

May 25, 2010

Professor Bruce Balick
Chair, Faculty Senate

Professor J. W. Harrington
Vice Chair, Faculty Senate

Professor Marcia G. Killien
Secretary of the Faculty

Dear Bruce, JW, and Marcia:

Enclosed for your review is a draft of a new Executive Order, which modifies and replaces Executive Order No. 64, "Faculty Salary Policy," contained in the *University Handbook*, Volume Two, Part II, Chapter 24, Section 24-57. Also enclosed for your information is the procedure for promulgation of executive orders. This draft Executive Order is based upon extensive consideration and reflection, including five months of frequent meetings (about 20 to date) and hours of discussion and consultation with a group of Faculty Senate leaders and administrators, including the Provost. I am deeply grateful to these university colleagues for their thoughtful review of Executive Order No. 64 and for their careful assessment of the issues raised in that Executive Order. Without their good work, we would not have made such significant progress.

As you recall, on May 4, 2010, I sent you a proposed Executive Order that would have extended the current suspension of the Faculty Salary Policy (Executive Order No. 29, which will otherwise expire at the end of the 2009-11 biennium) through the 2011-12 academic year. This extension of the suspension would not have precluded future raises, but there was, nonetheless, significant and understandable concern expressed about adopting another extension of the suspension. Those concerns were underscored in the Faculty Senate through a Class C Resolution passed on May 20, 2010. I listened carefully to the Senators and, based on their articulated concerns, I have decided to withdraw my proposed Executive Order to extend the current suspension of the Faculty Salary Policy through the 2011-12 academic year. I thank the Faculty Senate for advising me on this important issue.

It is critical to this university that we honor the concepts set forth in the Faculty Code regarding faculty salaries. It is also extremely important for us to preserve the objective of a 2% faculty salary increase in an executive order. To do both those things and also to protect the university against unnecessary legal exposure, it became clear that I needed to redraft Executive Order No. 64 and to incorporate the comments I have received from faculty and administrators.

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The enclosed draft honors the Faculty Code and its principles. It also provides for the preservation of the objective of a 2% salary increase and for meaningful consultation between the administration and the Faculty Senate on salary issues for each and every budget cycle. Our faculty is the key to our success as a university and we are committed to achieving and maintaining equitable, competitive faculty salaries at this university. That is a principle that I underscore as I proceed with this revised Executive Order.

I believe that this restated policy will appropriately maintain pressure on us to seek steady improvement of faculty salaries and to avoid having to seek clarification through the courts. I am asking for your suggestions or comments to this proposed Executive Order by Monday, June 7, 2010. I am withdrawing the proposed extension to the suspension of the salary policy, but I still need to protect the university from legal exposure by either adopting that extension or adopting this revised Executive Order No. 64 before July 1, 2010. I now believe that modifying Executive Order No. 64 rather than extending its suspension is the right direction, and I appreciate your responses to me by June 7, 2010.

Sincerely yours,



Mark A. Emmert
President

Enclosures

cc: Board of Deans and Chancellors
Dr. Cheryl A. Cameron
Ms. Rebecca Goodwin Deardorff
Mr. Paul E. Jenny
Mr. Jack G. Johnson
Dr. David Lovell
Ms. Carol S. Niccolls
Dr. Gerry F. Philipson
Ms. Lea B. Vaughn
Dr. Mícheál F. Vaughan
Mr. Douglas J. Wadden
Dr. Phyllis M. Wise

B. Executive Order and Administrative Order Procedure

1. Before an Executive Order is promulgated or revised by the President, it shall be reviewed by the Faculty Senate. Additionally, the President may request reviews of the Executive Order from other individuals or campus bodies as desired. The President shall forward the proposed Executive Order (or revision) to the Faculty Senate Chair and to the Secretary of the Faculty, noting reviews that have taken place and requesting appropriate Faculty Senate review. The Faculty Senate Chair shall arrange a review and notify the President of the outcome of the review within a reasonable time, but in any event no longer than sixty days after receipt of such request for review. If revisions to the proposed order suggested by the Faculty Senate are not approved by the President, there shall be consultations with the Chair of the Faculty Senate to seek to resolve the differences. Following such consultations, the decision of the President is final. When signed by the President, the original of the Executive Order shall be retained in the Executive Order file in the President's Office. The Rules Coordination Office shall assign a number to any new Executive Order and publish all orders. Executive Orders become effective on the day signed by the President, unless otherwise noted within the text of the order.

Section #1 from Executive Order No. 3 of the President, June 12, 1996, revised January 6, 2003; May 11, 2007.

DRAFT EXECUTIVE ORDER NO. _____

(Replacing and Superseding Executive Order No. 64)

The fundamental purpose of the University of Washington Faculty Salary Policy is to allow the University to recruit and retain the best faculty. To accomplish these two objectives, the faculty must have confidence that their continuing and productive contributions to the goals of their units and to the University's missions of teaching, research, and service will be rewarded throughout their careers. To compete for the best faculty, the University must be competitive with its peers. To retain the best faculty requires a similarly competitive approach. Therefore, the University places as one of its highest priorities rewarding faculty who perform to the highest standards and who continue to do so throughout their appointments at the University. This policy is designed to provide for a predictable and continuing salary progression for meritorious faculty.

Salary funds must be used to attract, retain, and reward those faculty whose continuing performance is outstanding, while recognizing that disciplinary variations exist in the academic marketplace. Accordingly, the University's Salary Policy must allow for differential allocations among units. This provides the necessary flexibility to address the market gaps that develop between UW units and their recognized peers, acknowledges existing and future differentials in unit performance and contribution, and also recognizes that differing funding sources and reward structures exist among schools and colleges. The policy must ensure that equity considerations and compression are also addressed as needed.

The University's Salary Policy is founded upon the principle that individual salary decisions must be based on merit as assessed by a performance review conducted by faculty and administrative colleagues. Salary adjustments for performance and retention, as well as salary awards stemming from differential unit performance and marketplace gaps, are based upon a consultative process of faculty and administrative evaluation. Merit/performance evaluations are unit-based and reward the faculty for their contributions to local units as well as to the University's goals.

Allocation Procedure. As described below, this Faculty Salary Policy calls for deliberations among the administration and faculty. As such, the policy seeks to manifest shared governance that is at the core of the *Faculty Code*. Regardless, the final decision on the University budget, including salaries, rests with the Board of Regents.

Salary progression as envisioned in this policy and the regular merit salary increases or promotional increases for those faculty members otherwise eligible will be implemented only if the Board of Regents in its sole discretion determines there are sufficient funds and approves a budget that expressly provides for such increases. Further, the Board of Regents will take into consideration any limitations that the Governor and/or Legislature enact on salary progression.

Prior to the beginning of each fiscal year, the Provost will consult with the Board of Deans and Chancellors, the Faculty Senate Planning and Budget Committee, and the University Budget Committee to formulate a recommendation for a salary distribution plan, including providing an opportunity for input into the criteria to be considered in formulating the plan. If the salary distribution plan to be recommended by the Provost includes a minimum equal-percentage salary

increase less than a 2% regular merit increase, an explanation of the basis for the recommendation will be provided to the Board of Deans and Chancellors, Faculty Senate Planning and Budget Committee, and University Budget Committee, with an opportunity to provide comment and feedback before a final recommendation is forwarded. The Provost shall then make a recommendation to the President for faculty salary allocations. The President shall then make a recommendation to the Board of Regents for faculty salary allocations for the fiscal year. Upon adoption of the University budget by the Board of Regents, which will include any approved faculty salary allocations for the fiscal year, this decision shall be reported to the Faculty Senate and to the University community more broadly.

Allocation Categories. Consistent with the stated objectives, the first priority shall be to support regular merit and promotion awards to current faculty. Further, each biennium the minimum salaries by rank will be reviewed and, if adjusted, support will be provided to ensure those minimum levels are achieved. Other funds, as available, may be allotted among the following faculty salary adjustments:

1. Additional merit to all faculty;
2. Differential distributions by unit to correct salary gaps created by changing disciplinary markets or assessments of unit quality;
3. Retention;
4. System wide adjustments to raise the salaries of all meritorious faculty.

Merit Principle and Review. The University commits to support salary adjustments based on performance evaluations for those faculty deemed meritorious after a systematic review by faculty colleagues, department or unit head, Dean, and Provost. In order for these performance evaluations and merit salary recommendations to be meaningful, they must be done systematically and over an appropriate length of time to be able to make true quality assessments about performance and progress, considering the cumulative record of faculty.

All faculty shall be evaluated annually for merit and for progress towards reappointment, promotion and/or tenure, as appropriate. Upon approval by the Board of Regents of a regular merit salary allocation, a faculty member who is deemed to be meritorious in performance shall be awarded a regular 2% merit salary increase in the following academic year. Higher levels of performance shall be recognized by higher levels of salary increases as permitted by available funding. The Board of Regents also has the discretion to provide a minimum equal-percentage merit salary increase that is less than 2%.

Any faculty member whose performance is not deemed meritorious shall be informed by the Chair/Dean of the reasons. If deemed meritorious in the next year's review and a regular merit salary allocation has been approved by the Board of Regents, the faculty member shall receive a regular 2% merit increase in the following academic year. A departmental advisory committee, appointed consistent with Section 24-55H of the Faculty Code, will consider the development needs of faculty members not receiving regular merit salary increases for two consecutive years.

Promotion. Upon approval by the Board of Regents of a promotion allocation, each faculty member who is promoted in rank shall be awarded a 7.5% promotion salary increase beginning on the date the promotion is effective.

Unit Adjustments. Additional salary funds may be allocated by the Provost to colleges and schools at any time during the biennium, after appropriate consultations with the Faculty Senate Planning and Budgeting Committee, to address differentials occurring in the academic labor markets and to reflect assessments of the quality, standing, and contributions of units to College, School, and University goals. Unless specifically allocated by the Provost for a particular unit or purpose, the Deans shall consult with their elected faculty councils before distributing any additional salary increase funds among their constituent units. The procedures of Section 24-55 of the Faculty Code will be followed in distributing funds allocated to adjust faculty salaries based on merit.

Retention Adjustments. With approval from the Provost, college-administered or University funds may be used to adjust faculty salaries as a means to retain faculty members at the University of Washington either at the time of merit reviews or at other times as necessary throughout the academic year. Assessments of a faculty member's quality and unit contribution are essential elements in decisions to make retention adjustments. Consultative processes to recommend retention adjustments shall be established at the unit level following the procedures set forth in Section 24-71 of the Faculty Code.

Executive Order No. ____ of the President, June ____, 2010