

MEMORANDUM
UNIVERSITY OF WASHINGTON SCHOOL OF LAW

April 4, 1994

TO: Ron Dear, Chair
Faculty Senate

FROM: Rob Aronson
Tom Andrews

RE: Amendments to Adjudication Procedures

We are greatly disappointed by the action taken by the Senate Executive Committee at its last meeting. We know that you and the SEC are sincerely attempting to produce a procedure that will be fair and effective, and that John Junker has only the best motives, as well. However, we strongly believe that the amendments adopted are undesirable, undermine the compromises reached by the Joint Senate-Administration Task Force, ignore the work of the Faculty Council on Faculty Affairs (FCFA), fail to comport with the sense of the Faculty Senate, and will engender bad feelings and bad publicity among the students, staff and public.

The problems that exist in the present Adjudication Procedures caused dissatisfaction on the part of both the Administration and Senate. The desires and interests of the two groups, while identical in many respects (e.g., fair and speedy resolution of disputes, with the least amount of animosity and expense), diverge in a number of respects. The members of the Joint Task Force recognized the need to compromise on some issues in order to have the overall package acceptable to both. Many of the concessions made by the Administration were premised upon similar concessions by the faculty.

Once the Joint Task Force recommendations were forwarded to the FCFA, that Committee spent essentially two years developing a coherent, fair, efficient system. Measures were adopted in one area to offset potential problems in another. Compromises were made in order to ensure that the overall structure would meet the stated goals of the Joint Task Force and FCFA. Different constituents strongly urged varying positions on many issues, and the FCFA attempted to reconcile those competing positions in a fair and responsible manner. Thus, for example, the Special Committee on Faculty Women, students, staff, and others argued that it should not be unreasonably difficult to take remedial action against a professor who had sexually harassed a faculty member, student, or staff person. Faculty members, on the other

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