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**WEB MINUTES of AAUP Executive Board meeting**

**10/25/2023 10:30 pm to 12 pm**

We work to advance the power of faculty at UW to protect the public goods of higher education and academic freedom;

Our mantra is “refuse austerity.”

#### https://washington.zoom.us/j/93610086550 or One tap mobile +12063379723,,93610086550# (Seattle)

#### Board member attendance (all zoom): Eva Cherniavsky (president), Abie Flaxman (VP), Diane Morrison (treasurer), Amy Hagopian (Secretary), Charlie Collins, Jay Johnson, Rachel Chapman,

#### Guests: JF, Malori Musselman (national AAUP)

#### At 11 am our guests: Glinda Rawls

#### Absent: Nora Kenworthy, Louisa Mackenzie, Ann Mescher, Annie Nguyen, Rob Wood, Duane Storti (we miss you!) Jim Gregory

Our next meetings is November 29, 10:30 am

***MINUTES***

Agenda:

I.                     Finalizing plans for November 2nd forum:  format details;  punch list of tasks (10:30-11:00)

II.                   Meet Forum Speakers (11-11:15)

III.                 Announcements and Updates  (11:15-11:35)

a.       Approve Amy’s draft outreach to Nafukho and Olmstead (see attachment 1)

b.       Approve Eva’s draft response to Andrea Woody (attachment 2)

c.       Outreach to Serio (Provost) and Alexis Harris (Faculty Regent)

d.       Update re: Ethics Board

e.       Follow up on parental leave listserv thread

f.        New (?) guidelines on public records (see attached “scope of records.”) *Texts and voice mails on our private cell phones and emails sent on personal accounts are fair game*when “work-product” related.

IV.                Chapter Mobilization Grant:  Planning Know Your Rights and Skills Workshops (please attachment 3) (11:35-noon)

Housekeeping

Retreat to do list—Amy & Eva are tracking it. See here: https://docs.google.com/document/d/1g2ePJJFNDF9nJ7yJJyoLCT3qsKPon6AE/edit

Several board members met with Cindy Dougherty yesterday, Tuesday, Oct. 24, 4pm. See separate notes.

**Forum**

Here’s how we’ll do it: Eva will introduce the report. She’ll welcome each speaker to talk for 10-12 minutes. At 40 minutes, we’ll have them comment on each other’s remarks, then open to the audience. Eva will kick off with some prepared questions. The speakers are prepped. Sorry we lost Dio Tsitouras from Rutgers. We agreed to have cards for questions to allow anonymous questions and to allow us to screen them. That doesn’t preclude raising your hand. Volunteer card sorters include Charlie, Abie and perhaps Jim. We’ll have a sign in sheet. We’ll be making a video. One speaker, Mia, will have slides. Arrival time, 3 pm. Amy now has a food handler’s permit to allow the reception to serve food.

Our speakers Bill Lyne (Western WA Univ, pres of UFW), Glinda Rawls (Univ of Western Michigan) and Mia McIver (CFT/UCLA) joined the call to prep for the forum.

Eva laid out the theme of the forum, challenging the austerity mindset we are routinely subjected to. The theme is that the problems can be solved, not intractable as administration claims; we have 26% increases in number of administrators and plenty for athletics. Gina will emphasize racial equity, and how the compensation issues connect. She’ll also discuss how collective action can resolve problems. Mia will talk about adjunct faculty issues. Bill will compare UW raises, parental leave, sabbatical compensation, workload protection to those at the universities where faculty are represented by UFW.

UW has failed to provide data on compensation by gender/race, although it certainly has these data. Gina noted that by contrast, Univ of Oregon, Duke, UConn publish their data. UW also fails to make available data about those who have left our institution. Charlie noted 10% of faculty in his unit have departed in recent years. Bill noted the public records act should make this information public at UW, but apparently there is a privacy excuse.

Diane noted the UW police black officer lawsuit on racist working conditions has now gone to trial.

Charlie noted the Senate’s representative to the state legislature, Jake Vigdor, promotes the story line that UW has no capacity to raise our salaries under state legislative restrictions—amplifying UW’s austerity position. Still UFW institutions get raises every year.

**Update re: Ethics Board**

Abie reported the ethics board has dismissed its first complaint against Abie, finding they didn’t have jurisdiction. Amy & Abie have filed suit against the state of Washington in federal court, seeking changes to ethics board procedures and legal fees.

**Outreach to Serio (Provost) and Alexis Harris (Faculty Regent)**

We’ll be in touch with Serio soon.

**Approve Eva’s draft response to Andrea Woody -see appendix 1**

We approved Eva’s draft letter of response to Woody’s statement. Can we go further to encourage correct teaching of history? Are we to post it on our list server as an open letter? Copy Faculty Senate? Writing to Andrea Woody alone is sort of futile. (of course we know what will happen…) Many are wondering how to teach in this moment.

**Message to Fred Nafukho**

We approved the draft message to Fred Nafukho, Associate Vice Provost for Academic Personnel, appendix 2

**Upcoming meeting discussion**

Jennie Romich’s request to discuss parental leave, perhaps at a form she organizes

Use of our website for discussions of Palestine.

Charlie noted the desire of two units at Bothell to use compensation adjustments for compression and equity; HR vetoed that.

**Appendix 1**

Dear Dean Woody,

On October 12th, you circulated to the faculty in your CAS Social Sciences Division an email concerning a planned event on campus in support of Palestinians in Gaza. Your message included the following statement:

As a public institution, [the UW is bound by the First Amendment](https://www.washington.edu/freespeech/), which means that we cannot and do not take action against individuals or student or community organizations for engaging in protected speech, no matter how repugnant. We have reviewed this event and the ways the group is promoting it; while both the language and imagery are extremely offensive, they do currently fall within the category of protected speech.

The Executive Board of the UW-AAUP is very seriously alarmed by the language of your statement, which in its tone and implications undermines the very principles of free speech it purports to embrace, not to mention the principles of academic freedom.

In the context of the current crisis in Israel Palestine, we are seeing the viral circulation of unverified news and Islamophobic propaganda, as well as the doxxing and harassment of students and faculty who speak their conscience in expressing solidarity with Palestine and opposition to Israeli militarism and occupation. This is a time when we need urgently to reaffirm our unwavering commitment to academic freedom and freedom of expression without threat of censure or retaliation. The right to teach and learn about apartheid and the 16-year siege of Gaza should be upheld in our universities. So, too, the right to teach and learn about the complicated histories of people’s resistance in Palestine and everywhere.

Your email preemptively and polemically characterizes support for the Palestinian cause as “repugnant” and aligned with the “terrorism” your message opens by condemning. This is harmful and consequential language and the UW-AAUP objects to its use by any representative of the University of Washington in the strongest possible terms.

Sincerely,

Eva Cherniavsky, UW-AAUP President on behalf of the UW-AAUP Executive Board

Cc: Dean Diane Harris

 President Ana Mari Cauce

**Referencing:**

**From:**Andrea Woody <awoody@uw.edu>

**Subject: events planned for today**

**Date:**October 12, 2023 at 1:30:09 PM PDT

**To:**"cas-socialsciencechairs@uw.edu" <cas-socialsciencechairs@uw.edu>, "cas-socialscienceadmins@uw.edu" <cas-socialscienceadmins@uw.edu>

Dear chairs,

As you may already know, an event is planned to take place on campus today as part of the National Students for Justice in Palestine (NSJP) "Day of Resistance".

Please be assured that the University does not endorse it in any way.

The UW unequivocally condemns messages and images that support terrorist violence. As President Cauce said, [the Hamas attacks are reprehensible](https://www.washington.edu/president/2023/10/09/israel-hamas-conflict/). Our focus right now remains on supporting students and other members of the campus community who are affected by this tragedy and ensuring that they have access to any resources they may need.

As a public institution, [the UW is bound by the First Amendment](https://www.washington.edu/freespeech/), which means that we cannot and do not take action against individuals or student or community organizations for engaging in protected speech, no matter how repugnant. We have reviewed this event and the ways the group is promoting it; while both the language and imagery are extremely offensive, they do currently fall within the category of protected speech.

I know that this event exacerbates an already painful, frightening time for many of our community members. We will continue to monitor this situation closely to ensure the safety of our students, faculty and staff. And the University will respond appropriately to any actions that do violate the law or to any violations of the student code or University policy by any students who participate.

    --- Andrea

**Appendix 2**

**Marjorie Olmstead <****olmstd@uw.edu****>,**Associate Vice Provost for Academic Personnel

**Fredrick Nafukho <****fnafukho@uw.edu****>,**Vice Provost for Academic Personnel

Hello, Professors Olmstead and Nafukho,

On behalf of our AAUP chapter, I’d like to thank you for engaging with us last academic year on a number of issues.

As you know, the AAUP is asked fairly regularly to represent faculty who find themselves to be targets of “[Section 25-71   Standard of Conduct](https://www.washington.edu/admin/rules/policies/FCG/FCCH25.html%22%20%5Ct%20%22_blank)” complaints. Perhaps the new faculty liaisons will shift our role a little in this area, but we remain interested in how these complaints have been handled in the past, and monitoring how changes will be managed going forward.

Specifically, in March of 2018 we requested through the FOIA process all UW records on alleged violations (allegations) of section 25-71.D of the code, along with  a count of allegations that end in “mutual consent”(D.1) prior to receiving official discipline or “conciliatory proceedings, and similar information (see attached request).

The information we received in return (see appended pdf) was a hodgepodge of snippets of screen shots, impossible to analyze. It raised concerns that the UW does not track these matters in a systematic way, and therefore we are not in a position to understand the magnitude of 25-71 complaints, how many go on to hearing, how many are settled on the side, how many faculty seek legal representation, and how these complaints may vary by department or demographic factors of the faculty members.

We would request the Academic Personnel office begin a searchable data base of this material, and make an annual report to the faculty summarizing how many complaints were filed, by department, and by topic of complaint. We would also appreciate a list of demographic characteristics of faculty targeted.

We hope you welcome this reasonable request, and will let us know if we can help you in any way.

Warm wishes,

/for Eva’s signature/

** Guidance: Responding to Requests for Public Records**

Here is some information about collecting records in response to a public records request:

- All records should be provided in their native format.

- A public record is legally defined as data or information regardless of physical format or characteristic, prepared, owned, used, or retained in the conduct of University business. This is true no matter who owns the device on which this record is held. Thus, you may need to collect records held on a personal device if University business is conducted on that device. You may also need to request records from outside vendors and partners who perform work for the University. Once collected, these records must be provided to the Office of Public Records and Open Public Meetings.

- The definition of a "record" includes data and information held digitally, in traditional formats, such as paper which can include paper correspondence, hand-written notes, forms, etc., or films, pictures, and tape recordings, and records held in any other format or in emerging formats. Some examples of digital records are:
• email, text messages, voice messages, social media posts, and websites;
• visual and audio records, including those held or created in digital formats;
• records, data, and information held in data bases or software programs or held on other media such as CDs, disks, thumb drive, etc.;
• records, data, and information held with cloud services;
• research records, data, and information;
• records, data, and information held in specialized or proprietary software.

- You may not destroy or alter a requested record. This includes records that exist at the time a public records request is received by the University even though it may have passed its legal records retention period or is required to be destroyed by a contract.

- The University is legally required to identify all responsive records, even those it might otherwise choose to withhold from disclosure under one of the Public Records Act's permissible exemptions. Thus, you must collect and send all records to the Office of Public Records and Open Public Meetings. Some examples are those you consider confidential, personal, subject to a non-disclosure agreement, those an outside party considers confidential (such as a vendor or licensee) or personal, those you consider covered by the attorney-client privilege, or those you believe may not be released per the University's privacy policies. The University might not release such records if they fall within one of the exemptions to the Public Records Act. However, all records must be collected and forwarded to the Office of Public Records and Open Public Meetings. This office is legally required to hold copies of records responsive to public records requests, and the University is legally required to provide the requestor an inventory that identifies all records it chooses to exempt.

- If the request seeks a potentially large volume of records, you should work closely with the Office of Public Records and Open Public Meetings to determine a prompt time frame for collection of records. You should not contact the requestor directly.

- Certain records may be found in more than one UW location. You should not assume that someone else is going to provide records that you also have in your control.

- The consequences of not responding promptly or completely to a request are very serious. The University could be sued and could face costly fines and legal costs for not complying fully with the requirements of the Public Records Act.

- If there are student names in any records you are providing us, you should provide the Office of Public Records and Open Public Meetings with a list of these students as well as the student's employment status, job title in Workday, and working title in your unit.

**Appendix 3**

Dear Advocacy Chapter Mobilization Funders,

We write today to apply for $7,500 for our project titled **Academic Freedom Under Fire and in Transformation**.  A brief description follows.

Sincerely,

Abraham Flaxman, Vice-President, University of Washington AAUP Chapter

In light of recent challenges faced by scholars whose work is targeted by far-right pressure groups, our chapter is seeking funds to expand resources for supporting our members, particularly those facing increasing threats. While UW, located in Western Washington, does not face the same political climate as states such as Florida, many of our faculty members have experienced threats and harms for engaging in public scholarship in a time of heightened political divisiveness and threat.

The UW administration has also shown a willingness to make faculty liable for core public scholarship work, failing to protect faculty when they become targeted. Alongside the growing targeting of faculty across multiple spaces (digital, administrative, political) for their public work.

Many of these cases are handled in private and navigated individually. **Our main objective is to bring these cases into light and highlight them as shared issues and the university failing to protect the academic community. This failure threatens the collective community, not just those who are at the center of these cases.**

We also want to offer spaces for faculty to imagine how public scholarship can and must change as a result - becoming not more timid but more bold. Some questions motivate our engagement: “What does it mean to be a publicly-engaged faculty member during fascism? How must scholarship change (for everyone)? What new academic cultures can evolve in dangerous times?

The funds will be used for at least one event from each of the following categories, depending on resources, speaker availability, and scheduling:

1. **Know Your Rights Teach-ins:** Teach-ins to educate scholars on their rights. These trainings will equip scholars with knowledge to navigate potential challenges in their line of work. We will co-host these teach-ins with UW’s Faculty Senate where possible and appropriate. Possible topics:
	1. Public Scholarship and Legal Liabilities - what to know and how to protect yourself
	2. Faculty documentation status, rights, and organizing
	3. What institutional protection can look like - and what’s missing at UW (abortion doctors, doctors against gun violence, security protections for journalists, etc)
2. **Skills workshops:** Skills workshops will be targeted to faculty who need specific skills to navigate threats that they are facing or could likely face. These workshops will focus on resources, tools, and strategies that can be used by faculty in the absence of greater institutional protection. Possible topics:
	1. Dealing with online harassment and digital defense skills. We plan to partner with or borrow from the work of Faculty First Responders (<https://facultyfirstresponders.com/>) for this initiative.
	2. Threats from Washington state administrative codes, and how to navigate them. This is essential to ensure that our members remain compliant and are aware of their rights and responsibilities, while also being aware of how these codes are used to target scholars.
	3. Teaching under fire - new praxis and pedagogy for education in hostile classrooms that threaten faculty and student safety
3. **Speculative public scholarship series** - A series of creative events in which the UW community is invited to imagine what new forms scholarship can take and what new strategies it can adopt / utilize in a time of deep threat. This series could include learning circles, guest speakers, or common book readings that will draw on work from Mariame Kaba, Patrice Cullors, and practitioners of fugitive and radical strategies.  We plan to seek additional funds for this series from UW’s Simpson Center, and Harry Bridges Center for Labor Studies.

**AAUP-UW Resource Library:** Following these events, we will make recordings and any relevant tools and resources discussed available to members through the UW AAUP website. We will also gather a roster of UW scholars and local experts who have experience navigating these issues and crises, and are willing to mentor and advise faculty facing threats. This roster will be privately managed by the UW AAUP Executive Board, to protect those involved.

**Organizing effort alignment:** This initiative is closely aligned with the campaign to strengthen the academic labor movement and provides a direct support system for those at the forefront of these efforts. It offers new spaces for faculty to build connection around key issues of academic freedom, workplace protection, and targeted harassment. It also offers opportunities to highlight ways that the UW administration could be held more accountable for protecting faculty in a context of heightened threats against faculty for satisfying the core expectations for employment, tenure, and promotion.

**Budget Information:** The AAUP-UW chapter does not have a formal budget at present; we simply spend as needed when we can.  We have annual income of about $2000 from our share of membership dues, as well as a small fund received a few years ago from the state AAUP chapter when it dissolved.

**Appendix 4**

Amy & Abie’s lawsuit



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