

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, February 2, 1987 Room 146, College of Law

The Faculty Senate convened in regular session at 3:05 p.m. on Monday, February 2, 1987, in Room 146 of the College of Law. Fifty-six members were present. Presiding Officer of the Senate Thomas Rehm presided.

SENATE MEMBERS PRESENT: Alcorn, Aleamoni, Andreas, Aquilano, Atwater, Bollerman, Bootman, Boynton, Butler, Cartee, Chen, Chisholm, Cusanovich, Dickstein, Drake, Duncan, Ewbank, Fahey, Fenstermacher, Ganapol, Garcia, Goetinck, Gourley, Heires, Hetrick, Horak, Jones, Kizer, Koffler, Kosinski, Laird, Larson, McConnell, McCullough, Mishel, Muramoto, J. O'Brien, S. O'Brien, Parsons, Reed, Rehm, Roemer, Rollins, Ruiz, Sacamano, Scott, Silverman, Smith, Steelink, Stein, Swalin, Tollin, Weiss, Wilkening, Witte, and Woodard. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS ABSENT: Beigel, Cardon, Chase, Cole, Culicover, Cunningham, Epstein, Fernandez, Fleming, Garrett, Hasselmo, Irving, Kettel, Kinkade, Logan, Marcus, Matter, Mautner, McBryde, Murphy, Paplanus, Peterson, Ridge, Sharkey, Streitmatter, Tomizuka, Tuchi, and Woolfenden.

MICROPHONES NOT SET UP: Dr. Rehm asked for the cooperation of those who would be speaking today. Because the microphones had not been set up, he asked everyone to speak loudly.

APPROVAL OF MINUTES OF JANUARY 19, 1987: It was moved, seconded, and unanimously voted (motion 87-3) to approve the Minutes of January 19, 1987.

REPORT FROM THE PRESIDENT OF THE UNIVERSITY: "As the media have reported, the Executive Budget Office has proposed cuts for the three public universities for 1987-88 that would be extremely damaging to our programs if adopted. The proposals are substantially below the revised budgets for this year. It is clear from various inquiries that there is some confusion on the campus between these proposed cuts for the next year and the final cuts that have been imposed for the present year. I, therefore, think it would be useful for me to review the budget situation for both years.

"As you know, last semester we began to comply with the Board of Regents' decision to cut this year's budget by 3.24 percent. These reductions put pressure on many of our activities, a pressure that has now become more severe since the Legislature has determined that a 7 percent cut is necessary. This semester, as was the case last semester, I intend to achieve these cuts without damaging our most valuable resource, namely, the people who work at all levels in the institution. That is why we proceeded with the January salary adjustments, so that good work could be appropriately recognized, and that is why we have not laid off any personnel. We shall make our reductions by June 30th by leaving positions vacant, by deferring purchases, particularly of equipment, by cutting travel funds and by reducing our operations in general. Layoffs are not part of our plan. Many of you have been asked to participate in the difficult decisions that are required by the 7 percent reduction. I appreciate

the professionalism that has been demonstrated across the campus as we have approached the task.

"It is important not to confuse these adjustments with the situation for next year. I want to make it clear that the situation for 1987-88 remains entirely uncertain at this time and that it would be unproductive to speculate about our prospects in any detail until the Legislature has determined a specific budget.

"Each year the University's state budget is the result of legislative discussions centered on three proposals. Only two of those three proposals are available for 1987-88 at this time. They are set forth for your information on the sheet that was handed out to you." (Reproduced, as follows.)

SUMMARY COMPARISON OF BUDGETS 1986-87 AND 1987-88
UNIVERSITY OF ARIZONA

| | 1986-87 | | 1987-88 | | |
|------------------------|-------------------------|-------|----------------|---------------|-------------|
| | <u>Original/Revised</u> | | <u>Regents</u> | <u>E.B.O.</u> | <u>JLBC</u> |
| | \$ Million | | \$ Million | | |
| Main Campus | | | | | |
| -Expenditure Authority | 207.1 | 207.1 | 236.3 | 195.3 | ? |
| -State Appropriation | 170.2 | 158.3 | 195.7 | 152.8 | ? |
| College of Medicine | | | | | |
| -Expenditure Authority | 40.5 | 40.5 | 46.2 | 38.6 | ? |
| -State Appropriation | 38.6 | 35.9 | 44.8 | 37.0 | ? |

"The Board of Regents has proposed a state appropriation for the Main Campus of \$195.7 million and for the College of Medicine, \$44.8 million. This was done last October after a thorough review of this University's needs. Now the Executive Budget Office has proposed drastically lower figures: \$152.8 million for the Main Campus and \$37.0 million for the College of Medicine. What I want to stress is that as yet, we do not know the proposals of the Joint Legislative Budget Committee, the third element in the annual budget debate. This third element and the subsequent debate will be unusually important this year because the proposal by the Executive Budget Office is based on an assumption that there will be a substantial reduction in the state sales tax. Since this tax is a principal source of revenue for the state, such a cut would materially affect every aspect of state services. Until we know the Legislature's attitude toward this particular tax, there are no grounds for predicting the final budget for 1987-88 for the University or for any other state agency.

"In the coming weeks and months, it will be necessary for the University to present our case clearly and fully, justifying the budget proposal made by the Board of Regents, so that the Legislature can understand the extent to which lower appropriations will affect the range and quality of our activities. You have my assurance that these preparations will be clear and thorough. I shall keep the Senate informed as matters proceed."

REPORT FROM THE CHAIRMAN OF THE FACULTY: Dr. Rehm welcomed Senator Steelink back to Senate meetings; a teaching conflict in the fall had necessitated his leave.

Dr. Rehm reported he had transmitted the Senate-approved Technology Transfer resolution, which would have required Senate approval for implementation of guidelines and procedures, to the Vice President for Research. Dr. Wilkening responded with a counter-suggestion for the mechanism by which the Senate reviews such matters: the Technology Transfer Committee membership will include the Chair of the Senate's Research Policy Committee (RPC). As items are discussed by the Technology Transfer Committee (TTC), the RPC will evaluate them and determine whether they are sufficiently important to be brought to the Senate. Actions of the Senate will then be transmitted back to the TTC and Dr. Wilkening. The RPC will keep both the TTC and Dr. Wilkening aware of its actions, so that there will be a flow of information in both directions. Dr. Rehm said that the administration had considered the Senate's request, and while it did not endorse the request as submitted, it did respond positively with a recommendation for a more expeditious method for handling implementation of the guidelines and policies. He said that he had informed Dr. Wilkening that faculty input is an important part of what goes on in Technology Transfer, because without faculty input, the policy would not be the best that could be achieved.

Dr. Rehm reminded Senators that last Friday was the last day to pick up Nominating Petitions, and they must be turned in to the Faculty Center by the close of business on Friday, February 13.

Dr. Rehm said that he hoped discussion and action on Chapter 4 could be completed by the end of the March meeting. He said that three items will need to be discussed on Chapter 3, and these will be presented to the Senate at the March meeting.

REPORT FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE: Senator Jones reported that the committee has completed its review of Chapter 4, and its recommendations for revisions had been distributed to Senators with this meeting's agenda. He added that there may be some additional recommendations which will be included with the next meeting's agenda. Senator Jones said the committee will be considering the proposed guidelines for selecting Distinguished and Regents Professors. He also reported that President Koffler has appointed a committee to review ABOR Chapter 6; a subcommittee is working on the sections dealing with Administrators, Faculty, and Professionals, and includes the following members: Dr. Rehm, Senator Laird, Mr. George Evanoff from the Provost's office, and himself. He said that they had completed an initial review and had sent their recommendations forward.

REPORT FROM THE BUDGET POLICY COMMITTEE: Senator McConnell said the committee has continued to meet every two weeks and is examining figures which might be of interest to the faculty. He said the Budget Policy Committee stands ready to assist the President and the administration if it can be of assistance in this spring budget crisis.

REPORT FROM THE INSTRUCTION & CURRICULUM POLICY COMMITTEE: Senator Atwater said the committee is working on plans for another workshop on large-class teaching. It is tentatively scheduled for Friday afternoon, April 10, and will deal particularly with conditions for effective teaching of large classes, looking at the support system of secretarial through graduate assistant support, as well as facilities.

REPORT FROM THE RESEARCH POLICY COMMITTEE: Senator Garcia said the committee has reviewed the Secret Research being done on campus, and will prepare a written report which will be distributed with the call for the next Senate meeting. The up-shot of that report, he said, is that there is none.

REPORT FROM THE STUDENT AFFAIRS POLICY COMMITTEE: Senator Mishel said that the committee will meet with Provost Hasselmo on February 11 to discuss the committee's proposal regarding student/faculty interaction. The committee hopes to submit the proposal to the Senate at the March meeting.

QUESTION AND ANSWER PERIOD: Senator Silverman asked when the Senate would find out about the administration's response to Senate-recommended changes to Chapter 3. Senator Jones responded that the changes had been incorporated and transmitted to Provost Hasselmo, and that he and others were reviewing the document. He added that there are some concerns that are now coming back to the committee, which it will review and bring to the Senate in March. From that point, he said, President Koffler will have to address the issue. President Koffler said he will bring the entire document to the Board of Regents; he will communicate the recommendations which he accepts or rejects. Senator Silverman asked if the Senate could be notified formally which parts are acceptable and which are not, as he said he didn't believe the Senate had been informed of the results of its recommendations regarding Guidelines for 5-Year Reviews of Deans and Department Heads. Dr. Rehm commented that results had been reported to the Senate, and that they could be found in the Minutes.

COMPREHENSIVE CAMPUS PLAN PRESENTATION: Dr. Rehm invited Michael Haggans, Director, Planning Services, and Cherie Gossett, Principal Campus Planner, to the podium to present highlights of the Comprehensive Campus Plan, Review Draft, 12/10/86 (copy on file at the Faculty Center) which had been distributed to Senators with the meeting's agenda. Mr. Haggans said that nearly a thousand copies of the document had been distributed within the University and the surrounding community, and that public comment is being sought, including public meetings on and off campus, so that they can develop positions by this summer hoping to finalize the document for presentation to the Board of Regents in the fall. Ms. Gossett, the principal author of the Plan, used slides to illustrate some of the Plan's nine approaches. The overall Campus Plan goal is to create a campus physical environment of the highest quality to reinforce and enrich the University's goals of excellence in teaching, research, and public service.

The first Campus Plan approach is: Balance Intensification and Land Acquisition. Ms. Gossett said there are several ways they propose to do this: first, to preserve the historic portion of the campus; and secondly, in the built-up areas of the campus, to utilize infill and replacement opportunities.

The second Campus Plan approach is to intensify development in the newer areas of campus, and aggregate open space into useable areas. An example of this, she said, is the new Computer/Electrical Engineering Building which has a high building coverage for this site, intensifying horizontal use, and the Gould-Simpson Building which uses more vertical building space.

The third Campus Plan approach retains the existing planning area boundary and continues phased property acquisition on an as-needed basis. They propose keeping the boundary created by the Board of Regents in 1967 and modified in 1981, developing only within that boundary and stabilizing it. Within and at

the periphery of that boundary, they propose preserving certain kinds of uses that are positive for the University, such as religious organizations and Greek houses. Where the boundary interfaces with residential neighborhoods, the University would buy to that boundary ultimately and develop an interface with those neighborhoods that would be positive.

Ms. Gossett then turned to approach five, Define and Link Two Campus Cores. She said they are proposing that the Main Campus core, centered around the main mall, would be strengthened as the primary center for University interaction, and would be a center for Undergraduate Education: classrooms, facilities, and student services would be located in this area. In addition, the north campus consisting of UMC and the health colleges would be strengthened as a second core area. Ultimately, to link the Main Campus and the Arizona Health Sciences Center along Cherry Avenue, a series of buildings, open space, and circulation linkages are proposed.

The sixth approach would organize the campus into a series of cohesive use clusters around the two cores: disciplinary clusters, public outreach, and residential communities.

The ninth approach would provide an ongoing campus process. She said the Plan is proposed for update/review every five years, and is designed to link physical development with other planning processes on campus. The University Mission feeds into Facility Requirements; the Capital Development Plan is prepared, and facility projects are approved and, where necessary, land is acquired. Thirteen facilities have already been authorized for construction.

Concluding their presentation, Ms. Gossett and Mr. Haggans requested questions or comments, as well as suggestions for other groups who had not yet heard a presentation on the Campus Plan.

Senator Garcia asked what the decision process is to initially determine that a building must be constructed. Mr. Haggans said that he would respond in general, because specifics of each project would be different, but the principles are: analysis of the space available to a given program; projection of the space needed for that program, as defined; and development of a building program which addresses the deficit. He said there is also a process of analyzing existing facilities to see if those would be appropriate for a specific program. Senator Garcia said he felt a University's physical plant should be defined by academic and research goals, and academic and research units should determine the origin of the need; a given plan can then propose how that need is addressed. He asked if he might conclude that the departments were polled concerning the need for new buildings. Mr. Haggans said that the 13 specific projects shown in the plan have been discussed for some time. Projects that are later than those are more speculative in nature. President Koffler said he agreed with Senator Garcia, that the physical plant has to be the corollary of the academic plant; an informal process has existed in the past. The University is more involved in formal planning now; current projects have undergone more analysis than those of twenty or thirty years ago, and the process will become even more formalized than in the past. Dr. Wilkening said that of the 13 current projects, she was not aware of one that was not initiated either by a department or a college. Senator Garcia said he was speaking primarily of the long-range projects indicated in the Plan that had not yet been funded. Mr. Haggans said some projects are possible opportunities that have not been identified that rigorously; he noted that the currently funded

projects have engaged faculty and other users in discussions. Senator McConnell said that he believed the Campus Plan is the ultimate vision, and that it is important to have an overall view of the long-range goal rather than to get distracted by some of the information in the Plan.

Senator Heires asked what sort of neighborhood association opposition was anticipated. Mr. Haggans said they have met with all of the eight neighborhood groups, and the issues are basically three: (1) property acquisition; (2) the use, or interim use, of property which the University has acquired, with a seemingly negative influence on the neighborhood; and (3) following through with the commitments in the Draft Plan, such as landscaping and buffer areas.

Senator Goetinck asked if the central campus/Main Mall area parking structure referred to on page 3-6 would be above- or below-ground. Mr. Haggans said that at this point, all structures were contemplated to be above-ground except where it can be coordinated with another facility development project. Senator Goetinck asked if they hadn't considered the possibility of placing it under the Mall. Mr. Haggans said the problem with that would be the cost of parking per space--double, at least, for that kind of structure--as well as the concept of conserving areas of open space, especially the Mall.

Senator Hetrick said that in the last ten years it was often suggested that new structures should have parking at first floor level, but was never implemented. He asked why that concept had been consistently rejected. Mr. Haggans responded that it was partly due to the way projects are funded: generally, there is a separation between parking structures and the other facilities. Another part, he said, has to do with the size of the building relative to the demand for parking and the cost of providing it. Ms. Gossett said the main reason is budgetary, and a secondary reason is technical problems. It has only been in the last two years that building budgets called for replacement parking. Mr. Haggans said this should be noted in a future revision of the Plan. Ms. Gossett said the Plan does show a number of building sites indicated for feasibility study when the building is designed, for underground parking.

Senator Chen asked if the list on page 5-8 is a priority list. Mr. Haggans said that the first 13 projects have been authorized, and that there is no particular order to items 14 through 45.

Senator Aquilano asked, since parking is always a problem, if any thought had been given to acquiring land a mile or two away and instituting a frequent shuttle. Mr. Haggans responded that thought had been given to it, but that option has not been recommended. Ms. Gossett said that the approach that the Plan takes is to provide adequate parking in every sector of the campus: permanent surface lots that would not be built over plus a series of parking structures and peripheral parking.

Senator Dickstein said she wanted to comment that this is the first time she has seen the University come up with a plan for growth and development, architecture and the campus appearance in general, and she found it commendable.

Mr. Haggans, in closing, introduced Mr. David Duffy, who is responsible for handling telephone inquiries and scheduling presentations (1-1182) and noted that the deadline for receiving comments is March 15, 1987.

DISCUSSION ON CHAPTER 4, UNIVERSITY HANDBOOK FOR APPOINTED PERSONNEL: Senator Jones said that, to save time, wording changes approved for Chapter 3 were incorporated into changes recommended for Chapter 4. He then called for comments on the changes recommended by the Academic Personnel Policy Committee:

1. Section 4.01 (p. 4-1), line 13: replace "professional and intellectual freedom" with "academic freedom."

President Koffler said that, whether he agreed with it or not, this was an issue thoroughly discussed by the Regents; because this change would be contrary to present Regents policy, it could not be enacted without going back to the Regents for approval for all three state universities.

Senator Ewbank noted that the Academic Personnel Policy Committee had discussed this at some length, trying to distinguish between "professional and intellectual freedom" and the concept of "academic freedom." He asked if anyone present could explain the Regents' rationale in creating the phrase, "professional and intellectual freedom," and how it might differ from "academic freedom." Senator Witte said that the difference might emanate from a legal interpretation; perhaps the Senate should consider submitting vocabulary that reflected the academic position, and try to petition Regents' support, since legal interpretations are often a matter of dispute.

Professor Henderson said the Regents must have had something in mind when they spoke of "professional and intellectual freedom" for professionals, and then went on to say that where a professional is engaged in teaching or research, then academic freedom is what they mean by "professional and intellectual freedom". He said he agreed with Senator Ewbank that it is a very difficult proposition to figure out where one takes up and the other leaves off. He said he supposed that there are pure service professionals who look very much like administrators in their responsibilities, but who are entitled to professional and intellectual freedom and expressing their views, and that this is very close to a first amendment right. Again, he said, the Regents had something in mind here; the operational problem here is in adopting a term which conflicts with the ABOR Policy Manual, which would mislead people reading it. He said if the Senate wanted to recommend that the Regents change it, that is another matter.

Senator Dickstein said that since there is a committee set up to make recommendations for changing Regents policy, this would be a good opportunity to provide input to that process. It would appear that something was done semantically, the meaning of which was questionable; "academic freedom" does mean something, and she felt one would be hard pressed to find individuals on this campus who should not be granted academic freedom. She felt this concept should be supported and submitted to the policy revision committee.

Senator McCullough said that in the Faculty of Science, there are a number of professionals who are not engaged in teaching or research, but are service professionals; he said it is his view that academic freedom should be limited to personnel involved in teaching and research, not in service categories. Senator Ewbank asked Senator McCullough if he could distinguish what the Regents may have had in mind. Senator McCullough said he couldn't speak to what the Regents had in mind, but it was his experience that the term "academic freedom" is a special term designated for use by those people engaged in the teaching or research process; to extend that to people not so engaged, he felt, would be a

misuse of the term.

Senator Rollins said that since the Regents define academic professionals to mean "nonclassified employees involved with research or teaching programs..." this eliminates the personnel described by Senator McCullough.

Senator Witte said that some would define academic freedom in the original sense as it occurs in the 14th Amendment Rights, with the intent of encouraging free speech, which we would want to encourage in our administrators and service professionals.

President Koffler said all citizens have rights to protect us in various ways, but that academic freedom, since the Middle Ages, has meant the protection of the pursuit of truth. As universities become more complex, involving additional personnel as well as traditional faculty in the historic sense, they are involved in issues that go beyond their protection as citizens; he felt it was this distinction that the Board has addressed, although he found it very hard to speak for eight voting individuals. Debate on this issue had considered the academic freedom required for faculty; at that time there was no term at all included for professionals, and it seemed best to indicate that professionals have responsibilities, as well, which must be considered. He said it was this sequence of events which led to this phrasing.

Senator Ewbank asked, at the risk of belaboring the point, that everyone refer to the next section where it could be seen that the academic professionals and service professionals are now being dealt with under the rubric of the Committee on Academic Freedom and Tenure. He submitted that as a practical matter, the obfuscation of distinction between "professional and intellectual freedom" and "academic freedom" is compounded by that phenomenon. He said he had no grief against according academic freedom to administrators and those who are joined in the ultimate effort of providing teaching and research and service to the University, and believed they should be covered under the same rubric. If they are so distinct in their purpose and responsibilities, then one might wonder whether their presence is appropriate. He urged that the Senate adopt the proposal of the substitution of "academic freedom" for "professional and intellectual freedom" and seek some response or explanation of the rationale which the Regents had in proposing different phraseology.

Senator Jones asked for the sense of the Senate, whether they wished to insert this as a means of trying to get it changed, or bringing it to the attention of the Regents at this time, or whether to leave the wording as originally proposed. Senator Garcia asked if he understood correctly that no one in this room believes they don't mean exactly the same thing: two words for two different categories of people were used, but the meaning was exactly the same. President Koffler said that on page 4-3, "professional and intellectual freedom" is defined as "academic freedom" for those employees involved in teaching or research.

The question was called, and a voice vote indicated the Senate concurred with the APPC's recommendation. Senator Jones proceeded to the next change:

1. Cont'd. Line 14: add after "including:" "but not limited to"

Hearing no objections to this change, Senator Jones moved to the next change.

2. Section 4.01, p. 4-2, lines 13-14: Delete "and violation of the Code of Conduct of a serious nature."

Senator Jones said the reason this change is being recommended is as follows. On the one hand, there is concern about what constitutes a violation of a serious nature, and who or what body will decide whether or not it's a violation of a serious nature; and secondly, there is a concern that this phrase only shows up in the professional category and does not appear in the faculty or administrative chapters. It does appear in ABOR-PM Chapter 6, he said, but appears to be an anomalous phrase in the middle of this section.

Senator Steelink asked if Senator Jones could give him two examples of violations of a serious nature under the Code of Conduct. Dr. Rehm responded that no, that was the whole problem, they couldn't do that. Hearing no objections, Senator Jones said he sensed consent, and proceeded to the next item.

3. Section 4.01, p. 4-3, lines 7-11: delete section referring to "professional and academic freedom."

Senator McConnell said he was fascinated with the definition of Service Professionals and Academic Professionals, "with a direct role in service who require..."; he asked who decides whether they require it or not. President Koffler responded that this phrasing is used throughout the document, and refers to a position where independent judgment is made: service professionals who do not have to make independent judgments as compared to those who do. Senator Jones said the next question would be: if there is a non-classified employee who does not require professional and intellectual freedom, what kind of position would he have. Senator Witte said there might be such individuals who cannot express a professional judgment--that they are dependent on their superior to make judgments--but this gives the impression of a robot. She said that it concerned her that a service professional would not ultimately be responsible to the taxpayer who pays the salary, rather than the superior, and thus need that first amendment protection. Senator Dickstein said that she has served on two different committees that tried to define service professionals and academic professionals, and concluded that it is beyond the ability of anyone here to do that; she believed this is something that must be revised in the Regents document. Senator Jones said that the subcommittee he reported on earlier has recommended that professionals be condensed into one group. Senator Garcia asked if a Lab Technician working for him under a grant would be classified as a Service Professional. Senator Jones said this would be determined by the appointment--whether it is a Classified Staff or a Professional position; he said there are professionals, like doctors, plumbers and attorneys who are in the Classified Staff category, and the designation of Academic or Service Professional is for non-Classified Staff personnel. Senator McCullough said there are a number of Service professionals, for instance, who run instruments in the Chemistry Department or who are optical engineers in Astronomy, and who are required to have Ph.D.s, whose role is entirely Service. In his opinion, he said, the term "academic freedom" would not be appropriate for this category.

Senator Alcorn said that in the first page under Academic Professional, "but not limited to" had been inserted after "including" in line 14; he asked if it would not also be appropriate to insert after "including but not limited to" "service personnel" and the like? Senator Jones responded affirmatively. Senator Alcorn said his second point was minor: would it not be appropriate to

move that last phrase "including those in student services, etc." to just behind "service personnel." Thus, he said, he was suggesting "service professionals including those in student services, etc. shall mean non-Classified employees with a direct role in Service who require academic freedom" etc. Senator Jones said there appeared to be two kinds of definition going on: one by example and one by hierarchical definition. He said he thought this had been added on to the end to simply clarify by example the times that are being covered. He said he found this clearer than that reading.

Senator Garcia asked if the committee had checked with the Regents staff to see how this distinction got into ABOR-PM section 6. Senator Jones said the committee did not query the Regents staff. Senator Garcia said it might be useful to do that just to have the information upon which the Regents staff based their wording. Senator Jones said the committee would take that into consideration. He then proceeded to the next change.

4. Section 4.04, p. 4-4, lines 27-29: Replace the words following "may" with the following: "request an investigation by the Provost's Office or by the Affirmative Action Office, or invoke the procedures for a hearing before the Committee on Academic Freedom and Tenure."

And line 29ff, add the following three paragraphs:

"If the Provost's Office or the Affirmative Action Office conducts an investigation, a recommendation shall be made to the Provost that the matter be closed or that further action be taken to resolve the matter. The Provost may take any lawful action he or she deems appropriate to resolve the matter. The Provost's decision is final and not subject to further administrative review.

"In the event the complaint is filed with the Committee on Academic Freedom and Tenure, the Committee shall be governed by the rules and procedures outlined in the Constitution and Bylaws of the General Faculty of the University of Arizona concerning the Committee on Academic Freedom and Tenure and ABOR-PM section 6-201(K)(4).

"These rules and procedures have been adopted by the President in satisfaction of the requirements set out in ABOR-PM section 6-301(L)(1)."

Hearing no objections, Senator Jones proceeded to the next change.

5. Section 4.08.01, p. 4-7, line 20: Insert the following after the sentence ending "supervisor.": "When an individual's assigned duties include teaching or independent research, the professional peer evaluation committee shall be augmented by one or more members from the department's faculty peer evaluation committee in order to assure that everyone engaged in teaching or research shall be evaluated according to the same standards."

Professor Henderson said he wasn't sure this change would be advisable, given the many people in teaching and research with joint appointments. An alternative to that proposed he said, would be to have the peer review committee in the person's department, "and certainly we would not want to have that committee limit the review or ignore the research they might be performing in another department--there has to be a home base, and it's the peer review

committee in that department that should be making the judgment." Professor Henderson believed the proposed change served to cut off any research outside the home department.

Senator Jones said there was an assumption in the committee that in some departments there would be two peer review committees: the faculty one, and a professional one, and the recommendation attempts to augment the latter. Where the teaching/research of an academic professional might be outside of that department, this proposal doesn't address that--it would be left to the professional peer evaluation committee within that department to assess performance in either teaching or research outside the department. Senator Jones said that as Chair of the APPC, he was not entirely comfortable with this recommendation because it is somewhat awkward to make designations of this sort. On the other hand, he said, he is very much sensitive to the issue of some kind of standardization of review for academic professionals who teach. This recommendation, he said, tries to address those concerns, but the committee would welcome suggestions.

Senator Dickstein said she wondered about the definition of the word "peer," since the committee seemed to be bringing in individuals who are not peers, and asked if professionals would be allowed to sit on a faculty review. Senator Drake said this is a complex issue, but one interpretation of "peer" would be those people who perform the same function, for example a professional who does research and service has some of the same functions as a faculty member who does teaching, research and service. For purposes of evaluating, then, the research and service components, that faculty member is a peer. Senator Laird suggested that a sentence be drafted that orders that equality of review shall occur when there is some cross-over, without specifically mentioning committee members. Senator Jones said he would agree with that; the committee had considered looser language, but concluded it might cause more problems. Senator Aleamoni said the point was raised concerning the definition of "peer" but the functions that the peer would serve in a review are the important distinction. He felt peer review could be defined as peers and/or colleagues that are involved in a process of reviewing and evaluating material--it doesn't necessarily mean that the individuals have to have the expertise in that person's field. He said that if you define the guidelines that will be used in the review, then it's not necessary a person be an expert in the same discipline. He believed that therein lies the problem: typically, peer review is interpreted as someone in the same discipline, and he felt that definition should be broadened.

Senator Silverman asked if a department or college might have to have another peer committee established: instead of having one to handle all professionals, they would have to have maybe two or three. He wondered if this wouldn't be cumbersome and difficult. Professor Henderson said that he had just compared Chapters 3 and 4, and he saw nothing that would prohibit a college or department from having one committee--Chapter 3 says "the faculty shall participate in developing criteria...", and Chapter 4 says "professionals shall participate..." He felt that in some departments the responsibilities are so mixed between teaching and research, one committee should suffice, but there is no reason to lock that in. If it is mandated in, there will always be cases where it doesn't make sense. Senator Drake said he likes what he has heard, but requested clarification: does this pertain only to annual performance reviews, or does this interpretation also apply to Promotion/Tenure? He said his reading of the two chapters is that it is an explicit requirement that, under

certain conditions, a committee be appointed in units that had three or more professionals who had continuing status superior in rank to the candidates being considered. He was unsure what the Regents now required, but a reading of Chapters 3 and 4 seemed to indicate the need for two committees. He requested clarification. Senator Jones said that the performance evaluation committee and the promotion/tenure/continuing status committee are separate, and have different tasks.

Senator Roemer suggested that the word "shall", following professional peer evaluation committee be changed to "may". Senator Boynton said that if that change occurred, we should delete the whole sentence, because it was his understanding that this was to ensure that for cases where there are two separate committees, and there may be many departments who choose to have one committee provide both functions, there is at least one faculty member on this committee. Senator Roemer said one aspect of the committee's concern was to have a professional peer review committee composed of people who do no teaching as opposed to supervision of dissertations who would evaluate a professional who might have substantial classroom teaching assignments; she said they were looking for a way to put the evaluation of the teaching performance on the same basis as regular faculty members. Senator Dickstein agreed with changing "shall" to "may" because the "shall", in a situation where there is a professional on that committee who does teach and you still had "shall"--requiring a teaching faculty on it--maybe that committee could be composed of people who were perfectly competent and capable of evaluating it, and this would allow that possibility. Senator Jones asked if it wasn't true that that possibility is available without that wording change, and Senator Dickstein affirmed that it is.

Senator Jones said he would like to obtain a sense of the Senate's feeling thus far, and there appeared to be four options: (1) to insert the sentence as originally proposed; (2) to insert it with Senator Roemer's change of "shall" to "may"; (3) to leave it out altogether; and (4) to insert some wording to the effect that there be an effort to ensure that everyone engaged in teaching and research will be evaluated according to the same standards. He asked if there was support for the original wording: a show of hands indicated that 24 favored the original change (item 5 on the list of APPC recommendations), and 8 were opposed.

Senator Jones proceeded to the next recommendation for change:

5. Section 4.08.01, p. 4-7, line 26 to line 2 on p. 4-8: Replace wording for number (1) with the following: "To involve professional personnel in the design and evaluation of goals and objectives related to their program areas and in the identification of performance expectations central to their own personal and professional growth;"

Senator Jones proposed deleting the words "personal and" in the last line. Senator Henderson asked what was done in Chapter 3, because this is in the Regents Policy Manual. Senator Jones said he thinks we have the same situation as with "academic freedom": he would like to see it proposed here and let it be disposed later, because presumably "professional" is the only aspect of an individual's performance that is being considered. Hearing no objections, he proceeded to the next recommendation for change.

6. Section 4.08.01, p. 4-8, line 14: delete "reemployment"

Senator Jones said that since the whole document talks about "appointed" personnel, and "reappointment", the committee felt "reemployment" was an unnecessary item to be included. He asked Professor Henderson if he knew the source of this use; Professor Henderson said it was in the Regents Manual. Hearing no objections to this recommendation, discussion was concluded for the afternoon, and discussion will continue at the March meeting beginning with No. 7.

The meeting adjourned at 4:50 p.m.

George W. Ridge, Jr., Secretary

MOTIONS PASSED AT THE MEETING OF FEBRUARY 2, 1987:

87-3 Approval of Minutes of January 19, 1987.

MATTERS PENDING:

1. Policy regarding use of a textbook in a class directed by the author.
2. Additional changes recommended for Chapter 3, UHAP.