

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, January 20, 1986 Room 146, College of Law

The Faculty Senate convened in regular session at 3:04 p.m. on Monday, January 20, 1986, in Room 146 of the College of Law. Sixty-one members were present. Presiding Officer of the Senate Thomas Rehm presided.

SENATE MEMBERS PRESENT: Aamodt, Alcorn, Aleamoni, Andreas, Aquilano, Atwater, Beigel, Bootman, Brand, Butler, Cardon, Chen, Chiasson, Cole, Cunningham, Cusanovich, Drake, Duncan, Epstein, Ewbank, Fahey, Farr, Fenstermacher, Fernandez, Finkler, Fox, Garcia, Garrett, Goetinck, Gourley, Hasselmo, Heigl, Hetrick, Hill, Horak, Irving, Kinkade, Koffler, Mautner, McCullough, Mishel, Myers, S. O'Brien, Obst, Paplanus, Peterson, Rehm, Ridge, Roemer, Rollins, Sampanes, Sharkey, Sorensen, Swalin, Tomizuka, Torres, Tuchi, Weiss, Wert, Wilkening, and Witte. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS ABSENT: Boynton, Dickstein, Ebeltoft, Emery, Fleming, Giffin, Hegland, Jones, Kettel, Laird, Marcus, Matter, Muramoto, J. O'Brien, Phipps, Rund, Sacamano, Sacken, Salzman, Silverberg, Smith, Steelink, Woodard, and Zukoski.

APPROVAL OF MINUTES OF DECEMBER 2, 1985: It was moved, seconded, and unanimously voted (motion 86-1) to approve the minutes of the meeting of December 2, 1985 as submitted.

CURRENT FACULTY SENATE ROSTER: Dr. Rehm noted that an up-dated Faculty Senate roster had been placed on Senators' desks, as well as other material that was connected to various reports that would be given today.

REPORT FROM THE PRESIDENT: President Koffler drew the Senate's attention to the birthday of Martin Luther King, Jr., and invited the Senate to stand for a minute of silent remembrance. (Followed by a minute of silence.)

President Koffler's Report:

The Board of Regents approved the University of Arizona proposal for a B.A. degree in Russian and Soviet Studies and gave planning permission for a B.S. degree in Optical Engineering. The University was authorized to purchase five additional properties in the acquisition zone north of Speedway. President Nelson and President Koffler reported jointly on the participation of Arizona State University and the University of Arizona as charter members of a group to be known as Collaborative Universities for Research on Aging which will be the first major recipient of support from the new National Aging Foundation. The Foundation is a national, tax-exempt, public charity which is being launched by a pledge of \$6 million from Tucson businessman Robert D. Gibson. The Board approved new procedures for handling the financing and approval of building and renovation projects which will permit both speedier action and significant cost savings.

Turning now to the University's budget for 1986-87, he said the UA now has

recommendations of the Executive Budget Office and some of the recommendations from the staff of the Joint Legislative Budget Committee (JLBC). Neither recommendation meets the full request which the Board of Regents submitted for the University, but each falls short in different ways. A table was provided setting out the major differences so far as they have been made public at this time.

He said the UA requested a continuation budget for the Main Campus of \$200.8 million. The Governor's recommendation is \$192.1 million, and the JLBC staff recommended \$194.5 million. Reductions result largely from a failure to restore funds for the vacancy factor in Personal Services in 1985-86--in fact, the Governor would increase the assumed vacancy rate an additional half percent, which the EBO recommended but the JLBC did not--from the provision of little or no money for increased costs of equipment and library acquisitions, and from an underfunding of anticipated utility cost increases. The Governor's recommendation makes no restoration of the 23 faculty positions justified by an increase in student enrollment. The JLBC staff does restore these positions but at a lower average salary than we requested.

There still remains one major uncertainty about the budget recommendations in general, he said. The JLBC staff is proposing to introduce a new method of funding building renovations and maintenance. It is possible that the UA shall receive substantial funds for this purpose, which in other years would have appeared primarily in the University's capital outlay request. Next year if the JLBC staff recommendation is accepted by the Legislature, this building renewal/renovation allocation will amount to \$4.4 million for the University.

As for new decision packages, he said the Governor has recommended funding for 13 of the 22. Unfortunately, however, for the most part he has excluded the money requested for equipment. Overall, the UA has requested \$15.1 million in the Improvement Budget, the Governor has recommended \$6.3 million and the JLBC \$5.8 million.

The information available, he said, suggests that the recommendation by the JLBC staff is somewhat more favorable than the Governor's recommendation. Either recommendation is approximately \$1 million more than was recommended last year at about the same stage in that process. None of these recommendations includes funds for salary adjustments, so the dimension of that is unknown.

He then turned to the Department of Spanish and Portuguese, saying: "Some members of the faculty have expressed concern that I have decided to seek additional external reviews of Dr. Miguelez' writings in considering his appeal of the decision not to reappoint him. The suggestion is that this undermines our established personnel procedures. I do not think this is the case.

"As the administrator responsible for considering the appeal, I was concerned to find that a misunderstanding had developed between Professor Miguelez and Provost Hasselmo concerning the selection of external reviewers in the fourth-year review. I was concerned that the University might appear not to have lived up to a commitment given to a faculty member. For this reason, I accepted Provost Hasselmo's recommendation that, as part of the appeal review, I personally select additional outside reviewers and submit their comments to our normal internal consideration at the levels of the department, the college,

and the University. What I want to stress this afternoon is that these additional opinions will not be divorced from our regular personnel procedures. They will be open to consideration at the department, college, and University levels. Any additional comments generated at these levels will be incorporated in the file before I begin the appeal review which I am required to make. I believe these arrangements will respect both our established personnel procedures and a commitment which a faculty member believed he had from the University."

President Koffler said some members of the local Hispanic community, distressed by their perception of developments in the Department of Spanish and Portuguese, have constituted themselves as La Nueva Alianza and have met with Provost Hasselmo and the President to express their concerns. Their representatives have also appeared before the Board of Regents. He said he and Provost Hasselmo have also met with other members of the Hispanic community. He added: "What has surprised me is that some members of the campus community have implied that these meetings have determined certain University decisions involving the Department. To these views I have two comments. The first is the plain fact that it is incumbent on any public university to be open to the people it serves. By 'open' I mean a willingness to listen, to consider the views presented, and to explain the institution's objectives and standards. It is in this spirit that we have met periodically with several Hispanic groups just as we meet from time to time with others interested in what the University does. My second point is that no one should assume that a specific University decision, even if it agrees with the views of some of the people we serve, is the result of their pressure. Rather, it is still the responsibility of the University, whatever the opinions of community groups, to determine its policies and make its decisions on the basis of professional standards and constituted procedures. While this University will remain open to community concerns, it will continue to make its programmatic and personnel decisions on the basis of the best professional judgments and the highest academic standards. That is the only way in which a high quality University can be built and maintained.

"Through all of the disputes and developments which continue to revolve around the Department of Spanish and Portuguese, there are two central points which we must keep in mind. The first is that by virtue of our location and our regional role, the University of Arizona ought to have a first-class program in Spanish and Portuguese. The second point is that ultimately it will be the faculty members of the Department who will determine whether we have a Department worthy of the University. More than ten years of divisiveness have been a hindrance to progress. Enough is enough. It is now in the best interests of the Department, the University, and the community that the new administrative arrangements that Provost Hasselmo will discuss be allowed to function and that the personnel review procedures underway be completed."

REPORT FROM THE PROVOST: Provost Hasselmo said the College of Arts & Sciences completed a review of General Education requirements in December, and are now in the process of looking towards implementation of those revised requirements and the courses that are going to be used to fulfill the requirements. They are also now contacting other colleges that have undergraduate instruction and asking them to review their General Education requirements in light of the requirements that have been adopted by the College of Arts & Science in the hope that through that review process we can establish by the Fall of 1987 a set of University-wide General Education requirements, requirements that will

set a single, unified curriculum for the early years of undergraduate work.

He said recent changes in tuition and fee waivers were conditioned by certain changes in the IRS regulations which made it clear that any benefit that would accrue unevenly to groups of employees in an institution were going to be taxable. It was in light of that concern that the Board of Regents instructed the Board's staff to review the tuition and fee waiver situation. The change that was made was essentially to remove the 5-year waiting period for classified staff, so that their benefits would be equal to other employment groups in the University. Since the Board had also instructed the staff to make these changes without increasing the cost of the tuition and fee waivers, the result was an increase in certain of the waivers that existed for other employment groups.

On the Spanish and Portuguese Department, he said: "I will divide my comments into three sections. One will deal briefly with the action taken in regard to Professor Armando Miguelez. The second one will deal with the situation in the Department and steps that were taken to assure the proper functioning of the Department. And I will conclude with some general remarks.

"First a few words about the case of Professor Miguelez, which the President already referred to, and I will also address the question 'Why is the President using additional outside peer reviewers in responding to Professor Miguelez' appeal?' In order to explain the reasons for this action, I need to go back to the Fall of 1984. At that time, that is a little more than a year ago, Professor Miguelez submitted to me an appeal of his annual evaluation for 1983-84. He alleged in his letter to me that he had received an evaluation in the Spring of 1984 by the Acting Head of the Department, then a re-evaluation of his 1983-84 performance in the Fall of 1984 by the new Department Head, Professor Colombi. Because the two evaluations received by Professor Miguelez were in conflict with each other, I promised him that I would select outside peer reviewers to be used to evaluate his salary worth. I then discussed the selection of peer reviewers with Dean Kinkade, and by this time, in January of 1985, the fourth peer review of Professor Miguelez had been initiated. Dean Kinkade and I decided that we would ask the Department to use outside reviewers in Professor Miguelez' fourth-year review. It was my view then that such an outside review would be in keeping with my promise to Professor Miguelez. I felt that it would help resolve conflicts in the 1983-84 annual evaluations and that it would be a helpful component in the fourth-year review that was underway. On March 13, 1985, I received a recommendation from Dean Kinkade that, on the basis of the fourth-year review, recommended that Professor Miguelez' contract should not be renewed, and that 1985-86 should be Professor Miguelez' terminal year. This dossier contained the external reviews, and these confirmed in my judgment that the 1983-84 judgment was justifiable. On June 5, 1985, I confirmed the recommendation by the Department, the Dean, and the University P&T Committee that Professor Miguelez' contract not be renewed. This was June 5th, 1985. When Professor Miguelez made his appeal to the President in the Fall of 1985 he raised the question of who had selected the outside reviewers. In order to try to assure that this matter did not further complicate the appeal, perhaps resulting in further delays, I recommended to the President that he select outside reviewers and use their evaluations in considering Professor Miguelez' appeal. As the President stated, he has proceeded accordingly. It is my view that the use of outside peer reviews has been and continues to be an important and proper feature of the handling of this particular case.

"Let me now turn to the administration of the Department of Spanish and Portuguese, and specifically, to the question of the establishment of an administrative committee for that Department. Why has it been deemed necessary to establish this administrative committee? The Department of Spanish and Portuguese has a history of internal strife, described in the report of the University Review Committee appointed by Dean Kinkade in March of 1985. I have left with the Senate some copies of the Internal Review Committee's report. By the summer of 1985 it was becoming clear that internal dissension was continuing, and even being exacerbated. A dozen formal grievances and complaints were filed from various channels over a period of a few months involving primarily but not exclusively the termination of Professor Miguez. At the same time, there were accusations that some department members indulged in what was described as guerrilla warfare, involving anonymous letters, distribution of scurrilous information, anonymous telephone calls releasing confidential information, etc.

"My response to this situation was first to assure that grievances and complaints were dealt with on a case-by-case basis through the proper channels. Second, because of the large number of formal complaints and because there were allegations of harrassment by both major sides in the departmental disputes, I asked Professor John Strong, Professor of Law in our University, to undertake an inquiry on my behalf. Professor Strong was and did meet with all faculty and staff members of the Department, and all graduate students of the Department who were willing to participate in this inquiry. The purpose of his inquiry was to establish whether there was evidence to support the various allegations made by members of the Department. In December of 1985, I submitted a report to the President and dealt in some detail with some of the cases that Professor Strong had investigated. In my report I also pointed out, on advice of Professor Strong, that issues involving perquisites such as assignment of offices and teaching assignments, cannot be dealt with very well with direct University action. Complaints about such matters and the atmosphere that they create can only be dealt with through proper action by departmental administration.

"My conclusion was that a neutral force had to be introduced into the Department. We were going to come to grips with this situation and create an environment that would protect the rights of all members of the Department. The consultation I undertook resulted in my recommending to the President the establishment of an administrative committee. The committee would be chaired by the Department Head, Professor Colombi, and would consist of faculty members from the Department and from related departments. The solution I recommended was intended to recognize the efforts made by the Department and Professor Colombi but at the same time introducing into the Department the mediating force of some seated faculty members from related disciplines. I realize, of course, that the proposed arrangement was and is an infringement on the normal authority of the academic department. Equally certain is that the problems of the department are not normal. They have proved impervious to traditional solutions. I did not take this step lightly, and only after consultation with members of the University Review Committee, the Senate Committee on Academic Personnel Policy, Professor Strong, members of the administration, and the President. I took this step in the conviction that it represented the only hope for a resolution of the dilemma faced by the department. I regret that Professor Colombi did not find it possible to continue to serve as Department Head under the proposed arrangements. These arrangements have been implemented through action taken by Dean Kinkade at my request. Professor Douglas Canfield

of the Department of English has been appointed Acting Head of the Department, effective January 16, 1986. This appointment was made on the basis of a unanimous, favorable vote, 9-0, taken by members of the Department who attended a special meeting of the Department. Professor Canfield will chair the administrative committee with the following membership: from the Department, Professors Dolores Brown, Lanin Gyurko, and Eliana Rivero; from outside the Department, Professor Celestino Fernandez, Department of Sociology and Academic Affairs; Professor Herbert Schneidau, Department of English; Professor Carlos Velez-Ibanez, Department of Anthropology. The final composition of the administrative committee was worked out in close consultation with the Acting Head, Professor Canfield. The Review Committee was also consulted and concurred in the composition of the committee. The present arrangement will now remain in effect for the next six months. At the end of that period, the situation in the Department will be reviewed and a decision will be made about future steps. Hostilities of more than a decade are not easily buried. I can only express the hope that we will move towards a period when the Department can go about its important programmatic business without disruption.

"Let me address briefly three fundamental questions that I think have arisen over the last few months, and that the President in some sense has already alluded to. The first one is, what does it mean for a University to be receptive to those who support it and constitute its legitimate constituencies? It seems to me that a land-grant university such as the University of Arizona has a clear and fundamental responsibility to listen to and consult with its constituencies, be they local, state-wide, national, or international. This does not mean that the University will or should respond to every request presented by a constituency, no matter how powerful. It is my firm conviction that we contribute most to society, including the local community, if we concentrate on our role as a University with state-wide, national, and international responsibilities and provide high-quality research, teaching, and service in the various disciplines and professions represented at the University, rather than focus solely and specifically on programs designed to meet specific, local needs. But, you cannot and should not ignore the community of which we are also a part. The University of Arizona has a distinct role to play because of the special cultural and physical conditions that exist in this region. If we are unmindful of the circumstances, we not only neglect a responsibility but I think we will miss a special opportunity for research and teaching. Fulfilling that mission, we should consult with the people who are served, but the standards must be set and the program and personnel decisions must be made by the University through its own processes. The right of the University to make programmatic and personnel decisions on the basis of peer review is, on the basis of the best professional judgment of its faculty, absolutely indispensable. Without that right, the University as we know it cannot exist.

"Now, how can a University best protect its independence in the areas of program and personnel decisions? It seems to me that the University can best preserve the integrity of its decision-making processes by demonstrating that it is capable of making decisions that are fair and objective. Members of the community perceive origins of the words 'academic freedom' as a wall behind which we attempt to hide. We have failed miserably to communicate what a University is all about. If we are to succeed in explaining what this fundamental concept means, and the fundamental role that it has played in Western society, we must demonstrate consistently through our own actions and especially through our personnel processes that the academic freedom of all

members of the University is indeed respected. It will require a concerted effort to assure fairness and objectivity at all levels of the review processes if we are to achieve the credibility we need. Cumbersome as they may be, our new annual evaluation procedures and our revised promotion and tenure procedures represent steps in the right direction. I do solicit your continuing support in these efforts and your assistance in making these processes even more effective.

"Finally, what is the role of administrators and the role of faculty members in dealing with conflicts within the institution? The role of the faculty in making both programmatic and personnel decisions is, as I have said, fundamental. Peer review is the process on which the preservation of academic freedom must be based, which means that the role of administrators is essentially that of ensuring that the peer review process functions as it should in making programmatic and personnel decisions. Sometimes this means that an administrator has to choose between conflicting results in different peer review processes. Additional peer review may then be required, to supplement the information already available. It sometimes extends our review processes considerably, but cumbersomeness is a small price to pay for ultimate fairness.

"Now to those who have raised questions about judgments that I have had to make, I want to say that I respect the concern, the basic academic values that they reflect, and that these questions illustrate that you are operating on the same base of spirit for the preservation of that most valuable quality: academic freedom."

REPORT FROM THE CHAIRMAN OF THE FACULTY: Dr. Rehm welcomed Dr. George Ridge, Faculty Secretary, back from sabbatical leave, and thanked Senator Jackie Sharkey, who had served as Secretary pro tem for the entire Fall semester, for the outstanding job she had done.

Dr. Rehm announced that the reconstituted Student Affairs Policy Committee will include the following as new members: Senator John Rund, Chemistry; Senator Willis Horak, Learning & Instruction; Dr. Richard Lopez, Learning & Instruction; Bertha Almagro, Health Sciences Library; and Dr. Christopher Carroll, English.

Dr. Rehm said Nominating Instructions for General Faculty Elections include an error: Arts & Sciences is categorized by its four Faculties, but the Constitution and Bylaws call for Senators to be elected only by "College." The groupings should be lumped together as a single college.

He reported that the Constitution and Bylaws that were presented in May have been revised and will be presented later. Also, Chapters 3 and 4 in the new University Handbook for Appointed Personnel have been to the Senate Academic Personnel Policy Committee, they are now back to the Ad Hoc Committee, and the Senate will be seeing those items in perhaps the February meeting and certainly by March. In regards to Chapter 4, which used to be the former Chapter 10, there were two meetings called for Academic Professionals to address questions and comments to the Ad Hoc Committee. The results of those meetings were incorporated into the latest draft of Chapter 4.

REPORT FROM THE SECRETARY OF THE FACULTY: Dr. Ridge extended his personal thanks to Jacqueline Sharkey for her services as Secretary Pro Tem of this body

during his absence, as well as to Dean Cole for chairing the Honorary Degree Committee.

REPORT FROM THE PRESIDENT OF ASUA: Senator Heigl said that ASUA's major concern in the Legislature this session will be bonding: the recreation center proposal, parking garages. At the last Regents meeting, he said, \$5 million in bonding was approved for major renovations to residence halls. He said the Undergraduate Decision Package, which is No. 1, has been left fairly intact, but the No. 3 package--Student Information System--is now lacking in excess of half a million dollars worth of equipment, which renders it ineffective. A third matter of support by ASUA, he said, is House Bill 2058 which would prohibit college and university employees from profiting from the use of textbooks and other instructional material in courses offered at that institution.

REPORT FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE: Senator Paplanus said that in December the Committee had submitted the Chapter 8 Promotion and Tenure report for actions taken in 1984-85 and effective in 1985-86. The parallel document for Chapter 10 personnel was placed on Senators' desks today.

He reported that the Committee had been requested to review the Board of Regents' proposed policy on Special Registration Fees for Employees and Dependents, but had been unable to bring this to the Senate before the Board of Regents took final action on the proposal, which is now a fait accompli.

He said the Committee had completed its initial work on Constitution and Bylaws, and had distributed the draft with the agenda material. He said he would call on the subcommittee, Senators Ewbank and Roemer, to present the preliminary discussion under Item 6 of today's agenda.

The Committee has completed the first round of review on Chapters 3 and 4, and recommendations were forwarded to the Chairman of the Faculty, and a revised document will be forthcoming.

Lastly, he said, the Committee's advice was solicited in relation to some of the proposed actions in the matter of the Spanish and Portuguese Department.

REPORT FROM THE BUDGET POLICY COMMITTEE: Senator S. O'Brien said the Committee had met last Monday with Vice Provost George Davis.

Also, Dr. Roger Caldwell, Assistant to the Provost, presented several drafts for Committee consideration, one being "Competition and Peer Institution Analysis," concerned with those institutions to whom we would like to be compared realistically and idealistically. This review process will result in material which will be disseminated to the entire University community, she said. Another draft considered was the Master Strategic Plan, which is nearing completion for presentation.

REPORT FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE: Senator Tomizuka said the Committee had met twice since the last report: with Vice President Wilkening to discuss T.A. training; and to discuss the Provost's Teaching Improvement Awards program.

REPORT FROM THE RESEARCH POLICY COMMITTEE: No report.

REPORT FROM THE STUDENT AFFAIRS POLICY COMMITTEE: Senator Mishel reported that the Committee now had a viable membership, as mentioned by Dr. Rehm in his report, and would be able to proceed with its work. At its most recent meeting, the Committee had decided on its major focus for the year: Student/Faculty Interaction, specifically methods to improve and enhance the quality and quantity of interaction between faculty and students. The Committee members believe this matter is directly related to the student retention effort. She said the Committee would appreciate all comments from Senators and General Faculty, and will be meeting the first and third Fridays of each month. (Time and location can be obtained from the Faculty Center.)

QUESTION AND ANSWER PERIOD: Senator Kinkade requested permission for Professor Robert ter Horst, of the Spanish and Portuguese Department, to be recognized. By a show of hands, the request was granted. Dr. ter Horst said he would like to make a statement addressing a number of things in the previous reports. It was ruled that a statement would be out of order.

Senator Chen asked if the computerized mailing list for Chapter 10 personnel had been corrected. Dr. Rehm said the Committee on Faculty Membership would be meeting on January 22 to further investigate that problem. Senator Chen then asked about Dr. Rehm's reference, in his report, to Chapters 3 and 4; she wondered whether those chapters would be distributed to the General Faculty. Dr. Rehm responded that following receipt by the Senate, copies will be available at the Faculty Center.

CONSTITUTION AND BYLAWS: Senator Ewbank said the Constitution and Bylaws will be coming to the Senate under a seconded motion from the Academic Personnel Policy Committee for approval by the Senate; when approved by the Senate, with whatever revisions may be made between now and that time, it will then be disseminated to the General Faculty for a vote. He said it was the subcommittee's intent to simply present the document to the Senate today with the thought that debate on the specifics and proposed revisions might be discussed at the next meeting. He noted that the cover letter attached to the drafts pointed to four items that have been of general concern, and on which the subcommittee particularly requested Senate attention, although any suggestions for change will be welcome.

Senator Roemer said, in reference to the cover letter's first point regarding the definition and provisions for membership in the General Faculty, that the subcommittee is awaiting a final recommendation of the Faculty Membership Committee to complete or revise the ranks specified in the Bylaws, Article I, Section 1. Regarding the second point, referring to the Chair of the Faculty and the Presiding Officer of the Senate, she said it was the unanimous opinion of the committee that the offices should retain the possibility of separateness, the feeling being that a person might not want both jobs, as well as a question of participation in debate by the Chair of the Faculty. On the third point, composition of the Faculty Senate, Senator Roemer said that what is desired by all is the best interchange of ideas between faculty and administrators. The fourth point, concerning some Constitutional provision for representational and financial participation in Arizona Universities Faculty Council, referred particularly to the manner of selection of University representatives to AUFC. The resolution that was approved in 1984-85 formalized representation of the University to the Council, but did not include a method for selecting representatives. Traditionally, Senator Roemer said, UA representation has consisted of the Chair of the Faculty and two

people who have been elected at-large to some General Faculty or Senate committee, generally the Committee of Eleven. She asked if the Senate wished to formalize the representation process?

Senator Myers said it would have been useful if the subcommittee could have provided the Senate with alternative proposals on restructuring the Senate.

Senator S. O'Brien asked whether the subcommittee had considered adding the ranks of Librarian, Extensionists, Agents, Associate and Assistant, to the Voting Faculty ranks referred to in the Bylaws, along with Professors, Associate Professors, etc. Senator Ewbank replied that what is in the present draft was merely transposed from the previous Constitution/Bylaws, and the subcommittee is awaiting word from the Faculty Membership Committee, to update that listing. Dr. Rehm reported that the intent is that all the ranks mentioned will be included.

Senator Hetrick said he remembered that the previous Constitution and Bylaws made reference, under faculty membership, to half-time or more employment in these categories. Senator Chiasson asked if this excludes visiting faculty. Senator Ewbank responded that it will exclude any rank not included in this definition, and the question of "modifiers" is one that the Committee on Faculty Membership is working with now.

Senator Ewbank said that if no other reactions were forthcoming, discussion will continue at the next meeting.

REPORT ON UNIVERSITY PARKING: Professor Dave Nott, Chairman of the Parking & Transportation Committee, said that over the past semester, some answers had been provided to the parking problems that have existed over the past several years. He discussed three points: (1) trends and statistics based on data accumulated over the past semester; (2) completed activities; and (3) new developments and directions that have been set. He called on the Parking Director, Janie Nunez, to report on statistics.

Ms. Nunez distributed two reports on parking permit sales. She said that the number of permits being issued has steadily increased. Student permits issued have increased by more than 1,400, approximately 16 percent. Faculty and staff permits have increased by over 900, or 29 percent. Faculty and staff spaces have decreased approximately 100 since Oct. 15. The loss of some of those spaces is temporary, she said, and some permanent. Changes that are anticipated in the coming year include the beginning of construction on the Alumni and Creative Photography buildings, with a loss of 370 spaces. In 1987 it is projected that the Agricultural Lab and Life Sciences Building will displace another 160 spaces. Minor gains in spaces are anticipated, but not enough to offset the losses. The Parking Office anticipates about 200 additional spaces north of Speedway; and they will try to meter some additional areas on campus as construction site crews complete their work. She said the Parking Office has noted it has sold many daily passes; many departments have been able to accommodate their visitors with this pass, as well as conferences which have come on campus. She said they have added a number of service spaces in an effort to pull service people out of permit spaces. She said they have had to displace some permit areas, but not a significant number; most spaces were taken from the streets. She further reported that the Parking Office has added a number of meters on campus, and has projected approximately 300; 257

are in operation, with 15 more to be added. Utilization studies will be continued. She said the bus program has been very successful. She said she has received a lot of expressions of concern regarding lost and stolen permits. In summing up her presentation, Ms. Nunez said she thinks matters might get a little worse before they get better, but they are putting forth their best efforts.

Professor Nott said Ms. Nunez had given the Senate some idea of the trends, based upon the data that has been generated over the past semester, and he would like to acquaint the Senators with the activities the Committee has been engaged in over the past semester. He said that because of better communication, complaints have decreased steadily since August.

He said there are now 31 people specifically devoting their time to parking activities on campus, and four more parking monitors have yet to be hired. Added are 95 new service spaces, and considerable visitors spaces in various sectors around campus.

"Park-downs" have been provided for the University community. Park-downs are specifically: those with AD permits are allowed to park in any available F/P, CS or ST space; those with F/P permits are allowed to park in CS or ST spaces; and those with CS permits may park in ST spaces. There will be a free parking zone outside the Parking Office for those who need to conduct business. Those who have reported a stolen permit are going to be given a courtesy pass for a certain period of time, perhaps a couple of weeks, to give you time to fill out the appropriate forms and file the necessary reports. There may be a reduced rate for parking south of Sixth that will pre-empt the center of campus for other people who may wish to park by paying a higher fee.

Senator Paplanus asked if there were any pattern to closing the pay lots. Professor Nott said there is no pattern.

Senator Hetrick asked what percentage of the faculty has been forced out of the system by the signage system, and at what cost to the University in terms of lost time and work productivity? Professor Nott said there is no intent of forcing people out of the system, but the aim is to reduce the number of cars on campus. He also said there are no specific ground rules in relation to carpooling. If there are three people--a student, a classified staff, and an administrator--who wish to carpool together, the only thing the Committee requests is that they register under whatever permit they are carpooling on.

Senator Peterson asked if the Committee has given any consideration to going back to the old system of giving people some choices as to what class or category they would purchase. Professor Nott said the Committee is coming up with a low-cost program, if people are willing to move south of Sixth.

Senator Chiasson asked if parking lot time/use studies have been made. Professor Nott said a particular parking lot is surveyed to see what percentage of the spaces are used at 8:00, 9:00, 10:00, 11:00, Monday through Friday. Then average utilizations for the day are taken and also a very specific utilization for the hour to develop some information about parking by willingness to pay as opposed to parking by classification.

Senator Tuchi said parking garages parallel administration desires. He said the administration is working on it, and "we think we have a plan that

will let us get to a facility or two in August 1987."

ANNUAL REPORT: INTERCOLLEGIATE ATHLETICS DEPARTMENT: Dr. Cedric Dempsey called attention to three reports (see attached).

He mentioned that the UA completed probably the most competitive year in its history. The overall sports program was ranked 11th nationally. Beginning next year, he said, the UA men and women will be competing in the PAC-10 Conference. The University of Arizona was one of only two schools in 1985 that competed in the College World Series, NCAA Basketball Tournament, and Post-Season in Football. The other was Arkansas.

The Financial Report is a format began last year (see report, attached). He pointed out that gate receipts still are a major source of funding: between 30 and 40 percent of the revenue is based on gate receipts. He said the UA is very pleased this year with football gate receipts.

Last year the budget was \$9.1 million; this year, the projected budget is \$8.2 million. He said: "We anticipate, if we stay on target with this particular budget, that we would be projecting at the end of this year \$196,000 deficit. We went into this year with a \$300,000 deficit, with a two-year program to be back in the black at the end of that time. With the success that we've had this fall, we are hopeful that that \$196,000 will be decreased dramatically, but it is premature at this time to tell you what it will be."

Senator Epstein commented on the contributions necessary for faculty seats at basketball games. The problem of parking in faculty lots during a game was mentioned. Senator Obst said the Wildcat Club pays a fee to the Parking Services, and he believed it is quite a nominal fee.

Dr. Dempsey closed by saying: "I am completing my fourth year here, and I think the finest compliment we have had to our program occurred two weeks ago. It received no publicity, but I did receive a call from a President of the system of state universities on the East Coast asking if I would take part in an audit of the three institutions in that particular state. In asking him how he happened to come up with my name, or with me in particular, he said in talking with the NCAA Council, they felt that the University of Arizona had one of the most credible programs with the greatest integrity in the country. To me, that is the best compliment we have had since we've been here."

MOTION VOTED TO AMEND AGENDA: Senator Goetinck said that since time was running out, and if a motion would be in order to adjourn, he would like to move that Agenda Item 9 (Report of the Senate's representative to the Inter-collegiate Athletic Committee--Dr. Frederick Stevenson) be postponed until the next meeting, and the Presiding Officer move to Item 11 (New Business). Dr. Rehm: "That motion, if seconded, would require a 2/3 vote at this time for action to be taken." The motion (86-2) was then seconded, and by a show of hands the motion was approved.

NEW BUSINESS: Senator Kinkade asked the Senate to recognize Dr. Robert ter Horst, Department of Spanish and Portuguese. This was approved by voice vote.

Dr. ter Horst: "Conflict in the Department of Spanish and Portuguese does not center on the relative importance of European as against American Hispanic culture. For a long time now we have integrated the major divisions of our

discipline into a single, well-balanced program, which nearly all our faculty warmly support and promote. It is false and destructive to try to pit Europeanists against Americanists. That is not the issue, much as some would like it to appear to be.

"The issue, quite simply, is that for as long as I have known it, which is sixteen years, the Department of Spanish and Portuguese has not been governed by normal academic standards. Professor Leo Barrow habitually vituperates me and some of my colleagues by calling us members of 'the ruling class' and of 'the ruling white minority' to mention only his kindest epithets. Outside the Department of Spanish and Portuguese, there is indeed in our profession a ruling class. They are called scholars: people who do research and publish it, and are judged throughout the learned world on that basis. These individuals properly preponderate in academic life.

"But not in this Department of Spanish and Portuguese. The system there is political, not intellectual. In conjunction with allies in the city and state, a small group of faculty, through the manipulations of students and colleagues, have always dominated affairs in the Department despite their total lack of scholarly distinction. No Head has ever been able to stand against them and their friends in this area. They have always been our ruling class, our own little Porfirios.

"Seeing the danger as long ago as 1968, Dean Roy brought in a distinguished, forceful Professor of French to succeed Renato Rosaldo as Head of the Department of Romance Languages, as it was then. But a change of administration prevented the shift from occurring. Dean Herman Bleibtreu did finally succeed in dislodging Rosaldo, but at the price of a terrible ruckus, the parent of the one that is now reaching its crescendo in behalf of Armando Miguelez. But the end of Rosaldo's tenure as head did not in the least mean the end of his system. That remained firmly in place until the arrival of Alicia de Colombi-Monguio. Colombi left a secure and pleasant post to come here because she mistakenly thought she saw in Arizona a real chance to create the best, or at least one of the best, departments in the country. Her standing as a first-rate scholar whose published writings are both humorous and excellent was meant to convey the message that learning would at last count for something in the Department. Her gender and her being a Hispanic added value to value. No candidate for the headship of the Department was told 'community relations', which is to say local politics, would be a critical part of her or his responsibilities, or even a major part of them. No worthwhile candidate would have accepted such a role. Thus it is altogether unjust of Provost Hasselmo to speak of Colombi's failure to establish good relations with local political activists. Her task was to create a high and general level of excellence in her department. The matter of so-called community relations emerged well after her arrival and one should rather speak of the determination of people like Rudy Bejarano and his friends not to have good relations with Colombi who, at first unaware of the problem of local politics, then came to face a little phalanx of enemies resolved to run her out of town, as they have so triumphantly done.

"In that victory over a great and brilliant woman, La Nueva Alianza has been handsomely helped by Provost Hasselmo, who subverted Colombi through a succession of maneuvers like the community relations ploy. First came his tampering with the Miguelez review procedure. His eagerness for a decision favorable to Miguelez was evident to all of us close to the process. He urged

the expediency of a positive outcome on Colombi in unmistakable terms. To overprotect Miguelez, he bloated the fourth-year review. He, not we, imposed the step of the outside reviewers, which is not normal in a fourth-year review. His tampering not only denatured the review, but also politicized it right from the beginning. I know that after the Miguelez business it will not again be possible to conduct a low-key, helpful, apolitical review. At any rate, through his meddling, Hasselmo bonded Colombi to Miguelez in an inverse ratio like that of gold to the dollar. He made her fortunes dependent on his, with the results that we have seen. The Strong investigation was just another such subversive maneuver. There was no independent Strong investigation. There was no independent Strong report. It was just Hasselmo. If proof were needed that the Provost's aim was subversion, his willingness to remove, after Colombi's resignation, the very person she could not accept provides irrefutable evidence.

"A favorite subversive tactic in my department is denigration. Denigration has now become a communal enterprise, shielded by one of Provost Hasselmo's terms, 'perception.' When I complained to him that a member of the present departmental Committee had called me a racist, Hasselmo characterized that lie as a perception. Untruths about me and my colleagues have now gained ontological status as perceptions, and these of course affect one's 'credibility,' another of Provost Hasselmo's favorite terms, which can loosely be translated as 'acceptability to Rudy Bejarano.'

"At the same time, this University's administration permits the use of a phrase like 'scholarly elite' as a term of opprobrium. I am proud to be a scholar, but my University allows the achievement of excellence to be represented as a serious flaw. Some members of the Department do, indeed, have credibility. But that is in our own national and international community of scholars, which is not good enough for Provost Hasselmo. We must also be adept at local politics.

"This is, I believe, that Mexicanization for which members of the Nueva Alianza have called for, as well as, more recently, a local Mexican-American as Head of the Department of Spanish and Portuguese. Despite my devotion to Hispanic civilization, I find that culture has two institutions that are models well worth avoiding: its forms of government and of higher education. The truth of the matter is that my unfortunate department was thoroughly Mexicanized back in the sixties. This University's President and Provost would apparently like to make that mistake irreversible. I call upon all my colleagues with the least care for scholarly integrity to extirpate a deep-rooted evil in one department to prevent its spread through the entire institution. Rudy Bejarano threatens us all gravely, but the danger from within appears to be as great as that from without."

Senator Garcia: "If the Senate would indulge, I also have a person who would like to address the Senate at this time: Dr. Miguelez." A voice vote brought approval to hear Dr. Miguelez.

Dr. Armando Miguelez, Department of Spanish and Portuguese: "I think I can safely say that most of you have been here longer than I have. And therefore you must know that problems have existed in the Department of Spanish and Portuguese for many years. Certainly no claim can be made that the internal conflicts and cliques that exist have been caused by my presence in this department, nor can it be said that mine is the first case of faculty

discontent produced by the operation of this department. I see myself as the latest victim of some very serious problem this department faces as is evidenced by the fact that in the five years I have been here, I have worked under five different department heads. I feel it is only fair, and certainly understandable by anyone who believes in the principles of due process and the right to defend oneself, that I exhaust every avenue possible to remedy the injustice being carried out against me professionally. Being from another country, I have found it amazing that in the University procedure there is no easy path one can follow in trying to defend oneself. All guarantees of due process are effectively denied by confidentiality clauses and fear that scholars both inside and outside of an institution will be reluctant to speak the truth about their opinions of other colleagues' work if their comments were to be made known. I cannot prove that accusations or comments made on my work are erroneous if I am not even allowed to know what they are. I have used every method available to me to be given a chance to counteract what I believe I can prove to be falsehoods about my work, and doors have been closed at most levels.

"Be that as it may, I would like to ask that in this case you keep an open mind. I can assure you that you do not have all of the facts of this case and that much more is involved than reasonable and acceptable community comment to the University on a situation that is felt to be of importance to members of that community. Documentation exists that proves that there was mishandling of my case by some members of the Department of Spanish and Portuguese. I have not made this documentation public because of the scandal it is sure to cause. Dr. Koffler has been made aware of this documentation and has been given the opportunity to handle this delicate situation internally. However, these very inflammatory and conflictive statements being made to you through the press and through University mail is threatening an internal resolution of this situation. I think many of us will regret it if some of this documentation is made public, as all professors will suffer damage to their credibility and integrity because of the actions of some.

"I will be more than happy to provide details as to my performance at this University to any of you who are interested in becoming more completely informed. There is good documentation to support my teaching abilities including excellent student evaluations and several commendations of my teaching, written by Department Heads in this department, as well as several letters by students who have been surprised by the negative comments made about my teaching. There is obvious support of my community efforts outside of the University, but I have done substantial work within the University by directing and even designing and developing new programs of study both here and abroad that have met with great success. In the area of research, I stand proudly and solidly on my record. Mine will be the first book published in Spanish by the University of Arizona Press, and Prentice Hall will be the publisher of another of my books. A third has been accepted by the Fondo de Cultura Economica, the most prestigious publishing house in Mexico. I also conceptualized and have produced a Spanish language creative literature journal through the Mexican American Studies and Research Center, and have several articles published in a variety of journals in my field. Any one of you is more than welcome to study my curriculum vitae or any of my work if you are in doubt about this case.

"Lastly, I would like to say that I am dismayed that a department of this University has taken it upon itself to call an emergency meeting to pass

resolutions concerning a case they are not fully informed of. Members of this University faculty complain that administrators of the University have violated their integrity by availing themselves of options that are legal and legitimate. But I see no complaints about a department taking it upon itself to usurp that prerogative from the President and Provost, and sit as judge and jury without hearing both sides of the case. I trust that those present here today will take the time and make the effort to inform themselves completely if they feel it necessary to take a stand and act on this situation. Otherwise, be patient, as I must, and hope that some point in the review of this case the truth will prevail. Thank you."

Senator Kinkade: "I believe Dr. John Martin of the Department of Spanish and Portuguese had previously asked to make a comment." It was approved by voice vote.

Dr. John Martin: "I find very attractive Professor Miguelez' offer that his credentials be more widely examined than they have been in the deliberations of the review committees which recommended against his retention. I think that that should be followed up. In the meantime, I wish to report to you that Professor Alicia de Colombi-Monguio, who was until last Thursday Head of the Department of Spanish and Portuguese at the University of Arizona, and who had been eagerly sought by a number of prestigious universities as soon as the current local scandals became known throughout the country, is now a leading (that is, distinguished) professor in charge of an outstanding department in the east. Thus, she will continue to exercise, but now for the benefit of others, the administrative and scholarly talents that we, her colleagues, once enjoyed here.

"I wish to read to you now a paragraph from a memorandum dated January 9, 1986, from Richard Kinkade, Dean of Humanities, to the Faculty and Staff of the Department of Spanish and Portuguese, concerning the intervention of my department:

'While this arrangement is temporary and designed to meet specific needs, the committee and acting head may be reappointed for an additional six-month period should the circumstances warrant such a measure. In any event, both the necessity and the efficacy of this arrangement will be continuously monitored, and we hope to be able to return the department to full internal governance as soon as possible.'

It is clear from that paragraph that it is considered that our loss of internal governance is due to necessity, and it is implied that this necessity derives from our alleged inability to govern ourselves. Nowhere is there a hint that the administration's lack of political courage may be, as it surely is, the cause of our malaise.

"We are at the end of our patience with this ruse of our top administrators who set upon us, the working faculty of the Department of Spanish and Portuguese, the onus and opprobrium that are implicit in our being governed now by an administrative committee consisting of three faculty members from our department, plus three from departments other than ours, the lot chaired by a Professor of English.

"This is a serious abridgement of our rights and of our dignity, for which no justification whatsoever is offered to us or to the public, except by

innuendo and, where expedient, by untruths.

"Over the years, as is well known, the administrators of this University have refused to assist us in cleansing our ranks. And now, after we have demonstrated that we nevertheless possess the academic strength to attract as our Head a truly fine colleague--a world-class scholar, in the words of our Dean--we have seen her driven from among us by the Provost's order that she be watched over by a hybrid committee that was constituted with criteria that were blatantly political and that were designed to demonstrate that our top-most administrators were responsive to the pressures being applied to them. One of the people Dr. Hasselmo invited to serve on that committee, before he recognized how angry our opposition would be, was (by Professor Colombi's account to the Board of Regents, on the occasion of her resignation) an agent of the now notorious Nueva Alianza, the self-appointed, ad hoc vigilante group that wishes to rule our department by hook or by crook.

"For the administration, it was necessary only to witness by what clear and well-articulated principles Professor Colombi fashioned her administrative guidance of our department to know how to offend her honor and her intellect and thus wrest from her not only the surrender of her headship, but also her resignation from her professorship in an institution which she could no longer recognize as governed by common standards of decency and academic responsibility.

"It is clear to us, to those of us who revere scholarship, honesty, and justice, that we are scapegoats--that we have been made the object of administrative intervention and held up to our colleagues everywhere as incapable of self-governance as requiring six months or a year of outside oversight, only in order that our highest administrators might cover up their own astonishing political ineptitude and the uncourageous actions they took when they were called upon to defend from ignorant and hostilely vicious acts the academic integrity of the great University that has been placed in their charge.

"For one reason or another, not all of us can resign our positions. Most--but not all--of us can protest only by standing up and stating our truth in opposition to the professional and academic insult that has been so cynically leveled at us.

"In doing so, we appeal to all of our colleagues who understand that a University, if it is to be a University, must be impervious to attempts from outside to govern its academic life.

"Academic autonomy is the single great feature that characterizes the class of good and great universities. Cultures to which this group is not clear, cultures which cannot keep the academic aspects of their universities in the hands of their professorial staff, spawn institutions that have only some form, but little of the content, of the University as you and I wish to know it.

"Today we are being invaded by, but not defended from, the notion that academic decisions at the University of Arizona are legitimately made and enforced not only by legislators and city councilmen, but by any scalliwag who might find in his pocket the price of a lawyer, or indeed, who can pronounce the words 'discrimination' or 'racism' in a threatening manner, never mind the facts.

"The grotesque administrative intervention of my department, I say to you, is our administration's way of passing on to us the punishment that has been decreed by an outside pressure group.

"And why has that punishment been brought upon our heads, through the agency of our highest administrators? Simply because, as an imperative of our scholarship and of our academic responsibilities, and in recognition of our department's manifest mission in Arizona and the American southwest, we have refused and continue to refuse categorically to accept inadequate quality in the field of Chicano and Mexican literatures and civilizations. In short, because we have demanded a degree of competence for these areas that is not possessed by the candidate of those outsiders who would choose our colleagues for us from among their friends and relations.

"Our administrators must be brought to recognize that they are accountable to all who understand the nature of universities in this culture for the defense of principles that enable faculties to pursue excellence in an environment that is free of political reprisals. Accountability works upwards and downwards among us. That is what is meant by the second term in the phrase 'academic community.'

"It is our hope, then, that the Faculty Senate, in the spirit of the democratic, academic community that is connoted by its name, will now see fit to repudiate, not only the current intervention of the Department of Spanish and Portuguese which so demeans your colleagues, but also the disregard of administrative duty to protect us that preceded and led to that intervention. Thank you."

Senator Coetinck: "I should like to thank the Chair of the Senate and the other members of the Senate for the opportunity to extend this meeting by half an hour, without taking any sides in the present controversy. I hope that the fact that the three people who were able to be heard may contribute somewhat to the views of a very poly-sided situation."

Senator Goetinck requested recognition for Dr. Jonathan Beck, Head, Department of French and Italian. Approval was then granted on a voice vote.

Dr. Jonathan Beck: "We are the sister department of Spanish and Portuguese. I have no comment to make other than to draw the attention of the Senate to the fact that there are other concerned departments on campus who feel very strongly that the problems going on in the Department of Spanish and Portuguese should not only be heard and heeded, but the two largest departments in the College of Arts & Sciences have passed resolutions to that effect. I don't want to distort these to you. They are very brief. If I could, I'd like to take about ninety seconds to read them to you. The first is dated December 20, 1985, and was passed by the Department of History. It reads as follows:

'Be it resolved that: (1) on the basis of our information, we are convinced that the Committee on the Fourth Year Review of Armando Miguelez acted in a professional and procedurally correct manner; (2) in view of public allegations contesting the Committee's action, the administration's continuing public silence on this matter impugns the integrity of the University review process; (3) personnel decisions should not be compromised by external considerations.'

Again, if the perceptions that have been drawn, or the conclusions that have been made are erroneous, they are at least very widely shared. The second resolution was passed on January 14, 1986, just five days ago. This is a memo from the Chairman of the Council, Department of English, and reads: Below is the text of the resolution passed unanimously by the Council of the Department of English on January 14, 1986, and it reads as follows:

'The Council of the Department of English commends the Department of History for its actions of December 20, 1985, adopting a resolution affirming the integrity of established University procedures, and we endorse the principles stated in those resolutions.

I feel it is appropriate the Senate include these statements as a part of their Minutes."

The Senate adjourned at 5:32 p.m.

George W. Ridge, Jr., Secretary

MOTIONS PASSED AT MEETING OF JANUARY 20, 1986:

86-1 Approval of minutes of December 2, 1985.

86-2 Approval to postpone consideration of Agenda Item 9 (Report of the Senate's representative to the Intercollegiate Athletic Committee).

MATTERS PENDING;

Discussion on report from Senate representative to Intercollegiate Athletic Committee (report distributed with January 20 agenda materials).

Further discussion and action on proposed new Constitution and Bylaws.