8 June 2012

TO:    Washington State University Faculty Senate
       Dr. Elson Floyd, President
       Dr. Warwick Bayly, Provost and Executive Vice President
       Dr. Francis McSweeney, Vice Provost for Faculty Affairs

FR:    Dr. Douglas Call, Co-chair, WSU Faculty Status Committee
       Dr. William Cofer, Co-chair, WSU Faculty Status Committee

RE:    2011-2012 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 2011-2012 academic year. 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 2011-2012 academic year, the members of FSC were: Margaret Black (CVM; 2013), Douglas Call (CVM; 2012), William Cofer (CEA; 2013), Gisela Ernst-Slavit (COE; 2014), Gail Furman (COE; 2013), James Harsh (CAHNRS; 2014), Kristen Johnson (CAHNRS; 2014), Robert Rosenman (CAHNRS; 2012; replacing Judith McDonald on sabbatical for the academic year), and Lisa Shipley (CAHNRS; 2012). Douglas Call and William Cofer served as Co-chairs.

William Cofer and James Harsh will serve as Co-chairs in 2012-2013. 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 Craig Parks (Arts & Sciences), Stergios Fotopoulos (College of Business), and Robert Quinlan (Arts & Sciences). Gisela Ernst-Slavit will be on sabbatical in 2012-2013 and will be temporarily replaced with the next highest vote earner, Bruce Pinkleton.
(Communications). 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.

FSC received five appeals for denial of tenure and promotion (T&P), and one appeal for deferral of promotion in the spring of 2012. Appeals were received from five different colleges and three campuses. Investigations for all six appeals were completed by mid-May and reports were forwarded to the appellants and President. At the time that this reported was submitted, the FSC had received no appeals concerning non-reappointment of tenure-track junior faculty (third-year review) from spring 2012.

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 upheld for four cases and no decision was recommended for the fifth case. After reviewing the FSC reports and recommendations the President chose to set aside two decisions and uphold the remaining three T&P denials. The President let the deferral decision stand.

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

- Cases occur perennially that involve a significant discontinuity between annual reviews as given to the appellants and the expectations from the Office of the Provost. In these cases, unit reviews are generally positive or better, but during the review process the Provost’s decision to deny T&P or defer promotion is discordant with the annual reviews. We strongly recommend that the Office of the Provost strive to better educate college deans and unit chairs and directors about the standards that must be met so that these unfortunate situations do not arise.
- The Office of the Provost has made efforts to encourage better mentoring of junior faculty. More needs to be done to help faculty who might otherwise allow themselves to divert their valuable time and energy with activities that do little to advance their T&P. Secondly, no formal mentoring is provided for the promotion step between associate professor and professor ranks. We suggest that annual review forms explicitly request comments from the signing administrator to advise faculty on where their record may need further improvement with respect to promotion.
- Appellants continue to misinterpret the phrase “inadequate consideration” from the Faculty Manual to mean that a given fact was not interpreted as the appellant maintains it should. FSC can only determine if all of the relevant information is considered, but the
committee cannot judge the merits of the decisions. If critical information is not considered in the deliberative process, then there may be a case for inadequate consideration. If all relevant information is considered, but the appellant does not agree with the conclusions about this information, FSC will find no evidence of inadequate consideration.