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CWU Faculty Senate Minutes - 12/23/1973

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Faculty
Central Washington State College
Campus

Dear Colleagues:

The purpose of this letter is to inform you of the progress of the Faculty Senate's processing of the President's Proposed Faculty Code, Draft #6. On December 11 the Senate concluded its review of that lengthy document and has forwarded our recommended changes to the President and the Board of Trustees.

President Brooks has been asked by the Senate to consider these recommendations and to return to the Senate (on or before January 6, 1975) an addendum to Draft #6 listing those changes he feels he can recommend. Final Senate action (accept or reject) on the entire proposed code is scheduled for the January 8, 1975 Senate meeting. It is expected that President Brooks will present his proposed code to the Board of Trustees for their action at the February Board meeting.

I have included with this letter a list of the recommended changes approved by the Faculty Senate and President Brooks has indicated that he will distribute his addendum to the entire faculty. I encourage you to go over both documents and to talk with your Faculty Senators so that they may have the benefit of the best faculty advice on this important matter.

Sincerely,

Duncan McQuarrie
Chairperson, Faculty Senate

Enclosure
cc: Dr. Brooks
RECOMMENDED CHANGES IN THE PRESIDENT’S PROPOSED FACULTY CODE, DRAFT #5*

1. The Faculty Senate recommends that the following version be substituted in place of the entire Section 000-099:

0.01 Code of Personnel Policy and Procedure—Defined

A. The Faculty Code of Personnel Policy and Procedure of Central Washington State College is a set of policies approved by the Board of Trustees pursuant to the board’s authority in RCW 28B.40.120, subsection (11), wherein the Legislature provided authorization to "...promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the college."

B. This code is contractually binding on the faculty as defined in Section 1.01, the college administration, and the Board of Trustees. Provisions may be changed in accordance with procedures provided in Section 0.10.

C. All college policies and procedures are subject to federal laws, to the laws of the State of Washington and the authority vested in the Board of Trustees. Nothing in this code shall be construed as an abrogation or an extension in any way of any responsibility or power vested in the Board of Trustees by the laws of the State of Washington, nor does this code limit the right of the Board to undertake other contractual obligations concerning the college that are equally binding, or to approve other policy statements concerning the college, or to delegate administrative authority to the President of the College, his principal administrators and the college faculty. Any authority delegated is subject always to the ultimate authority of the Board of Trustees, as established and empowered by the laws of the State.

All provisions of this code may be subject to and superseded by Washington State Legislative Enactments.

0.05 Repeal of Certain Board Ordinances and Rules

A. The Board of Trustees of Central Washington State College hereby repeals any and all ordinances and policies adopted by the Board and any and all rules adopted by the Board which are contrary to or inconsistent with the provisions in this revised code. The

*The words "he, him, his, man" and the like shall be understood in their general, rather than masculine sense.

*Approved by the Faculty Senate and forwarded to the President and the Board of Trustees.
enumeration in this code of certain rights and duties shall not prohibit the college administration from adopting and retaining operational rules which are not in conflict or inconsistent with the rules contained in this code. Any pending action or proceeding shall not be affected by this code except that subsequent proceedings therein shall conform with the provisions of this code so far as applicable.

0.10 Procedure to Amend the Faculty Code—Regular Procedures

A. Proposals for amendments to the Faculty Code of Personnel Policy and Procedures may be initiated by the Board of Trustees, any board member or members, the Faculty Senate, the President, or faculty member(s).

The procedure for amendment to the code through such proposals shall be as follows:

(1) Amendment proposals submitted to the Board of Trustees by the President or any board member(s) shall be submitted in addition and at the same time to the Faculty Senate. All Senate review of the proposals shall be completed within sixty (60) calendar days of the academic year after receipt of such proposals and at or before the end of such sixty (60) day period the Senate shall submit a report to the Board of Trustees and the President stating the position of the Faculty Senate and/or the faculty regarding the President's or board members' amendment proposal. Proposals rejected by either the Faculty Senate or the faculty shall be submitted for resolution of differences under procedures described in Section 0.10, Subsection A, (5).

(2) Amendment proposals submitted to the Board of Trustees by the Faculty Senate shall be submitted in addition and at the same time to the President. The President and Board reviews of the proposals shall be completed within sixty (60) calendar days of the academic year after receipt of such proposals and at or before the end of such sixty (60) day period the Board and the President shall submit reports to the Faculty Senate stating their respective positions on the Senate's amendment proposals. Proposals rejected by the President or the Board of Trustees shall be submitted for resolution of differences under procedures described in Section 0.10, Subsection A, (5).

(3) Senate and faculty action on amendment proposals originating with the faculty shall proceed as follows:

(a) A faculty member may originate an amendment proposal by submitting it to the Senate, accompanied by the supporting signatures of at least 10 percent of all faculty members as defined in Section 1.01 of this code.
(b) After submission of the amendment proposal to the Senate, the Senate Code Committee shall consider the rationale for the proposal and may recommend such changes in the form and substance of the proposal as it deems necessary.

(c) The amendment proposal, accompanied by recommended changes by the Code Committee, and at the same time notice of public hearing on such proposal before the Code Committee shall be submitted to each faculty member in writing at least ten (10) calendar days of the academic year before said public hearing is to be held.

(d) After the public hearings the Code Committee shall report to the Faculty Senate. The senate shall then consider the amendment proposal and vote on it. If the proposed amendment passes the Senate by a two-thirds majority, it shall then be submitted to the Board of Trustees and the President, and be duly acted upon as in Section 0.10, Subsection A, (2).

(4) The faculty may override the action of the Senate through the procedures for faculty review provided in this code.

(5) The Board of Trustees may take action on any proposal previously submitted by the Faculty Senate, the President, board member(s) or faculty member(s) not less than thirty (30) calendar days of the academic year after submitting the final amendment proposal to the Faculty Senate and the President, observing these provisions:

(a) The Board may immediately adopt the proposal if the President, the Faculty Senate and/or the faculty have approved it.

(b) All evaluations, recommendations, and positions taken formally by the Faculty Senate and the President will be given serious consideration and study by the Board of Trustees. The Trustees shall present reasons, in writing, to the Faculty Senate and President, if the Board rejects their proposals or recommendations. Such disagreements will be submitted for resolution of differences under procedures described in Section 0.10, Subsection A, (5), (c).

(c) No board actions amending this Code of Personnel Policy and Procedures shall be taken without the consent of the Senate and the President. If objections are filed by the Faculty Senate or the President, at least two (2) meetings attempting to resolve differences shall be held between the President, the Faculty Senate Executive Committee, and the Board of Trustees within thirty (30) calendar days of the academic year. These meetings shall
be open to all interested parties and shall provide for all parties to be heard publicly, according to procedures promulgated by the group designated to meet to resolve differences. If and when such differences are resolved in said meeting(s), the Board of Trustees shall proceed at its next regular meeting to act to adopt the amendment so agreed to. If, at the conclusion of these meetings, any party (Board of Trustees, Faculty Senate Executive Committee, President) refuses to accept all or part of the proposed amendment, that party may declare that an "impasse" exists, in which case the following procedures shall be followed:

(i) Within fifteen (15) calendar days of the academic year, following a formal declaration of "impasse," an Impasse Committee shall be designated, shall deliberate the issue(s) involved, and shall render a majority decision, which shall be considered binding on all parties. The Impasse Committee shall be comprised of the following persons:

(aa) One person designated by the Board of Trustees;

(bb) One person designated by the President.

(cc) Two persons designated by the Faculty Senate.

(dd) One committee chairperson designated by unanimous agreement of the above committee members.

(ii) The Impasse Committee shall provide written notification of its decision(s) to all affected parties. At its next regular meeting, the Board of Trustees shall take any and all action necessary to implement the Impasse Committee's decision(s).

(6) As a general rule, board, president, faculty senate and faculty action on the code shall be completed within the regular academic year, as defined in Section 1.03 of this Faculty Code. This is to allow the President's Office to issue an updated code on September 1 of each year, and to cause all action on code revision to take place during the academic year.

(7) In order to assure that the Faculty Code of Personnel Policy and Procedure is kept under study, and updated, the Faculty Senate Code Committee and the President of the College shall review the code each year and submit their proposed revisions to the Board of Trustees and the Faculty Senate before January 1. Such proposals may be made jointly or independently.

(8) Interpretations of this code will be approved by the Board of Trustees who will direct the President to change the text as
necessary to reflect the interpretations. The procedures outlined in this Section (0.10) shall be followed.

0.15 Delegation of Board Authority

A. Unless the Board of Trustees specifically delegates its authority by formal motion or resolution to specific individuals or groups, only it may authorize appointments, leaves, promotions and other employment conditions and privileges contained in this code.

2. The Faculty Senate recommends the following changes in Sections 100-199:

A. 1.05, A. Insert the words "and student representatives" after the parenthetical matter in the last sentence.

This section would then read as follows:

1.05, A. The voting of part-time Faculty (not included in Section 1.01) and student representatives on departmental matters shall be determined by the full-time faculty of the department.

B. 1.25 to include "The President of the College, ex officio."

C. 1.25 A.1. The Senate recommends that no new department nor program representatives be added to the Senate membership in this revision of the Code.

D. 1.100 B. The Senate recommends that the words "nor shall any two members or alternates be from the same department" to the last sentence.

E. Section 1.01, A.1. by striking the period after the word "Education" and inserting the phrase "and other professional designations as approved by the Faculty Senate and the Board of Trustees."

F. 1.07 should be deleted and instead should be included in the faculty handbook.

G. 1.06, everything after the word "exposition" on line 8 in part A should be deleted.

3. The Faculty Senate recommends the following changes in Sections 200-299:

A. 2.14, A. (3) to strike the word "is" in line one and insert the words "may be" and add the words "with a salary adjustment of up to 1/9 of the salary of the current academic year being made for the additional period of service to the college" at the end of the first sentence.
This section would then read as follows:

2.14, A. (3) A Teaching Associate may be appointed to a yearly term of service in conformity with the local public school schedule with a salary adjustment of up to 1/9 of the salary of the current academic year being made for the additional period of service to the college. A Teaching Associate may be appointed to full or part-time assignments.

B. 2.14, A. (5) to add the words "and shall be entitled non-reappointment notification as outlined in Section 3.60 of the Code."

This section would then read as follows:

2.14, A. (5) A Teaching Associate shall have all responsibilities, obligations, rights, and privileges as provided for in this code for faculty as defined in Section 1.01, unless otherwise restricted by the provisions of this code and shall be entitled to non-reappointment notification as outlined in Section 3.60 of the Code.

C. 2.18 Senior Instructors, to delete the entire section.

D. 2.19, A. to delete the last sentence.

E. 2.27 to delete Sections B and C and list Section D as Section B.

F. 2.30, A. (3) Strike the word "shall" and insert the word "may" in the first line on page 29.

G. 2.30, A. (4) paragraph 3. Insert the word "eligible" after the word "each." Strike everything after the word "member," and insert the words "indicating what his priority ranking is."

This section would then read as follows:

2.30, A. (4) paragraph 3. The school dean or unit director will prepare lists, by rank, of faculty members within the school or unit who are recommended for promotion. After the list has been prepared, the dean or director will review the list with each department or section chairman and representative. The dean or director will notify each eligible member, indicating what his priority ranking is.
H. 2.30, A.(6) Strike everything after the word "notify" and insert "all eligible faculty members, indicating to each what his priority ranking is" in the last full sentence on page 29.

This section would then read as follows:

2.30, A.(6) The Vice President for Academic Affairs.... a cost analysis. He will notify all eligible faculty members, indicating to each what his priority ranking is... The President will review...

I. 2.40, B. Strike the words "be approved" and insert the words "require approval" and strike the words "does not" and insert the word "will."

This section would then read as follows:

2.40, B. Consulting and other outside work of a professional nature, including teaching, not a part of the official duties of members of the faculty at Central, shall require approval in advance by the appropriate dean and the Vice President for Academic Affairs on recommendation of the appropriate department chairman, if such consulting and outside work will interfere with the performance of the individual's assigned duties (meeting classes as scheduled, etc.).

J. 2.40, C. Strike the words "other faculty members assume their teaching loads without additional college compensation during such absences and"

This section would then read as follows:

2.40, C. With approval of the outside work, faculty members may be absent from the campus for specified periods of time without reduction in salary for the purpose of undertaking such outside professional work, provided that other faculty members assume their teaching loads without additional college compensation during such absences and the objectives of their classes are being achieved.

K. 2.41, A. Delete Sections 1, 5, 6, and 7 and change the word "should" to "shall" in all remaining sections and change the numbering of Section 2.41 to 2.40, D, (1), (2), (3), and (4). In addition insert the word "knowingly" between the words will and create in (2) (new number).
L. 2.97, B. (2) Delete the words "or teaching associate" (twice).

This section would then read as follows:

2.97, B. (2) The college expects the faculty member er-teaching-associate to request the scholarship leave for the specific purpose of improving his service to Central Washington State College. The faculty member er-teaching associate may wish to: (a) (b) (c)

M. 2.122, A. Strike the word "five" and insert the word "ten."

N. 2.75, A. (2) and Section 2.85, B be stricken.

O. 2.122, A. to strike the last phrase, "if he makes suitable arrangements to have his classes or assignments covered."

P. 2.07, A, (3) to add an additional sentence to read "If there are any rank distribution limits for departments, schools, or throughout the faculty as a whole, it shall be published by the President and distributed to the faculty at the beginning of each academic year.

Q. 2.70, A. to add at the end the sentence "One term of summer session shall be counted as one-half of a full quarter."

4. The Faculty Senate recommends the following changes in Sections 300-399:

A. 3.03, A. Delete "present and" from the second sentence.

This section would then read as follows:

3.03, A. The election is by majority vote of those faculty voting at such meeting (see Section 1.05; eligibility to vote).

B. 3.27, A. Delete "members of the regular staff" from lines 7 and 8 and insert "Central Washington State College Faculty"

This section would then read as follows:

3.27, A. In the selection of summer school faculty, preference shall be given to Central Washington State College Faculty who apply over outside personnel of similar training and experience,
C. 3.45, E. Add a new paragraph:

There shall be no apportionment of tenure either in departments, or schools or throughout the college as a whole.

D. 3.60, A(1) Delete "at least three months before the end of his duties" and insert "Not later than March 1."

D. 3.60, A(2) Delete "February 1" and insert "December 15."

D. 3.60, A(3) Delete the entire paragraph and insert "At least one year, if the decision is reached after 18 months of probationary service or if the faculty member has tenure."

D. 3.60, A(4) Delete the entire paragraph.

E. 3.72, (1) (a) Insert the words "Gross and continued" before the word insubordination.

F. 3.72, (1) in the last line delete the words "include but not be limited to:" and substitute the word "be" so that it would read "Sufficient cause for termination shall be:"

G. 3.72, (1) in (b) the words "of a crime involving moral turpitude or" be deleted, so that it would read "(b) Conviction of a felony; or"

H. 3.72 (1) to delete entire section (d).

I. 3.72, (1) (e) to delete the word "willful" and substitute the word "grievous."

J. 3.72, (1) to add a section "(J) Academic incompetence."

K. 3.72, (1) to delete sub-paragraph "(j) Gross misconduct."

L. 3.72, (2) Delete subsections (b) and (e).

M. 3.74 Add the words "except when termination is the result of Reduction in Force."

N. 3.78, E(1) Add to the end of paragraph 3 on page 67 the words "and the Faculty Senate Executive Committee."

This section would then read as follows:
3.78, E(1) If academic areas fail to develop proposals for Reduction-in-Force, the Vice President for Academic Affairs will do so, in consultation with the appropriate deans and department chairmen and the Faculty Senate Executive Committee.

O. 3.78, E(1) In the second paragraph on page 68, delete the words "and the President" in line 8, and insert the words "in consultation with the academic deans, the Dean of Library Services and the Faculty Senate Executive Committee."

This section would then read:

3.78, E(1) ...The Vice President for Academic Affairs in consultation with the Academic Deans, the Dean of Library Services and the Faculty Senate Executive Committee will determine which previously reduced academic departments or programs should be reallocated full-time equivalent faculty positions...

P. 3.78, E(4) (v) Delete the word "duties" and insert the word "degrees."

Q. 3.78, C. in the 7th line, the comma be replaced with the word "and."

R. 3.78, A. on page 66 delete the following: "to reorganize, consolidate, or eliminate academic programs and departments for reasons of educational policy"

S. 3.78, C. to delete the words "in educational policy," and the entire last sentence beginning with "Educational policy changes..."

T. 3.87 In subsection (3) strike the words "may" and "one or more" and insert in their respective places the words "shall" and "three"

This section would then read:

3.87 Upon receipt of a properly filed request for a formal hearing, the Chairman ...shall appoint three hearing officers...
U. 3.87 in sub-section (4)(b) strike the word "may" and insert the word "shall."

This section would then read:

3.87, (4)(b) ... two additional hearing officers shall be appointed.

V. 3.92 to delete subsection 15.

W. 3.92 in subsection (5) to strike the last clause, "if the Board of Trustees or hearing officer so decides."

X. 3.92 in subsection (8) to strike the entire paragraph and substitute the following sentence: "A formal record or transcript of the proceedings shall be furnished at the college's expense."

Y. 3.92 in subsection (1) strike the word "principal" and pluralize the word "officer." It would then read:

The Board of Trustees or hearing officers shall make... The Hearing Officers or Board of Trustees shall determine...

In subsection (7) strike the word "principal" and pluralize the word "officer."

In subsections (11) and (13) pluralize the word "officer."

Z. 3.97, A. Insert the parenthetical expression "(3.72 (1))" after the word "cause" and add at the end of the sentence "if dismissed for cause (3.72 (2)), he shall receive his salary for the following academic year."