

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, April 18, 1994 Room 146, College of Law

1. The Faculty Senate convened at 3:15 p.m. on Monday, April 18, 1994, in Room 146 of the College of Law in continuation of the regular meeting of April 4. Thirty-two members were present. Presiding Officer of the Faculty Senate Malcolm J. Zwolinski presided.

SENATE MEMBERS PRESENT: Atwater, Badger, Brichler, Buras, DaDeppo, Desai, Dvorak, Enos, Ewbank, Garcia, Hammond, Hill, Huete, Impey, Inman, Jones, McElroy, Myers, J. O'Brien, Pitt, Reynolds, Roemer, Silverman, Songer, Sullivan, Troy, Warburton, E. Williams, J. Williams, Witte, Zukoski and Zwolinski. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS ABSENT: Aleamoni, Anderson, Barrett, Bertram, Coons, Dahlgran, Dickinson, Fernandez, Gruener, Hildebrand, Joens, Larson, Lei, Lewis, Manke, Neuman, S. O'Brien, Pacheco, Parsons, Ruiz, Shoemaker, Sjong, Sypherd, W. Williams, and Wright.

2. ANNOUNCEMENTS: Dr. Zwolinski thanked everyone for attending this second meeting of the month, scheduled in order to complete some agenda items. He announced that, for the May 2 Senate meeting, the Dean's Office in the College of Law had relocated an exam that had been scheduled in Law 146, which would allow the Senate to begin its meeting at 2:30 p.m. He noted that the May 2 agenda, which included annual reports of a number of committees, was very full. In the last half hour of the meeting, Provost Sypherd and Dr. Lynn Nadel would report on matters related to reorganization.

Senator Desai announced that he had been serving as a member of the Controller Search Team, seeking a replacement for Bert Landau. Last fall, the committee, chaired by Director of the Budget Dick Roberts, received responses from only 26 applicants; but after readvertising, some 56 people applied. He said the committee had identified six candidates who have already been interviewed on campus, and would, tomorrow, identify the three finalists, who would be invited back to campus. He encouraged Faculty Senators to attend the open meetings which will be scheduled for the three finalists. Dr. Zwolinski asked if the open meetings would be scheduled before the end of the semester. Senator Desai said that he hoped so.

Senator Garcia said that he was disappointed to learn that the Promotion and Tenure document, which is distributed annually to all departments, "is going forth once again without proper Faculty Senate review. This is a matter which is of considerable importance to faculty governance. Board of Regents policy mandates that the Faculty Senate will review this document before it goes out, but it is going out without our having the opportunity to review it. I think that's a big mistake for the University of Arizona."

3. APPROVAL OF MINUTES OF MARCH 21, 1994: The minutes of the meeting of March 21, 1994, were approved as distributed.
4. APPROVAL OF CURRICULAR MATERIAL: Dr. Zwolinski called for discussion and action on Curriculum Bulletin, Volume 15, No. 13, which was enclosed with the meeting call. Senator Garcia moved (motion 1993/94-53) for approval of Item I. A, B and C. Senator Ewbank seconded.

Senator Troy said that he would like to strongly encourage that section I.A., a proposal for a Master of Laws degree with a major in international trade law, include a component in its 24 credits that would address issues of human rights in the Western hemisphere. Senator Sullivan responded that Law will be offering courses in public international law and international human rights over the course of several years.

Senator Garcia said that he understood a number of questions were raised in the Graduate Council concerning I.A., in particular the 24-units versus the standard 30-unit requirement for a standard Master's degree at the University of Arizona. Senator Sullivan responded that the norm for Master's programs in law schools in this country is 24 units. "We have, in fact, had an on-campus inspection by our accrediting agencies, and the accrediting agencies approved the 24-hour program because it is the norm in law school. We anticipate that this will be a one-year undertaking, although it may well take a year and a half because of the research and residency components. In response to a further question from Senator Myers, Senator Sullivan said that the degree in question would be obtained after the juris doctorate, and is termed an advanced specialization, professional graduate degree.

Senator Inman asked about I.B., proposal for a Master of Arts degree with a major in women's studies: If it was approved by the Graduate Council in September of 1992, where has it been for two and a half years? Dr. Karen Anderson, Director of Women's Studies, responded that it had been held up chiefly at the Provost's level, not for any specific reason, but simply for lack of sufficient priority to compel action. Senator Inman asked Dr. Anderson if she anticipated a problem in implementation. Dr. Anderson responded that she did not.

A voice vote indicated unanimous approval of Items I. A, B and C.

5. APPROVAL OF PROPOSED POLICY RELATED TO RESPONSIBILITIES OF FACULTY GOVERNANCE REPRESENTATIVES: Senator Myers, Chair of the Committee of Eleven: "There are many instances in which faculty are appointed, selected or elected to committees, and the term 'faculty representative' is used in various contexts. We have not previously dealt with the question of what it means to serve in such a capacity. The proposed policy spells out the notion that to be a faculty governance representative is, in some sense, a two-way street. The person or persons serving in such a capacity are in a position to represent the faculty to the committee or task force or unit; at the same time, the individual has some obligation to report back on their functioning. So this is brought to the Senate as a proposed statement of policy for how faculty representatives will function."

Senator Garcia moved (motion 1993/94-54A) for adoption of the proposed policy. Senator Badger seconded.

Senator Silverman said he believed the proposed policy was very good, but he moved (motion 1993/94-54B) to amend the proposal to say that if the University committee, task force or team produces a report, that the faculty governance representative has an obligation to make sure that the parent or appointing unit receives a copy of that report. He proposed placing it at the end of the third bullet. Senator Ewbank seconded the motion. A voice vote indicated unanimous approval.

Senator Hammond wondered if the report requirements could be less specific. Senator Myers said that what was intended was to limit the report to one page.

Senator Hammond said he wondered whether, in the case of small units, an e-mail or verbal message might be appropriate, or for larger units, whether five pages would be. Senator Myers said that the intent was that there be some record of the report, and that merely a verbal or even e-mail report did not quite fit the function. He said the reference to a limitation of one page should not preclude the parent authority from requesting a longer report if that seemed appropriate.

Senator J. O'Brien asked for a definition of 'parent unit,' particularly for committees like the Committee of Eleven. Senator Garcia said that the proposal was drafted to handle individuals appointed by faculty governance as representatives to a committee, task force, or team, not elective office positions, because elected officers are already responsible to their constituency.

Senator Desai said that one of the reasons why he made a status report under Announcements was related to this document. He asked if the report that he had made, which would be reported in the minutes, was sufficient. Senator Garcia responded affirmatively. Senator Desai asked if, in the section which indicated that faculty governance could change its representation, some reason could be indicated. Senator Myers said that the committee, rather intentionally, did not spell that out. "What we were saying was that, having once selected a faculty representative, we were not going to lose interest in them. We would continue to be interested in how they were functioning. And if at some point it was felt that the individual was not fulfilling that responsibility, the appointing group could then choose to change the representative." Senator Inman proposed that "who have not met the responsibilities described above." should be added to the last statement, "faculty governance reserves the right to change its representatives." Senator Garcia and the motion's seconder agreed to accept the amendment.

Senator Silverman said he didn't know if what he was going to propose should be included in the policy statement, but sometimes faculty representatives do not know how they even got on a committee. He suggested that a mechanism should exist that when someone is appointed to a committee, they know that they have been appointed as a faculty representative because of a nomination by the Chairman of the Faculty or the Presiding Officer of the Senate. Senator Myers said that it was presumed that the appointing group would so inform the individual. Senator Silverman said that he believed that does not always happen now. Senator Witte asked if each such appointee would be given a copy of this policy at the time of their appointment, and if it was understood that that was part of the motion. Senator Garcia said it was part of the intent of the motion.

A voice vote on motion 1993/94-54 indicated unanimous approval.

6. DISCUSSION AND ACTION ON PROPOSED MARKET EQUITY SALARY DISTRIBUTION POLICY: Senator Myers reported that the proposed Market Equity Salary Distribution Policy had been submitted by the Committee of Eleven. "There is money available this year, not a large amount of money, for what has variously been described as equity or market adjustment, and this policy indicates the Committee of Eleven's recommendations for distribution of those funds. In particular, it addresses the question of salary compression."

Senator Garcia moved (motion 1993/94-55A) for adoption of this policy. Senator Silverman seconded. Senator Garcia requested a correction in paragraph #5, first line, 'merit' should read 'market.'

Senator J. O'Brien asked if anyone knew what percentage of adjustment funds had been used in the past for "offer matching." Senator Myers said he was not sure

if anything was known about the use of market monies for that purpose, but he did have a printout which he passed on to the Faculty Budget Committee, which showed the use of funds for "offer matching" or retention agreements over the past three years, even during a time when the Legislature had not appropriated any funds for that purpose. Senator J. O'Brien said that suggested that there had been abuse, and if that was correct, it would be instructive for all to know what percentage had actually been used, and how it had been done, because, for example, some colleges would need to use their Operations funds to achieve this. He said the proposal was excellent, but he wondered if the Faculty Senate could police it. Senator Myers responded that it is possible to get a printout of all salary changes, and while the changes would not specifically be identified as salary matching or retention, something could probably be told about them by the magnitude. Senator J. O'Brien said he believed the proposal should have a mechanism to ensure control. Senator Myers noted the existence of the Faculty Budget and Strategic Planning Committee.

Senator Silverman said that, concerning the "offer matching" point, not so long ago, on the Senate floor, Provost Sypherd, when he was talking about recommendations concerning salaries, said that one of the most significant ways in which people got raises here in the last few years was to go out and get an outside offer and to get it matched. He added that it had sounded as though it was common practice on this campus. "One thing that I think could be done is to require the Faculty Budget Committee, annually, to talk with the Provost or someone in the Provost's office, and ask for some data specifically about that. Getting a printout, and trying to guess--I don't know why that wouldn't be public information: how many times this year did you match offers, and how many times were they presented to you that you didn't match offers, what were the guidelines you used? I think the Faculty Budget Committee should be asking these questions of the Provost or someone in the Provost's office."

Senator Garcia said that, on this point there is an enforcement mechanism in paragraph 6: "The data needed concerning averages at peer institutions will be provided centrally. Application of these data at the departmental level will be done by the departmental peer evaluation committees, in consultation with the department head. The Faculty Budget Committee is charged with the responsibility of monitoring this process and reporting to the Senate on how well the process worked." He added that there is no enforcement mechanism because the Faculty Senate is not the funding agency for the institution. However, the Faculty Senate is a policy-making body of the institution, and monitoring how well its policy is carried out is a function of the Faculty Senate, which has delegated this job to the Faculty Budget Committee to monitor and report back on how well the policy has worked.

Senator Ewbank suggested that, given Senator J. O'Brien's concern and Senator Myers' assurance that offer matching has transpired even when no funds were allocated for the purpose, perhaps the words "only an insignificant fraction of the use" be stricken, and provision be made that none of these funds should be used for offer-matching. "Let them raid their supply budget for an offer-match or find it from other sources of funds."

Senator Reynolds said he wanted to make three points. "(1) The second and third paragraphs suggest merit is somehow separable, or should be separable, from market. My own personal view is that quite often people who are relatively productive, both as scholars and as teachers, are the ones who do command the higher salaries on the market, at least in my field, so I do not see them as being independent issues. (2) The definition of market salary is offered in

the third paragraph. It does provide some idea of an average market salary, but when you look at the way the process works, the offer an individual receives isn't the average offer. It's going to be specific to an individual, and the individuals that are most productive, and again this is my perception, will command the most on the market. I understand the difficulty of soliciting offers--it is a time-consuming process and it's rather counterproductive to have the faculty going out looking for money at other institutions. My own view of market adjustments is they ought to be geared towards trying to preclude people from going out and doing that, which has the advantage of not wasting faculty's time but also in keeping some better faculty here. (3) In the last paragraph, I think the idea of an appeals committee is a good one. My only concern there is that there are a lot of committees. I was wondering if the Committee of Eleven thought about a University-wide committee, something along the lines of a salary committee to consider as well equity adjustments for women and protection of minorities."

Senator Myers said there had been some discussion about the need for a Compensation Committee which conceivably might function in those ways.

Senator Atwater said she wanted to speak to the point raised by the last two Senators, from a somewhat different perspective: "While we might assume that obtaining matching offers has been a policy that has been greatly abused, there may be some very legitimate offers that have been made. One group of faculty may agree that it is very important to provide a means of keeping another faculty member, maybe as a pivotal person around which a program revolves, and a person who's very important to the survival of that program. I would like to not have us dismiss out of hand offer matching as bad because it has been abused, but to leave the possibility for a small percentage. I don't know how 'small' should be defined, given that we have the appeals process and faculty involvement in the process of granting adjustments, but I do believe there are some legitimate cases where it would be very important for offer-matching to be permitted.

Senator Myers said he didn't disagree with what Senator Atwater said, but "we are coming off of multiple years when there has been no publicly announced availability of funds for salary increases. We have significant salary compression accumulated during that time period, in addition to any that may have existed prior to that point, and as the Provost pointed out in a previous meeting, the University has not had a plan for salary increases. So what the proposal says is that we do need to address salary compression. That should be considered a high priority item."

Senator Garcia: "Last year, the University, under much more restrictive budget conditions, found \$1 million to do market and not compression adjustments. So the University, in a better budget year, can probably find \$1 million for market matching. This proposal speaks to the \$1.9 million which the Governor urged and the Legislature voted as market equity money for the universities. The intent of the Legislature, I believe, as their discussion showed, was to address the problem of compression because they have been receiving a lot of discussion concerning that. I believe that the Governor believes that is what this money is for. I believe that is the biggest problem on this campus, and I believe that this policy addresses this very serious issue. I think that there are other problems. The total lack of merit money discourages people, and I don't think that's healthy for our campus. I think there are lots of things that are not healthy for our campus, but I think we can't address them all in the same breath, and I think we need to not try to fix everything at once, and this is a proposal to deal with just one of the problems that we are faced with."

Senator Desai: "Let's set aside the well-established person. Take an Assistant Professor, who was brought here five years ago at a very low salary. Perhaps the market level in that area has increased quite a bit. Now, if that person is very good and very productive, and goes out and gets an offer and tries to bring his or her salary to a current market level, should that not be counted as market adjustment?"

Senator Myers responded that the policy attempted to say something about market without individuals having to go out and attract an offer strictly for the purpose of getting a salary increase. "There are individuals whose research programs or other activities are such that they are not terribly interested in leaving the University or for whom moving would be a substantial disruption of their work, and the present system penalizes those individuals. It encourages and promotes the individual who has a foot out the door all the time, and who has the least amount of entanglement with the institution, because they are ready to move at the drop of a hat. This proposal attempts to address the general problem of trying to identify and to bring up to market levels the entire faculty, rather than just those individuals who have their foot out the door.

Senator E. Williams said he was much taken with Senator Ewbank's observation that folks had managed to find money elsewhere to cover offer matchings, and he thought it would be useful to work it into the phrasing of the policy. He moved (motion 1993/94-55B) to amend the last sentence in the third paragraph to read "This latter 'offer matching' should not utilize any of this year's market equity funds." Senator Ewbank seconded the amendment.

Senator Silverman said he was concerned about what would happen to a faculty member who now has an offer match: would she/he be precluded under the amendment from receiving an adjustment? Dean Sullivan suggested the addition of one other part to the amendment: "and who also fall within the compression deficit." He added that maybe it was the compression problem that forced them to go out and get the offer. Senator Silverman reiterated that it appeared the amendment would preclude any offer matchings. Senator Myers said he thought it would only be precluded under either the original statement or under the proposed amendment to the extent that it exceeds what would have been justified to match the market. Senator Silverman noted that the amendment said that none of the market equity funds could be used for offer matching.

Senator Atwater said she wanted to speak against the motion for some of the reasons already mentioned, "plus there are good individuals who don't fall into the two categories mentioned by Senator Myers, with entanglements, or not with entanglements and a foot out the door. There are good people with entanglements but who for other reasons, salary compression, are identified as prime picks for other institutions, and we want to keep them here, but someone else is legitimately trying to get them away. Where do we have that capability if we totally rule out any possibility of offer matching? I'd rather retain 'insignificant' than drop it completely."

Senator Ewbank said he liked Senator E. Williams' proposed amendment, with a modification in response to Senator Silverman's comments: any individual who received an offer prior to allocation of the \$1.9 million as the budget was adopted was not seeking to utilize that particular sum, but rather was banking on the perhaps \$1 million flexibility discovered last year when no funding was provided; offers received before the allocation of the \$1.9 million would have to take their chances with the operations funds or imagination, and offers

received after that would be dealt with in the manner of the rest of the definition of what constitutes market salary levels. Senator E. Williams said he would be willing to accept that as a contextual explanation of the amendment that he had proposed.

The question was called, and a voice vote was inconclusive. A show of hands indicated 13 in favor and 14 opposed. The amendment was defeated.

Senator Jones asked what the Committee of Eleven thought the terms 'market' and 'equity' meant as they were used in this document. Senator Garcia responded that the definition was indicated in the third paragraph: "market salary level is defined as the average salary level of individuals of comparable rank and time in rank (as database permits) at designated peer institutions and in departments with comparable disciplinary aspirations." Senator Jones asked what the perceived difference was between 'market' and 'equity' as they were used here.

Senator Myers said the Committee of Eleven did not originate the terms--they had been used previously in print, including by the Board of Regents. He said the term 'equity' flows from 'equitable.' The proposal represented an attempt to develop an equitable system for allocating market money. Senator Jones said that he has learned, through his service on the Women's Commission and on other committees, that equity adjustments, made and based on gender differences in salary, have meant something particular with regard to an individual's salary and the relationship to others within their unit. He said market was a different concept, as defined in paragraph 3, and he was wondering if we were talking about both market and equity. Senator Myers responded that the Legislature had referred to the money in these words.

A voice vote indicated approval, with one no vote heard.

7. DISCUSSION AND FORMAL RECEIPT OF UNIVERSITY MISSION AND UNIVERSITY OBJECTIVES:
 Senator Garcia said that the University of Arizona mission statement had been seen by all in a variety of contexts, and it included all of the key words which one could associate with the University of Arizona. The items listed both under University Mission and University Objectives are keystones: "If you aren't doing one of the items listed, then you aren't doing things that are central to the University of Arizona." He said this item had been placed before the Senate some time ago, to permit the Senate to have a voice in formulating it, but at this point, he was not aware that anyone was still discussing it. He said he did not know what action, if any, the Senate wished to take with respect to this document, but if there were objections, they probably should be voiced.

Senator Inman commented that she did not see much point in approving empty words. Senator Witte said that consideration should be given to tabling the document because it appeared to be meaningless at best. Senator Buras, noting that key words were used in a jumbled way, wondered if changing 2.0 to the following would improve it: "To initiate and carry out significant scholarly research." Senator Silverman asked who wrote the document, if faculty and students had input, and if the document would ever be used for anything of significance. Senator Garcia responded that at least a dozen people in this room were at least partly responsible for the words in the document. Senator Silverman asked if this came about as a CORE activity. Senator Garcia responded that it was, originally, but a number of people had participated in it. Responding to the question on the planned use of the document, Senator Garcia said he did not know the answer to that question, but he would ask a similar question: if we had a strategic plan, would that mean anything? "Words on paper may or may not mean anything unless

people wish to adhere to them. So if you are asking me what is in the hearts of those who carry out the administration or the policy-making for the institution, I guess I can't answer that."

Senator Desai said that the spirit of the document was so good that he believed nobody could object to it--further, that it was written in wide-ranging terms, with some brilliant words. But because the word "excellent" was used in one place in section 1.0, the term "distinguished educational program" was used in another place. He said the term "high quality educational program" seemed more appropriate.

Senator J. Williams said he wanted to address the question 'what effect would this have?' "It is important to understand that documents like this are actually used on a long-term basis. For day-to-day and year-to-year activities, it is essentially meaningless. But over a period of fifty years it encompasses the idea of what the University is about. Fifty years ago, I think words like 'diverse' might not have been mentioned, and now the phrase is much in use at this University."

Senator Impey said he wondered if the cutting edge of this material became apparent when 'centrality' was introduced, because "that's where the knife gets wielded. Is there any kind of coherent statement from the top administration as to what centrality is, and how it's defined?"

Senator Ewbank moved (motion 1993/94-56) to receive this document. He said this was a Parliamentary maneuver that simply says we take cognizance that somebody sent it to us and we did not reject it. The motion was seconded, and a voice vote indicated approval.

8. DISCUSSION AND APPROVAL OF CURRICULAR MATTER REGARDING ENVIRONMENTAL ENGINEERING: Dr. Zwolinski noted that at the February 7 Senate meeting, the proposed M.S. and Ph.D. degrees in Environmental Engineering, and a proposal to change the name of the Department of Chemical Engineering to the Department of Chemical and Environmental Engineering, contained in Curriculum Bulletin, Volume 15, No. 10, Item I.C., had been tabled. He reminded Senators that the Senate Select Committee on Reorganization had been asked to look at that item, to meet with the individuals and other departments concerned, and to come to the Senate with a solution.

The report from the Select Committee having been distributed to Senators with the call to this meeting, Dr. Zwolinski called for a motion removing this item from the table. Senator Silverman so moved (motion 1993/94-57A); Senator Garcia seconded. A voice vote indicated unanimous approval. Dr. Zwolinski called on Dr. Dipankar Chakravarti, Chair of the Senate Select Committee on Reorganization, and Senator Ed Williams to present the Select Committee's report.

Dr. Chakravarti reported that the Faculty Senate Select Committee on Reorganization met on February 21 to discuss the curricular proposal. "We agreed, after discussion among committee members, that the circumstances surrounding this proposal were somewhat different from the other reorganization issues that this committee might have to face in the future, and so we handled this particular case by the processes that are detailed in our report. We formed a Subcommittee on Environmental Engineering that took a presentation from various College of Engineering and Mines departments that had interest in this particular proposal. This subgroup received a fair amount of input and information, and after consideration of all the issues involved, prepared a report on the implementation of

the original final report of the Advisory Committee on the Reorganization of the Chemical Engineering Department. The ten points that were included in the original report are addressed in our report; probably the most central issue is item 3. It speaks to the enunciation of M.S. and Ph.D. degrees in Environmental Engineering, to the curriculum and to the administration and oversight structures. Without going into excessive detail, the Subcommittee is in agreement, and has worked on a proposed M.S. curriculum with three components: 18 units of specified required core course-work in Environmental Engineering, 9 units of elective coursework in an area of subspecialty that allows students to focus on specific environmental areas of interest, and 3 units of thesis work. Various aspects of the proposal allow for the interests of units that participate broadly in this program, both from the standpoint of student curricula and faculty research. The second point of the proposal essentially is administration and oversight, and for that the committee has proposed that the College of Engineering and Mines appoint an interdepartmental Environmental Engineering Graduate Studies Committee which has responsibilities as defined in this proposal. The recommendation is that the overall administration and oversight for the Environmental Engineering degree programs rest with the Chemical and Environmental Engineering Department, and that this renaming of the Chemical Engineering Department be implemented."

Senator E. Williams noted that "there was a very open, candid and comprehensive discussion of all of the issues involved. All of the parties were heard. All of the participants engaged in a vigorous defense of their own positions. In the last analysis, all agreed to select a suitable and workable compromise which satisfied all of the participants involved."

Senator Garcia moved (motion 1993/94-57B) for approval of Curriculum Bulletin, Volume 15, No. 10, Section I.C., as represented in this report. Senator Silverman seconded.

Senator Silverman said he was a member of the Select Committee, but not the Subcommittee, and he wanted to state that he thought this report was a wonderful example of how faculty governance works: a problem was presented to the Faculty Senate, the Senate's Select Committee put together a committee, that committee dealt with the question, brought administrators and faculty members together to work on a solution, and presented a report that addressed the issues. He said that those who were on the Subcommittee should be congratulated for the work they put in and for showing that faculty governance is alive and well, at least in some situations.

Senator Huete also expressed his approval of the report and the way in which the Subcommittee organized its work. He said he had one problem, with item #4, wherein he found one small deficiency: the fact that the Subcommittee did not examine the proposal from a University-wide perspective. He said the fact that the environmental area is exploding right now, and there is so much interest in this area, and, in particular, market demand for students coming from environmental programs, it seemed vital for the University to put together a long-range plan that would cross college barriers. He said that somehow we must create a mechanism whereby interdisciplinary programs would not remain constrained within one college. He said he agreed with the recommendation in that it would remove duplication within the college, but he thought it would create some within the University. He stated that item #4 recognized the fact that there are two environmental research groups already at this University, neither of which was consulted with respect to this program.

Senator Desai said that, having been involved in this reorganization procedure in the past, he believed that future reorganizations should use some of the techniques used--good interaction, open discussions, and a constructive and useful report. He said he was glad this document added the follow-up component, as he believed that to be very important. He expressed hope that approval of this proposal would aid his colleagues in Chemical Engineering.

A voice vote on the motion indicated unanimous approval. Senator Garcia asked the Presiding Officer to convey to that Subcommittee the Senate's thanks.

9. DISCUSSION ON PROPOSAL CONCERNING SABBATICAL LEAVE POLICY: Senator Atwater, Chair of the Academic Personnel Policy Committee (APPC), said that revisions to the Sabbatical Leave policy had been revisited many times by APPC. In addition to the document provided with today's agenda, placed on Senators' desks today was a copy of the existing University Handbook for Appointed Personnel (UHAP) policy and an April 11 version of revisions, from Vice Provost Gilliland to J. D. Garcia and APPC, which they received within the last week. The APPC March 30 response to the previous draft of the Sabbatical Leave policy indicated that further revisions were expected, and that therefore the Senate would probably not be able to take action at this meeting.

Senator Atwater said that basically, APPC assumed that the most recent version which had not been studied by APPC, might be used by the Administration on an interim basis, without Senate approval, and that APPC would continue its review next fall. "If you compare the existing UHAP sabbatical leave policy and the newest draft, you will find that the last page in the draft is a proposed new version of UHAP policy 8.03.02. There are three items on that new last page of the April 11 material that are of considerable interest: sections A, B, and E. Section A expands considerably the concept of sabbatical leave, which becomes more a privilege that comes in the normal course of a successful academic career. Section B is brand new and includes many items that can be used to justify having the sabbatical, including some items which were specifically excluded in the current policy. Previously, leaves were not permitted to create new textbooks or do some other things that are now permitted. Section E changes the location of the review and approval process from the Provost's level and a University-wide committee to a College or Vice Presidential area-based committee that is made up of three faculty members. It does ultimately go to the Provost's office, but the decision-making basically is at the college or Vice Presidential level, with a new appeals process going to a University sabbatical leave advisory committee. This may be distributed as an interim document, because it does not yet carry Faculty Senate approval, and APPC will bring this back to the Senate after it has had an opportunity to review it in the fall.

Dr. Zwolinski thanked Senator Atwater, and added that this material had been submitted to the Senate at this time for informational purposes. Individual concerns about sabbatical leave policy could be submitted directly to Vice Provost Gilliland. Senator Garcia said he believed it would be appropriate for the Faculty Senate to write a letter to Vice Provost Gilliland, indicating that the policy, when issued, should be clearly labeled as an interim policy. He asked if a motion to that effect was necessary. Dr. Zwolinski asked if there was anyone not in agreement with that suggestion. Receiving no response, he said that, by consensus, he would send such a letter.

10. DISCUSSION AND ACTION ON PROPOSAL TO ACCEPT THE INTERCOLLEGIATE WRITING COMMITTEE AS A FACULTY SENATE COMMITTEE: Senator McElroy noted that the Provost had suggested that the Faculty Senate assume responsibility for the Intercollegiate

Writing Committee (IWC). Other committees exist that ought to be brought into the Senate structure, as well, he said, and the motion he will offer does not assign the IWC to any particular standing committee, but that should be considered in the future. He then moved (motion 1994/95-58) that "the Faculty Senate officially accept the Intercollegiate Writing Committee as a unit under the organization of the Faculty Senate committees, and that its membership be appointed by the Senate's Executive Committee in consultation with the Deans of the Colleges for terms of three years, rotating approximately one-third of the committee each year. Membership shall reflect the academic organization of the University, with at least one member from each College." Senator Garcia seconded the motion.

Senator Garcia said that he believed that approval of this motion should not exempt the Provost's office from the obligation to support the Intercollegiate Writing Committee and the goals which it represents.

Senator Zukoski asked if that included financial support. Senator Garcia responded that it did.

Senator Myers asked if, at some point, the Constitution would be modified to incorporate this committee. Dr. Zwolinski responded affirmatively.

Senator Zukoski expressed concern about approving the motion unless assurance could be provided by the Provost that he would continue to support IWC, in view of the Senate's inability to provide needed funding.

A voice vote indicated approval.

11. DISCUSSION AND ACTION ON SURVEY RESULTS AND RECOMMENDATIONS ON PRIORITIES FOR THE 1995-96 BUDGET REQUEST: Senator Reynolds reported that, at the April 4 Senate meeting, the Faculty Budget and Strategic Planning Committee (FBSPC) had distributed a survey for Senators to fill out. "Responses from about one-third of the Senate were received and coupled with the committee's own input to develop some general recommendations on what kinds of items ought to be priorities for the University's asking budget for 1995-96, the priorities that we, as a group, believe to be important. I would say that these would not represent the overall priorities of the University, but rather the priorities for incremental resources relative to the current budget. FBSPC recommended two changes in the copy provided the Senate: (1) in the last paragraph, an insertion at the beginning of the last sentence, "University administrators," so that the sentence would read: "University administrators, deans and department heads should take steps to insure that the principal investigators who bring in external grant funding have a voice in how the portion of indirect cost recovery that goes to the colleges is allocated." and (2) a new item #5, one sentence: "If academic units are eliminated or reorganized in a way that reduces the number of faculty positions, then the University should make a commensurate reduction in the number of administrative personnel that are associated with the area." He said that "if we're downsizing, we hope we are downsizing across the board." Senator Reynolds then offered the FBSPC proposal as a seconded motion (1993/94-59).

Senator Myers requested clarification on the new item 5: "In many instances, individuals who hold administrative appointment also hold faculty appointments. Is the intent of this item to say that the individual holding an administrative appointment simply makes the transition over to faculty member only, or does it mean that you intend to have a reduction in the number of employees?"

Senator Reynolds responded that if a unit was to be terminated, then a tenured-

faculty administrator would go down the same path as the rest of the faculty in the unit. Of, if a college with an administrative support staff has a department eliminated and through either attrition or reorganization the college faculty were cut by 10 percent, the committee hoped that the administrative staff of the college would be similarly cut by 10 percent.

Senator Myers said he wondered if the wording related to cuts 'in the same area' was too restrictive. Senator Desai asked if administrative reduction would be restricted to the unit only, or would it refer to the whole University? After further discussion, Senator Reynolds agreed to change new section #5 by striking the last few words, "...that are associated with the area."

Senator Witte commented that, in some of today's discussions, she had noted an apparently cavalier attitude toward tenure as related to financial problems. She said the Senate should remember that in order to terminate tenured faculty, bona fide financial exigency must exist--it was not enough to base tenure decisions on reorganization or to use the process to attain "more excellent partners. I have the feeling that any money you save is going to be consumed by interminable lawsuits....As we conduct our discussions here in Faculty Senate, we should not commit the same errors that I think others are committing concerning our legal responsibilities."

Senator Buras said that media reports have indicated reduction in academic units only. He wondered what would occur with non-academic units. Senator Jones said that he understood that studies on non-academic units are occurring as well, but that information has not come forward as yet.

Senator Inman asked if the intent of #1, last sentence, was to not reward faculty who excelled as teachers by using tried and proved methods of delivery, but to reward only those who developed and used new teaching techniques. "Do we assume that new is always better?" Senator Reynolds said it was not the committee's intent to exclude faculty who use tried and true methods. Senator McElroy suggested rewording the sentence as follows: "Finally, the university should reward faculty who excel as teachers and/or who are involved in the development..." Senator Reynolds agreed that the insertion of "or" would be acceptable.

A voice vote on motion 1993/94-49 indicated unanimous approval.

12. DISCUSSION ON MODEL UNIVERSITY POLICY REGARDING FACULTY PUBLICATION IN SCIENTIFIC AND TECHNICAL SCHOLARLY JOURNALS: Dr. Zwolinski requested Senators Witte and McElroy, members of the Research Policy Committee (RPC), and Dr. Michael Cusanovich, Vice President for Research, to lead discussion on this topic.

Senator McElroy said that the document which was distributed to the Faculty Senate with today's agenda material had been presented to the RPC for consideration, and for today's informational presentation to the Senate, the committee requested Dr. Cusanovich's contributions to this topic.

Senator Witte noted that the primary concern is the copyright issue. Currently, journals, for-profit and not-for-profit periodicals, and various professional societies own the copyrights to articles. The question is should the author retain copyright, with the implication that the author's intellectual property is the University's, and then by inference, the University retains the copyright. She said there are a lot of repercussions with this issue. She said many faculty members had attended an excellent day-long conference, the Provost's Conference on Scholarly Communication, which was coordinated by the Library. She said the

conference went into much detail, with good faculty participation, on the culture changes that are occurring in scholarly communication. "This would bring, under the best circumstances, utopia--and under the worst, or perhaps likely, circumstance something akin to a nightmare, where the way we publish would be so altered that we might not want to go forward in that direction. If we play a role in determining what happens to copyright law and our intellectual property, it could work out very well. It could save the Library money, it could lead to many things that we're not currently doing, like electronic publishing, and interactions that are not currently possible. I think if it is not done that way, and the intellectual property goes into the hands of the administration and out of faculty governance, I will speak extremely strongly against it, and actually envision that we might be a lot worse off than dealing with our professional societies."

Dr. Cusanovich said his intent in starting the discussion was simply, as Senator Witte suggested, that he wanted the faculty to think about and decide how it wanted these matters handled. He said he sent the Model University Policy Regarding Faculty Publication in Scientific and Technical Scholarly Journals and some other materials to the RPC, and asked them if they would consider the matter. Subsequent to that, the day-long conference was held, and a copyright seminar last week, which 190 faculty attended, suggesting considerable interest. "I see long-term major problems facing us. My general approach to that is more pro-active in the sense that we ought to figure out what we want to do before it gets imposed on us from someplace else. I can see the federal government or other agencies and other people beginning to poke around into that arena. I don't personally have a preferred outcome at this time, other than to get the issue addressed. I don't know what the best way is, but it is an extremely important issue, and one that affects us all. We need to address it in a very aggressive fashion, I believe. Attendant to the intellectual issues, there are a variety of economic issues. Basically, the European publishers are squeezing us to death....I would encourage the appropriate group, and I still think the Research Policy Committee is the appropriate group, to really develop something in a very thoughtful and constructive way that we can all buy into. That also cuts to the P&T questions of quality vs. quantity. We have had a standard process at this University. I would be the last person to propose a change, because no matter what I proposed, it would be rejected. But I think we need to begin to look at this issue and set some standards, either at the college level or the institution at large, and I think the governance system is the way to do that. I strongly encourage the debate and the ultimate policy."

Senator Witte said she wanted to bring up one additional point: she hoped that any committees formed to work on this issue would be truly representative of faculty, would come to the faculty, and would promote these issues of intellectual property being decided by faculty representatives, according to the faculty governance law. She added that, "As we develop a policy, perhaps we should say it should also apply to technology transfer."

Senator McElroy noted that at no point, either in the proposed model nor in any of the discussions, had anyone expected any faculty member to take on themselves retaining copyright when everyone else in their field has not done so. "These are definitely things that have to be done, not only University-wide, but also in consortia with other universities in large enough blocks that it can have clout. What we do need very much, no matter what committee takes on this responsibility or what mechanism is set up to address this issue, is your help in terms of your professional societies--what is happening with them and what they are doing to address these problems--because there are many of those societies that

are at the heart of the problems, the economics, and so forth, and it is important that we keep coordinating our University policy with things that are happening there. Your input is absolutely essential, even though you don't necessarily have to assume a position on this issue."

Senator Desai: "I tried to read this good document, and I agree that it would be a good idea that faculty members of the University retain copyrights, and probably that University presses and non-profit organizations get into the business of publishing research. But I think this will require a lot of analysis and detail work, particularly regarding journals. There has been an explosion of useless publication and new journals. Once they start, they don't want to close, but survive by taking trash. If University professors are going to publish in University presses or through non-profit organizations, there should be a corresponding decrease of journals published by private industry. Another issue is that there are many journals which are exorbitant in price, costing between \$2,000-\$3,000 a year, but if a private journal costs \$600 a year, for instance, on average, and they publish 12 issues per year, the cost is \$50 for a 140-page issue. I am involved in one, so I have some idea of cost. What would be the costs to publish in other ways? I think we should go in that direction, but it should be done very carefully."

Senator Garcia: "As has been discussed by Dean Carla Stoffle on many occasions, the drive for publication in journals is due partly to rules associated with universities: you count the number of publications as a mark of achievement of some sort, for performance evaluation purposes or for promotion and tenure. Instead of asking for only the five best publications that a faculty member has, you ask for the total number. This is really a side issue but it impinges on other aspects of the problem. In terms of the high-priced journals, at least in the American Physical Society's world, one of the editors of one of the Society's publications counted the number of words in a particular society journal, and then divided by the cost of the journal, and then did the same thing for a private journal, and found that the private journal was 100 times more expensive than the Society-produced journal. He was sued in five different countries for publishing that article comparing publication costs. Those suits have now been settled in his favor, after five years of litigation at considerable expense on the part of the Society. It is a non-trivial issue, and I think we should examine it carefully in order to not get sued."

Senator McElroy said that the copyright issue had been pinpointed as a way of initiating debate and moving toward practical action. "What is perhaps more important is that this is not a free market system: the producers of the knowledge benefit neither by their relationship with the journal nor by the journal's relationship with the user, but by the University at the opposite end, neither the faculty member nor the University being connected directly to the economics. We have to be very careful about understanding our own situation, and not talking about it as if it were a market situation."

Senator Jones said that he was delighted that this issue is under discussion in the Senate, "because frequently the Library has to do some very uncomfortable and unpleasant things with regards to the serials budget, which is one part of the larger issue under discussion here. My question is, where do we go from here as a faculty governance group? Is this something the Research Policy Committee thinks is appropriate for them to pursue, and does it want some guidance from the Senate?"

Senator Witte: "What we should have first is the report from the Library, as

presented by Carla Stoffle and Shelley Phipps. They presented some really wonderful study groups. This should be made available to the Faculty Senate to help it see the larger issues. They also had specific suggestions about how we might deal with many of these issues, and I think that should come before the Research Policy Committee." She asked Dr. Cusanovich how he felt about those suggestions.

Dr. Cusanovich said he thought it was fine; he had seen how it worked. Senator Garcia asked if the Senate should request those reports. Senator Witte responded affirmatively. Dr. Zwolinski stated that the Senate could request that information. Senator Witte suggested that perhaps this was something that could be mulled over during the summer. Dr. Zwolinski agreed, indicating they could be looked at during the summer, preparatory to discussing this issue in the fall. He then thanked the members of the Research Policy Committee and Vice President Cusanovich for today's presentation.

13. ADJOURNMENT: The meeting adjourned at 5:02 p.m.

Elizabeth Roemer
Secretary of the Faculty Senate

14. MOTIONS OF THE MEETING OF APRIL 18, 1994:

1993/94-53	Approval of Curriculum Bulletin, Volume 15, No. 13, Section I, A, B and C.
1993/94-54A	Approval of Policy Related to Responsibilities of Faculty Governance Representatives, as amended.
1993/94-54B	Amendment of Policy Related to Responsibilities of Faculty Governance Representatives.
1993/94-55A	Approval of Proposed Market Equity Salary Distribution Policy.
1993/94-55B	Defeat of amendment to Proposed Market Equity Salary Distribution Policy.
1993/94-56	Approval of a motion to receive the University Mission and University Objectives statements.
1993/94-57A	Approval to remove from the table Curriculum Bulletin, Volume 15, No. 10, Section I.C.
1993/94-57B	Approval of Report on Environmental Engineering, related to Curriculum Bulletin, Volume 15, No. 10, Section I.
1993/94-58	Approval of Intercollegiate Writing Committee as a Faculty Senate committee.
1993/94-59	Approval of recommendations on priorities for the 1995-96 request budget.