties and more generally monitoring the world of our student athletes.

Thanks in large measure to prior efforts and initiatives by my predecessor, Professor Pat Dobel, and the senior leadership team at the Department of Intercollegiate Athletics (ICA), I can report that from my perspective, the welfare of our student athletes is well monitored and supported by the University and ICA. Procedures and policies are in place to ensure that student athletes are in compliance with University, Pac-12 Conference, and NCAA rules, regulations and requirements. Further, our student athletes are getting the advising and academic support they need to succeed as students. I appreciate that during this rapid learning phase of my assignment I have not had to deal with any major student, university or conference issues.

There are, however, issues that will require continued attention and assessment. These deal largely with Pac-12 Conference and NCAA changes that are being considered. Specifically, with the evolution of the Pac-10 into the Pac-12, there are new marketing, media and exposure issues that can and will affect our student athletes. The Pac-12 has entered into media contracts that will require Conference football and basketball programs to schedule midweek competitions. My fellow Pac-12 FARs and I are constantly monitoring this and are looking for ways to minimize the impact on our student athletes. For example, the senior leadership of ICA have requested that if Washington is scheduled for a midweek football game, that the game be scheduled in September before the start of Autumn Quarter. We will also be working to minimize the missed class time associated with midweek basketball games.

At the NCAA level, the former President of the University of Washington, Mark Emmert, is leading a number of initiatives that focus on improving the welfare of student athletes, that reduce the bureaucracy of rules of the NCAA, that increase the focus on having student athletes succeed academically, and that take aim at eliminating and, when appropriate, providing severe penalties to egregious situations of non-compliance with NCCA rules and regulations. Mark and his leadership team is attempting to implement several paradigm shift type changes by appealing directly to university presidents and other CEOs of member institutions rather than having such changes emanate from the normal membership driven Committees, Cabinets and Councils. The ICA senior leadership team and I are generally in agreement with supporting the initiatives that are coming from Mark Emmert and the university presidents. However, there is a great deal of resistance by some conferences and athletic departments at some institutions. Change will come more slowly than Mark would have expected and hoped for.

Nonetheless, I feel many of these changes are desirable and will be working to support them. Specially, there is an initiative that would allow institutions to provide financial support to student athletes that would cover the "full cost of attendance" at their institution. Currently costs that can be covered by student athlete grant-in-aids are: tuition and books, room and board. Every student, be they student athlete or not, has expenses beyond these four items. The NCAA is requesting that institutions have the option to include in financial support for student athletes a very modest allowance these other sundry costs, and in general cover these other costs associated with being a regular student beyond the four covered items listed above. This is a controversial topic with many NCAA member institutions, I believe in part because they cannot afford to do it and thus do not want other institutions to do it.

In general I am pleased with the academic success our student athletes are enjoying. Our graduation rates are second only to Stanford in the Conference, and our student athletes are performing at academic achievement levels very similar to our overall student body. To be this successful our student athletes need considerable academic support in the form of advising, counseling, and from time to time, tutoring. I am pleased that the senior leadership of ICA recognizes its responsibility in these areas and is providing the resources needed to support our student athletes. My primary efforts will continue to be looking out for the welfare of student athletes at Washington, working to help them succeed as students.

**2011-2012 Representative (Ex-officio) Faculty Council and Committee Nominations**

**Faculty Council on Benefits and Retirement** (Meets Mondays at 10:30)

- Diane Guerra, Professional Staff Organization, as an *ex-officio* member with vote for a term effective immediately and ending September 15, 2012.

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

- Deva Wells, Graduate and Professional Student Senate, as an *ex-officio* member with vote for a term effective immediately and ending September 15, 2012.

**Faculty Legislative Representative**

- Approve for Faculty Senate consideration, Jim Fridley, Professor, Environmental and Forest Sciences and Mechanical Engineering, as the 2012-13 Faculty Legislative Representative.

**Delegation of Authority for Select Faculty Appointments**
**Class A Legislation Proposed by the Faculty Council on Faculty Affairs**
**Chapter 24-52 and 24-53**
**Justification Statement and Proposed Language**

Rich Christie, FCFA Chair

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

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

The language of the proposed change follows, with proposed additions underlined.

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**Section 24–52 Procedure for New Appointments**

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

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

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

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

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

   1. If the appointment is to be a departmental one other than that of chair, the chair shall submit all available information concerning candidates suggested by the department, the chair, or the dean to the voting members of the department faculty. The majority of the voting faculty of an academic unit may delegate authority to recommend the appointment of affiliate or clinical faculty, research associates, or annual or quarterly part-time lecturers to an elected departmental committee. In an undepartmentalized college or school, this delegation may be made to an elected college or school committee. The delegation shall expire one calendar year after it is made.

      Recommendations in favor of appointment, based on a majority vote of such members or on the delegated authority of the faculty, shall be sent with pertinent information to the appropriate dean.

If the chair concurs in the department recommendation, the dean shall make a decision concerning the appointment and, if it is favorable, shall transmit it together with the vote of the department and the recommendation of the chair to the President. In the unusual case where the chair does not concur in the department recommendation, he or she may communicate objections to the dean and may also submit a separate recommendation to the dean from among the candidates who have been considered by the department. If the dean concurs in the chair's recommendation, or has additional information which raises doubts concerning the department's recommendation, or finds that the President has such information, the dean shall refer the matter again to the department along with an explanation and comments. After considering the evidence, the department may then either reaffirm its original recommendation, or transmit a new one. After the department's final recommendation has been sent to the dean, the dean shall make a decision concerning the appointment and, if an appointment is to be recommended, shall transmit it together with the final recommendation of the department and the recommendation of the chair to the President.

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

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

**Section 24–53 Procedure for Renewal of Appointments**

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

A. The voting members of the appropriate department (or undepartmentalized college or school) who are superior in academic rank or title to the person under consideration shall decide whether to recommend renewal or termination of the appointment. Research faculty shall be considered by voting faculty who are superior in rank to the person under consideration, except that the voting faculty at rank of professor shall consider whether to recommend renewal or non–renewal of the appointment of a research professor. Faculty with instructional titles outlined in Section 24–34, Subsection B shall be considered by voting faculty who hold a professorial rank or instructional title superior to the person under consideration. The majority of the voting faculty of an academic unit may delegate authority to recommend the renewal of all affiliate or clinical faculty, research associate, or annual or quarterly part-time lecturer appointments to an elected departmental committee. In an undepartmentalized college or school, this delegation may be made to an elected college or school committee. The delegation shall expire one calendar year after it is made.

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

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

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

*Section 13–31, April 16, 1956; S–A 41, April 3, 1972; S–A 60, June 25, 1979; S–A 81, January 30, 1990; S–A 94, October 24, 1995; S–A 124, July 5, 2011: all with Presidential approval.*

**Changes to "Without Tenure" Appointment Term Length**
**Class A Legislation Proposed by the Faculty Council on Faculty Affairs**
**Chapter 25-32**
**Justification Statement and Proposed Language**

Rich Christie, FCFA Chair

The Faculty Code §25-32 presently provides that appointment as associate or full professor "without tenure" is for a term of not more than three years. While this term has proven sufficient for faculty hired from other institutions who have existing academic research programs, some units find that "without tenure" hires from industry need more time to transition to academic research and properly establish their research program.

Recognizing the value to the University of faculty with significant industrial experience, the proposed change to the Faculty Code will allow "without tenure" faculty appointments to be made either for a term of not more than three years, as at present, or for a term of three years with a possibility of renewal for another three years.

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**Section 25-32 Criteria for Tenure**

A. Unless he or she is disqualified under any other provision of this section, a full-time member of the faculty has tenure if:
   1. He or she is a professor or associate professor; or
   2. He or she has held full-time rank as assistant professor in the University for seven or more years and has not received the prescribed notice terminating his or her appointment.

B. Generally, recommendation for tenure (Section 25-41) is made concurrently with recommendation for promotion to the rank of associate professor (except in the circumstances listed in the subsequent paragraphs of this section.) Only under exceptional circumstances may a faculty member with the rank of assistant professor be recommended for tenure without promotion.

C. A faculty member does not acquire tenure under:
   1. An acting appointment, or
   2. A visiting appointment, or
   3. Any appointment as lecturer, artist in residence, senior lecturer, senior artist in residence, principal lecturer, or
   4. Any initial appointment specified to be without tenure, or
   5. An adjunct appointment, or
   6. A research appointment, or
   7. A clinical appointment, or
   8. An affiliate appointment, or
   9. Any other appointment for which the University does not provide the salary from its regularly appropriated funds, unless the President notifies the appointee in writing that tenure may be acquired under such appointment. Each appointment governed by this provision shall contain notice whether tenure may or may not be acquired.

D. Appointments to the rank of associate professor or full professor "without tenure," as specified in Subsection C.4 above ~~are limited to not more than three years.~~ shall be made in one of two ways. They at the time of appointment shall be limited to not more than three years. In the alternative, at the time of appointment a "without tenure" appointment may provide for the option of a second three year appointment if renewal is granted. In such case the appointment provisions in Section 24-41A are applicable. Appointments to the rank of associate professor or full professor "without tenure by reason of funding," as specified in Subsection C.9 above, are continuing appointments governed by Chapter 24, Section 24-41.

E. A faculty member with tenure may resign a portion of his or her appointment with the agreement of his or her department chair, dean, and the President, while retaining tenure in his or her part-time appointment.

F. A part-time assistant professor appointed pursuant to Chapter 24, Section 24-45 accumulates eligibility for tenure under Subsection A of this section.

G. Time spent on leaves of absence from the University does not count in the accumulation of time toward tenure.

*Section 13–31, April 16, 1956; S–A 22, April 18, 1958; S–A 25, October 29, 1959; S–A 26, December 19, 1960; S–A 32, May 8, 1967; S–A 37, February 8, 1971; S–A 41, April 3, 1972; S–A 61, February 22, 1980; S–A 67, December 5, 1983; S–A 78, December 14, 1988; S–A 81, January 30, 1990; S–A 98, June 2, 1998; S–A 124, July 5, 2011: all with Presidential approval.*

**Multi-Year Part Time Lecturer Appointments**
**Class A Legislation Proposed by the Faculty Council on Faculty Affairs**
**Chapter 24, Section 24-41**
**Justification Statement and Proposed Language**

Rich Christie, FCFA Chair

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

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

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

The language of the proposed change follows, with additions underlined and deletions with a strikeout.

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**Section 24–41 Duration of Nontenure Appointments**

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

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

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

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

B. Lecturer and Artist in Residence

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

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

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

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

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

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

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

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

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

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

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

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

2. Should the above decision result in a postponement, during the third year of the initial appointment the dean shall decide whether:

a. The appointment is to be renewed under the above provision for reappointment or
b. The appointment is not to be renewed; if it is not renewed, the basic appointment is extended to include a fourth and terminal year.

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

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

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

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

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

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

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

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

*Section 13–31, April 16, 1956; S–A 31, December 28, 1966; S–A 41, April 3, 1972; S–A 42, June 9, 1972; S–A 49, December 4, 1975; S–A 62, December 2, 1980; S–A 64, May 29, 1981; S–A 67, December 5, 1983; S–A 68, April 19, 1984; S–A 81, January 30, 1990; S–A 98, May 12, 1998; S–A 102, July 7, 2000; S–A 108, June 21, 2002: all with Presidential approval; RC, June 19, 2008; S–A 124, July 5, 2011 with Presidential approval.*