

UNIVERSITY OF WASHINGTON  
FACULTY SENATE EXECUTIVE COMMITTEE

Continued meeting of 22 November 1993

The Faculty Senate Executive Committee met at 3:00 p.m. on Monday, 22 November 1993, in Room 142 Administration Building. Chair Ronald B. Dear presided.

**PRESENT:** Chair Dear, Secretary of the Faculty Bollard, and President Gerberding; Group Representatives Gowing (I), Goldblatt (II), Burnett (III), Dull (IV), Nece (VI), Guntheroth (VII), Koenig (VII), and Wolf-Wilets (VIII); Council Chairs Kalonji (FCIQ), Stewart (FCFA), and Taricani (FCCS&UR); Faculty Legislative Representative Zagona, ASUW President Gheewala, and GPSS President Turner; regularly invited guests Provost Clough, Special Assistant to the President Ferrill, CFR Representative Junker, and Joint Branch Campuses Chair, Kalton.

**ABSENT:** Group Representative Vaughn\*; Council Chairs Coldewey, Craven\*, Lamont\*, Novack\*, Purcell, and Smith; Deputy Faculty Representative Egan; and regularly invited guest Special Ass't to the Provost Flores. (\*excused)

**APPROVAL OF SENATE AGENDA**

The agenda for the 2 December 1993 Senate meeting was approved with the exception of Item 8 (Chapter 28 adjudication legislation) which, instead of being introduced as Class "A" legislation, will become an item for discussion on the agenda.

**CONTINUED DISCUSSION OF ADJUDICATION REVISIONS**

Distributed for discussion were: an updated version of the FCFA proposed revisions that included changes made up to 22 November 1993, a revision to Section 28-32A regarding hearings initiated from HRO investigations prepared by Professor Guntheroth, a memorandum from Professor Andrews describing what changes were necessary in the *Faculty Code* to coordinate Chapter 28 with Chapter 25-71, a copy of Section 25-71 (Standard of Conduct) of the existing *Code*, a copy of Section D 46.3 of the *Operations Manual* explaining the "Human Rights Complaint Procedures," and a memorandum from the GPSS explaining its position in opposing all of the proposed revisions presented by Professor Guntheroth. Before discussion started, a motion by Professor Dull to allocate no more than ten minutes to each proposed revision by Professor Guntheroth failed.

Professor Stewart introduced the memo from Professor Andrews and explained how and why it will be necessary to coordinate some of the proposed revisions of Chapter 28 with other sections of the *Faculty Code*.

A motion was made by Professor Guntheroth to insert into Section 28-32A after "...the Provost shall determine whether such reasonable cause exists." the following:

If the report is filed by the Human Rights Office, the Provost shall first appoint a special committee of three faculty members who are not involved in the matter being considered and who are members of the Adjudication Panel. No member of this special committee shall subsequently serve on any Panel hearing or reviewing any adjudication arising out of or related to the matters set forth in the report. The special committee shall assist and advise the Provost in his or her evaluation of whether reasonable cause exists.

Ms. Boxx suggested that, in order to allow the Provost more time to consider a case under the above ruling, the following might be added at the end of Section 28-35A (Time Limitations):

...provided that in cases where the report was filed with the Provost by the Human Rights Office, the Provost shall file the Notice of Request for Adjudication and Petition within 45 days after receipt by the Provost of such report.

During discussion, opponents to the motion said it would add an unnecessary layer of bureaucracy to the adjudicative proceedings; faculty members are already adequately protected against unfounded accusations and/or from excessive zeal in prosecution by the Provost; it will add additional time to an already lengthy process; the Human Rights Office (HRO) is a professional body especially trained to handle discrimination-type cases and does not need a faculty committee to oversee its findings; to remain impartial, the HRO should be independent from faculty jurisdiction; the

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