

July 21, 2015

TO: Washington State University Faculty Senate
Dr. Daniel Bernardo, Interim President
Dr. Erica Austin and Dr. Ron Mittelhammer, Interim Co-Provosts
Dr. Frances McSweeney, Vice Provost for Faculty Affairs

FR: Dr. Julie Anne Wieck, Co-chair, WSU Faculty Status Committee
Dr. Stergios Fotopoulos, Co-chair, WSU Faculty Status Committee

RE: 2014-2015 Faculty Status Committee Annual Report

Pursuant Section II.E.4.a.5 of the Washington State University Faculty Manual, we are reporting the activities of the WSU Faculty Status Committee (FSC) for the 2014-2015 academic year.

Membership and Duties

The Faculty Status Committee (FSC) is an independent investigative faculty committee elected by the Washington State University (WSU) faculty at large. The committee reports and makes recommendations directly to the WSU President. Under provisions of the WSU Faculty Manual, a faculty member may appeal non-reappointment, denial of tenure, or deferral of promotion to the FSC. Historically, tenure denials have been the most common type of FSC case. FSC can also be asked to investigate a tenured faculty member's termination of employment following elimination of a program due to financial exigency or discontinuance of a program or department. FSC also nominates members of the Faculty hearing Panel and arranges for investigations and hearings prior to disciplinary action. Finally, other types of decisions that a faculty member believes may violate the Faculty Manual may be appealed to the FSC. FSC members serve for three-year terms that end on August 15th.

In the 2014-2015 academic year, the members of FSC were:

Stergios Fotopoulos (COB; 2015), Co-chair
Brian French (COE; 2017)
Janet Katz (CON; 2016) replacing Laura Lavine who resigned
Katrina Mealey (CVM; 2016)
Craig Parks (CAS; 2015)
Robert Quinlan (CAS; 2015)
Greg Rose (COB; 2017) replacing Jolie Kaytes who resigned
Robert Rosenman (CAHNRS; 2017)
Julie Anne Wieck (CAS; 2016), Co-chair

Julie Anne Wieck and Robert Rosenman will serve as Co-chairs in 2015-2016. Annual elections were held during the spring semester to replace rotating members and the top three finalists have agreed to serve on the committee, including Christina Chi (COB; 2018), Dick Gomulkiewicz (CAS; 2018) and Debbe Sanders (COB; 2018). Brian French (COE) will be on professional leave next year and his replacement for that year will be Jeremiah Busch (CAS). Faculty Hearing Panel nominations – The President accepted all FSC nominations for the Faculty Hearing Panel, which currently includes 21 members (3-year terms) as required by the Faculty Manual.

FSC's investigations are thorough, confidential, and open-ended. Reports of the findings of an FSC investigation are provided only to the appellant and to the President. Under provisions of the Faculty Manual, the FSC can make its own rules of procedure but must meet certain timelines for handling a case. The specific provisions in the Faculty Manual have been approved by the Faculty Senate, the university administration, and the WSU Board of Regents; they should be regarded as authoritative. Further information on FSC's composition, powers, and operations is available in the Faculty Manual, Section I.E.4.

Faculty Appeals in 2014-2015 Academic Year

FSC received one appeal for denial of tenure and promotion (T&P) in the spring of 2015. The investigation was completed by early May and the report was forwarded to the appellant and the President. At the time that this report was submitted, the FSC had not received any appeals concerning non-reappointment of tenure-track junior faculty (third-year review) from spring 2015.

The Faculty Manual states that appeals must be evaluated on the basis of substantial procedural irregularity, inadequate consideration, and/or violation of academic freedom. Based on these criteria, the FSC recommended to the President that the decision to deny T&P be set aside. After reviewing the FSC report and recommendation, the President agreed with that decision, setting aside the denial and granting the appellant a two-year extension with the ability to reapply for T&P no later than fall 2016.

Issues for Future Work

The FSC wants to bring to the forefront issues of importance that arise with the appeals we receive.

- The FSC thinks it is necessary to remind faculty that voting on T&P decisions is a critical part of faculty rights and responsibilities. As such we would like to remind faculty to refrain from using "abstain" and suggest that any such ballots be returned to the faculty member by the chair so they may vote. Additionally, it is not appropriate for faculty to change the ballot with any option other than support or deny. The vote on each ballot should be in concert with the provided written comments and not appear to contradict.
- Extra effort needs to be made in programs where there are a number of frequent changes in directorship to alleviate the possibility of inconsistent messaging to faculty about progress and expectations.

There are two issues from last year's FSC Annual report which require additional attention:

- It is suggested that the Faculty Manual be modified to address the rights and responsibilities of endowed chair positions including whether an endowed chair is an administrative appointment or faculty position.
- It is suggested that a discussion between the faculty and administration occur immediately to determine what a letter of appointment or titles means. Note that the faculty manual says it is a contract between the faculty member and the Board of Regents on page 44 of 98. The FSC had several cases last year in which there was a difference of opinion on whether a letter of offer or title was a contract. In these cases the AG's office and some levels of administration did not believe the letter (or title) was a contract which was contrary to the interpretation of the faculty member. This conversation needs to occur immediately and the FSC believes the Faculty Senate is the best starting place.

To facilitate future functioning of the FSC, we will be pursuing the following with the Provost's office:

- Travel budget for members from urban campuses.
- Secure Sharepoint site for appellant files.
- Secure videoconferencing for FSC meetings and interviews for members from branch campuses.