

**UNIVERSITY OF WASHINGTON
FACULTY SENATE
FACULTY COUNCIL ON FACULTY AFFAIRS**

The Faculty Council on Faculty Affairs met on **Monday, June 8, 1992** at 12:15 p.m. in the Faculty Club. Chair Charles Hirschman presided.

PRESENT: Professors Hirschman (Chair), Ammerlahn, Andrews, Benjamin, Brandt, and Martin; ex officio members Ehreth, Helleloid, Johnson, McFeron, and Olswang; guests Professors John Bollard, Warren Guntheroth, Norman Rose, John Stewart, Miceal Vaughan; and Ms. Karen Boxx.

ABSENT: Professors Gale,* and Hopkins;* ex officio members Spratlen and Yung.

* Excused.

Minutes

The May 5, 11 and 19 minutes were approved.

Adjudication Procedures

Consideration of the first draft of the Code revisions

Ms. Boxx introduced the draft Code revisions. She noted that some of the text is new language, some is identical to the current Chapter 28 and some, particularly the Brief Adjudicative Procedures (BAPs) will be taken from the Administrative Procedures Act (APA). She requested Council input on several points:

- The major change to the present 28-31E. Page 5 of the draft contains a proposed replacement that would satisfy the concerns expressed by Professor Peck.
- Time limit recommendations
- Regarding the Brief Adjudicative Procedures, Ms. Boxx said that generally the controversy will be trying to decide which issues should be considered by the BAPs
- Regarding the comprehensive process, whether prior to the hearing the non-voting hearing officer will have a vote on procedural decisions.
- Quantum of proof
- Confidentiality of hearings
- Identification of issues to be considered by the BAPs and the comprehensive procedures

Comments by participants:

- Time limits should allow for Summer Quarter faculty schedules.
- Provision should be made for the President of the Board of Regents to consider appeals in cases in which the President is a party.
- Cross-reference as necessary those parts of the Faculty Code and/or Operations Manual relating to scientific misconduct, sexual harassment and promotion and tenure.

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- Where appropriate, cross- reference the Draft Code with relevant sections of the APA (such as concerning exhaustion of internal remedies).
- The adjectives "informal" and "formal" should be replaced with words that do not give any hint of informality to the BAPs.
- Address the question "Which cases can the Provost take to a panel?" Should the penalty decide it?
- The 28-31E issue: protection is needed for the occasional unfairness in promotion or tenure decisions.
- Should hearing panels consider questions of merit in promotion and tenure decisions? Should the hearing panels adjudicate substantive claims of scientific misconduct and sexual harassment but not the substantive discussion of promotion and tenure decisions?

The GPSS representative said that from a student's perspective the issue in sexual harassment is the student victim's mandatory participation in both the Human Rights Office investigation and the adjudication process. The student should not have to go through both processes. The hearing panel should review the Human Rights Office investigation process.

Organization of work

Ms. Boxx will redraft the text taking into account the comments made at the meeting. Each new revision will be identified by date and the changes redlined. Specific language changes can be sent to Ms. Boxx at 1201 3rd Avenue, Suite 3200, Seattle, WA 98101 or faxed at 623-3384. Her phone number is 623-1900.

The meeting was adjourned at 2:10 p.m.

Katie Murray
Recorder