

WAC 174-108 GENERAL PRACTICE AND PROCEDURE

Governance and Decision-Making at Evergreen

WAC 174-108-010 Introduction and Guidelines

- (1) Evergreen is an institution in process. It is also a campus community in the process of organizing itself so that it can work toward clearing away obstacles to learning. In order that both creative and routine work can be focused on education, and so the mutual and reciprocal roles of campus community members can best reflect the goals and purposes of the college, a system of governance and decision-making consonant with those goals and purposes is required.
- (2) To accomplish these ends, governance and decision-making in the Evergreen community must have the following qualities:
 - (a) The procedures must reflect the Evergreen approaches as stated in the college bulletin to facilitating learning, and recognize the responsibility of the President and the Board of Trustees for institutional direction.
 - (b) Decisions, and methods to be used for their implementation should be handled at the administrative level closest to those affected by a particular decision.
 - (c) Those persons involved in making decisions must be held accountable, should be locatable, and, most importantly, need to be responsive.
 - (d) Decisions should be made only after consultation and coordination with students, faculty, and staff who are affected by and interested in the issues, while recognizing that administrators may be affected by various accountable restraints.
 - (e) Oligarchies are to be avoided.
 - (f) In cases of conflict, due process procedures must be available and will be initiated upon request by any member of the campus community.
 - (g) The procedures should be flexible enough to remain applicable as the institution grows. Periodic evaluation should be used to determine if this is actually taking place.
 - (h) The Evergreen community should avoid fractioning into decision-making constituencies with some sort of traditional representative form of government; e.g., faculty senate, student council.
 - (i) Groups should utilize a consensus approach in reaching decisions. The voting procedure should only be used if consensus is unobtainable.

- (j) A call for standing committees and councils should be avoided. If it is essential for standing committees or councils to exist, there must be a frequent turnover of membership, at least annually.
 - (k) The Evergreen community should support experimentation with new and better ways to achieve Evergreen's goals.
- (3) The following system, designed to accomplish these objectives:
- (a) Calls for the continuous flow of information and for the effective keeping of necessary records.
 - (b) Provides for getting the work done and for consultation and decision-making by the accountable, locatable person.
 - (c) Allows for creative policy making, including a policy initiation process open to any member of the Evergreen community.
 - (d) Insists on the speedy adjudication of disputes with built-in guarantees of due process for the individual.
 - (e) Has built-in methods for evaluating -- and if necessary, changing -- the system.
 - (f) Attempts, in every instance, to emphasize the sense of community and to require members of the campus community to play multiple, reciprocal, and reinforcing roles in the campus community enterprise.

WAC 174-108-020 The Legal Nature and Status of The Evergreen State College

- (1) The Evergreen State College, established in Thurston County by the 1967 Washington State Legislature, operates under the provision of the Revised Code of Washington (RCW 28B.40).
- (2) Management of the college, care, and preservation of its property, erection and construction of necessary buildings and other facilities, and authority to control collection and disbursement of funds is vested in a five-member Board of Trustees appointed by the Governor with the consent of the Senate for six-year overlapping terms. Board members serve without compensation. The State Attorney General's Office is constitutionally established as the legal advisor to all state agencies and institutions. This agency provides legal counsel to the Board of Trustees, the President, and other designated members of the campus community. Evergreen's President is chosen by and is directly responsible to the Board of Trustees for executive direction and supervision of all operations of the college. The President of The Evergreen State College is appointed for a six-year term, reviewable annually, which term may be renewed for an additional six years for a maximum term of twelve years. The Trustees and the President in turn delegate many duties and responsibilities to others in the Evergreen community.

- (3) The governance system recognizes that Evergreen is bound by two sets of rules which are not viewed as being inconsistent or incompatible with the spirit of the college. The first set of rules include those federal, state, and local regulations which are legal in nature and are binding upon all public institutions. The second set of rules make up the system of governance designed to advance The Evergreen State College toward its goals and purposes.

WAC 174-108-030 Information, Communications, and Record-Keeping

- (1) The Evergreen community needs to be open, self-conscious and self-correcting if it is to be both viable and innovative. The left hand does need to know what the right hand is doing. Furthermore, Evergreen needs to be able to remember the important things both its left and right hands have done, and with what degree of success or failure they have done it. This latter function calls for an effective system of record-keeping and is integral to institutional evaluation. The former requires the establishment of an Information Center designed to provide the intelligence that all members of the community need on a day-to-day, week-to-week, and month-to-month basis. Combined with the President's Forum and the College Sounding Board, the Information Center should prove invaluable as an aid to informed decision-making.
- (2) The Information Center.
 - (a) The Center will work closely with the schedules desk, Office of College Relations, the campus newspaper, and KAOS radio to collect and disseminate information about the broadest possible range of activities within the Evergreen community.
 - (b) It is intended that the Information Center, in addition to collecting information, will serve an active role in helping place people with questions with people responsible for having the answers. This demands that the Information Center have a sufficient staff to handle such requests.
 - (c) The Information Center should be responsible for at least these activities: publish the College Calendar of Events; maintain a large master calendar on which additions to or changes in schedules may be made; maintain a number of special announcement bulletin boards, both at the Center and around the school; maintain and make available the Voluntary Service List; and maintain a visible record of administrative areas of responsibility as per WAC 174-108-040(2).
 - (d) The Information Center should also have on file college publications, Disappearing Task Force (WAC 174-108-040 (4)(b)) records and minutes of meetings. This should be done in an active and visible manner.

(3) The President's Forum.

- (a) As an occasion for all concerned members of the Evergreen community to come together, to think together, to talk, listen, and reason together, the President's Forum will meet regularly.
- (b) The President of the college will lead the Forum discussions. He/she will be responsible for preparing and publishing an agenda, but it is to be understood that the agenda is open-ended. The Forum is not a decision-making body. It is a place and a time and a gathering where hard questions can be asked, where dreams can be told, where plans for a better college may be discussed.
- (c) In addition to the President's Forum, similar forums led by vice presidents, deans and directors, etc., are encouraged. These forums may allow for more focused discussion in specific problem areas of the community enterprise. All agendas should be publicized through the Information Center, paper, and radio station.

(4) The College Sounding Board.

- (a) As an important all-campus information and coordination body, the College Sounding Board will meet on a regular schedule to facilitate coordination of activities among all areas of the Evergreen community. This group will make recommendations for action as issues pertinent to the college arise (in the same manner as indicated in WAC 174-108-040(4) of this document). It will constitute a consultative pool or "sounding board" where discussion and advice on issues affecting various areas in the college can be heard and needs for coordination can be aired.
- (b) The membership will be constituted as follows:
 - (i) The President will be a member of the Sounding Board.
 - (ii) Each vice-president will appoint no more than 10 persons from his/her area of responsibility as members of this body with all areas represented.
 - (iii) Fifteen students will regularly serve as members of this body. They will be selected by their fellow students in a manner to be determined by the students. Annually, the Dean of Student Services will initiate the procedure.
 - (iv) Participation on the Sounding Board shall be for not less than one quarter, nor more than three consecutive quarters.

- (c) All members of the Sounding Board will serve as facilitators to all members of the Evergreen community in areas of initiative petitions or proposals, help individuals locate the area of responsibility, and otherwise facilitate communication and coordination on campus.
- (d) Participation on the Board should serve to acquaint its members with the multitude of problems, decisions, plans, etc., that typify an active center for learning. Each member of the Board must arrange for a substitute if he or she is to be absent from any particular meeting. Each member will meet with the appropriate constituent group to get information to take to the Sounding Board and to pass on information gained at the Board meeting.
- (e) The Sounding Board is responsible for maintaining a picture directory (with pictures, names, addresses, and phone numbers) in the Information Center so that the entire Evergreen community can know who to contact for help.
- (f) The College Sounding Board will select a new moderator and recorder for each quarter term. These responsibilities will be rotated through the Board membership. The moderator will see that the group meets on a regular schedule, will prepare and publish an open-ended agenda for each meeting, and will assure a free and open discussion of the issues. The recorder will be responsible for reporting the issues discussed and providing copies of the minutes to each member of the Board, the Information Center, the campus newspaper, and the radio station.

WAC 174-108-040 Patterns of Administrative Decision-Making

- (1) Decision-making at Evergreen will take place at the administrative level closest to those affected by the particular decision. Those responsible for making the decisions will be locatable and accountable; they will be expected to obtain input and advice from concerned parties as a regular part of the decision-making process.
- (2) Locatability: Location of those responsible for the functioning of various areas of the community is identified in the college organizational chart, the Faculty Handbook, and The Evergreen Administrative Code. Delegated duties and responsibilities should be made as explicit as possible, and information regarding the decision-making roles of various members of the Evergreen community should be made easily available in the College Information Center. Members of the College Sounding Board will also serve as information sources on these questions of locatability.
- (3) Administrative evaluation and accountability: Like the student and the faculty evaluation procedures, the administrative evaluation will emphasize growth in learning how to perform

more effectively the roles for which the individual is responsible. The procedure will include a large element of self-evaluation and evaluation by peers, but must also include input by other members of the college community (students, staff, faculty) who experience the results of the administrative processes. It is through this evaluative procedure that the community can express itself most constructively on the effectiveness of the administrative process and the degree to which it is being responsive to the needs and the long-term interests of that community. Without a smoothly functioning procedure encouraging evaluative contributions from a wide circle of community opinion concerning the administrative performance of the decision-makers in the college, the campus community cannot be expected to place its confidence in the system of governance elaborated here. Administrative evaluation is therefore central and essential to the workability of the governance pattern proposed. Guidelines for annual evaluation of exempt administrators are included in The Evergreen Administrative Code. Similar procedures should be established for all administrators.

(4) Counsultation, input, and advice:

- (a) The Evergreen State College wishes to avoid the usual patterns of extensive standing committees and governing councils. Instead, decisions will be made by the person to whom the responsibility is delegated, after appropriate consultation.
- (b) At least three major avenues for consultation and advice are open to a decision-maker within the college. The person may:
 - (i) Simply solicit advice on a direct and personal basis. This should not be used as the primary basis for decision-making on important issues. In particular, the use of a "kitchen cabinet" for regular advice should be avoided.
 - (ii) Select a Disappearing Task Force (ad hoc committee) for the purpose of gathering information, preparing position papers, proposing policy, or offering advice. The DTF should be composed of as wide a sampling of the community as possible. Consistent use of random selection from the Voluntary Service List and/or Community Service List would assure that as many people as possible are brought into decision-making. It may also be advisable to include persons with particular expertise. The Information Center should receive in writing an initial report of the DTF's purpose and membership, minutes of meetings, and its final recommendations, including any minority report. DTFs are expected to provide advance notice of the time, dates, and location of meetings.

After submitting its written recommendations to the administrator, the DTF should not be dissolved until its members have been informed in writing that their recommendations were accepted; or, if not accepted, until they have met with the administrator to reach an understanding on any differences between them, if possible, and received written notice of his/her final decision. The appropriate administrative officer is obliged to respond in writing to proposals within two weeks. If accepted by the appropriate decision-maker, the proposal will be made policy and will appear in the next Evergreen Bulletin, Faculty Handbook, or The Evergreen Administrative Code, or be made public through the various Evergreen communications systems.

- (iii) Appoint a longer-term advisory body for counsel on a matter requiring expertise (this option should be used infrequently to avoid the "standing committee syndrome").
- (c) Three major resources exist for selection to these consultative processes:
 - (i) The Natural Consultative Pool - only when it is clear that their recommendations affect a small or clearly limited and identifiable group.
 - (ii) The Community Service List - all members of the Evergreen community will be eligible for selection to the list by a random selection process. Names will be drawn from the list following the random order in which they were selected. Service on the list is considered a responsibility and a privilege of membership in the Evergreen community.
 - (iii) The Voluntary Service List - any member of the Evergreen community may have his/her name added to the list, and if he/she so desires may specify certain interest areas where he/she would wish to serve (e.g., Bookstore, DTFs dealing with experimental housing, administrative service, sports, etc.). This list will be maintained by and made available through the Information Center. Any individual or group can use this list to randomly select individuals to serve on DTFs, to identify people with certain interests, or to find talent and expertise.

WAC 174-108-050 Initiative Processes

- (1) In addition to those who by law or by delegation of duties and responsibilities are charged to develop policy in the performance

of their duties, any member of the Evergreen community can write a proposal or gather together a disappearing task force in the same manner as indicated in WAC 174-108-040(4).

- (2) Aid and advice on the initiative process will be available to individuals and groups from the Information Center.

WAC 174-108-060 Mediation and Adjudication of Disputes, Grievances, and Appeals

- (1) The mediation or grievances and appeals system at The Evergreen State College is designed to:
 - (a) Apply as far as possible to all members of the community.
 - (b) Provide a responsive system, one capable of speedy resolution of conflict and grievances.
 - (c) Provide a campus adjudicatory process, not one intended to operate in place of civil authority.
- (2) Informal mediation.
 - (a) It is expected that members of the Evergreen community who come into conflict with one another will make a determined effort to resolve their problems peacefully and quietly by themselves. This first attempt at resolution should be one to one. When unable to work out their differences in this direct fashion, they shall resort to third party informal mediation where the parties to a dispute shall call in a mutually agreed upon third party. Informal mediation shall be guaranteed all campus employees and students. If third party mediation is desired but one of the parties involved refuses, the Dean of Student Services should be contacted for assistance. ("Mediation, N., action in mediating between parties as to effect an agreement or reconciliation... mediation implies deliberation that results in solutions that may or may not be accepted by the contending parties". Random House College Dictionary, 1969).
 - (b) The Campus Hearing Board should be required only if previous attempts to resolve grievances and disputes through informal mediation have been unsuccessful. All members of the Evergreen community should feel a heavy responsibility to make every effort to solve individual and community problems imaginatively and constructively without resort to the hearing board process.
 - (c) Disputes involving personnel action of a formal nature for classified staff are governed by RCW 28B.16.120 and WAC 251-12.

(3) Campus Hearing Board.

- (a) The President or his/her designee shall randomly select from the voluntary service list three appointed members of the Board, including a student, staff, and faculty member, who will serve for not less than one academic quarter or more than one academic year. The appointed members will have the obligation to review all hearing board requests. Requests for a hearing board, together with proper evidence that previous attempts at mediation have been unsuccessful, must be presented in writing to the President's Office. The appointed members will respond in writing within five days, accepting the case or, if not, clearly stating the conditions that must be met. Before the actual hearing, two temporary members will be selected for each individual hearing by a random process from each of the disputants' peer groups. Each side represented in a dispute will have the right of two preemptory challenges. Meetings of the Hearing Board shall be open to the public.
- (b) In cases heard by the Campus Hearing Board, disputants will:
 - (i) Receive adequate (5 to 10 days) written notice of the nature of the grievance and possible sanctions (where appropriate).
 - (ii) Receive written notice of the date, time, and place of the hearing.
 - (iii) Be advised of the names of the witnesses who will appear in the case.
 - (iv) Receive a fair hearing.
 - (v) Have the right to present a defense and witnesses and the right to cross-examine opposing witnesses.
 - (vi) Receive written notice of the decision of the Board.
 - (vii) Have access to a transcript of the proceedings and the findings of the Board, located in the President's Office.
- (c) Appeal within the institution beyond the Campus Hearing Board is by petition to the Board of Trustees. The Board of Trustees may also, on its own motion, review any decision of the Campus Hearing Board and affirm, modify, or reverse that decision.

