**MINUTES of AAUP Executive Board meeting**

**Monday 1 June 2020, 3:30-5:00pm**

<https://washington.zoom.us/j/92793587955>

Three priorities in the current AAUP strategic plan:

1.     the escalating division of insecure academic labor

2.     reductions and restructuring of public funding and budgeting processes

3.     the increasingly hostile environment affecting students and faculty

#### On Zoom: Eva Cherniavsky, Amy Hagopian, Dan Jacoby, Nora Kenworthy, Jay Johnson, Duane Storti, Jim Gregory, Rob Wood, Abraham Flaxman, Diane Morrison

#### Guests: Jim Bakken (AAUP regional),

#### Absent: Ann Mescher, Theo Myhre, Charlie Collins

#### Resigned, but acting in treasurer capacity in the interim: Bert Stover

Agenda:

1. What to do next about the higher ed vision
2. UWT tenure due process support request
3. Elections

**Minutes**

***What do we do next about the coming austerity threats?***

Julie Schmid, Chris Newfield and Bill Lyne joined our AAUP board meeting on May 11. The higher ed crisis to result from the COVID crisis will be significant. It’s an opportunity and a threat. Newfield and others have argued there are opportunities to do a state or regional program of higher ed investment that would make a four-year education free to residents. Think of the beauty of leading on free tuition as a recovery strategy.

Debriefing our May 11 meeting: Bill clearly welcomed our engagement with United Faculty of Washington. AAUP national isn’t in a hurry to make a national play for “higher ed for all” in the crisis moment, and seems to be waiting for the national election. The plan is about moving the Biden administration. Jim is tasked with prompting a conversation with the Biden folks, and then moving a federal stimulus in conjunction with state campaigns for free tuition. This includes talking with policy reps with other higher ed representative organizations.

At the state level, Jim sees a path to a campaign for tuition-free 4-year degrees.

1. Coalition building, including students
2. Legislative support, identifying sympathetic individuals first
3. Collecting data on the shortfalls that have resulted from COVID, as well as earlier shortfalls from the 2008 fiscal crisis.

Chris Newfield has started by identifying the full cost of being made whole, in his Remaking the University blog.

Howard Bunsis and Rudy Fichtenbaum are doing a summer institute, through two on-line workshops per week through July. Typically this would include institution-level analysis; perhaps we could invite them to do a state-level analysis as well. We need help even FINDING our data.

We can’t reach out to students until there is a thing to invite them into.

Jim reported Oregon State faculty finally signed a contract; they got some good wins. The tentative agreement will be published in its entirety.

Do we have bandwidth for a forum? Should we wait until after our fiscal analysis? What do we have to work against or report? Organize around the June 17 revenue report? The Regents meeting?

But if we wait until cuts are announced, then our next move is to say “no cuts,” not “free college for all.”

How momentous is this moment? Will everything be different after this? Will our university be unrecognizable after this? Austerity, conservatism, revolution?

In some senses, we’re talking about the university as a critical piece of infrastructure for society. Can we talk about an alliance with the trade unions for investments in infrastructure? A vision for solving the housing crisis in relation to higher ed? Something big and bold??

Resolved: Announce an informal happy hour / doom hour / journal club conversation around the posting of a Newfield article? Would anyone come?

***Tenure vote case of Jarek Sierschynski***

Miceal Vaughan (one of the so-called Code Cops) put Jarek Sierschynski in touch with Eva.  Jarek was recently turned down for tenure in Education; his attached "Chronology" letter is out of order (postponement can only be considered up the executive ladder, I believe by the Provost).  The fact that the "postpone" option was, apparently, made available skews the vote.  Jarek has spoken with Mike Townsend, who was concerned and supportive.  Mike reached out to Jill Purdy, the Exec Vice Chancellor for Academic Affairs at Tacoma (and the person who had communicated the negative tenure decision to Jarek).  Her response:  she cannot address this b/c she has no role to play in tenure decisions (!)  She passed it along to the Provost -- who has simply declared there is no basis for reconsideration.  Meanwhile (final plot twist):  the form on which chairs report tenure votes has been altered in the past month -- please see the two template docs, attached).

Once upon a time there was a secondary tenure review at the Provost level, but it was decided that was a bad idea—we seem to be back to that now.

When UWT’s Education unit was made a College, the tenure decision should rest at that level.

Why shouldn’t he get tenure? His material wasn’t sufficiently mature academically, perhaps, though there were no flags about this in advance.

***Election for officers 2019-2021***

We need to approve the bylaws revisions as proposed.

We need new board members, and to run an election for officers (president, secretary, membership treasurer, VP for list server). We also need a new treasurer, as Bert Stover is resigning; fortunately, he’s hanging in there while we search. Eva will reach out to people who attended the forum to see who might be interested.

AAUP put out a salary survey nationally: <https://www.aaup.org/report/annual-report-economic-status-profession-2019-20>

***Meetings over the summer:***

First Mondays: July 6, August 3, September 14 (skipping Labor Day).

TO DO:

Jim Bakken will discuss adding state-level analysis to the summer institute workshops, and several of us will attempt to join.

Eva will announce an informal AAUP-convened gathering of UW faculty to discuss a big vision for the future of higher ed, rather than simply responding to the next austerity announcements. 6/22, 4 pm. This would help generate material for a proactive statement in advance of the announcement of legislative cuts. Also we will scout for new board members.

Encourage Jarek Sierschynski to appeal to the Senate Executive Committee, Eva will write an AAUP letter of support, addressed to the chair of the Senate Executive Committee.

Fall: Recruit new members, organize a fall election, vote on by-laws revision. Libi will rejoin.

Ask Bert to write a treasurer job description.

APPENDICES:  
Jarek Sierschynski tenure materials

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| TIMELINE | CONCERNS |
| 2013/4 – 2018/9 Six annual reviews by four different chairs, all of them positive on progress towards tenure | **Denial of tenure came as complete surprise and seems absolutely unjust.**  This is the place from the faculty code:  Section 24-57  Procedural Safeguards for Promotion, Merit-Based Salary, and Tenure Considerations  Yearly Activity Report  B.  *Each department (or undepartmentalized college) shall adopt a suggested format by which each faculty member will have the opportunity to provide information on professional activities carried out during the prior year. These reports shall be prepared in writing by each faculty member and submitted to the chair (or dean) in a timely fashion each year,and shall be used as reference and as a source of information for consideration of promotion, merit salary, or tenure.* ***These forms shall be used as evidence for recommendations of promotion, merit salary, or tenure****. Such information may be updated by a faculty member at any time during the academic year.* |
| 4/12/19- Tenure review process started officially:  I sent my signed tenure intent letter to Dean |  |
| 5/1/19-Sent CV and external reviewers list to Committee Chair |  |
| 5/2/19-Sent external reviewers list to Dean |  |
| 5/13/19 Met with my tenure committee |  |
| 5/23/19 P&T folder created by HR |  |
| 5/28/19 Sent publications, creative artworks, CV and Narrative to Committee, Dean and SOE admin |  |
| 9/11/19 When I was uploading my files to a shared folder, I was surprised to see the External Review folder and clicked on it. I could have accessed of the letters even though I did not. Sent email to the Dean to notify her of this irregularity. | **This was the first situation that raised a red flag.**  I was told later that the first set of external reviewers was removed and replaced by 3 new reviewers.  Subsequently, I contacted UWT Academic HR via email on 4/9/20 asking the questions below:  *Could you confirm the following 2 points?*  *1.Because I was given access to the external review folder, the original 3 external reviews have been removed.*  *2. The original external reviews were replaced by 3 new external reviews.*  *Lastly could you tell me whether all 3 new external reviews were from the list that I provided to the dean?*  **I received the following response from UWT HR on 4/13:**  *The procedures for promotion and tenure, outlined in the*[*Faculty Code 24-54*](https://www.washington.edu/admin/rules/policies/FCG/FCCH24.html#2454)*were followed to address the external review letters.*  The only part in FC 24-54 B that refers to external letters is the following, “*External letters of review shall be kept confidential from the candidate*.” Given that I have received access to my external letters, sending me to the faculty code in response to my question seems not only dismissive, but technically wrong. |
| 10/30/19 Received Summary of Committee's Report which was unanimously positive  The dean stated that I needed to send a response within 7 calendar days, even if I didn’t have any comments. |  |
| 11/7/19 Sent signed response to dean that I have nothing to add, acknowledging the Committee’s positive report |  |
| 11/12- Special faculty meeting with above-rank colleagues to discuss and vote on my case (per protocol, I wasn’t permitted to be part of the discussion). | My committee consisted of 3 people, one of whom was from a different department on the UWT campus. We have a total of 8 voting faculty in the school of education. 2 faculty at this time were on sabbatical, **so only 6 voted, 2 of which voted in absentia**.  Thus, there were physically present only 4 of the voting faculty + the faculty from the other department (who was asked to leave the meeting after 10-15 minutes, a procedure in our school) + the dean (who does not vote).  I know that one faculty in absentia did not participate in the meeting remotely. The other one could have been potentially on the phone, but I don’t know. So, this was a very small group to say the least. **Most of my colleagues who would have supported me during the discussion were not present. One of them, before leaving on sabbatical, wrote an unsolicited letter of support.** |
| 11/14 Received Summary Report of Voting Faculty Discussion/Recommendation  The document stated,” *Please review it at your earliest convenience. A written response is due to me by Friday, Nov. 22, 2019 (this falls within the 7-day window). I've included a template if you could please register your response along with dating and e-signing the letterhead document. Even if you have no specific comments, please still generate a note reading something such as, "I have received and reviewed the summary of the committee's report. I have no further comment."* | Quoting from the report, “*To summarize the outcome, there was no consensus among this group. The votes were split among those who voted to grant you tenure along with promotion in rank, those who voted against, and those who recommended that your review be postponed for a year*.”  **The fact that faculty were permitted to vote for postponement is a gross violation of the faculty code (Section 25-41). Faculty should be voting only on granting/not granting tenure. The fact that this was made available in my case, skewed the vote against my favor. Here is how an experienced colleague commented:**  **“***IF the range of options is fundamentally Yes-or-No, then any other sort of formal category of votes is necessarily left open to misinterpretation and abuse: a postponement may be taken as a weak Yes or as a wimpy No, and in either case, given the seriousness of granting tenure, such votes will be excluded from the crucial majority of Yes votes required to advance a vote to tenure and promote a colleague. The fact that the faculty vote on the tenure committee report included that postponement option, however irregular it might be, seriously affected the consideration of your tenure/promotion higher up the chain. At whatever point the final decision was shaped (presumably if the dean supported you it would have been at the Provost's level), that fundamental irregularity in the vote could have been decisive*."  Moreover, the UW Code Cops stated the following in response to my case: “*The justification has been usually based on reference to the Faculty Code where postponement is only mentioned (in Ch 24) as an option available to the dean (not to the unit faculty or chair). When faculty votes are mentioned (in Ch. 25) the recommendation forwarded by the unit faculty to the dean is only whether 'the faculty member be granted or denied tenure' (25-41.B). And it is only much later in that subsection is there any mention of a case where 'a tenure decision is postponed for reconsideration.' (And this is the only relevant use of the term in Ch. 25.) Again, it is nowhere mentioned in the previous paragraphs as something even a dean can decide, and (especially in mandatory tenure decisions) it would be most logically the case that such a postponement has to be decided at the Provost/President level. Consequently these local documents* [**Jarek’s comment:** **the forms used by UWT Academic Affairs to guide the process**] *would seem not to be consistent with the UW Faculty Code on these crucial matters. As I said above 'postponement' is only available at the level of the Dean (or beyond), and is clearly not something that the Code allows (or even imagines) at the level of review committee and unit faculty votes. If it can be shown that in practice the Provost/President have given deans the option of recommending postponement, then I'd guess that option would have to be also available to the APT committee that gives advice directly to the dean.*    *But I would continue to insist that it would be highly irregular, if not downright illegal, for a unit's faculty (or its faculty committee) to vote on a recommendation that the decision that an Assistant Professor 'be awarded tenure and promotion to Associate Professor' may be 'postponed for one year' as these appended forms allow*. ”  Lastly, I am also unsure what forms were used for the last 2 faculty who received tenure in 2013. If different forms were used, this further exacerbates the gross violation of the process and the injustice of my denial. |
| 11/20/19 I sent an email to the dean that I am writing a response with major objections to the criticism in the faculty report. I also expressed my concern that there were so few people present,” It is kind of nutty that Belinda and Robin were not there [**Jarek’s comment: the 2 faculty in absentia**]. So, I assume that there were only 4 people in the meeting.”  The Dean responded with the following email,”  *To clarify, all voting faculty voted. Those traveling had the option to phone/Zoom in* [she does not mention that they called in]*. Everyone saw the summary report as it was to be member-checked.*  *Also, please note that SOE colleagues won't see your written response. It next goes to APT. However, given the multiple levels of review in the P&T process, candidate responses are appropriate.  I do need your response no later than tomorrow/Friday, Nov. 22. I'd like to make sure your file is processed in the most timely manner*. ” | **I have not received anything from our dean in writing about her independent recommendation, which seems a violation of the code.**  The section below is from **24-54**.  D.  *After receiving the recommendation of this committee or council the dean shall decide the matter.*  *Prior to the issuance of a decision or recommendation by the dean t****hat is not favorable, the dean shall provide the candidate with his or her initial recommendation and reasons therefor.*** *In such cases, the dean or the dean's designee shall then discuss the case with the candidate. The candidate may then respond in writing to the dean within seven calendar days of the discussion.*  *If the recommendation of the dean* ***is favorable, or if the promotion decision is mandatory, the dean shall transmit his or her recommendation and the candidate's response, if it exists, to the candidate and to the Provost.*** *For purposes of confidentiality, specific attributions shall be omitted and vote counts may be omitted from the report to the candidate.*  *If the promotion decision of the dean is not favorable and not mandatory, and the candidate has written a response to the dean, the dean shall transmit his or her decision and the candidate's response to the Provost for information purposes.* |
| 11/22/19 I sent an extensive response back to the Dean addressing the concerns voiced in the Summary Report of Voting Faculty Discussion/Recommendation.  **I feel that it was crucial for my response to be part of my file for the rest of the review process.** | The dean never received my signed response due to an email scam in the department involving her email. She also didn’t follow up with me to ask where my response was, even though I had told her the day before that I would be sending one. **The fact that my response wasn’t received skewed the rest of the process against my favor.**  I found all of this out only on 1/23/20 during my meeting with the Executive Vice Chancellor of Academic Affairs (EVCAA). |
| 1/15/20 I received a letter from the Appointment Promotion and Tenure committee (APT) where my file had gone next without my response. The dean had sent my file up the chain without my response.  This is a quote from the APT document, “*A formal vote was then taken. It was also mixed, reflecting the complexity of reviews at previous levels*.” Since at this point I was still unaware that my response from 11/22/19 was not received by the Dean and forwarded to the APT, I wondered why nobody took it into consideration. | I believe that because the APT committee never received my response to the faculty discussion and vote, their vote was also mixed and not in my favor. |
| 1/17/20 I received an email from HR that the EVCAA would like to talk to me. |  |
| 1/23/20 Met with the EVCAA Jill Purdy  Jill Purdy talked to me about the concerns that were raised by my peers mostly from the faculty vote discussion. I told her that I had already addressed the concerns in my response to the summary faculty vote/discussion from 11/22/19 and that I did not understand why nobody seemed to take my response into consideration. She acted surprised and said that my response wasn’t part of my file. This is when I checked my email and found out that my response had been misdirected due to the email scam impersonating the dean. Jill asked me to respond to the concerns in writing. | Even though I made both Jill Purdy and my dean aware that my response hadn’t been included in my file for consideration by the APT and further up the promotion tenure chain, they didn’t acknowledge that this was a problem. |
| 1/23/20 Later that day I sent an email to the Dean cc’ing the EVCAA explaining my missing response  My email explained what happened and expressed my concerns why nobody followed up with me when they did not get the e-signed response. I ended my email with, “*I am wondering how the absence of my response, which was substantial, impacted the entire process starting with you, APT and Jill*.” |  |
| 1/23/20 The EVCAA and Dean responded in two separate emails.  This is from the EVCAA response “*I doubt that we can add this* [i.e., the response from 11/22/19] *to the process retroactively but you can include all of the content in your response to our meeting today. You can also indicate in your response that your earlier response to the voting faculty was misdirected and thus not received by UW via e-mail.  I will include in our documentation to the Provost a notice that the dean and APT did not have access to your voting faculty response when they reviewed your file although you intended to provide it in a timely way.*”  The dean wrote, “*To answer your first question: no, I didn't receive a formal summary response regarding the above-rank faculty discussion to my UW account. If I had, I'd have responded within 48 hours as has been done when other summary reviews along with reminders/response templates were sent. I've included those threads here*…*I'm glad you were able to find your original response and send it to Jill. However, your response on Nov. 20 and your memo from Nov. 22 basically contain the same main points. Your key concerns/feedback were included in my review*.” | There is no acknowledgement that someone in the chain should have asked for my response or looked for it and that all of this could have affected the process in any way. When I spoke to UWT HR overseeing all of this, I was told that this happened often. **This appears to me to be another violation of the process that ultimately skewed the final decision against granting me tenure.** |
| 1/30/20 I sent the response to the EVCAA that she requested on 1/23/20 during our meeting together with my response from 11/22/19. | I reiterated my serious concerns in the response. Here is a snippet,” *I am concerned that no one in the process had read my response before we met on 1/23/20. Thus, I wondered why the APT did not raise any of the points I made about creative works, dissemination and depth as well as to my consistently positive annual reviews. Given the nature of our conversation and the points I was asked to address (and may I point out that for the most part I have addressed the same points in my response to the Summary Report of the Voting Faculty Discussion on 11/22/20), I have a strong sense that if the APT would have received my response, either you and I would not have had the conversation at all or it would have been a different one*.” |
| 4/2/20 I talked to the Dean on the phone and she informed me that I was denied tenure and that I will be contacted by HR. |  |
| 4/16/20 I received the notification letter signed by the EVCAA in an email from Academic Affairs that I was not granted tenure. The explanation that was given in the notification is the following, “*This letter is to inform you that your application for tenure and promotion to Associate Professor has been denied due to a lack of coherence and depth in your scholarly record.*” | This letter came from UWT Academic Affairs, signed by EVCAA Jill Purdy, not the Provost office. So, I ultimately don’t know at what point the tenure was denied, by whom. Adding to the opacity, I have neither seen nor received anything from the dean substantiating her claims that she supported me (see my concerns above in regard to the violation of section 24-54 of the faculty code). |

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