May 11, 2018

TO:         Washington State University Faculty Senate
            Dr. Kirk Schulz, President
            Dr. Dan Bernardo, Provost

FROM:     Greg Matthews, Co-chair, WSU Faculty Status Committee
            Dr. Peter Boag, Co-chair, WSU Faculty Status Committee

Report of the Faculty Status Committee: Academic Year 2017-18:

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 2017-2018 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.

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.
Membership:

The members of the FSC, the year they rotate off the committee, and their affiliation:

Greg Matthews, Co-Chair (2018)   Peter Boag, Co-Chair (2019)
Libraries

Biological Sciences   History

Anthropology   Electrical Engineering & Computer Science

Mel Haberman (2020)   Sarah Ullrich-French (2020)
Nursing   Education & Sport Science

Carolyn Ross (2020)
Food Science

Incoming members, terms 2019-21:

Elizabeth Soliday, Human Development

T. Randy Fortenbery, School of Economic Sciences

Babu John-Mariadoss, Department of Marketing & International Business

Ahmed Tibary, Veterinary Clinical Sciences, will serve a two-year replacement term for Mel Haberman, who is moving into a deanship in Nursing and will therefore leave the committee.

Peter Boag and Carolyn Ross will co-chair the FSC in 2018-2019.

Accomplishments:

To improve the operations of the FSC, the current membership identified opportunities to standardize and create documentation to improve FSC communications with WSU faculty. These documents will be completed during the summer, 2018:

1. Form letter to appellants outlining committee documentation to consult before submitting an appeal;
2. Revising existing FSC election documentation to incorporate content from the Faculty Manual and Constitution and By Laws currently omitted from committee election documentation.

These documents will reside on the FSC secure SharePoint site. Standardized FSC election documentation will also be posted on the FSC website.

Appeals:

*Request for investigation of allegation of procedural error and violation of academic freedom in teaching reassignment as applied to a specific faculty member*

In February 2018, the FSC received an appeal from a faculty member that the committee consider allegations that removing a course from a faculty member’s teaching load demonstrates procedural error and a violation of academic freedom. The FSC voted not to consider the case.

Recommendations:

Some problems presented this year persist from previous years and require attention by the Provost and/or the Faculty Senate:

1. Once again we feel it 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 we 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 or to vote both options. The vote on each ballot should be in concert with the provided written comments and not appear to contradict.

2. 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.

An issue raised in previous reports from the FSC deserves continued emphasis:

3. The FSC suggests that ongoing discussions between the faculty and administration occur to determine what a letter of appointment or titles means. Note that the faculty manual says the letter of appointment is a contract between the faculty member and the Board of Regents on page 38. 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.
Finally, in the past several years the FSC has noticed an issue cited with increasing frequency that indicates a deeper problem that the university should seriously address:

4. In last three years, seven appellants have alleged that a hostile work environment seriously affected their productivity and the review process, undermining their successfully achieving tenure and promotion or reappointment as well as adversely affecting course delivery and faculty development. In these cases, appellants have accused colleagues and administrators of bullying, sexism, and racism, both by individuals and at the institutional level. The latter allegation points up larger issues of structural biases that transcend the FSC’s purview to investigate. Unless the hostile work environment is tied to one of the grounds for appealing a decision, the FSC does not consider this factor in its deliberations and recommendations of specific cases. More importantly, the FSC lacks the expertise to assess the veracity of complaints along this line. Yet a hostile work environment is clearly detrimental to an individual’s productivity and success, as well as inconsistent with the values of the university and state and federal law. Since this now appears to be a recurring issue in tenure, promotion and reappointment cases, the university should actively and consciously address the issue of a hostile work environment, especially widely disseminating procedures for faculty to follow if they feel they are in such an environment. This is a crucial issue the Provost should continue to address.