

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, September 13, 1976 Kiva, Room 211 of the College of Education

The Faculty Senate convened in regular session on Monday, September 13, 1976 in the Kiva, Room 211 of the College of Education. Sixty-four members were present with President Schaefer presiding.

SENATE MEMBERS PRESENT: Atwater, Bartlett, Boghosian, Briggs, Butler, Carr, Chin, Clark, Davis, DeWalt, Dresher, Edwards, Garcia, Gegenheimer, Hawkins, Heusinkveld, Hyland, Ingram, Inman, M. Johnson, R. Johnson, Kneebone, LaBan, Lebowitz, Livermore, Lytle, Manes, Manning, Matlock, McConnell, McCullough, McMillan, Meredith, Munroe, Murphy, Myers, Nelson, Nigh, Odishaw, Paplanus, Peacock, Peterson, Picchioni, Prosser, Rehm, Rhodes, Ridge, Rosenberg, Rosenblatt, Roubicek, Rush, Rusk, Schaefer, Seibert, Sigworth, Steelink, Svob, Thompson, Tomizuka, Weaver, Wenders, Wiersma, Windsor, and Wrenn. Student representatives present were Mike Ceballos, Andrew Federhar, Patrick Mitchell, and Mark Webb. Dr. Robert Sankey was present as parliamentarian.

SENATE MEMBERS ABSENT: Ares, Caldwell, DuVal, Elliott, Fahey, Gaines, Graham, Hetrick, Hull, Kassander, Marchello, Munsinger, Paulsen, Sorensen, Stairs, Vanselow, Witte, and Woloshin. Student representatives absent were Rickey Cooper, Edwin Darrell, and Michael Flores.

APPROVAL OF MINUTES: The minutes of the meeting of May 3, 1976 were approved as distributed.

REPORT FROM THE CHAIRMAN OF THE FACULTY: Chairman Steelink informed the Senate that the three new members of the Committee on Committees were Dr. Clifton Wilson of the Department of Political Science, Dr. James Klemmedson of the Department of Range Management and Dr. George Hedge of the Department of Physiology.

REPORT RE REGENTS' ACTION ON PROPOSED CONSTITUTION AND BYLAWS: Dr. Steelink said he had had occasion earlier in the day to talk to Regent Elliott Dunseath. Mr. Dunseath had asked Chairman Steelink to convey his greetings to the Faculty Senate. He had also asked him to inform the Senate that if this body wished to write its own faculty constitution without Regents' advice and assistance in the drafting, to be prepared to raise money to pay for \$50,000,000 of liability insurance to protect the Regents from lawsuits.

Chairman Steelink then read the following statement concerning the status of the Faculty Constitution and Bylaws:

"During the summer of 1976, Professor Raymond H. Thompson, myself and members of a Faculty Advisory Committee* met with members and legal staff of the Regents' Policy Committee to draft the Constitution and Bylaws.

*David Hetrick, David O. Lucas, Donald Myers, Ray Davis, Willard Van Slyke

Agreement was reached on the Constitution and Bylaws 1-6 (election procedures). However, no agreement could be reached on Bylaw 7, which embodies faculty grievance procedures. As of today, we are at an impasse.

"In its meeting of May 19, 1976, the Board of Regents did give temporary approval of the Constitution and Bylaws of May 5, 1975. Until further notice, the University of Arizona faculty may conduct its business, operate its committees, conduct its elections and carry out grievance procedures according to the document adopted by the General Faculty in April 1975, (known as the May 5, 1975, Constitution and Bylaws).

"During the summer of 1976, the Regents' Policy Committee presented us with a draft (May 17, 1976) proposal. The major differences between the faculty-approved Constitution and the Regents' proposal were in Bylaw 7. The Regents' Bylaw 7:

1. Contained 19 pages, compared to 5 in the faculty version.
2. Included an entirely new Grievance Committee, in addition to the Committee on Conciliation and the Committee on Academic Privilege and Tenure.
3. Excluded non-tenured faculty from a hearing before any faculty grievance committee for matters related to suspension, dismissal or non-retention.
4. Excluded faculty holding administrative positions from a hearing before any grievance committee for matters related to suspension, dismissal, relief or removal from administrative position.

"Despite extensive discussions between us and the Regents' Policy Committee, we failed to eliminate Sections 2, 3 and 4 (above). The Regents argued that these provisions were necessary to shield them against lawsuits from certain categories of the professoriate. The legal advisor to the Board of Regents is now drafting a Faculty Code of Conduct which will embody certain 'safeguards' and apply to all three Arizona universities.

"Dr. Thompson and I were appointed by President Schaefer to represent the faculty in these negotiations with the Regents. We have sought to be reasonable and flexible in our discussions. However, we feel we cannot negotiate away the rights of non-tenured faculty. Therefore, we are unable to accept the draft proposal of the Regents' Policy Committee.

"It is my personal belief that the faculty should be a self-governing body. They are capable of writing and abiding by their own rules of conduct. Their grievance committees have not abdicated their responsibility, nor have they favored trivial claims of their colleagues. While I can sympathize with the discomfort of the Regents in their legal battles, I must disagree with their logic of rewriting a Constitution to circumvent this discomfort.

"I still hold out hope for resolving this impasse. Dr. Thompson and I would welcome any suggestions and advice from the Senate."

Referring to the Regents' attitude toward nontenured faculty, Dr. Steelink said he had conferred with Dr. Hetrick about the experience of the Committee on Academic Privilege and Tenure since July 1972. During that period

the committee had heard 30 cases, 17 of which concerned nontenured faculty. The number of decisions denying the claims of the nontenured faculty had been 12. This shows that the attitude of the Committee on Academic Privilege and Tenure has not been favorable to nontenured faculty, Dr. Steelink said. Dr. Gegenheimer asked if there was information available as to the number of cases handled by the Conciliation Committee and which had then not been referred to the Committee on Academic Privilege and Tenure. Dr. Steelink said he did not have this information but he would try to get it.

Dr. Peterson said he could not understand the Regents' logic. More thorny cases would be headed off by the machinery provided by the proposed Constitution and Bylaws, it seemed to him. Dr. Steelink said he had tried to make it clear to the Regents that if faculty members do not have grievance review channels within the University they will resort to the courts. However this argument had not impressed the Regents.

Dr. Schaefer said he thought one of the concerns of the Regents was the proposed requirement to give reasons in public for nonretention. He was sure the Regents did intend to provide an appropriate grievance procedure for all personnel. Mr. Dunseath had suggested there be one committee to consider most grievances with the attention of the CAPT being reserved for cases of dismissed tenured faculty members.

President Schaefer said he thought there were indeed grounds for hope that by further negotiation this matter would be appropriately resolved.

INTRODUCTION OF NEW MEMBERS: President Schaefer introduced the following newly elected members of the Senate, all college representatives, to serve two years: Dr. Robert E. Clark, College of Law; Ms. Evelyn M. Dewalt, College of Nursing; Dr. Clark A. Hawkins, College of Business and Public Administration; Dr. Robert S. Heusinkveld, College of Medicine; Dr. Robert N. Hyland, College of Medicine; Dr. Robert K. Johnson, College of Education; Dr. William R. Kneebone, College of Agriculture; Dr. Michael D. Lebowitz, College of Medicine; Dr. William G. Matlock, College of Agriculture; Dr. Keith E. Meredith, College of Education; Dr. Jeffrie G. Murphy, College of Liberal Arts; Dr. Samuel H. Paplanus, College of Medicine; Ms. Lois Prosser, College of Nursing; Dr. Thomas Rehm, College of Mines; Dr. George Ridge, Jr., College of Liberal Arts; Dr. Carl B. Roubicek, College of Agriculture; Mr. James J. Rusk, Non-College Group (Planning and Budgeting); Ms. Karen S. Seibert, Non-College Group (Library); Dr. Oliver Sigworth, College of Liberal Arts; Dr. Raymond H. Thompson, College of Liberal Arts; Dr. John T. Wenders, College of Business and Public Administration; Dr. Robert L. Wrenn, Non-College Group (Student Counseling).

Newly re-elected college representatives: Mr. Harry der Boghosian, College of Architecture; Dr. Lincoln Chin, College of Pharmacy; Dr. Odus V. Elliott, Non-College Group (Student Housing); Dr. Jose D. Garcia, College of Liberal Arts; Dr. Billie Jo Inman, College of Liberal Arts; Dr. Frank K. LaBan, College of Fine Arts; Dr. Donald E. Myers, College of Liberal Arts; Dr. Gerald R. Peterson, College of Engineering; Dr. Charles I. Rosenberg, College of Liberal Arts; Dr. Jean C. Rush, College of Fine Arts; Dr. Frank Wiersma, College of Agriculture.

ELECTION OF SENATORS TO REPLACE A RESIGNED MEMBER AND A MEMBER ON LEAVE: The secretary reported that Dr. Odus Elliott, re-elected to the Senate for the

1976-78 two-year term representing the non-college group, was on leave during the academic year 1976-77 and the Senate should elect a replacement for that period of time. Dean Windsor then moved that Mr. Marshall Townsend, Director of the University of Arizona Press, be elected as Dr. Elliott's replacement for the year 1976-77. It was pointed out that Mr. Townsend had served as a senator representing the non-college group during the academic year 1975-76 when he had completed the unexpired term of Gerald Palsson. Several seconds to Dean Windsor's motion were heard. President Schaefer asked if there were other nominations from the floor. There were none. Mr. Townsend was then unanimously elected.

The secretary next explained that Professor Charles Ares of the College of Law who still had a year to serve of a two-year term as a senator-at-large had recently resigned from the Senate and the Senate should elect a replacement for this position. It was pointed out that in the senators-at-large election in which Dr. Ares had been elected to the 1975-77 term the next available runner-up who was willing to serve if elected was Dr. Marvin Selke. (The immediate runners-up were either now already in the Senate having been elected as college representatives last spring or had indicated they would not be willing or able to serve if elected.) Dean Windsor moved that Dr. Selke be elected. Several seconds were heard. President Schaefer asked if there were other nominations from the floor. There were none. Dr. Selke was then unanimously elected to the vacant position of senator-at-large to serve through the 1976-77 year.

ELECTION OF NEW MEMBER OF COMMITTEE ON CONCILIATION PLUS ALTERNATES: The Senate was reminded that annually it must select one member of the Committee on Conciliation and two alternates. The Committee on Committees had nominated for membership on the Committee on Conciliation Joel Finer of the College of Law and Sarah M. Dinham of the College of Medicine. The four nominees for the two positions of alternate members were Gordon H. Geiger of the College of Mines, Bill W. Hillman of the College of Education, Henry W. Kircher of the College of Agriculture, and Edward T. White of the College of Architecture. (It was pointed out that Dr. Robert E. Tindall is the carryover member for 1976-77. Dr. Frank LaBan and Dr. Thomas R. Rehm are the carryover alternates.)

Before voting proceeded the question was asked whether or not student members of the Senate now had a vote since it was understood that the Regents had authorized the Senate to operate under most of the provisions of the new Constitution and Bylaws. Dr. Schaefer answered in the affirmative.

The Senate then proceeded to vote by ballot. Dr. Finer was elected the new member on the Committee on Conciliation and the two new alternates elected were Dr. Geiger and Dr. Kircher.

ELECTION OF REPRESENTATIVES TO THE ARIZONA COLLEGE ASSOCIATION: Chairman Steelink reminded the Senate that this body has the responsibility at its first meeting each year to elect two U of A representatives to the Arizona College Association. He was pleased to place in nomination the name of Dr. Loyal Gryting of the Department of Romance Languages for one of these posts. President Schaefer asked if there were other nominations from the floor and there were none. By voice vote Dr. Gryting then was unanimously elected.

Dr. Steelink said he hoped to have a nomination for the second position ready for consideration at the next meeting of the Senate.

ELECTION OF TWO FACULTY REPRESENTATIVES TO THE STUDENT APPROPRIATIONS BOARD:

Dr. Steelink pointed out that it was the responsibility of the Senate each year to elect at its first meeting two faculty representatives to the Student Appropriations Board. He placed in nomination the names of Dr. Frank Wiersma of the Department of Soils, Water, and Engineering and Dr. J. Douglas Canfield of the English Department. President Schaefer asked if there were other nominations from the floor and there were none. By voice vote Dr. Wiersma and Dr. Canfield were then unanimously elected.

RATIFICATION OF THE ACADEMIC CALENDARS FOR 1977-78 AND 1978-79: The Senate next considered the proposed academic calendars for 1977-78 and 1978-79. Senate members had been provided the proposed calendars in advance of the meeting. It was understood that the opening and closing dates of each semester are set by the Board of Regents but calendar details within those limits are the responsibility of the individual institution.

Dr. Peterson referred to when the calendar was revised several years ago so as to begin the fall semester in August in order to be able to complete it before the mid-year holiday recess, and said that before that time the calendar contained more teaching days than has the calendar that has been followed since. Inasmuch as each teaching day is so valuable care should be taken to see that there are no more inequities than are absolutely necessary. For example, in a sectioned course meeting only one day a week it should not happen that one section has three more class meetings a semester than another section.

Dr. Tomizuka said he hoped that in the future when certain class meetings are to be cancelled because of the Honors Convocations, very early announcement of such cancellation will be made so appropriate plans for teaching adjustments can be made. Dr. Peterson said he hoped that the Honors Convocations could be scheduled at a different time in the future than they are for the current year when they fall on the last Friday on which classes are held in the first semester.

Dr. Schaefer said he would ask the Undergraduate Council and the Graduate Council to review the entire question of the academic calendar.

The Senate then approved the academic calendars for 1977-78 and 1978-79 as proposed. Copies are attached to these minutes.

REVISED REPORT FROM THE COMMITTEE ON THE OPERATION OF THE SENATE, CONSIDERATION OF:

The Senate considered a revised report from the Committee on the Operation of the Senate of which Dr. John Schwarz had been the chairman. Dr. Schwarz was asked by the President to discuss the report from the podium. Dr. Schwarz said that the revised statement, which had recently been furnished Senate members, included two errors and he asked that these be corrected. Under Section III, Further Recommendations, Item 1 should be revised to read, "That the Senate meet at least once a month during the academic year, including the months of September and January." On Page 5 of the report in the last sentence of Subsection 2 of Section I the words "and recommendations" should be inserted following the word "reports".

Dr. Schwarz reminded the Senate that in January of 1976 Dr. Steelink had appointed this committee to make proposals as to how the faculty could be more involved in the University's policy-making function and how this activity might be made a part of the operation of the Senate. The committee deliberated for several months and its report then was debated in two meetings of the Faculty Senate. During the summer the committee had met several times and had also held

two meetings with President Schaefer. Dr. Schwarz said the committee felt that both the discussion in the Senate meetings and the meetings with President Schaefer had been very helpful.

The revised report, a copy of which is attached to these minutes, provides for three standing committees: (1) the Executive Committee of the Senate, (2) the Senate Committee on University Planning, and (3) the Senate Committee on Academic Procedure. The report also recommends that there be vested with the Executive Committee responsibility for appointing certain select or special committees and for providing a place for grievance when there is no other channel open. The report closes, Dr. Schwarz pointed out, with recommendations concerning certain procedural details.

Dr. Lytle moved that the committee's revised report on Operation of the Senate be adopted. Several seconds were heard.

Dr. LaBan asked why the report provided that the parliamentarian be a non-voting member of the Executive Committee. Dr. Schwarz said the committee felt that a person versed in parliamentary procedure would be helpful as a resource person. Dr. LaBan said he felt the parliamentarian could be most effective--and he recalled he had served as the Senate's parliamentarian at one time for a period of four years--if he or she were as neutral as possible. Dr. Steelink said that a number of people had agreed it would be helpful to have a neutral non-voting parliamentarian as a member of the Executive Committee.

Dr. Schaefer said he would like to speak to this matter if he could have the indulgence of the body. He said he would temporarily relinquish the chair if requested to do so. He said he had reviewed this report after meeting with the committee. He thinks that it proposes an interesting approach to faculty participation in important affairs of the University, with a broader base than has existed in the past. He said he would like to see the report adopted. He felt though that perhaps after a period of experience it might be necessary to make some changes and he wondered if a trial period should be designated. He suggested one year. The secretary pointed out that under Further Recommendations, Item 8 asked that the procedures be reviewed and evaluated after a period of two years. Dr. Schaefer said this was totally satisfactory.

Parliamentarian Sankey pointed out that the report if adopted would require a constitutional amendment since the Executive Committee would become a Committee on Committees and the University already has such a body, as provided by the Constitution. Dr. Gegenheimer pointed out that the Constitution provides for a Committee on Committees that "shall appoint members of all committees except when and to the extent that action creating such committees specifies otherwise." Dr. Schwarz said that his committee was aware that this provision of the report might seem to be in conflict with the Constitution. However it was the ad hoc committee's judgment that the Senate should appoint its own committees.

Dr. Schaefer at this point asked Senators Davis and Livermore to meet with the Schwarz Committee to consider this point of seeming conflict and to report back to the Senate as soon as possible, hopefully at the next meeting.

Dr. Thompson said he felt that if it is determined that a conflict does exist between the recommendations of this report and the Constitution that a compromise should be worked out. Every effort should be made to meet the objectives of revising the manner in which the Senate functions without bringing about conflict with the Constitution.

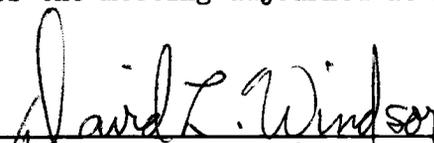
Dr. Steelink then moved that the revised report be tabled until the next meeting of the Senate with the understanding that the seeming conflict would be studied by Professor Davis and Dean Livermore and the Committee on the Operation of the Senate and that a report would be brought back to the Senate, hopefully at the next meeting. Several seconds were heard and the motion carried.

APPOINTMENT OF AD HOC COMMITTEE TO DISCUSS HANDLING OF DISHONEST SCHOLASTIC WORK:
President Schaefer said he had recently received the annual report of the Committee on Dishonest Scholastic Work. This committee must deal with a very unpleasant problem that must be faced up to, namely, cheating in class work, examinations, etc. In a given year the committee may consider 15 to 30 cheating cases. It is realized, the President said, that some faculty members do not utilize the committee too well. Some faculty members don't know about the committee or they follow their own procedures in coping with problems in their classes. The last time this matter was carefully studied and procedures were revised was in 1948. Much has happened since. New laws are on the books. Many people are now concerned about how to cope with cheating situations, for example, with threats of litigation.

President Schaefer said he had reviewed this matter with the Advisory Council and it was agreed that it was time for the University community to re-examine the whole matter of cheating in academic work and how to cope with it. The Advisory Council had then referred the matter to the Faculty Senate and asked that the Senate authorize a study of the entire question. Dr. Myers said it had been his experience in certain large lecture classes that when he had approached committee members with a particular case they had not acted terribly interested, suggesting that the matter be handled some way other than taking it to the Committee. "Can't you just get the student to drop the course?", he had been asked, for instance. Dr. Schaefer said there was no question that in some instances the faculty has lost confidence in the Committee on Dishonest Scholastic Work and that is why various ad hoc procedures have been developed by various faculty members.

Dean Windsor moved that the Senate authorize the creation of a committee to study the matter of student cheating and the procedure of how incidents of dishonest scholastic work should be handled. Several seconds were heard. Dr. Schaefer said that members of the study committee, if it were authorized, would be selected by the Committee on Committees. Mr. Mitchell asked that the students be represented on the committee, and Dr. Schaefer said indeed they would be. The motion carried unanimously.

There being no further business the meeting adjourned at 3:50 o'clock.



David L. Windsor, Secretary



David Butler, Assistant Secretary