

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
 Monday, April 4, 1966 Room 205, Bus. & Pub. Adm. Bldg.

The Faculty Senate convened in regular session at 3:40 o'clock on Monday, April 4, 1966, in Room 205 of the new Business and Public Administration Building. Forty-two members were present with Vice President McMillan presiding. Also present at the meeting were Dr. Robert W. Bretall, Dr. Philip C. Chapman, Dr. Leslie S. Forster, Dr. Richard K. Frevert, Dr. Clifford M. Lytle, Assistant Dean of Women Jean W. Smith, and Dr. Clifton E. Wilson.

PRESENT: Bartlett, Beattie, Brewer, Chadwick, Coleman, Coulter, Damon, Delaplane, DuVal, Forrester, Gegenheimer, Gries, Hall, Harris, Harshbarger, Hillman, Hull, Johnson, Joyner, Lynn, Lyons, Marcoux, McCarthy, McCaughey, McDonald, McMillan, Patrick, Picard, Quinn, Rhodes, Robinson, Roy, Shields, Simonian, Sorensen, Stanislawski, Steelink, Svob, Tucker, Voris, Wilson, and Windsor.

ABSENT: Blecha, Blitzer, Carlson, Cockrum, Gaines, Harvill, Krutzsch, Little, Myers, Paulsen, Rapoport, Stromberg, and Yoshino.

APPROVAL OF MINUTES: The minutes of the meeting of March 7, 1966 were approved as distributed to members.

PETITION TO COMMITTEE "A" OF THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, CONSIDERATION OF: The Senate considered a proposed petition to Committee A of the American Association of University Professors, prepared by Alfred F. Gegenheimer, Arthur Kemmerer, Raymond Thompson, and Currin V. Shields, Chairman, the members of the Special Committee on Academic Freedom and Tenure, to be presented to the 1966 Annual Meeting of the American Association of University Professors concerning the lifting of censure of the University of Arizona. The proposed petition read as follows:

TO: Committee A, American Association of University Professors

RE: Censure of the University of Arizona

We respectfully petition that Committee A recommend to the 1966 Annual Meeting of the American Association of University Professors the lifting of censure of the University of Arizona for the following reasons:

Regarding Academic Freedom and Tenure at the University of Arizona:

1. Personnel policies and procedures adopted by the Faculty Senate and in force at the University of Arizona, set forth in the

Faculty and Staff Manual, guarantee to a maximum extent protection of the academic freedom and tenure of faculty members.

2. The Special Committee on Academic Freedom and Tenure of the University of Arizona has drafted a set of procedural rules governing the conduct of a faculty grievance committee hearing now under consideration by the Faculty Senate, and such rules would assure that the merits of a case would be fully and impartially examined in a hearing.

3. The conditions of academic freedom and tenure at the University of Arizona continue to be excellent.

Regarding Procedures Used in the MacEwan Case:

1. The procedures used in the MacEwan case which led to the censure of the University of Arizona were, unfortunately, defective, with the result that the findings were inconclusive and the University's position was not presented for the inspection of Committee A.

2. The University administration acted in good faith in calling and conducting a faculty grievance committee hearing for a non-tenured faculty member, but that hearing proved in retrospect to be defective in that the Committee assumed that, since under AAUP policy the burden of proof rested with the petitioner, no attempt was made to present the University's position.

3. The purpose of the Faculty Grievance Committee hearing, in the understanding of the Committee, was to allow Professor MacEwan to prove his contention that his non-retention was for reasons other than that given, namely, unsatisfactory teaching, and not to adjudicate the question of his competence. This latter question, therefore, was not adjudicated in the hearings.

4. In the investigation of the case by the Ad Hoc Committee, the customary qualifications for recruitment, retention, and promotion of faculty members at the University of Arizona--teaching, scholarship, professional competence, and University and public service--were not given adequate consideration.

5. Nor were the defects in the Faculty Grievance Committee hearings remedied with respect to the broader issues in the case during the investigation by the Ad Hoc Committee.

6. The rules of procedure used by Committee A at the 1965 Annual Meetings in Washington, D.C., prohibited the presentation of information by representatives of the University of Arizona, and thus prevented a statement of the University's position on the merits of the issue for the inspection of Committee A.

We conclude that whatever warrant existed for the recommendation of Committee A for censure of the University of Arizona at the 1965 Annual Meeting, the University Administration and Faculty have taken every reasonable step to conform to the principles and policies of the American Association of University Professors. We request that Committee A recommend to the 1966 Annual Meeting that censure of the University of Arizona be lifted.

Respectfully,

Albert F. Gegenheimer

Arthur Kemmerer

Raymond Thompson

Currin V. Shields (Chairman)
Special Committee on Academic
Freedom and Tenure, University
of Arizona

Dr. Shields moved, and Dean Coleman seconded, that the petition as presented be endorsed by the Faculty Senate.

Dr. Gegenheimer then read to the Senate a communication from Dr. Leon Blitzer, who could not be present at this meeting. Dr. Blitzer's communication read as follows:

April 4, 1966

TO: Albert F. Gegenheimer, Arthur Kemmerer,
Raymond Thompson, Currin V. Shields, Special
Committee on Academic Freedom and Tenure.

From: Leon Blitzer

I have just read your memo of 18 March re: Censure of the University of Arizona. Be assured that I share your concern in this matter, and in this spirit I offer the following comments for your consideration.

Part of your argument deals with the positive aspects of academic freedom and tenure as they now pertain to this campus. However, the bulk of your case (2½ times as long) is devoted to procedures used in the MacEwan case and a polite but strong criticism of the AAUP Adhoc Committee, as well as Committee A, over "defective" procedures.

I believe that pushing this argument is a grievous mistake. This position was taken by the administration representatives last year; and clearly it did not convince the Committee then. Does anyone seriously think that Committee A will accept this argument now and reverse itself in the matter of censure?

What purpose can persistence with such an argument serve except possibly to antagonize members of the Adhoc Committee and Committee A and stiffen their earlier resolve? Would it not be better to drop this lately-raised issue and let history decide the question of "defective" procedures and to approach Committee A with something positive to offer?

Senate members directed several questions to Dr. Shields concerning the petition and he answered these. Dr. Hillman said he agreed with Dr. Blitzer that he thought the petition would be stronger if certain points were eliminated.

Dr. Joyner then moved that the wording of the proposed petition be amended as follows:

Under the first heading, "Regarding Academic Freedom and Tenure at the University of Arizona," in Paragraph 1 eliminate the words "to a maximum extent" in the third line;

In Paragraph 2 under the same heading, substitute "provide" for "would assure" in the fourth and fifth lines;

Under the second heading, "Regarding Procedures Used in the MacEwan Case", eliminate all of Paragraphs 1, 4, 5, and 6; and

In Paragraph 2, beginning at the fourth line, eliminate the words "in that the Committee assumed that, since under AAUP policy the burden of proof rested with the petitioner", substituting the word "since" for them.

Dr. Wilson seconded Dr. Joyner's motion to amend the proposed petition.

Several members of the Senate commented that they felt the petition would be strengthened if amended in the way proposed by Dr. Joyner.

Dr. McDonald then moved that in the section headed "Regarding Procedures Used in the MacEwan Case" Paragraphs 2 and 3 be deleted entirely. Dr. Harris seconded Dr. McDonald's motion.

Dr. McDonald asked Dr. Shields why Paragraphs 1 through 6 under "Regarding Procedures Used in the MacEwan Case" were included in the statement at all. Dr. Shields said that they were simply statements of fact. He said he had no particular feelings about retaining paragraphs 1, 4, 5, and 6. He said he felt that Paragraph 2 was pertinent to the total petition but he did not see objection to the changes proposed by Dr. Joyner's motion.

Dr. Gegenheimer agreed. He said further that Paragraph 3 provides information which Committee A had asked be presented.

After general discussion about Dr. McDonald's motion and a brief review of the function of the Faculty Grievance Committee which, on request, Dean John Lyons gave, the question was called for and the motion to delete Paragraphs 2 and 3 of the latter section lost.

The question on Dr. Joyner's motion to revise the wording of certain sections and delete Paragraphs 1, 4, 5, and 6 of the latter section was then called for and that motion carried.

Voting on the original motion to endorse the petition, as amended, was then called for. Dr. Joyner and several other members of the Senate asked that the vote be by secret ballot. Voting by ballot followed and the motion carried thirty-one to eight.

The petition, as amended, is as follows:

TO: Committee A, American Association of University Professors
RE: Censure of the University of Arizona

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2. The purpose of the Faculty Grievance Committee hearing, in the understanding of the Committee, was to allow Professor MacEwan to prove his contention that his non-retention was for reasons other than that given, namely, unsatisfactory teaching, and not to adjudicate the question of his competence. This latter question, therefore, was not adjudicated in the hearings.

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Respectfully,

Albert F. Gegenheimer

Arthur Kemmerer

Raymond Thompson

Currin V. Shields (Chairman)
Special Committee on Academic
Freedom and Tenure, University
of Arizona

HONORARY DEGREES, APPROVAL OF: The Senate received two recommendations for the awarding of honorary degrees at the June 1, 1966 Commencement. The Senate voted to recommend to the General Faculty and the Board of Regents the awarding of these honorary degrees - one Doctor of Humane Letters degree and one Doctor of Science degree.

Eston Ray Cowden

Margaret Amanda Knight

ADJUSTMENT IN SCHEDULING OF SALARY PAYMENTS, PROPOSAL BY DR. ANDREW W. WILSON RE:
The Senate considered the following proposal regarding the scheduling of salary payments as distributed to the membership by Dr. Andrew W. Wilson:

To: Members of the Faculty Senate
Subject: Scheduling of salary payments
From: Andrew W. Wilson

It seems to me there are a number of advantages in having the salary of 10 month faculty spread over the entire year. It gives them more flexibility in planning summer activities, without the tedious and agonizing problems of budgeting and saving during the year.

Because state regulations require all claims for one fiscal year to be paid within 31 days of the end of that year, a twelve months pay plan running from September 1 to August 31 is not legally possible. A plan tailored to the fiscal year would require payments to employees in July and August before they start work.

It seems possible, however, to have a salary divided into 24 parts, instead of 20, to begin paying on September 15 and then have the last five pay periods lumped into one large paycheck on June 30. I would suggest that such a pay program be made optional at the choice of the individual faculty member.

The Senate discussed this proposal and then on motion by Dr. Wilson, seconded by Dr. Joyner, voted to recommend that procedures be adjusted so that a faculty member could elect to have his academic year salary divided into twenty-four parts instead of twenty, payment for the final five pay periods to be lumped into one large paycheck on June 30.

Dr. Hillman commented that while a faculty member may find himself in strained economical circumstances during the summer months, this is simply the fault of poor budgeting of his income. He said he was sure that to implement such a proposal as was suggested would be extremely difficult for the Office of the Comptroller. He said he was acquainted with the practical difficulties that such a procedure would present to Tucson School District No. 1, on whose Board of Trustees he serves.

The question was called for and carried, with Dr. Patrick voting in the negative. Dr. Patrick explained his reason for voting 'no' on the proposal.

He said this adjustment could work to the faculty's disadvantage if members of the Legislature or the public generally were given the impression that faculty members were given a large salary payment on June 30 for months they would in fact not be working for the University. This action could have unfortunate results so far as faculty salaries are concerned, he feared.

It was understood that the Senate action was simply a recommendation to the administration. Mr. McMillan said he would ask the President to appoint a committee to consult with the University Comptroller to study the recommendation and report back to the Senate.

The meeting adjourned at 5 o'clock.


David L. Windsor, Secretary