

Bylaws and Faculty Code
November 22nd, 2021
3:15pm
Minutes Approved on 12/6/21

Members present: Mary Radeke, Nathan White, Elvin Delgado
Guest: Greg Lyman

1. Meeting called to order at 3:18pm, Nov. 22nd, 2021.
2. Motion to accept minutes (Nathan White) seconded (Elvin Delgado) Oct. 25th minutes approved.
3. Greg discussed second reading of Motion 21-13 before the Senate at the next Faculty Senate meeting on Dec. 1st, 2021. Reviewed justification for not BFCC not providing an alternate definition of “professionalism”
Committee charge as follows:
BFCC21-22.03 Consider strengthening language in Faculty Code, section II.G.1.i. regarding Senate jurisdiction in senate complaint policy and procedures. **Timeline:** Fall Quarter
Item “h” Professionalism was deemed potentially problematic by the Assistant Attorney General as Senate does not define what professionalism is, which leaves subjectivity and is open to interpretation. Consider reviewing AAUP definitions of professionalism (or other) and attaching as another appendix.

Justification discussion:

Appendix A of the code provides a definition of Professional Ethics, including a defemination of professionalism in the complaint section of the Faculty code would be redundant.

Definition of professionalism is very subjective and differs depending on one’s discipline. Defining professionalism for each discipline becomes problematic, especially in the Faculty Code.

Mary’s additional note:

Webster’s dictionary defines professionalism as, “1) the conduct, aims, or qualities that characterize or mark a profession or a professional person, 2) the following of a profession (such as athletics) for gain or livelihood.” <https://www.merriam-webster.com/dictionary/professionalism>

Greg and the committee also discussed Charge BFCC21-22.07 (Consider code revisions regarding frequency of assessments of academic administrators, Senate and Executive Committee.). Greg summarized that all academic administrators and EC are evaluated biennially. This becomes a problem for EC because the EC changes yearly. The issue is that assessing biennially does not really serve the EC. If the EC positions are evaluated and not the individuals, this could be okay. However, it is an individual assessment and not a position assessment. Perhaps changing the assessment to reflect the position and not individual performance would be more appropriate. BFCC and EC will need to look at the assessment to see if it is possible to

change to a position assessment. Additionally, assessing academic administrators on a schedule would provide a better system of assessment, reducing assessment/survey fatigue.

4. Chair Updates

- **BFCC21-22.05** Consider additional language regarding the definition of full-time service for NTT faculty eligibility for emeritus status in Faculty Code, Section I.B.2.a.i.

Timeline: Winter Quarter

- Mary shared conversation with Charlene Andrews regarding definition of FTE with BFCC. Notes from this conversation included below:

RE: NTT eligibility for Emeritus status:

Definition of Full time for NTT has changed over the years: 45 WLU per academic year (first definition), Annual contract at 50% or more (second definition) - she did not indicate which is the most recent - possible that both are used?

Criteria for promotion to Sr. Lecturer:

CBA: 8.2.5 "... minimum of 5 years' faculty experience at the University [sic. CWU], completion of at least 113 WLU, and demonstrated excellence as determined through substantive review of the faculty member's cumulative performance..."

113 WLU comes out to 50%, 100% would be 225 WLU.

Same requirement for promotion for Senior clinical faculty, Sr. head coach or Sr. assistant coach (50% aka ½ time).

Also CBA: 10.1.3.a. criteria for multi-year contract (minimum 2 years)= 4 years Sr status at .5 or greater for 4+ consecutive years

Can't assume that annual contract or multi-year contract is full time because faculty are not necessarily hired to teach full time (I believe Charlene said the min. for multi or annual contract is 50% - so we could possible use this as criteria).

Merit Salary increase for Sr. lectures = 5 years and at least 113 WLU while Sr. lecturer status.

This might mean that in order to be eligible for emeritus status we should consider also 10 years and 225 wlu (50%)? Seems that it would make sense.

- Nathan and Elvin agreed that .50/10 years and 225 WLU should be used as guideline for Emeritus status in the Faculty Code, rather than 10 years at 1.0 WLU.
- **BFCC21-22.06** Review and consider language in bylaws regarding rules for multiple members from one department serving on senate committees. **Timeline:** Spring Quarter.
 - Mary reported on communication from Janet Shields. Janet stated that this happens occasionally (BFCC 2020-2021 Laura and Nathan, both represent ITAM on committee). Janet also reported that at one time the Bylaws stated that (direct report from Janet included below):

There used to be language in the Senate Bylaws that stated that only one member per department could serve on the same committee. The last time this language appears was in the 2005-06 Bylaws. The Bylaws were rewritten after the CBA came into effect and the Faculty Code was replaced by the Academic Code.

2005-06 Senate Bylaws

Senate Standing Committees

1. Membership

There shall be eight (8) standing committees of the Faculty Senate, as described in Section 3.25 of the Faculty Code: the Faculty Senate Code Committee, the Faculty Senate Budget Committee, the Faculty Senate Curriculum Committee, the Faculty Senate Academic Affairs Committee, the Faculty Senate Personnel Committee, the Faculty Senate Public Affairs Committee, the Faculty Senate Development and Appropriations Committee, and the Faculty Senate General Education Committee. Each standing committee shall consist of no fewer than five (5) faculty members appointed annually by the Executive Committee and ratified by the Senate at the last regular Senate meeting of the academic year; in addition to the five (5) or more faculty members of the Senate Academic Affairs Committee, the Senate Curriculum Committee, and the Senate General Education Committee, two (2) voting, full-time student members shall be appointed to the Senate Academic Affairs Committee and one (1) full-time student member to the Senate Curriculum Committee and the Senate General Education Committee, by the Faculty Senate Executive Committee from among the student body. The Senate Curriculum Committee and the Senate General Education Committee shall also have as a member one non-voting ex-officio member from the Office of the Provost. Term appointments for the Senate standing committees shall run three (3) years. **No more than one (1) committee member may come from any one (1) department or group with Senate representation** with the exception of the Senate General Education Committee. Faculty membership on the Senate General Education Committee shall consist of two (2) from the College of the Sciences, two (2) from the College of Arts and Humanities, one (1) from the College of Education and Professional Studies and one (1) from the School of Business and Economics. Members may be appointed from among the general faculty with proportional balance sought between the schools. At least one (1) member of each standing committee should have served on the committee the previous year. *{FS Motion 00-40, 5/31/00}* *{FS Motion 00-56, 11/29/00}* *{Motion 02-29, 4/24/02}*

- Nathan, Mary, and Elvin agreed that it should be possible to add this (highlighted) language back into Bylaws. As to why and when it was removed; Mary will investigate this.
- Mary was not able to find when this changed. Going back to all of the minutes from 2006 through May 28, 2008, no motion was passed to change this in the “Academic code”

5. Other EC Updates:

BFCC21-22.01 Continue working and moving forward language for the CWUP and correlated language in Faculty Code that strengthen the code and shared governance and that would protect the Senate.

Report from Greg's meeting with President Wholport from Nov. 15th (no formal BFCC meeting was held - rescheduled to 11/22/21). Greg reported that President Wholport felt that the language was problematic - unclear language perceived to be procedural and policy. President wanted this language to be clearer, language concerning violations of code by administration and BOT vague. Mary will review language and will make suggestions for ways to improve language for next meeting on Dec. 6th, 2021.

BFCC21-22.02 Consider changes to Bylaws, Section I.C.1 regarding senate representation for departments.

Report from Greg's meeting with Provost at Nov. 15 meeting. Provost will work on definition of Department. Mary will draft memo to EC stating that we would like to "table" this charge until an official definition of "department" can be provided by the Provost. Mary will send memo to BFCC members for feedback and then will send on to EC.

Additional discussion by BFCC - Nathan proposed that perhaps NTT should not be included in the total department FTE because NTT do not vote on department senators. Mary pointed out that this could be problematic because it may significantly reduce the total FTE and change senate representation for departments. Nathan and Elvin pointed out that NTT are represented by two NTT senators as well as an NTT senator-at-large position, and essentially counted (or represented) twice. All BFCC members agreed that waiting on the definition of "department" from the Provost should stand. BFCC voted to table the discussion and send the memo to EC.

BFCC21-22.04 Consider additional language regarding benefits and privileges for Emeritus Faculty as outlined in Faculty Code, Section I.B.2.d.

Greg (Nov. 15th meeting) recommended drafting a statement from the EC to the BOT to request reviewing language as proposed in 2020-2021. BFCC feels that including language regarding budget decisions in the Faculty Code is not the purview of the Code. Elvin drafted language, all approved. Mary will send a formal statement to EC for review. Statement as follows:

The Bylaws and Faculty Code Committee (BFCC) received Charge BFCC20-21.01 that asked to: "Consider revising the language regarding benefits and privileges for Emeritus Faculty as outlined in Faculty Code, Section I.B.2." The BFCC feels that we have addressed the charge given to us to revise the language in Faculty Code regarding Emeritus Faculty. The charge was presented in Faculty Senate as Motion 20-20 and was approved by the Faculty Senate on April 7, 2021. We believe that budget issues should not be part of Faculty Code. Therefore, we

respectfully request that the BOT considers the revised language submitted by the BFCC last academic year (2020-21) as passed by the Faculty Senate.

Discussion of

6. Discussion of remaining charges:

BFCC21-22.08 Consider additional language in the Faculty Senate Bylaws to change the membership of Faculty Senate committees regarding ex-officio roles and guest guidelines.

Timeline: Spring Quarter

BFCC discussed this charge and suggested that one possible way to address this would be to allow guests and ex-officio members to be present during discussion, and then to be excused for voting. This would allow the committees to vote privately, without influence or bias to interfere with votes.

BFCC21-22.09 Consider additional language in Faculty Senate Bylaws and/or Faculty Code regarding Senate committee meeting formats. **Timeline:** Spring Quarter. *Consider defining options for when Senate committees are in open sessions versus closed sessions.*

BFCC discussed this charge and suggested that a closed voting session, as described for the BFCC21-22.09 charge may be a solution to this charge. Nathan agreed to draft some language to address these two charges. BFCC will review this language at our next meeting.

7. Other:

Additional discussion of having the past EC Chair as liaison to BFCC makes more sense, although the EC Chair Elect is also beneficial. Elvin and Mary proposed that perhaps the Past EC Chair could act as a consultant and non-voting member, while the Chair Elect will be an official member (voting) and liaison to the EC.

7. Adjourned at 5:03pm, Nov. 22nd, 2021.

Next meeting scheduled for Dec. 6th, 2021

Status update:

BFCC21-22.01 Continue working and moving forward language for the CWUP and correlated language in Faculty Code that strengthen the code and shared governance and that would protect the Senate.

Timeline: Fall Quarter

- Mary will review language for CWUP and BFCC will review at next meeting.

BFCC21-22.02 Consider changes to Bylaws, Section I.C.1 regarding senate representation for departments. **Timeline:** Fall Quarter

- Waiting for Provost definition of “department”
- Mary to draft memo to EC regarding delaying any BFCC action until definition is provided.

BFCC21-22.03 Consider strengthening language in Faculty Code, section II.G.1.i. regarding Senate jurisdiction in senate complaint policy and procedures. **Timeline:** Fall Quarter

- Second reading before Senate at FC meeting on Dec. 1st.
- BFCC reviewed justification for not providing definition of “professionalism”.

BFCC21-22.04 Consider additional language regarding benefits and privileges for Emeritus Faculty as outlined in Faculty Code, Section I.B.2.d. **Timeline:** Winter Quarter

- BFCC drafted statement to BOT requesting that BOT review language as is.
- Mary will send statement to EC for review, EC will then send statement on to BOT.

BFCC21-22.05 Consider additional language regarding the definition of full-time service for NTT faculty eligibility for emeritus status in Faculty Code, Section I.B.2.a.i. **Timeline:** Winter Quarter.

- BFCC agreed to use .5 time for decisions regarding Emeritus status, as per CBA criteria for promotion.
- Mary will draft language for code to be reviewed at next (Dec. 6th) BFCC meeting.

BFCC21-22.06 Review and consider language in bylaws regarding rules for multiple members from one department serving on senate committees. **Timeline:** Spring Quarter.

As per communication with Janet Shields: Bylaws at one time had this stated (1 member per department).

- BFCC needs to consider adding this language back into Bylaws.
- Mary will investigate when this was removed and why (unable to find when it was removed)

BFCC21-22.07 Consider code revisions regarding frequency of assessments of academic administrators, Senate and Executive Committee. **Timeline:** Spring Quarter

- EC to investigate possibility of changing EC assessment to position assessment, not individual assessment.
- Possibility of arranging timeline so that assessment/survey fatigue is reduced. Timeline may include assessing one group on alternating years?

BFCC21-22.08 Consider additional language in the Faculty Senate Bylaws to change the membership of Faculty Senate committees regarding ex-officio roles and guest guidelines. **Timeline:** Spring Quarter

- BFCC discussed possible fix (closed voting session).
- BFCC needs to come up with language for this.

BFCC21-22.09 Consider additional language in Faculty Senate Bylaws and/or Faculty Code regarding Senate committee meeting formats. **Timeline:** Spring Quarter.

- BFCC needs to also design language for this
- Similar fix may be used for charge 21-22.08.
- Nathan agreed to draft some language to address these two charges.

BFCC21-22.10 Standardize language in Faculty Code and Bylaws regarding committee titles. **Timeline:** Spring Quarter

- Not yet addressed.