

**Bylaws and Faculty Code**  
**Minutes**  
**January 8, 2024**  
Approved 1/22/24

Meeting called to order at 4:07pm

Members present: Kyung Hee Im, Peter Klosterman, Mary Radeke, Melissa Schiel, and Nathan White.

Guests: None.

Minutes from 11/27/2023 meeting approved.

**Chair report:**

Mary is still working on collecting faculty numbers (NTT and TT faculty) for charge BFCC23-24.04. Mary asked if Peter knew if it would be an issue if the Senator representing a department could also be the Senate Chair Elect, Chair, or Past Chair. Peter reported that the Chair Elect and Past Chair do act as senators representing their departments. Peter also stated that he thought that there should be a replacement so that the Senate Chair is not representing their department. This may be something to consider when providing information for charge .04 regarding the potential conflicts of interest. Peter stated that this could be an issue when dealing with faculty complaints or grievances because the Senate Chair is the person who potentially handles these issues. Potential for impartiality may be at risk. Mary will add this to the list of pros and cons for EC. Peter recommended adding a clause to Code that when an issue arises that if there is a conflict of interest in dealing with a grievance or issue, the EC member from that department should not be part of the discussion.

BFCC23-24.08 Mary discussed the meeting she had with Stacy Swayze and John MacArthur (Civil Rights and Compliance, Title IX) regarding charge .08 (Emeritus use of computers/software). Some of the other items on the list of privileges for emerit faculty could potentially be a violation of RCW 42.52.160 (Use of Persons, money, or property for private gain). It was recommended that we could simply add a clause to the Code that reminds faculty of the appropriate use of state resources.

**EC report:**

Peter reminded the committee that the second reading of two for Motion No. 23-12 and second reading of three for Motion No. 23-13 (**BFCC charge .02** Clarify Bylaws, Section VII D. Senate Hearing and Code Senate hearing section) at the Senate meeting on 1/10/24. Senate will vote on Motion No. 23-12 and discussion of Motion No. 23-13.

Mary reported that she sent the motion of BFCC23-24.06 (Review CBA and update Faculty Code for alignment. Consider updating faculty code to directly reference the CBA when appropriate for reduced BFCC code updates and clarifying the governing body (I.e. Faculty Senate or UFC) for clearer faculty direction) to Andrea on 12/7/2023. Peter reported that EC had not yet addressed this motion. Mary will resend to Andrea and will copy Peter on that email.

Where are we with BFCC23-24.06 Review CBA and update Faculty Code for alignment. Consider updating faculty code to directly reference the CBA when appropriate for reduced BFCC code updates and clarifying the governing body (I.e. Faculty Senate or UFC) for clearer faculty direction. **Timeline:** Winter Quarter.

Motion was sent to Andrea on 12/7. Mary will resend motion to Andrea and will copy Peter on that email.

Mary asked Peter if EC had heard any word on the inclusion of Associate Deans with the assessment of the Deans (BFCC23-24.03 Consult with Evaluation and Assessment Committee regarding whether or not Associate Deans should be added to faculty assessment of deans). Peter reported that he had not heard any word on this yet.

Mary reviewed our progress on the charges to date (see Status Report below).

Review of charges:

BFCC23-24.08 Clarify scope of Faculty Code Section I. B. 2. d. ii. Emeriti use of computer services to assure within state requirement and update code as needed.  
**Timeline:** Spring Quarter.

- Mary proposed that we insert a clause in Code that states that emerit faculty should use the university's resources for university related activities and not for private gain.
- Melissa asked if we should say that if the emeritus faculty does not follow the rules in accordance with the ethical use of state resources, that the emeritus faculty would be responsible? The concern is that the emeritus faculty may assume that the university would be responsible and would be fined.
- Nathan shared with the committee of WSU's statement for the use of resources by emerit faculty. Nathan further pointed out that EWU and WWU do not have guidance for emeritus privileges. Nathan stated that he felt the emerits' responsibility is implied and that an agreement is signed by the user.
- Peter asked about the status of the emeritus professor. If the emeritus professor is retired, what work would they be doing for the university? Research, volunteer, etc.? The BFCC discussed the role of emeritus faculty and their privileges, and de minimis use.
- The committee discussed the use of university computers that are taken home by the emerit faculty – how does IS track the computer, update the computer, etc. Nathan suggested that this should be an IS policy and not part of the Code.

BFCC discussed adding a clause to Code:

b. Process:

- i. The department chair will send the nomination to the college dean with a copy to the nominee. The dean will arrange for a department vote of all eligible faculty.
- ii. The college dean will then forward the nomination to the Provost with a recommendation of action and the results of the faculty vote. The

Provost will then submit the nomination to the ~~Board of Trustees~~ BOT with a recommendation of action and the results of the faculty vote and a copy of the recommendation by the dean.

~~e. Emerit status is a privilege and is subject to state ethics laws and the Washington State Constitution. University-related activities that are not part of any part-time employment at CWU the university as described in the CBA are considered "volunteer hours." These volunteer hours must be reported to CWU the university payroll office by any emeritus faculty member every quarter for insurance purposes and for Department of Labor and Industries reporting.~~

d. c. The emerit status ascribed to the faculty member's highest rank or title provides for the listing of their name in the CWU the university catalog, use of the library and other university facilities, and participation in academic, social and other faculty and university functions. In addition, emeritus faculty:

- i. shall be issued staff cards and parking permits each year without charge, if budget permits;
- ii. shall have the same library and computer services, including an email account, as regular faculty;
- iii. shall receive university publications without charge;
- iv. shall qualify for faculty rates at university events, if available;
- v. may be assigned an office, if space permits
- vi. may have clerical support, if budget permits
- vii. may serve on any committee in ex officio, advisory, or consulting capacity according to expertise and experience.

d Emerit status is a privilege and is subject to state ethics laws and the Washington State Constitution.

- i. As per the Ethics in Public Service Act (RCW 42.52.160), state employees may not use state resources for personal benefit or their state positions to obtain special privileges.
- ii. University-related activities that are not part of any part-time employment at CWU the university as described in the CBA are considered "volunteer hours." These volunteer hours must be reported to CWU the university payroll office by any emeritus faculty member every quarter for insurance purposes and for Department of Labor and Industries reporting.

BFCC voted and approved the moving of "c." to "d." and the inclusion of the new section – approved.

Melissa asked about the inclusion of emeritus faculty in the CWU catalogue. Nathan and Peter did find emeritus faculty listings in 2022-2023 catalogue. BFCC recommends

that emeritus faculty be included on CWU website (faculty directory) in addition to the catalogue.

Adjourned at 5:10pm

### Status Report

Green = in progress

Blue = completed

Red = on hold or discontinued.

BFCC23-24.01 Review of Bylaws for all committee titles and abbreviations. **Timeline:** Fall Quarter.

- Update committee abbreviations and outdated committees/titles.

BFCC made final corrections to Code and Bylaws. EC is reviewing.

BFCC23-24.02 Clarify Bylaws, Section VII D. Senate Hearing, 1. (corresponds to Code IV.H maybe F.4?). **Timeline:** Fall Quarter.

Motion No. 23-12 passed on 1/10/2024. Motion No 23-13 second reading of three on 1/10/2024

BFCC23-24.03 Consult with Evaluation and Assessment Committee regarding whether or not Associate Deans should be added to faculty assessment of deans. **Timeline:** Fall Quarter.

On hold: BFCC will need to wait for EAC for this charge. May not be until later in fall quarter.

BFCC23-24.04 Research and identify potential conflicts of interest related to department chairs being senators and consider updating bylaws. **Timeline:** Winter Quarter.

BFCC identify most departments and Mary will compile full list and will also request department TT/T and NTT numbers from college administrative assistants soon. BFCC worked on further pros and cons during the 11/20/23 meeting. Mary waiting on department faculty numbers from CEPS as of 1/10/2024.

BFCC23-24.05 Rework Code, Section II. 2. College Budget Committees. **Timeline:** Winter Quarter.

- Review for consistency with the new budget model. Specifically, what is the role of the BPC with the new model? (Section IV. D. 1. f. – BPC duties).

On hold until information about university budget model and the role of BPC is discussed by the EC.

- BFCC23-24.06 Review CBA and update Faculty Code for alignment. Consider updating faculty code to directly reference the CBA when appropriate for reduced BFCC code updates and clarifying the governing body (I.e. Faculty Senate or UFC) for clearer faculty direction. **Timeline:** Winter Quarter.
- BFCC adjusted the language to reference the CBA in Section I.B.1. and removed the text that matched the CBA. Code and Bylaws were reviewed for other potential places where text could be removed and CBA references. No other sections were found. Mary will sent to EC for review on 12/7/2023 and again on 1/9/2024.
- BFCC23-24.07 Consider the benefits and drawbacks of adding Non-Tenure Track (NTT) faculty as permanent members of Faculty Senate standing committees. Make recommendations as appropriate. **Timeline:** Winter Quarter.
- NTT faculty make up the majority of our faculty yet have the least say in academic policies and procedures.
  - Adding NTT would further strengthen the Faculty Senates equity and belonging.
- Mary contacted Kara Gabriel (UFC President) to discuss potential complications with bargaining. Report was provided at 10/23/2023 meeting.
- 11/6/23: BFCC will note the number/percentage of NTT faculty (senior lecturers) within each department when identifying the chair/senators and size of the department. Will NTTs on standing committees potentially take spots away from TT faculty?
- BFCC23-24.08 Clarify scope of Faculty Code Section I. B. 2. d. ii. Emeriti use of computer services to assure within state requirement and update code as needed. **Timeline:** Spring Quarter.
- Meet with Stacy Swayze to review the Office of Financial Management state code on emeriti computer use.
  - BFCC rearranged this section slightly and added a clause re: ethical use of state resources.
  - Mary will send to John MacArthur for review.
- BFCC23-24.09 Review committee procedures manual through an equity lens, including committee functions, processes, and membership. **Timeline:** Spring Quarter.
- Identify existing procedures that incorporate equity and update procedures to align with CWU's mission of equity and belonging.
- BFCC23-24.10 Review committee procedures manual and update as required. **Timeline:** Approve updated procedures manual by second committee meeting of spring quarter.

BFCC23-24.11 Recommend revisions to Code and Bylaws to improve clarity and fix typos and errors. **Timeline:** Ongoing.

- Review Code and Bylaws for wording issues discovered when reviewing Code during AY 22-23.

Future charges:

1. Identify requirements for who can be on standing committees. For example, can BFCC have other members who have not been senators?
2. Potential conflict of interest for EC members to be involved in discussion of faculty issues/grievances from their own departments. For example, if the Senate Chair (or other) is also representing a department and a grievance is raised about that individual or other faculty from their department, does this represent a COI?
3. Recommend that CWU fix website to include emeritus faculty in faculty directory on CWU website. Recommend that this be changed in emeritus section (privileges). Easier to find on website than in catalogue – better access for students and general public.