

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, May 17, 1948, Room 101, Law Building

The Senate convened at 3:40 on Monday, May seventeenth, Room 101, Law Building. Twenty-nine members were present with President McCormick presiding.

APPROVAL OF THE MINUTES OF THE MEETING OF MAY THIRD: Dr. Carpenter asked that the minutes of May third be corrected as follows: The word "coordinated" in the second sentence of the third paragraph of the section headed STUDENT BODY ASSEMBLIES should be changed to "coordinate." The sentence should read, "It was Dr. Carpenter's opinion that student body assemblies should not be regarded as having a position coordinate with class periods." With this one correction, the minutes of the May third meeting were approved.

COMMITTEE ON BY-LAWS, REPORT OF: Dr. Houghton presented a report from the Committee on By-Laws. The following proposition was submitted:

11. That a standing University Committee on Committees be established with the organization and functions herein prescribed.

a. Membership and organization. This Committee shall be composed of six members of the faculty, appointed by the Chairman of the Faculty. The initial appointments shall be; two for one year, two for two years, and two for three years. Thereafter, appointments shall be made for three years, except to fill unexpired terms. No member shall serve two consecutive terms. The Committee shall elect its chairman from those of its members whose unexpired terms are the shortest.

See
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b. Duties. The Committee on Committees shall appoint the members of all committees created by the General Faculty or by the Senate, except when and to the extent that, action creating such committees specified otherwise.

Upon request of any administrative official in the University, the Committee shall also recommend persons for appointment to existing committees or new committees whose appointments lie within the discretion of such requesting official.

All appointments and recommendations made by the Committee on Committees shall be made in conformity with the conditions prescribed by the action calling for them and in harmony with principles which may at the time be applicable to such committees.

c. Effective date of this plan. This plan shall become operative upon its approval by the General Faculty.

Dr. Houghton moved that this proposition be adopted. His motion was seconded by Dr. Haury.

President McCormick raised the question whether or not the Committee on Committees could create a committee whose work would duplicate that of a regular University standing committee.

Dr. Houghton said that he was sure no such committee would be created unless the University President had fallen into disrepute with the faculty.

Dr. Carpenter said actually the University Faculty had the power to create such

committees anyway.

Dr. McCormick explained that it should be understood he was not jealous of prerogatives, but he felt an effort should be made not to allow purely administrative functions to transfer to the faculty, particularly when the matters concerned were obviously not academic matters. Dean Clarson asked by what right could the faculty create committees as stated by Dr. Carpenter. Dr. Houghton explained that what was meant was that while the faculty could not of course appoint a committee replacing a standing committee, it could at any time appoint a committee to investigate problems and to express opinions.

President McCormick said that it seemed to him this proposition as submitted by the Committee on By-laws was intended merely to implement the Faculty Constitution. Dr. Garretson asked whether or not a committee could appoint committees. It was his opinion that appointments usually were made by an individual. Dr. Houghton said that a committee could appoint committees.

President McCormick said that he was sure that the Board of Regents would not approve administrative functions being transferred away from administrative offices inasmuch as the administrators are responsible for such functions. This proposition, however, simply puts into effect provisions of the Faculty Constitution.

Dr. Houghton said that he hoped the Committee on Committees would be of assistance to the President, and he hoped the President would come to want the help of the Committee on Committees. Dean Chapman asked if the Committee on Committees should not be merely an advisory group to the President. Dr. Houghton said this group should be available to advise the President; but it should have other responsibilities too, particularly the appointment of the committees created by the Faculty or by the Senate.

Dr. Pistor raised the question whether or not the Faculty Chairman should have the power to appoint the six members of the Committee on Committees. There was a possibility, he said, that unfair representation of the various college faculties would result. The "little man" of the small faculty could be squeezed out. Dr. Houghton then moved that the following sentence be inserted after the first sentence of 11-a, "Not more than two members shall be appointed from any one college faculty." Professor Krumlauf said he thought the Committee on Committees should be appointed by the University President. Dr. McCormick said that he felt that the Faculty Chairman, however, should have this function. Dr. Houghton's amendment to the proposition was seconded and approved.

Dr. Barnes then asked how a person who was appointed to a committee by the Committee on Committees could be relieved of his position. Dr. Carpenter said that this would be left to the Committee on Committees. Dr. Barnes then stated that it was his feeling that this proposition seeks to interfere with the authority and responsibility of the University administration. He felt that the Senate has no authority in such matters and that the spirit of the Faculty Constitution is not here being followed. He said he saw dangers in Section 11-b. He said he thought there was too great a tendency to try to model procedure at the University of Arizona after that at the University of California.

Dean Clarson asked if this matter could be postponed until fall. He said he would like to have more time to consider the proposition. Dr. Houghton said that no progress was being made when the group constantly delayed action. He said the matter had been thoroughly gone into by the Committee on By-laws and to postpone action would accomplish nothing.

Dean Butler asked if, in the event this proposition is approved and a Committee on Committees is created, there is any work for it to do immediately. Dr. Houghton said there was. Dean Butler then reminded the Senate that a very few days remained in the school year. Mrs. Mattingly stated that the Committee on By-laws apparently had met the important objections to the original proposal to establish a Committee on Committees; and since a need for such a committee is seriously felt at present, she suggested that the proposition be adopted. Dean Brown said that this proposal was perplexing. This proposition would have the Senate approve the establishment of a committee which would be made up of non-Senate members. Further, the various committees appointed by the Committee on Committees would be called Senate committee members and yet these committee members probably would not be Senate members.

Dr. Roberts said that it seemed to him all objections originally made to the establishment of a Committee on Committees had been met. The procedure as here recommended he would not consider encroachment on administrative functions. The idea had been under consideration for several weeks, he pointed out. He recommended adoption of the proposition. Mrs. Caldwell said that the wording of the proposition was clear and the important objections to the original proposal had been met. There was a serious need for such a committee to get to work, and she recommended approval. Dr. Houghton had originally moved the proposition be adopted. Dr. Haury had seconded that motion. The amendment had been approved by the Senate, and now the Senate adopted the proposition as amended subject to approval of the General Faculty.

Dr. Houghton then presented a recommendation to be adopted by the Senate as follows:

- * "The Senate recommends a review of the membership of the several standing committees of the University, as published in the catalogue. It is recognized that certain administrative officers should be permanent members of certain committees. It is suggested that these officers be designated by title, rather than by name. It is recommended that the remaining membership of the several committees, designated by name, should be rotated rather freely among the faculty, and that, generally speaking, individual terms should not exceed three to five years. It is suggested that the Committee on Committees might assist in the formulation of some of these policies and in the constitution of some of the committees."

Dr. Houghton explained that this was not a By-law but merely suggested as a matter to go to the President as a Senate recommendation. He moved that it be approved, and this was seconded by Dean Slonaker. Dean Butler said that it seemed to him the last sentence of the recommendation had no meaning, that the words "these policies" referred to nothing previously mentioned in the recommendation. Dr. Roy said that it seemed to him that the entire recommendation added nothing to the proposition already adopted as By-law 11. (See above.)

- * An amendment to the recommended proposal that the final sentence be corrected to read as follows was suggested, "It is suggested that the Committee on Committees might be of assistance to the President in this matter." This amendment was approved by the Senate, and the Senate then approved the recommendation as amended.

Dr. Houghton then presented changes in the previously approved election procedure (as adopted at the meeting of Tuesday, April twenty-seventh) as follows:

revised

Under Paragraph Fourth, (Item 10) Subparagraph a., add the following paragraph to the four already approved: "In the event that the number of members at large should be changed, the basic principles herein prescribed shall still be applicable. That is, on the nominating ballot each voter shall be allowed to vote for as many persons as are to be elected; and on the second ballot, the list of nominees shall be double the number to be elected, allowing each voter to vote for as many as are to be elected."

Under Paragraph Fourth, Subparagraph f., insert the word "Normally" before the first sentence.

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Add Subparagraph g. under Paragraph Fourth as follows: "With each set of ballots, faculty members shall be sent appropriate lists of names indicating incumbents whose terms are expiring and whether or not they are eligible for reelection, Senate members whose terms hold over for another year, and persons who may have been elected on earlier ballots that year."

Dr. Houghton moved that these changes be approved. This was seconded by Dr. Roberts and approved by the Senate subject to the approval of the General Faculty. Dr. Houghton agreed as Secretary of the Committee on By-laws to assist the Secretary Pro Tem in providing the members of the General Faculty with a summary of all the By-laws approved by the Senate to date in order that the Faculty can study these before the Faculty meeting on May twenty-second, at which time the General Faculty will vote on the By-laws.

Dr. Houghton then presented an additional proposition. He explained that this proposal had come originally from the Committee of Eleven. The proposition as presented by the Committee on By-laws was as follows:

12. That, pursuant to III, E, 8 of the Faculty Constitution, a standing Senate Committee on Faculty Grievances be established with the organization and functions herein prescribed:

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a. Membership and Organization. This committee shall consist of three members of the faculty ~~engaged in full-time teaching or research or both.~~ They shall be appointed by the University Committee on Committees in consultation with the President of the University. ~~Not more than one member may be a Department Head or Director.~~

Initial appointments shall be: one for one year, one for two years, and one for three years. First appointees shall determine by lot the length of their respective terms. Thereafter, appointments shall be made for three years, except to fill unexpired terms. Members shall be eligible for reappointment.

The committee shall elect its chairman upon its initial organization. Thereafter, the member whose unexpired full-term appointment is shortest shall be the chairman.

b. Duties. As a matter of general principle, this committee shall concern itself with complaints and grievances by members of the faculty in ways designed helpfully to supplement the regular administrative processes of adjusting such matters. Normally, the committee shall take no final action on complaints brought to its attention until it becomes apparent that complainants are unable to obtain satisfactory solutions or adjustments through the customary administrative channels.

The committee shall receive complaints in writing from individual members of the faculty or from groups of faculty members. It shall investigate such complaints, hearing, receiving, and recording testimony, and shall make recommendations for solutions or adjustments of the matters involved to the President of the University.

The committee shall also make investigations and recommendations with respect to grievances of faculty members upon request of the President or of the Board of Regents.

Dr. Garretson said it did not seem to him to be in order for the Senate to create a committee which would not report back to the Senate. He felt such matters should eventually come back to the Senate.

Dr. Houghton said it was not conceivable to members of his committee that such matters as grievances should be argued before the entire Senate.

Dr. McCormick said that it seemed to him that all three members of a grievance committee should not be chosen entirely from the faculty. He asked if the administration should not be represented on the Committee in some way. He felt that both the administration and the Faculty should be represented on the Committee on Faculty Grievances. He suggested that a better way of choosing members of the committee would be for the President to choose one, the Committee on Committees to choose one, and these two members together to select the third member. Dr. Solve said that the Committee of Eleven felt that since the three faculty members were to be chosen by the Committee on Committees only with the approval of the President, this would guarantee satisfactory balance between administration and faculty. Dr. Houghton explained that it was the wish of his committee to give the President voice in the selection of all three members of the Committee on Grievances.

Dr. Roberts then asked if this Committee on Grievances actually would be a Senate committee, if it did not report back to the Senate. He also said that he could conceive of a situation where the Senate would be conducting an investigation of its own of a matter at the same time being investigated by the Committee on Grievances. He felt the Committee on Grievances should report back to the Faculty Senate. Dr. Houghton repeated his earlier opinion that grievances should not be discussed before the entire Senate. Dr. Roberts said that it seemed to him that this proposition would make Article III, Paragraph E, Subparagraph 8 of the Faculty Constitution a dead letter. Dr. Houghton said By-laws never make any part of a constitution a dead letter. Dr. Roberts then asked if the Committee on Grievances would make its reports only as confidential reports. If not, then possibly an individual report could be made to each member of the Senate, without the necessity of matters coming up for Senate discussion.

Dr. Solve said that it was the feeling of the Committee of Eleven that reports of the Committee on Grievances should be confidential. If these reports came to the Senate, unfavorable publicity might result. It is true that this proposition would delegate Senate authority to a small group. However, this seemed to be a more tactful way to handle such delicate matters as grievances.

Dr. Solve then moved that the second sentence of the first paragraph of Section a. of Proposition 12 be amended to read as follows: One member shall be appointed by the University Committee on Committees, one by the President of the University, and one by these two members.

(second)

Dean Slonaker then said that he approved of Dr. Solve's amendment inasmuch as he thought the administration definitely should have some voice on a Committee on Grievances. Professor Krumlauf pointed out that the proposition as presented does allow the administration to have a voice in the matter inasmuch as a case will not come before the Committee on Grievances until after it has gone through the customary administrative channels.

There followed some discussion as to whether or not department heads, directors, and deans should be eligible to sit on a Committee on Grievances. Dr. Houghton said it should not be feared that teaching faculty would not see the administrative point of view in grievance cases inasmuch as many of the teaching staff have had considerable administrative experience. He also said that he did not believe the General Faculty would approve the proposition establishing a Committee on Grievances if deans could be chosen to membership on the committee.

Dean Butler then said that he wishes to voice a deep feeling of resentment that there is a definite feeling on the part of some University faculty members that the University staff is lined up on two sides, administrators versus teaching staff. He pointed out that most of the administrators were teachers for many years and many of them still are. He said the administration looks at problems from the viewpoint of teaching faculty. He said he is certain that if the Advisory Council, over the years, had been made up of teaching faculty members instead of deans, practically nothing would have been done differently from the way it was done. It is true, he said, that some of the teaching staff have had administrative experience, but proportionally, more administrators have had teaching experience. He said it would be unfortunate if the University allows itself to be divided into two camps. He said he felt it was an insult to the administration when it was suggested that additional teaching faculty senators must be elected to balance the weight of the administration's vote in the Senate when it was proposed that the Registrar be made a voting member of the Senate. He pointed out that sometimes unfortunate developments are allowed to take place when matters which should be left up to experienced administrators are handled by persons not experienced in administrative procedure. He cited the example of the student cheating exposé which was released to the press and brought discredit upon the University of Arizona in all parts of the country. He explained that all University employees are here for one purpose. Interests are common; and if the faculty and administration divide, trouble will result.

Dr. Barr then suggested that the first sentence of Paragraph a. of Proposition 12 end after the word "faculty" and that the last sentence of that paragraph be dropped completely. Dr. Solve then said he would incorporate these changes in his original motion and this was agreeable to Dr. Roberts, who had seconded Dr. Solve's motion.

Dr. Garretson then said that no one likes to see a division felt between faculty and administration, but he pointed out that only that afternoon a student had reported to him that one of her professors had said in class that the University faculty and administration were always at cross purposes. Dr. Solve said that he deplored talk of the division between administration and faculty. He assured the Senate that the Committee of Eleven, when originally suggesting this proposition, had no intention of suggesting any such division.

Dr. Carpenter then pointed out that the Committee on Grievances would be a continuing committee. He asked what would be done in the event that one of the committee members was a party concerned in a grievance. He suggested an addition to Section a. as follows: In any case involving a member of the Committee on Grievances, his place shall be taken by a disinterested person selected as he was, for dealing with that case. Dr. Houghton said that to avoid the cleavage between administration

and faculty which had been discussed, it was imperative that the first grievances handled by the committee should be very carefully handled. Dr. Roberts then said again that he felt the Senate was entitled to know how the Committee on Grievances was functioning even if confidential reports were simply distributed by mail to Senate members. He said the Senate was entitled to know what the Committee on Grievances was doing. It was pointed out that this detail could be worked out later. Dean Clarson said that he felt that rather than have a continuing committee, it would be better to have a different committee for each grievance. Dr. Houghton said, however, that the value of such a committee lay in its being a continuing body, and Professor Andersen asked if there were no standing Committee on Grievances, to whom
4 Para. would someone go when he wishes to file a grievance? The Senate voted to accept the
p. 44 amendments to Proposition 12 as outlined above and then approved the proposition as amended.

OUTSIDE WORK, DISCUSSION OF: Dr. Solve presented proposals concerning "outside work" recommended by the Committee of Eleven for consideration and adoption by the Faculty Senate as follows:

Definition: "Outside work" shall be considered as continuing or periodic work not included in that for which the employee is paid by the University but in which the employee may wish to engage for any reason whatsoever.

- I. When the outside work is classifiable as falling within the employee's professional field or within the field of public service, it should not only be permitted freely but to the extent that it does not interfere with the employee's teaching or other assigned duties, it should be encouraged. The University recognizes the fact that such work tends to broaden the employee's background and experience and thus to increase his value to the University as a teacher, research worker or administrator.

Whether or not the employee who engages in such work received compensation therefor is deemed of no consequence and as having no bearing on the general question.

If no University facilities are employed or consumed in the work the University shall place no prohibition upon it nor claim any part of any compensation received for it.

If University facilities are employed or consumed in the work the University may enter into a suitable arrangement with the person performing the work and the one for whom it is performed as to the amount to be paid to the University to compensate for the use of its facilities. This fee shall bear no relation to the salary or to other pay received by the employee for services rendered the University. In this connection the practice specified in the University Announcement "Test Policy and Procedure" dated October, 1942, may be followed.

- II. The writing of books or other creative work of a similar nature shall be encouraged to the extent that it does not interfere with the assigned duties of the employee. If such creative work results in royalties or the sale of copyrights, etc., the University shall make no claim thereto.
- III. Engaging in work of a non-professional or non-public service nature may sometimes be considered by some persons as inappropriate to the professional or academic standing of the employee and the University. For this reason it

might be considered undesirable for faculty members to engage in this type of activity. However, faculty members not infrequently find it necessary to engage in such employment. Therefore, the University should prohibit such work only when it is entirely clear that that work is inappropriate and would result in discredit or in diminished effectiveness of the employee or the University.

- IV. The question of whether or not outside work interferes with the assigned duties of the employee shall be determined in each instance in conference between the employee, his department head, the appropriate dean, and the office of the President. The decision shall rest upon actual facts in the specific case. It shall be the duty of the employee who engages in outside work to report that fact to his department head.

Dr. Solve pointed out that there was evidence that some policy as here outlined was necessary. He read to the Senate part of a letter received by a faculty member from an administrator within the last year which suggested that the University did not approve outside work other than extension teaching, summer work, and creative writing. This would seem to violate the policy established some years ago by the Board of Regents. Therefore, a need for this proposal was felt. Dr. Roberts said that this proposal did not mention the matter of cooperative research and the publishing of the result of this research. He wondered if we should encourage research, the profits from which would go to a private corporation. Dr. Solve said that individual decisions would have to be made in such cases.

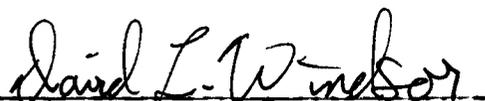
Dr. Pistor pointed out that he did not believe professional men on the University Faculty should be permitted to compete with men in their same field away from the campus. He said further that there seemed to him to be too much included in this proposal to be digested in one meeting and he would like further time to study it. Dr. McCormick pointed out that lawyers on the faculty of the College of Law should not be permitted to practice law in the city of Tucson in competition with city attorneys. Dean Butler said that engineering schools encourage their men to do outside work. However, they should charge more than the regular professional engineer. They should not do routine work, but should be considered as specialists. Therefore, they are not competing with engineers of the state but are doing the state a real service. Dr. McCormick said that this proposal simply presented policy and the question was whether or not as policy it was a plan feasible for the University as a whole. Dr. Solve was asked whether or not the matter could wait until fall, and Dr. Solve said he was sure it could. Dean Patrick said he felt the matter needed further study. Dr. Pistor then moved that that consideration of the proposal be postponed until fall. Dr. Houghton said that it seemed to him poor policy continually to delay action on matters. He said that the Committee of Eleven had carefully gone into all aspects of the problem, and the matter should not be held over until a fall meeting. Dean Clarson said that the Faculty Senate members were entitled to give the matter whatever consideration they deemed necessary. Professor Gray said he was unable to vote on any matter without being given sufficient time to consider it. Dr. Barr said the Senate should not ignore the recommendation from the Committee of Eleven and suggested a Senate committee to study the matter during the summer. Dr. Solve said he was sure the Committee of Eleven would not feel hurt if the matter were delayed until September. Professor Borgquist then said that he wanted to study the matter carefully, that the problem as it concerned engineers was probably different from the problem as it concerned agricultural men, lawyers, etc. The Senate voted to postpone consideration of the proposal until September.

DISCUSSION OF REVISION IN RETIREMENT PLAN: Mr. Windsor presented a recommendation submitted by the Committee of Eleven as follows: "That the faculty committee appointed to draw up a satisfactory retirement program for the University of Arizona faculty, under the chairmanship of Professor R. M. Howard, be requested to take the necessary steps toward securing administrative sponsorship of suggested revisions in the present law which would minimize inequities now apparent with respect to pay for past services. The retirement plan committee's original recommendations, embodying the wishes of the faculty, were limited by the final enactment restricting the contributions of the University itself to such an extent that no adequate arrangement for this important aspect of our retirement system has been possible. If such revisions could be worked out with the administration for presentation to the next regular session of the Arizona State Legislature, we should at least have made the first move toward remedying the present unsatisfactory situation."

Professor Howard explained that the Board of Regents wants the Legislature to do something about this matter. However, he was not sure that anything could be done during the summer. He pointed out that final disposition of the matter would be in the hands of State Legislature members, who will not be elected until next fall. Dean Clarson moved that this matter be referred to Professor Howard and his committee for further study. This was seconded and passed.

CONSTITUTION AMENDMENT, DISCUSSION OF: Dr. McCormick said that the amendment to the constitution as approved by the Faculty Senate on April twenty-seventh and as amended at the meeting on May third, could not be voted upon by the General Faculty at its meeting on May eighteenth inasmuch as notices of the amendment had not reached the faculty twenty days prior to the faculty meeting. Therefore, this amendment to the constitution will be voted upon next fall.

The meeting adjourned at 5:45 pm.


David L. Windsor
Secretary Pro Tem

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