

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, January 18, 1982
Room 146, College of Law

The Faculty Senate convened in regular session at 3:00 p.m. on Monday, January 18, 1982, in Room 146 of the College of Law. Fifty-nine members were present with Senate Chairperson Rebecca Kellogg presiding.

SENATE MEMBERS PRESENT: Ahmad, Antinoro, Barrett, Butler, Calder, Cosart, Crowder, C. Cunningham, J. Cunningham, DeArmond, Ebeltoft, Eckhardt, Edwards, Ewbank, Fahey, Farr, Fleming, Frank, Gallagher, J. Garcia, R. Garcia, Geiger, Goodwin, Henderson, Ingram, Jorgensen, Kay, Kellogg, Kettel, Koontz, H. Laird, Marlowe, Munroe, J. O'Brien, S. O'Brien, Paplanus, Pergrin, G. Peterson, Putt, Quinn, Rehm, Roby, Roemer, Rollins, Rosenblatt, Scott, Selke, Shanfield, Sigworth, Spera, Steelink, Thompson, Titley, von Teuber, Werner, Windsor, Witte, Young, and Zukoski. Dr. Robert Sankey was present as Parliamentarian.

SENATE MEMBERS ABSENT: Armstrong, Atwater, Cardon, Cole, Davis, Epstein, Erickson, Gaines, Gibbs, Gourley, Holmes, Johnson, Jones, Kassander, D. Laird, Maher, Munsinger, Odishaw, Paulsen, R. Peterson, Schaefer, Smith, Sorensen, Svob, Swope, Tomizuka, Tyler, Weatherly, Weaver, and Westbrook.

WELCOME TO SENATOR FARR: Senate Chairperson Kellogg welcomed to the Senate Morris Farr as representative of the College of Engineering. Senator Farr had been elected to replace Senator Hetrick who will be on sabbatical leave during the spring semester of 1982.

ACCEPTANCE OF MINUTES: The Senate accepted the minutes of the December 7, 1981 meeting as distributed with the following correction. On page 49, in the first paragraph, the third sentence should end after the word "no". Senator Fahey is not a member of the IRAD advisory committee.

Senator G. Peterson remarked that the Wildcat report of the December Senate meeting had erred when it stated that the Senate had approved an Undergraduate Council recommendation to drop students who are absent on the first day of classes with a grade of "W". What the Senate had done was adopt a recommendation from the Undergraduate Council that the policy statement on administrative drop be revised to provide that for those courses for which enrollment is limited missing the first class session may be interpreted as excessive absence, excessive absence from class being sufficient reason for the instructor to recommend to the college dean that the student be administratively dropped from the course. The provision provided the opportunity for an instructor to drop students absent the first class if he or she wished in courses where enrollment was limited. Dr. Peterson said he hoped the Wildcat would carry a correction on this point.

REPORT FROM THE CHAIRMAN OF THE FACULTY: Senator Sigworth, Chairman of the Faculty, pointed out that the time was approaching when college representatives to the Senate would be elected and it was his responsibility to apportion college

representation among the several colleges. To assist him in determining apportionment he had appointed a committee made up of the following senators: Bruce Barrett, Robert K. Johnson, Shirley O'Brien.

REPORT FROM THE ASSOCIATED STUDENTS: Senator R. Garcia, President of the Associated Students, reported that student leaders would be monitoring several bills before the Arizona Legislature including one proposing to refer raising the drinking age from 19 to 21 to the voters, one proposing to raise the drinking age from 19 to 21 by legislative action, and one which would require nonresident students in the universities to pay 100% of the cost of their university education. At present the nonresident tuition fee covers approximately 80% of the cost of educating such a student. The Associated Students were opposing all three of these bills. The students doubtless would be monitoring other bills also as they are introduced later.

Mr. Garcia expressed the students' appreciation for support from members of the faculty for the campus Caroling for Cans project during the recent holiday season.

REPORT FROM THE COMMITTEE ON UNIVERSITY PLANNING: Senator Frank, Chairman of the University Planning Committee, reported that that group was studying proposals that the State assume the employee's contribution toward the Arizona Retirement Program and probably would have recommendations on this matter to present to the Senate in the near future.

Senator Shanfield inquired how recommendations on legislative matters went forward from the Faculty Senate to legislators. Senator Sigworth pointed out that communications proceed by various means; sometimes they go forward through the Arizona Universities Faculty Council; sometimes through the U of A Chapter of the American Association of University Professors, sometimes through the University central administration, particularly through Vice President Munsinger and Mr. George Cunningham, and frequently through informal contacts with individual legislators. Chairperson Kellogg said that communications can also go directly from the officers of the Senate to the chairpersons of legislative committees.

Senator Steelink noted that in the past the Senate has sometimes sent its recommendations to the Arizona Board of Regents for submission to legislative committees.

Senator Farr noted that for the most part in the past communication has been rather informal, frequently by phone calls, for example. Certainly the Senate could send letters directly to the chairpersons of the legislative committees concerned, he said.

APPROVAL OF CATALOG MATERIAL AS FURNISHED SENATE MEMBERS IN "CURRICULUM" BULLETIN: The Senate approved catalog material furnished Senate members in "Curriculum" Bulletin Vol. 9, No. 11, issue date of January 4, 1982.

APPROVAL OF COMMITTEE OF ELEVEN REPORT ON TEACHER EVALUATION AND TEACHING EFFECTIVENESS: The Senate turned next to a matter before it at its last meeting, final consideration of sixteen recommendations on teacher evaluation and teaching

effectiveness developed by a subcommittee of the Committee of Eleven and considered over a period of some months by the Senate. A number of revisions had been made. The sixteen recommendations, as amended, intended to go to the President of the University, were now ready to be voted upon as a total document.

Senator Quinn asked that the word "are" be changed to the word "be" in Recommendation 2, in the interest of better grammar. Recommendation 2 would then read:

2. Department heads should provide close, in-service supervision of all Graduate Assistants in Teaching and should assure that all courses taught by Graduate Assistants in Teaching be evaluated each semester by the students.

There was no objection to this change.

Senator Quinn referred to Recommendation 13, which read as follows:

13. Department heads should review the teaching of all instructional staff on an annual basis. Such reviews should be based on a variety of measures, such as classroom visitations, student evaluations and discussion of course materials, and should consist of personal conferences with each faculty member. The reviews should result in a written record, a copy of which is made available to the faculty member concerned. Heads of large departments may delegate the task of teaching review to a departmental committee on instruction.

He said it disturbed him that this recommendation would give power to a department head over an instructor who might be a better teacher than the department head was. This could lead to unfortunate mischief. He said he did not know how to improve the language, but he felt a department head should not have this much power.

Senator Witte said she interpreted this recommendation as giving a department head responsibility rather than power. Actually, the power is there, whether one likes it or not. Senator Quinn responded that the language, he thought, was too strong, implying competency that might not be present.

Senator Fahey said that the department head does have a supervisory responsibility and is the first line of review in matters of promotion, tenure and merit. Some things must be assumed, and one is that a department head is able and competent to hold the responsibilities of running a department. If he or she is not, then he or she should not be the head. But many department heads are able, and this recommendation simply lays out certain responsibilities. If a department head is capricious in the way he or she handles the duties of the job, isn't it better to have the responsibilities we are here concerned with clearly identified? The faculty member then will see what the department head's perspective and views are. We should assume, Senator Fahey concluded, that we are dealing with honorable and competent chairmen.

The question was called for and the statement of sixteen recommendations passed with no dissenting vote heard.

The statement of sixteen recommendations as finally adopted was as follows:

1. All new Graduate Assistants in Teaching should receive an intensive orientation in basic teaching skills before they begin their teaching duties. Orientation sessions should be held twice a year, prior to the beginning of each semester and should be open to all new faculty. The first part of the orientation program should be coordinated by the Office of Instructional Research and Development and involve general teaching techniques and professional responsibilities. Individual departments would use the remainder of the orientation period to discuss teaching in the specific subject matter.
2. Department heads should provide close, in-service supervision of all Graduate Assistants in Teaching and should assure that all courses taught by Graduate Assistants in Teaching be evaluated each semester by the students.
3. Graduate Assistants in Teaching should be compensated at a level which reflects their professional preparation and responsibility within the constraints established by the Board of Regents.
4. The Office of Instructional Research and Development should assist departments in administering the conditions established by Recommendations 1 and 2 and should present a report to the President for inclusion in the President's report to the Faculty Senate, as described in Recommendation 16.
5. Faculty should be encouraged to participate in workshops and seminars designed to improve the quality of instruction.
6. Activities concerned with the improvement of teaching should continue to be considered appropriate for a sabbatical leave from the University. The applicant seeking a sabbatical leave for this purpose shall outline goals and submit a plan for reaching those goals as outlined in the University guidelines for sabbatical leave.
7. The professional staff in the Office of Instructional Research and Development should be supported at a level adequate to provide:
 - a) Research designed to enhance the quality of instruction at the University of Arizona.
 - b) Additional assistance for individuals and groups of faculty for the purpose of improving instruction.
 - c) Additional consultation services to deans, department heads, and promotion and tenure committees (at all levels) so as to develop consistent policies across campus on how teaching will be evaluated and considered in promotion and tenure decisions.
 - d) Additional instruments for evaluating instruction and for diagnosing instructional weaknesses which take into account the unique needs of individual faculty and departments.
 - e) More information to the faculty about the instructional support services available on campus. This information should be distributed to all faculty annually at the beginning of the new academic year.

8. A standing committee of the Faculty Senate should be established and charged with providing impetus for instructional development on the campus, and should periodically report its activities to the Faculty Senate. The committee should be composed of faculty members who are recognized for their excellence in teaching and who have a demonstrated interest in the improvement of instruction. As specified by the Faculty Constitution, a majority of the members must be members of the Faculty Senate.
9. For those faculty members for whom teaching is a continuing responsibility, excellence in teaching should be vigorously and consistently rewarded through the promotion and tenure system.
10. Departments and colleges should be required to include criteria for teaching excellence in their guidelines for promotion and tenure and these guidelines should be given serious consideration by the promotion and tenure committees at both college and University levels.
11. The Executive Vice-President should require that evaluations of teaching (except where clearly irrelevant) be a mandatory part of promotion and tenure documentation before submission to the University Advisory Committee on Promotion and Tenure. This documentation should include:
 - a) A summary of student evaluations from all courses taught during the previous two years.
 - b) One or more additional methods of evaluating teaching, such as peer review of course descriptions, objectives, examinations and syllabi; letters reporting on classroom visitations; unsolicited letters from students; evidence of student success in subsequent courses as well as after graduation; evidence of innovative or imaginative teaching methods and materials; development of new courses.
12. Documented teaching effectiveness should be one of the criteria for awarding merit raises.
13. Department heads should review the teaching of all instructional staff on an annual basis. Such reviews should be based on a variety of measures, such as classroom visitations, student evaluations and discussion of course materials, and should consist of personal conferences with each faculty member. The reviews should result in a written record, a copy of which is made available to the faculty member concerned. Heads of large departments may delegate the task of teaching review to a departmental committee on instruction.
14. Effective teaching should receive more campus-wide visibility. The following activities are suggested to increase the recognition of excellence in teaching:
 - a) Selection by each college of a "teacher of the year" who would be invited to speak at the college Honors Convocation or a comparable event.

- b) Faculty participation in the selection of recipients of the Creative Teaching Awards offered by the University of Arizona Foundation.
- 15. The President should appoint an officer charged with facilitating the recommendations included in this report.
- 16. The President should report to the Faculty Senate annually on the implementation of the recommendations.

REVISIONS IN THE CONSTITUTION, BYLAWS AND CHAPTER VIII TO BRING THEM INTO CONFORMITY WITH THE CONDITIONS OF FACULTY SERVICE: Chairperson Kellogg called on Senator Sigworth, who deferred to Senator Rehm to lead the discussion of a number of proposed changes to the May 1981 University of Arizona Constitution, Bylaws and Chapter VIII of the Faculty Manual. These proposals had been developed by a special committee charged with working with members of the Regents' staff to bring these U of A documents into conformance with the Regents' document Conditions of Faculty Service. Senator Rehm noted that the U of A representatives had worked diligently with representatives of the Regents' staff, particularly the Regents' attorney, to bring the U of A documents into conformance.

Senator Rehm then reviewed each proposed change, copies of which had been furnished members of the Senate, and answered questions about the rationale for the changes.

Considerable discussion ensued when the review reached the proposed changes in Bylaw 7 c., iii (g) (1). As earlier approved by the Faculty Senate and the General Faculty this section read as follows:

- (g) A tenured faculty member who is recommended for dismissal or suspension, or a nontenured faculty member who is recommended for suspension or dismissal before the end of the current contract period, has the right to the more formal hearing procedures described here, and in Section X.C. of the Conditions of Faculty Service, in which the faculty member is afforded certain rights as indicated:
 - (1) The faculty member will be notified by the appropriate Department Head or Dean, in writing and by registered-return receipt mail, that he or she is being considered for suspension or dismissal. The letter of notification will include a detailed statement of the charges and a statement that the faculty member will be accorded a hearing before the Committee on Academic Freedom and Tenure except that the faculty member may request, in writing to the presiding officer of the Committee on Academic Freedom and Tenure, that such a hearing not be held or that a hearing already in progress be terminated. A copy of the letter of notification to the faculty member will also be sent to the Committee on Academic Freedom and Tenure and to the Executive Vice President.

The revised wording developed by the U of A representatives and representatives of the Regents' staff would be as follows:

Bylaw 7c iii (g)

- (1) The faculty member will be notified by the appropriate Department Head or Dean in writing and by registered-return receipt mail, that he or she is being considered for suspension or dismissal. The letter of notification will include a) a detailed statement of the charges b) a statement that the faculty member will be accorded a hearing before the Committee on Academic Freedom and Tenure provided such a hearing is requested, in writing addressed to the President, within fifteen calendar days of the verified receipt by the faculty member of the letter of notification, c) a statement that it is the responsibility of the faculty member to request the offered hearing in the time-span indicated because failure to do so shall act as a waiver of any right by the faculty member to a hearing before the Committee on Academic Freedom and Tenure or any other committee in the University and d) a statement that by writing to the presiding officer of the Committee on Academic Freedom and Tenure the faculty member may, at any time, request that an accorded hearing before the Committee be terminated. A copy of the letter of notification to the faculty member will also be sent to the President and to the Committee on Academic Freedom and Tenure. A copy of any response(s) from the faculty member concerned with the request for or termination of the hearing before the Committee will be exchanged between the President and the presiding officer of the Committee.

Senator Rehm explained again that this rewording was an attempt to bring this U of A Bylaw into conformance with the Conditions of Faculty Service document.

Senator Zukoski said he always had thought that a person was presumed innocent until proven guilty. Senator Rehm said that the matter was not a question of whether there was guilt or not. Senator Zukoski said he felt the new language carried a strong implication of guilt. Senator Rehm said the question was whether or not a hearing shall be set up in every case unless the individual indicates he or she does not want a hearing, or whether a hearing shall be held only if the individual requests that one be held.

Senator J. Cunningham asked if the individual was assured 15 calendar days between the time of actual receipt of the letter of notification and the time of sending the written request for a hearing. Senator Rehm answered yes.

Senator Steelink asked if his recollection was correct that the Senate last year had unanimously passed the bylaw providing that a hearing would be held in every instance unless the individual specified that no hearing was to be held. Senator Rehm answered yes but said that the Regents' staff would not accept that provision. Senator Sigworth said that if the faculty put that procedure back into the bylaws there would then be no Constitution and Bylaws because it had been made clear that such a provision would be totally unacceptable to the Regents. "Do you want a Constitution or not?" Senator Sigworth asked.

Senator Putt said she agreed with Senator Zukoski and Senator Steelink but in order to get the Constitution and Bylaws in place she felt she could live with a provision that the faculty member has the responsibility to take the initiative in requesting a hearing if one is desired.

Senator Witte said that there still is a United States Constitution and she would rather take her chances on the constitutional rights every citizen has than compromise her beliefs in order to have a University of Arizona Constitution.

Senator Ewbank said he was sure the U of A committee had negotiated in good faith and accomplished all it could. However, must we settle for what the Regents' lawyer has insisted on or can we not go to the Regents themselves? Senator Sigworth said this is hard to do. One can talk to individual Regents informally but when they are convened as a body they sometimes listen to faculty input "like a row of gravestones". "It is like throwing a rose petal into the Grand Canyon and listening for an echo," he said. "You don't hear much." He noted that the attorney for the Regents would not accept direct communication from him, insisting that he communicate either through President Schaefer or through the U of A lawyers.

Senator Steelink and Senator Farr urged that the Senate communicate directly with the Regents. The Regents' attorney is after all their employee, Senator Farr pointed out.

Senator Rehm and Senator Sigworth emphasized that the Regents' staff attorney had insisted that the universities' constitutions be 100% in conformance with the Regents' Conditions of Faculty Service document. Several senators wondered if the Regents would consider revising the Conditions of Faculty Service.

Senator Ebeltoft asked, "Why do we need our own constitution if the real constitution is the Regents' Conditions of Faculty Service statement?" Senator Rehm explained that the Conditions of Faculty Service is an umbrella document including very little detail. The constitutions of the separate universities provide working details.

Senator G. Peterson said, "If we do go to the Regents we are really asking them to change the Conditions of Faculty Service. We know they will not do this. But is the document that is now before us really so bad? Aren't we really splitting hairs? From a practical point of view, what is so out of order in expecting a faculty member simply to indicate that he or she wishes to have a hearing, if in fact he or she does?"

Senator Thompson said he had learned from U of A legal counsel that one impediment to further accommodation here was Arizona law. The Arizona Revised Statutes are fully satisfied so long as an opportunity for a hearing is provided. Arizona school law is full of the same or similar language. By refusing to acknowledge this large body of Arizona statutes, Senator Thompson said, the Senate is indicating that it wishes to put itself above the law.

Senator Witte asked why rights beyond the minima provided in the law

cannot be established. She said she would object to the Senate's voting to approve the proposed new language because "once we vote to accept it we have implied that we think it is all right."

Senator Fahey pointed out that when the language earlier adopted by the Senate was approved, providing automatically for a hearing in every instance unless the individual indicated no hearing was wanted, Senator Henderson had felt there were compelling reasons for always providing the hearing opportunity without special request. She regretted Senator Henderson was not present today. (He arrived soon after.)

Senator Ewbank said that since 1940 the good practice procedures accepted by the American Association of University Professors have provided that a hearing was an automatic right, not something given in response to a petition. Senator Putt said the request would not be a petition. The faculty member would simply be indicating that a hearing was to be held.

Senator Thompson said Senate members would be under a delusion if they thought that the proposed provision would be in conformance with accepted practice in most states. When the University of Arizona Constitution originally was being written it was modeled after that of the University of Wisconsin. At that time the two documents were unique in providing that a hearing should always be held. Most state institutions simply provided an opportunity for a hearing if the individual desired one. "An automatic hearing is not a national inalienable right," he said.

At this point Senator Henderson arrived and Senator Putt requested that he comment again on the significance of an automatic hearing and due process procedures. Senator Henderson said that in his judgment providing that a hearing always is to be held unless the individual indicates one is not desired is the preferable way to proceed. To provide that there shall always be the opportunity for a hearing but that it must be requested would simply stimulate much more litigation, in his judgment.

Senator Scott said that in his judgment more positive accomplishment can result in situations like this if lawyers talk to lawyers. He believed it would be beneficial if Senator Henderson, as Dean of the College of Law, would talk to the Regents' lawyer to see if an understanding might develop. Senator Henderson said he would be willing to do this, but only after meeting with the U of A committee that had been working with the Regents' staff on this matter. Chairperson Kellogg requested Senator Henderson so to proceed.

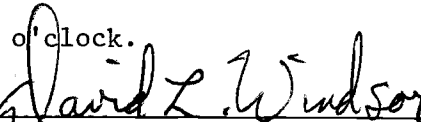
Senator Windsor asked if this matter was not also of concern to the faculties of Northern Arizona University and Arizona State University. Senator Sigworth responded that the Northern Arizona University faculty was just now writing its constitution. Some faculty members at Arizona State University, he understood, were concerned about this matter just as some were here.

It was agreed that discussion of the proposed changes would continue at the next meeting of the Senate.

NURSING TEACHING EFFECTIVENESS WORKSHOP: Senator Putt reported that the College of Nursing had recently conducted a two-day workshop on teaching effectiveness which was considered a great success by all concerned.

DEATH OF COACH WILLIE WILLIAMS: Senator Putt urged that an appropriate statement of appreciation of the contribution to the University of Track Coach Willie Williams who had died on January 14 be prepared and forwarded to his family. Chairperson Kellogg said this would be done.

The meeting adjourned at 4:15 o'clock.



David L. Windsor, Secretary



David Butler, Assistant Secretary

MOTIONS PASSED AT MEETING OF JANUARY 18, 1982:

1. Approval of "Curriculum" bulletin, Vol. 9, No. 11, issue date of January 4, 1982.
2. Approval of Committee of Eleven Report on Teacher Evaluation and Teaching Effectiveness II.

ACTION ITEMS PENDING:

1. Further consideration of revisions in the Constitution, Bylaws, and Chapter VIII to bring them into conformity with the Conditions of Faculty Service.
2. Undergraduate Council report re requirements for bachelor's degrees at the University of Arizona.