

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA  
Monday, February 4, 1980 Kiva, Room 211 College of Education

The Faculty Senate convened in regular session at 3:00 p.m. on Monday, February 4, 1980, in the Kiva, Room 211 of the College of Education. Seventy-four members were present with President Schaefer presiding.

SENATE MEMBERS PRESENT: Altschul, Antinoro, A. Armstrong, J. Armstrong, Atwater, Barrett, Briggs, Butler, Campbell, Cassady, K. Clark, R. Clark, Cole, Cunningham, DeArmond, Dickinson, Edwards, Flick, Gallagher, Gibbs, Goodwin, Green, Hartsell, Hasan, Hazzard, Henderson, Hinton, Hull, Hummel, Jones, Kassander, Kellogg, Kennedy, Kettel, Krutzsch, LaBan, Laird, Longman, Mautner, May, Meredith, Metcalfe, Munsinger, Nelson, Odishaw, Paulsen, Pergrin, G. Peterson, R. Peterson, Pickens, Ramsay, Rehm, Remers, Ridge, Roby, Rollins, Rosenberg, Rosenblatt, Roubicek, Schaefer, Shanfield, Sigworth, Smith, Steelink, Stubblefield, Sumner, Svob, Thompson, Tindall, von Teuber, Wilson, Windsor, Witte, and Zukoski. Dr. Robert Sankey was present as Parliamentarian.

SENATE MEMBERS ABSENT: Barefield, Brubaker, Coxon, Crowder, Dresher, Ferrell, Fleming, Gaines, Garcia, Gourley, Jorgensen, Snyder, Sorensen, Thomas, Tomizuka, A. Weaver, D. Weaver, and Younggren.

APPROVAL OF MINUTES: The minutes of the meeting of January 21, 1980, were approved as distributed, with the following correction: On page 61, in the sixth line, the reference to Dr. Myers as the seconder of the motion being acted upon should be to Dr. Steelink.

REPORT FROM THE PRESIDENT OF THE UNIVERSITY: President Schaefer said he and other University officials had the previous weekend participated in a hearing before the Joint Legislative Budget Committee on the University of Arizona's request budget for 1980-81. He felt he and his colleagues had been granted a very good reception by the legislators and an excellent beginning had been made on the interaction related to this institution's obtaining its legislative appropriation for the next fiscal year.

REPORT FROM THE CHAIRMAN OF THE FACULTY: Dr. Sigworth announced that he had appointed Mary Anne Mayhew to the Committee on Committees to fill the vacancy caused by the absence of W. Kirby Lockard who is on sabbatical leave.

Dr. Sigworth reminded the Senate of the upcoming faculty elections. He pointed out that this is the year when college senators, as distinct from senators-at-large, are elected and noted that nominating petitions must be submitted by February 15. He reported that Dr. John Robson, Chairman of the Committee on Elections, had raised the question of whether it was appropriate for that committee to take the initiative to stimulate interest in the elections so

that a good number of candidates would run. There have been instances in the past when fewer nominating petitions were submitted than the number of vacancies to be filled. In the last election or so the Elections Committee has taken steps to encourage more individuals to run for faculty office. Dr. Sigworth then moved that the Faculty Elections Committee be given Senate approval to continue the practice of encouraging individuals to run for faculty office so that an adequate number of candidates would be on the ballot for all vacant posts. Several seconds to the motion were heard and the motion carried on voice vote.

Dr. Sigworth said that his attention had been directed by Phyllis Ball, University Manuscripts Librarian, to action by the Senate on February 7, 1966, when a resolution was adopted prohibiting access to minutes of the meetings of the Faculty Senate by individuals outside the faculty, until one year after a given meeting. He then moved that the 1966 resolution be lifted and the public and other interested parties be given free access to the minutes of the Faculty Senate at any time. Several seconds to the motion were heard. President Schaefer pointed out that the Open Meeting law has superseded action by the Senate in 1966 so he felt that in fact the matter was not an issue. The question was called for and the motion passed by voice vote.

Dr. Sigworth informed the Senate that the Committee on Committees was at work preparing a list of names from which the Senate later will select the group of individuals from which the President will choose next year's membership panels for the following boards: University Trial Board, University Review and Advisory Board, and University Conduct Board.

REPORT FROM THE PRESIDENT OF THE ASSOCIATED STUDENTS: Mr. May reminded the Senate that the leadership of the Associated Students had earlier been very much interested in the question of student writing on this campus and he pointed out that student leaders had endorsed the efforts of the Committee of Eleven at the time that group's recommendations on student writing were developed. "We are aware of subsequent developments in this area," he said, "and on behalf of the students I wish to express thanks to Dean Rosenblatt, the Committee of Eleven, and the Faculty Senate for the steps they have recently taken in this important matter."

Mr. May said student leaders continue to be distressed by action by the Board of Regents reducing student health service on this campus. He said he wished publicly to thank President Schaefer for his vigorous support of maintaining an adequate student health service in his remarks before the Joint Legislative Budget Committee a few days earlier.

Mr. May noted that shortly student body elections would be conducted campus wide. On the election ballots students would be given opportunity to express their opinions on a number of important national issues, including draft registration. He said he hoped faculty members would encourage students to participate in these elections.

INTRODUCTION OF DEAN KENNETH SMITH: President Schaefer announced that there was a new member of the Senate attending his first meeting of the body, the new Dean of the College of Business and Public Administration, and he introduced Dr. Kenneth Smith.

REPORT FROM THE COMMITTEE ON UNIVERSITY PLANNING: Dr. Steelink noted that at the January 21 meeting he had told the Senate that it appeared that shortly the Department of Physical Education would be given budget autonomy as an administrative arrangement, separate from the Department of Athletics. At the time he believed a decision on this matter was imminent. It now appeared he had been premature in his remarks. He said the situation would continue to be monitored and he would continue to keep the Senate informed.

APPROVAL OF CATALOG MATERIAL AS REPORTED IN "CURRICULUM" BULLETINS: The Senate approved catalog material furnished Senate members in "Curriculum" bulletins Vol. 8, No. 9 (January 30, 1980) and No. 10 (February 4, 1980).

INTERCOLLEGIATE ATHLETICS FINANCIAL REPORT FOR 1978-79: President Schaefer noted that in the spring of 1979 the Senate had taken action requesting that thereafter the Director of Athletics provide the Senate annually an intercollegiate athletics financial report. Such a report, titled "Financial Statement of Operations for the Department of Intercollegiate Athletics for the Year Ending June 1979", had been prepared by Director Strack and furnished each member of the Senate with the agenda of today's meeting. President Schaefer asked if members of the Senate had questions about the document, noting that Director Strack was in the audience. Dr. Zukoski asked if the report included the amount of income the department had received from student fees. Mr. Strack replied that this item appeared under "Revenues" on page 1 of the report and for the year ending June 30, 1979, totaled \$815,950.

There were no other questions. President Schaefer thanked Director Strack for having submitted the report and for being present at the meeting.

A copy of the report is filed with the Secretary's file copy of these minutes.

REPORT FROM AD HOC COMMITTEE TO STUDY MATTER OF GROUPS NOT MEMBER AGENCIES OF THE UNITED WAY BEING AUTHORIZED TO CONDUCT FUND DRIVES AMONG UNIVERSITY PERSONNEL: President Schaefer referred to the Ad Hoc Committee on Campus Fund Drives appointed in October. The committee's report had been submitted for action by the Senate today and each senator had received a copy of the report with the agenda of this meeting. President Schaefer introduced Waldo Anderson, the committee chairman, who commented that the committee had worked hard and long in completing this study. The report was as follows:

"Faculty Senate Ad Hoc Committee

Campus Fund Drives

January 28, 1980

"Committee Members:

Waldo Anderson (Education)

Leon Blitzer (Physics)

Frank La Ban (Speech)

Deonisie Trifan (Mathematics)

Kathryn Young (Nursing)

"The Committee charge, as given in the Oct. 1, 1979 Faculty Senate minutes was to:

'investigate the matter of groups other than those in the United Way being authorized to conduct a fund drive among University personnel.'

"The committee held four study sessions and compiled much data relative to the problem. Resource persons, organizations and materials providing input to the committee included the following:

Tom Doran, Assistant to the President and University United Way campaign chairman  
Dave Windsor, Faculty Senate secretary  
Bill Bardue, Local American Red Cross representative  
Ed Parker, Tucson United Way official  
Bill Boede, Hughes Go-Club president  
Dick Kennedy, co-chairman of the Pima County employees' effort  
Memorandum dated March 16, 1979 to Pres. Schaefer, prepared by Robert A. Peterson and Floyd A. Swenson

"Committee members used such devices as departmental polls, formal and informal departmental discussions, requests for input from peers, and sought, finally, to establish a consensus to report to the parent body.

"The committee report has been delayed by the illness of one of the members. We are pleased to report that member is now recovered and has contributed substantially to this report.

"The report adopted has a majority and minority opinion, the latter of which follows the former. Before making the recommendations, the following facts are to be considered:

1. The American Red Cross, an applicant organization, has a problem deriving in part from its relationship with the Tucson United Way. University action will not resolve that dilemma.
2. Organizations providing input and currently involved in programs like the Hughes Go-Club sharply admonish that:
  - a. Much time and effort within the organization is necessitated when the contributions effort is broadened.
  - b. Direct encouragement and assistance must be forthcoming from the top administrative levels to assure broadened contribution programs of success.
3. Unquestionably, more funds are raised when giving channels are broadened; however, that is not necessarily an automatic 'good'.
4. The University community is somewhat different in organization from industrial and business communities. The relative 'independence' of the community's individuals might well call for a greater effort than, for example, is necessary in a Hughes Corporation or among county employees.

"In light of the foregoing and other data, the essence of which are filed in the President's office, the committee recommends that the contributions effort be left as is. Many give at home, in clubs, in churches, etc. It would appear that little would be gained from 'opening' the campus to more appeals, other than to the fund-raising agencies themselves. A greatly increased effort would not warrant the increased benefits to the University community.

"The minority recommendation concurs in most of the preceding, but recommends allowing the American Red Cross to conduct a separate fund drive on campus. Such recommendation is made in view of the generally broader scope of ARC activities (such as the blood bank, disaster relief, and services to members and families of the armed forces). Not a typical charitable agency, ARC efforts go on after specific crises have been resolved. Its withdrawal from the 'umbrella' United Way was precipitated when its United Way portion failed to keep pace with inflation. Until such time as the two agencies are again united, the minority recommend that ARC be permitted to conduct its separate fund drive on the same basis as United Way."

President Schaefer commented it was apparent the committee had worked diligently preparatory to submitting a thoughtful report. He confirmed that the detailed data referred to had been filed in his office.

Dr. Steelink asked if he was correct in his understanding that the only off-campus agencies presently allowed to solicit funds on campus are those affiliated with the United Way, through the United Way campaign each fall. The answer was in the affirmative. He asked if on an ad hoc basis the Senate could authorize other agencies to conduct separate campaigns. The answer was that the Senate had had that authority for a long period.

Dr. Campbell moved that the report be adopted. Mr. Laird said that to adopt the report in toto would be inappropriate inasmuch as the majority and minority reports were in conflict. Several persons then moved that the report be "accepted", in which case present policy would continue. This is, only United Way agencies could solicit funds through the one United Way effort every fall. The Senate would continue to reserve the right, however, to authorize by special action other fund drives on an ad hoc basis. Several seconds to that motion were heard and it carried by voice vote.

APPROVAL OF CONDITIONS OF FACULTY SERVICE DOCUMENT: President Schaefer asked Dr. Rehm, Chairman of the Committee on Academic Procedures, to lead continuation of the discussion of the Conditions of Faculty Service document. Dr. Rehm reminded the body that when the Senate had adjourned on January 21, the following motion was before the house: "The October 1979 edition of the Conditions of Faculty Service, modified by the changes indicated below, is a reasonable and workable policy document for the governance of employment relationships between the University of Arizona faculty and the Arizona Board of Regents." There then followed a listing of some 29 proposed changes. (See minutes of Senate meeting of January 21, 1980.)

Dr. Rehm explained again that the document under review was one that had grown out of a much more severe document developed by the Board of Regents

about a year ago. The Regents at that time, following the request of the faculties of the Arizona universities, had agreed to reconsider what they had done and had asked a committee representing the faculties of the three universities and the Regents' staff to review and revise the document. That had been done, and the October 1979 draft was the result of such joint effort. Dr. Rehm and Dr. Thompson had represented the University of Arizona faculty on the joint committee. Subsequently every faculty member had been given opportunity to study and respond to the draft and the motion before the Senate included the essence of what the Committee on Academic Procedures felt should be incorporated as revisions into the October document, taking into account faculty reaction furnished by letters, in campus meetings, etc.

Once the Senate completed its review of the October document, including approval of any revisions, the revised document would be returned to the Board of Regents for final review. Similar response is being developed at Arizona State University and Northern Arizona University, Dr. Rehm said. He emphasized that the document as finally issued would be a Board of Regents' document. Dr. Rehm said that he and Dr. Thompson wanted U of A faculty reaction expressed through Senate action today so that they could tell the Regents that the document with its revisions reflected what the majority of the University of Arizona faculty supported. Dr. Rehm said the immediate question was whether the proposed changes as listed in the motion should be voted on enmasse, or item by item.

Dr. Steelink moved that the changes be considered item by item. Dr. Zukoski seconded the motion.

Dr. Sigworth said that by coincidence the Arizona State University Faculty Senate that very hour was also considering the Conditions of Faculty Service document. He had earlier in the day talked with the Chairman of the Faculty at ASU and it appeared that the proposed revisions it seemed were likely to be approved at ASU were very similar to those proposed by himself, Dr. Myers and Dr. Steelink in their memorandum to the U of A faculty dated January 14, 1980. He said he believed the revisions recommended by him, Dr. Myers and Dr. Steelink would make for a more positive, direct document than the revisions proposed by Dr. Rehm and Dr. Thompson. He said he thought it would be unfortunate if the faculty of the University of Arizona submitted a version more bland than that adopted by the Arizona State University faculty. He urged consideration of the revisions in the Rehm-Thompson motion item by item.

Dr. Thompson said that the Faculty Senate had been asked to speak for the University of Arizona faculty. This body should do what it believes is best for the faculty of this University, he said, not necessarily concerning itself as to whether or not it is in concert with some other group.

The question was called for and by voice vote the Senate defeated the motion to consider the proposed revisions item by item.

Professor Robert Clark reminded the Senate that at the close of the January 21 meeting, he had indicated he had some thoughts he wished to express relative to the Conditions of Faculty Service document. He felt the matter was serious enough that he wished to beg the body's indulgence for 10 minutes to discuss some issues that he believed were of vital concern to the faculty of this University.

His remarks follow:

"I have read the minutes of our last meeting and I am pleased that the secretary refers to me as Professor because I am going to do a little professing right now.

"The business of titles reminds me of an incident many years ago when I was a Ford Foundation fellow in the Middle East and Europe where some people (not only in the Universities) are hung up on protocol. They didn't know how to address me. An engineer simplified the problem by reminding everyone that there were many more doctors than professors.

"I have prepared a few comments because I have hoped for an opportunity like this ever since I sat next to President Schaefer at a little luncheon ceremony a couple of months ago. He asked me a question I have not forgotten: He asked me how I thought the discussion and activity of the University Senate could be improved or enlivened. He said that it seemed to him that members of the Senate served only because no one else would, or were interested enough to do so. I tend to agree with that. So, in part at least, his question moves me to comment on the document before us, Conditions of Faculty Service, and maybe also because this is my last term as a member of this body.

"I have read the document and the earlier versions and the comments made on each. I have nothing but praise for the committee that has worked on the document and I am not here to nit pick their efforts. (I could make some stylist criticisms that might bore or amuse you, e.g., p. 12 Art. X, C-5, as originally written, prevented legal counsel from making legal arguments. That absurdity is removed now and replaced by a statement that perpetuates the stereo-type of lawyers who cannot be understood by educated faculty members. But maybe it is hard to find short synonyms for "due process", "academic freedom", etc.)

"Without criticizing the document's substance it recalls the statement of a Yale law professor friend of mine in a lecture given before his retirement, (a man, by the way, who had a Ph.D in French and taught it before going to law school). He said: 'The better the society, the less law there will be. In Heaven there will be no law, and the lion will lie down with the lamb. The values of an unjust society will reflect themselves in an unjust law. The worse the society, the more law there will be. In Hell there will be nothing but law, and due process will be meticulously observed.'

"My comments on the Conditions of Faculty Service relate, first, to a point of view, an attitude toward responsibility that we have as faculty members, and, secondly, to the inclusion of a specific reference to a strong, well understood precedent that we should support.

"You will recall that at the last meeting all but one of the statements made supported the document, primarily on the ground that it would be acceptable to the Regents; that adjustments had been made with that uppermost in mind; that changes would 'rock the boat' (an unfortunate reference was made to 'rubbing noses'); that the Regents' lawyer thinks that the statement is the best that can be obtained, etc., etc.

"This of course is the expedient, political approach, but in my view is not necessarily the most practical or desirable.

"No matter what happens here today, and before I say more on the subject, I do not want to create the impression that this is the last time I will ask for the floor--just because I am now 65 and because I will voluntarily retire on July 1 (to change my activity, you might say). Some of you know that I am planning to become a student of different disciplines. You might find a conflict of interest in this, or that I am taking the students' point of view. Actually I am speaking for an improved educational process for our children and grandchildren. After all, students are the main feature, or object, of these Conditions of Faculty Service.

"At our last meeting one representative on the state-wide committee spoke of 'form following function'. That is an apt phrase. It is a capsule expression of law, or half the law, the other half being function follows form---often years later, as in case of the Civil War amendments, or principles of Academic Freedom. This is what law is all about; it is why much of the law never quite catches up with what is going on, or mandated forms of the law are not observed and functional discrimination and inequality persist. But the process is dynamic and can anticipate new and different values. That is why the meaning of due process, in the academic world as well as elsewhere, and the First Amendment, for example, will be struggled over as long as people care what they mean.

"All of you have seen the AAUP 1940 statement of principles and the gloss of interpretations for the past 40 years. You know the history of the document and know that it was the result of a struggle over many years for academic freedom. You know that 80 or 90 of the best academic and professional organizations in the country endorse the document including, since 1946, the Association of American Law Schools. The statement is a formal outline of a process and how it is meant to operate; today it is more than the common law of university life.

"All of us also know that changes in forms and functions are not always improvements, in universities as well as in society. There have been important changes since the Depression days (I remember very well) when it was illegal for the same institution or school district to employ husband and wife (we probably could say that in that area forms and functions are pretty mixed up). But 50 years ago there was an economic basis for the one salary per family rule---miscalled nepotism. Today, and not without a struggle, economic content has been built into formal rules as, for example, retirement ages and retirement benefits.

"But I want to emphasize that the struggle goes on; that there are other changes in attitudes toward the functions of the academy from within and from outside that are not promising.

"In the 40 years since the AAUP statement was adopted there have been many changes in society and in the attitude toward education, higher education in particular. The concept of the University being in the 'knowledge business' has more than semantic overtones and has made the university a different place, and has altered the outlook and expectations

of faculty, students and citizens. One point of view that I have heard expressed is that, in addition to the spoiled priests and failed poets who hide in academia (where they often perform first class service), there are many others who join us who are more committed to the market place than to the life of the mind (and I regret to say we find them also in law school faculties). These changes and the availability of large sums of money for various purposes are encouraging review, or subversion, of the idea of tenure. Population changes obviously have something to do with this and sometimes this results in exploitation of younger faculty. Some would say that these developments are inevitable. Part of this view originates in the analogies to the business world, the corporate structure and managerial approaches, or by the naive (or stupid) in an analogy, to the operation of a state or local government. But a school is not a state; it is not a political organization based on a one man, one vote ideal any more than it is a business for profit. We count heads but we also count what is in them, and even try to improve them.

"The University is a unique institution, the last community of free minds, and therefore the people who have the real responsibility for that community---I mean in classrooms, libraries, research laboratories---are a very privileged group with a special relationship to the community outside, to the government, to the society generally. It is a relationship that obliges us to speak up, and especially in matters like those contained in this document which may affect higher education for many years.

"If you think I am belaboring the obvious, it is intentional. (Holmes once said that there should be more inquiry into the obvious.) I am only expressing an obvious conservative and preservative point of view.

"As faculty members we are bound to state our views and findings as honestly and openly as we can on all matters relating to the educational process. As private citizens we always have that opportunity in much wider areas. As faculty members we are not here to second guess the Legislature, or the Regents, or the political system. As citizens there is the ballot box. We are here to examine and criticize and maybe improve the whole range of knowledge.

"We all know that politics is the manipulation of power and is necessarily the region of compromise. Some people think every act is a political act---and managers often think they are politicians (and of course some of them are). If there is any political act involved in submitting this document to the Regents it is offering them our best judgment about the future of this and other universities in the area of high standards and faculty performance and what will contribute to them. We are attempting to protect and enhance recognized educational standards and goals. At least I read the document as having that purpose.

"And that raises my simple question: Why not refer expressly to the 40-year old document that sets out the principles accepted and applied by the courts and legislatures as a kind of charter of academic maturity? If most of the principles of the old document are included in this new document, why not cite the source? To omit it is a long step backward and

will fool no one except maybe a local judge who is uninformed and has to construe portions of the new document and will do so by having the 1940 statement brought up.

"I know about the abundant caution of lawyers, and I am sure that counsel for the Regents is abundantly cautious; he is employed at their pleasure. This is a comment on human nature and House counsel (and not on Charles Adams' qualifications of political guesswork).

"The approach offered at our last meeting is like the failure to mention the First Amendment when the subject is free speech or free assembly. The 1940 statement is something like the Magna Carta of academic life and took almost as long to obtain. Its principles have been tested; they have demonstrated the wisdom of our predecessors who have provided us and society with advantages they did not enjoy.

"I cannot believe that omitting certain words will gain acceptance of the ideas expressed. I believe the contrary. Precedent is not a bad word, or the tool of old fashioned property lawyers. The words and their origins will not upset the reasonable people who have the formal power for delegating responsibility in educational matters in a large university--- just because some institution is under a cloud, or has in some way failed to pursue the goals of a university.

"It is our duty to offer the best statement we can which represents reasonable views of reasonable and informed people, and we should freely submit our views to the judgment of the political appointees, the Regents. My guess is that a majority will accept the reference to past experience and precedent in the same spirit that it is offered and therefore we ought to include a reference to the 1940 AAUP statement in paragraph I, as suggested by the memorandum of January 14th from the Faculty Chairman and two of his predecessors."

Professor Clark said that if use of the word "affirms", as proposed by the three U of A Faculty Chairmen, seemed too strong, like taking an oath, then the word "recognizes" could be used. He said he was ready to make a motion to add a reference to the 1940 AAUP statement to the document.

At this point Dr. Steelink indicated he was about to make a motion and he conferred with Professor Clark. Professor Clark then said he was willing to defer to Dr. Steelink whose motion, he felt, would accomplish the same end he sought. Dr. Steelink then moved that the final statement of the first paragraph of Section I, General, be deleted and the following added: "The policies enumerated in this document are consonant with the 1940 Statement of Principles on Academic Freedom and Tenure established by the Association of American Colleges and the American Association of University Professors."

Dr. Steelink said he thought it was important that the Conditions of Faculty Service acknowledge that there are national standards established in this area of concern and that this document is in conformance with those. He pointed out that the constitution of the faculty of the University of Arizona

and the constitution of the faculty of Arizona State University contain references to the AAUP 1940 statement.

Dr. Steelink said the comment had been made that referring to the AAUP statement in this document would be like waving a red flag before certain Regents. He said he had had frequent occasion to work with Regents. He had never found them to be rednecks or Neanderthals. He had found them to be reasonable men and women and he thought they approached their responsibilities in dealing with faculty members, just as faculty members did in dealing with Regents, with an attitude of mutual respect. He said the fact that Arizona State University was under censure by the AAUP in itself should not be a concern. A number of institutions have survived the experience of being under censure by AAUP, including the University of California. No one panics if the National Collegiate Athletic Association takes disciplinary action against an institution, he said. Similarly, censure by AAUP should not cause undue concern. He urged adoption of his motion. Several seconds to the motion were heard.

Dr. Sigworth said that Dr. Myers, the last previous Chairman of the Faculty, was in the audience and wished to speak if the Senate would accord him this privilege. There was no objection and Dr. Myers went to a microphone. He urged adoption of Dr. Steelink's amendment, saying that when principles as important as those stated in this document are being supported it is only appropriate that the recognition they have been given nationally be acknowledged, for example, the approval not only of the AAUP but of the Association of American Colleges. This faculty has taken stands in the past in support of the 1940 AAUP principles, he said. He strongly advocated approval of the proposed amendment.

The question was called for and the motion carried on a voice vote.

Dr. Zukoski referred to Section IX-J which discusses procedures to be followed in case of reductions in force resulting from budgetary problems, and moved that in lines 7 and 8 the language "...the President shall appoint a financial emergency committee..." be revised to read "...the President shall ask the Senate to appoint a financial emergency committee...."

Dr. Thompson said he had no objection to the motion per se but pointed out that the aim had been to develop a general document which would be acceptable to the Regents without spelling out too precisely procedural details. What is being developed is a Regents' document and the Regents no doubt will look on the final product as their instructions to their employe on each campus, that is, that university president, as to how certain matters should be handled. Presumably they will leave specific procedures up to the presidents. Therefore spelling out too many specifics in this document should be avoided. As the document presently stands, he said, the separate institutions can do almost anything they want to in implementation.

Dr. Witte said that she felt the Regents had asked the faculties for their opinion about the document. She said she thought they did not want the response to be "simply what we think they want to hear." She saw the threat of serious inroads on tenure in Section IX. In addition to a mechanism to handle fiscal emergency there is provided a mechanism for educational policy

realignment. These would be extremely powerful weapons in the hands of even the noblest of men, she said. Protection in the form of strong faculty input into these procedures would be given by Dr. Zukoski's amendment. To avoid endangering the tenure system and to help maintain academic freedom, she urged approval of the amendment.

The question was called for and on a voice vote the motion lost. A division was called for and on a hand count the motion failed 35 - 31.

Dr. Zukoski next moved that the wording of Section XI, Implementation, be revised to read as follows:

"The President and faculty of each of the three institutions shall develop procedures consistent with these Conditions of Faculty Service, and embody these procedures in their constitution and bylaws."

Dr. Rehm said he would like to point out again that the intent had been not to include detailed specificity in this document. There had been no effort to include much procedural direction, he said. For example, many procedures exist in the University of Arizona Faculty Manual that are not spelled out in the Conditions of Faculty Service. It is intended that each of the Arizona universities will have its own implementation document. The Conditions of Faculty Service is intended to be only a general statement.

Dr. Sigworth spoke in favor of the amendment. He felt that what Dr. Zukoski was proposing was not overly specific. It recognized that the faculty as a vital organization does exist. Where else in the document, save in the preamble, is there a reference to the faculty as an authoritative body? He felt a statement such as Dr. Zukoski was proposing belonged in the document. He thought the faculty should want to be recognized as a constituent part of the institution. As a matter of fact, he said, while the U of A and ASU do have faculty constitutions, he understood Northern Arizona University does not. We should have concern for our sister institution as well, he said.

Dr. Thompson said he saw no objection to mentioning the constitution and bylaws, yet this tends to narrow what should be considered a general document. Actually implementation might very well call for documents beyond simply the constitution and bylaws. However it would not be inappropriate, he said, to add reference to the constitution and bylaws to the implementation statement. What the faculty needs is authority to develop other implementation procedures, he said.

Dr. Kassander said that Dr. Thompson's remarks were well taken. He gave as an example the patent policy of the University of Arizona. It originally was developed by the Committee of Eleven, endorsed by the Faculty Senate and the General Faculty of the University of Arizona, and in due time became indeed the official patent policy of the Arizona Board of Regents. Nothing about the patent policy is in the constitution and bylaws. Yet it is the one condition of faculty service that is spelled out in all faculty contracts which faculty members must sign each year.

Dr. Sigworth then suggested that the wording of Section XI, Implementation, be revised to read as follows:

"The President of each university shall establish in consultation with the faculty such additional policies and procedures, including a constitution and bylaws, consistent with this document as may be needed to carry out the Conditions of Faculty Service."

Dr. Zukoski said he felt this proposal would take care of his concerns in this instance and he withdrew his motion. Dr. Sigworth then restated his suggestion (see above) as a motion. Several seconds were heard and the motion carried on voice vote.

Dr. Meredith said that a subcommittee of the Committee on University Planning wished to recommend a few changes in Section IX, Removal of Faculty for Budgetary Reasons or for Educational Policy. These proposals were as follows:

- Sec. IX-A. In the first sentence insert a comma after the words "tenured faculty members".
- Sec. IX-I. In line 5 change "ten days" to "twenty days".
- Sec. IX-J. In the first sentence in the statement "Should a university president form a judgment that a budgetary problem is severe enough to lead to a general reduction in force within a department or college or throughout the university....", delete the words "department or".
- Sec. IX-J. In the third paragraph in lines 4-6 delete the final sentence which reads, "Such a hearing may occur following removal unless the emergency circumstances otherwise permit."

Dr. Campbell seconded Dr. Meredith's motion.

Dr. Witte said she found Section IX rife with inconsistencies. She further commented that while much has been said about the need to develop only a general document, avoiding specificity, that "it seems we can be specific when we want to be", for instance, in referring to filing a written request for a hearing within ten days or twenty days. She said she would like to be on record as saying that she thought all in all the Conditions of Faculty Service was a poor document.

Professor Clark asked why under Section IX-H in the final sentence which originally read "a reasonable time not to exceed thirty days", the proposal had been made to change this to read "...at least thirty days." Was it intended to leave this reference so open-ended? Dr. Rehm answered yes, that this had been the requested revision submitted by some members of the faculty.

Dean Kettel said he would like to speak against Dr. Meredith's proposed change deleting the reference to "department" in Section IX-J. He said that at least in some colleges of the University a department very well can find itself in financial trouble and it may not be feasible for the

college "to bail the department out". This is particularly true when budgets are partially supported by soft money and the soft money support may be withdrawn. Dr. Meredith said that this sort of instance had not occurred to his committee and he withdrew the proposal to delete reference to "department or" in Section IX-J. This action was approved by Dr. Campbell, the seconder of the motion. The question on the motion on the other three changes recommended by Dr. Meredith was then called for and the motion carried.

Dr. Steelink questioned under Section X-C-3 the statement "Within fifteen days after receipt of a notice of suspension or dismissal and detailed statement of charges, the faculty member shall state in writing to the president whether or not a formal hearing on the charges is desired. Failure to request a hearing within the fifteen day period shall act as a waiver of any right by such faculty member to a due process hearing before the Committee on Academic Freedom and Tenure or any other committee at the University." (Note: Dr. Rehm and Dr. Thompson had recommended changing this reference to "fifteen days" to "thirty days".) Dr. Steelink said he was of the opinion that a hearing should be held in all instances.

Dr. Rehm said the intent in the document was to permit a member who wished to avoid a hearing to have that right. Dr. Steelink asked if in such a situation the Committee on Academic Freedom and Tenure would be informed of the situation. Dr. Rehm answered yes. Dr. Sigworth asked if this procedure would not be just the opposite of the procedure presently provided in Chapter VIII of the Faculty Manual. Some members of the Senate were of opposing opinions as to what currently was the situation in this regard.

Dr. Myers was called upon and he pointed out that this had once been considered to be a problem, that is, whether or not a hearing must be held in every instance. The Committee of Eleven had then drawn up a bylaw which the Senate had approved and the faculty had adopted. It provides that a hearing will be held unless the faculty member asks for it not to be. But a hearing cannot not be held by default. There are three parties to a hearing, he said: the faculty as a whole, the individual, and the university as an entity. Of course it is imperative that adequate cause be shown for any hearing.

Dr. Sigworth then moved that Section X-C-3 be replaced by the following:

"The Committee on Academic Freedom and Tenure shall conduct a hearing unless the faculty member requests otherwise. The hearing shall be open unless the faculty member requests otherwise".

Dr. Zukoski seconded Dr. Sigworth's motion.

Dr. Schaefer asked had there not been concern about the need for a time limit here. Dr. Sigworth then suggested that the words "within thirty days" be inserted in his proposal after the word "hearing" and that the word "conduct" be changed to "initiate". Dr. Gerald Peterson said that the suggested reference to a time period was in the wrong place. What is needed to protect the faculty member is that he or she be given a period of time in

which to act. Would it be right to permit the Committee on Academic Freedom and Tenure to conduct a hearing within two days? He urged that Dr. Sigworth place the time reference elsewhere in the provision. Dr. Sigworth said Dr. Peterson's comment was well taken. He asked if it was Dr. Peterson's judgment that the wording in the original document should be retained, and Dr. Peterson said yes.

Dr. Kassander said that what the Senate was concerned with here was proper due process. Should not the faculty member have the right to remain silent if he or she so wishes? Or must an individual take specific action to stop the administration from doing something?

In response to a request from Dr. Steelink, President Schaefer read to the Senate the following reference from the present Faculty Manual in this regard, Section 8.21: "If the Executive Vice President accepts the dismissal recommendations and determines that the stated grounds do not involve the Code of Conduct, the case shall be referred to the Committee on Academic Privilege and Tenure for investigation and hearing. The faculty member will receive prior notice of this procedure and can decline a hearing by written notice to the Executive Vice President within thirty days."

Dr. Rehm pointed out that the document before the Senate provided for a considerably different procedure than that presently outlined in the Manual. The new document first calls for a discussion step, then there are conciliation steps, and then and only then does a case go to the Committee on Academic Freedom and Tenure. Thus in the proposed new procedure the faculty member has been well aware of what has been going on.

Dr. Witte said she was confused. She thought the new document was a philosophical framework, nothing of which would be inconsistent with the Faculty Manual. She asked if she was correct now in understanding that the new document is inconsistent and perhaps takes away certain safeguards that are in the current Faculty Manual.

Dr. Rehm replied that the new document provides additional procedures which outline the way a dismissal will be handled. These procedures are more favorable to the faculty member than are those currently provided in the Manual.

Dr. Tindall said that the discussion was about a limit on the time during which the faculty member can waive a hearing, not the period of time within which a hearing must be held. He said he was in support of Dr. Sigworth's intent. He then suggested that Dr. Sigworth's proposed amendment be revised to provide that the CAPT should initiate a hearing unless the faculty member requested otherwise in writing within a period of fifteen days after receipt of notice of suspension or dismissal and detailed statement of charges. The hearing should be open unless the faculty member requested otherwise. This suggestion was acceptable to Dr. Sigworth and to Dr. Zukoski, his second.

There followed general discussion about the appropriate time limit. Dr. Sigworth said he thought fifteen days was adequate but Dr. Meredith and a number of other senators felt that this was an inadequate period. By consensus it was then agreed that the period should be thirty days.

Section X-C-3 as modified above was then adopted by voice vote, as follows:

"The Committee on Academic Freedom and Tenure shall initiate a hearing unless the faculty member requests otherwise in writing within thirty days after receipt of a notice of suspension or dismissal and detailed statement of charges. The hearing shall be open unless the faculty member requests otherwise."

Dr. Witte referred to Recommendation 3 in the memorandum of January 14, 1980, circulated by the three most recent U of A Faculty Chairmen which discussed removal of faculty for budgetary reasons or for educational policy. She said she supported the position taken by the three chairmen and asked Dr. Rehm and Dr. Thompson why they felt their language was preferable. Dr. Rehm said that he could only repeat the point made before, that it was felt that a more general document was preferable since under its provisions specific implementation would be developed locally at each separate university.

The question was called for and the motion that "the October 1979 edition of Conditions of Faculty Service is a reasonable, workable policy document for the governance of employment relationships between the University of Arizona Faculty and the Arizona Board of Regents," as modified by an accompanying list of 29 changes (see Senate minutes of 1/21/80) and as further revised by Senate action today, carried with a few negative votes heard.

REPORT FROM UNDERGRADUATE COUNCIL CONCERNING INVESTIGATION OF THE REQUIREMENTS FOR UNDERGRADUATE ADMISSION TO THE UNIVERSITY: The President called on Franklin Flint, Chairman of the Undergraduate Council, to present to the Senate the report of the Undergraduate Council on high school course work standards for undergraduate admission. Mr. Flint said that each senator had received a copy of the report with the agenda for today's meeting.

A copy of the full report is attached to these minutes. The section requesting Senate approval follows:

"The Undergraduate Council recommends the following motions for Senate action:

- I. That the University of Arizona reestablish a specific list of high school courses as a requirement for admission to the University.
- II. That the President of the University be requested to convey to the Board of Regents the urgent concern of the faculty of this University that such requirement be mandatory for entrance to all three state universities.

"Further Undergraduate Council Recommendations:

The Undergraduate Council would like to offer the following recommendations which it believes can be effected by administrative action. The Council would be pleased to continue its

discussions on these recommendations as appropriate.

- I. If the Senate and President approve the motion of the Undergraduate Council to reinstate a list of 'required' high school courses, the Council urgently recommends that every effort be made:
  1. To streamline the admission process, perhaps by eliminating the old two-step admission process and replacing it with provisional admission.
  2. To provide for more efficient and equitable enforcement of the policy, perhaps through a restriction on the length of time a student can remain in good standing with deficiencies outstanding.
- II. The Council considers minimum uniform university admission standards to be beneficial to education in Arizona and urges the other state universities to continue to utilize the admission plan recommended and approved by all three universities in 1958.
- III. In view of the advances that have taken place in quality and opportunity within public education in the State of Arizona in the twenty years since the admission plan for the universities of the State was formulated, we recommend to the Board of Regents that the entire range of admissions standards be re-examined with the intent of strengthening the subject-matter requirements in a manner that will encourage the full use by prospective applicants of the educational opportunities currently available in high schools and community colleges.
- IV. The Council urges the President to call a meeting of high school and University of Arizona representatives for a thorough discussion of continuing problems of academic communication and articulation."

Dr. Schaefer explained that the report came to the Senate as a seconded motion to approve. He asked if there were questions to be directed to Mr. Flint. There were none.

A vote on the motion was called for and the motion to approve the recommendations of the Undergraduate Council carried.

RESOLUTION CONCERNING RESPONSIBILITY FOR ADMINISTRATION AND EVALUATION OF ACADEMIC PROGRAMS: Dr. Thompson referred to certain action taken at the January 21 meeting of the Senate when the joint recommendations on undergraduate writing were approved. He said he would like to present a resolution for consideration by the Senate, as follows:

"Be it resolved that the Senate reaffirm its strong commitment to the long-standing principle that academic departments, colleges, and comparable academic units have primary responsibility for the administration and evaluation of academic programs and further resolved that the action taken at the Senate meeting of January 21, 1980 in which the Intercollegiate Writing Committee was given the function of 'monitoring and evaluating the Freshman Composition program of the University' is in no way to be understood as a precedent to controvert that principle."

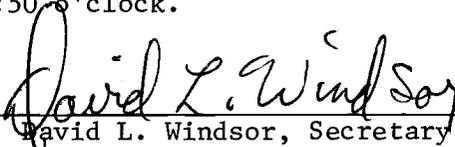
Several seconds to Dr. Thompson's motion were heard.

Dr. Gerald Peterson spoke in opposition to the resolution. He said he felt acceptance of the resolution would delete much of the strength of the action taken by the Senate on January 21 when the much revised Report on Undergraduate Writing was adopted. He said that the teaching of Freshman Composition is unique. It affects all of us, he said. All of us must or should participate in the monitoring of it. The entire University has a strong interest in this program. The teaching of Freshman Composition should merit being viewed as conducted in the best interest of the total University. He saw the philosophy implied in Dr. Thompson's resolution as one that could make the Intercollegiate Writing Committee less effective.

Dr. Thompson responded that his resolution was not intended to take anything away from the Intercollegiate Writing Committee's authority to monitor. However the committee should not be allowed to substitute its authority for that of the Department of English or of the College of Liberal Arts, coming to run the program itself. The committee should provide input but should not have authority to tell the Head of the English Department or the Dean of the College of Liberal Arts how to act.

The question was called for and on a voice vote the chair declared that the motion carried. Dr. Peterson requested a division and on a hand-count the motion carried 31 to 14.

The meeting adjourned at 4:50 o'clock.

  
\_\_\_\_\_  
David L. Windsor, Secretary

  
\_\_\_\_\_  
David Butler, Assistant Secretary

MOTIONS PASSED AT MEETING OF FEBRUARY 4, 1980:

1. Approval of minutes of meeting of January 21, 1980.
2. Approval of motion that the Faculty Elections Committee be authorized to continue the practice of encouraging individuals to run for faculty office so that an adequate number of candidates would be on the ballot for all vacant posts.

MOTIONS PASSED AT MEETING OF FEBRUARY 4, 1980: (CONT'D)

3. Approval of motion to rescind 1966 action prohibiting access to Senate meeting minutes by individuals outside the faculty.
4. Approval of "Curriculum" bulletins Vol. 8, No. 9 (issue date of January 30, 1980) and No. 10 (issue date of February 4, 1980).
5. Approval of motion to accept report from ad hoc Committee on Campus Fund Drives.
6. Approval of several motions further to revise October 1979 draft of Conditions of Faculty Service document.
7. Approval of motion that "the October 1979 edition of Conditions of Faculty Service is a reasonable, workable policy document for the governance of employment relationships between the University of Arizona Faculty and the Arizona Board of Regents" as modified by an accompanying list of changes and as further revised by Senate action this date.
8. Approval of motion to approve recommendations of the Undergraduate Council concerning investigation of requirements for undergraduate admission to the University.
9. Approval of resolution concerning responsibility for administration and evaluation of academic programs.

ACTION ITEMS PENDING:

None