

UNIVERSITY OF WASHINGTON
FACULTY SENATE EXECUTIVE COMMITTEE

Continued Meeting of 11 October 1993

The Faculty Senate Executive Committee met at 2:30 p.m. on Monday, 11 October 1993, in Room 142 Administration Building. Acting Chair Ronald Dear presided.

PRESENT: Acting Chair Dear, Secretary of the Faculty Bollard, and President Gerberding; Group Representatives Gowing (I), Goldblatt (II), Burnett (III), Dull (IV), Vaughn (V), Nece (VI), Guntheroth (VII), Koenig (VII), and Wolf-Wilets (VIII); Council Chairs Craven (FCCE), Kalonji (FCIQ), Smith (FCR), Stewart (FCFA), and Taricani (FCCS&UR); ASUW President Gheewala and GPSS President Turner; regularly invited guests Provost Clough, Special Assistant to the President Ferrill, and CFR Representative Junker; guests Professors Rob Aronson (Law), Tom Andrews (Law), and Miceal Vaughan (English); Ms. Karen Boxx (attorney).

ABSENT: Chair Worthington-Roberts*; Council Chairs Coldewey, Lamont*, Novack*, and Purcell*; Faculty Legislative Representative Zagona*, Deputy Faculty Representative Egan, and regularly invited guests Special Ass't to the Provost Flores and Branch Campus Representative Kalton. (* excused)

NOMINATIONS AND APPOINTMENTS

The SEC approved the appointment of Professor Jim Clauss (Classics) to serve on the Appeal Review Panel for a term ending 1996.

PLANNING AND BUDGETING

Provost Clough reported that the committee has been discussing how the university will respond to the request of the HEC Board to define "faculty workload." Because there is confusion and anxiety among the faculty regarding this topic, an explanation will be made at the 21 October Senate meeting.

ADJUDICATION REVISIONS (Volume II, Chapter 28, Adjudicative Proceedings for the Resolution of Differences)

Acting Chair Dear provided a brief history of the legislation and explained that, since a quorum was not present at the last Spring Quarter Senate meeting, the proposed revisions must be considered again by the new Executive Committee for possible action.

A motion was made by Professor Goldblatt to present the proposed revision of Chapter 28, as presented last spring by the Faculty Council on Faculty Affairs, to the Senate floor for a first reading. Before discussion of this motion, Professor Stewart explained why the adjudication process must be changed, and the reasoning behind the proposed revisions; Professor Vaughan presented the major concerns raised last year regarding the FCFA proposal, and provided amendments to resolve some of the objections.

After a request from Acting Chair Dear as to how to proceed with the discussion, it was decided to consider the proposed amendments individually:

Section 28-54 (Burden of proof and participation of non faculty on panels): A motion was made by Professor Gowing to accept the amended version of Section 28-54 using the super majority provision. In opposition to this motion, Professor Andrews explained that this issue was thoroughly discussed last year, and he and the Council felt strongly that a simple majority vote requirement was much preferred to a two-thirds super majority vote. Requiring 80% approval on a five-person panel is not consistent with the preponderance-of-evidence standard of proof. He agreed, however, that when there is a mixed panel the majority vote should consist of at least two faculty members. Non-faculty panel members will never control the vote because the revision was designed so that no more than two non-faculty members will ever serve on a mixed panel at one time.

Professor Vaughn commented that the preponderance-of-evidence standard of proof is used most commonly off campus in both civil cases and in labor negotiations. In cases where people can lose their licenses, the clear and convincing standard of proof might be used; however, there is some flexibility in actual practice between the standards.

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