

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, May 6, 1991 Stadium Club

The Faculty Senate convened in regular session at 3:00 p.m. on Monday, May 6, 1991, in the Stadium Club, with 57 members present. Presiding Officer Vivian L. Cox presided. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS PRESENT: Aleamoni, Aquilano, Atwater, Beigel, Bickel, Bootman, Butler, Cole, Cork, Cox, Elliott, Enos, Ewbank, Ganapol, Goetinck, Grabel, Hershberger, Hetrick, Hildebrand, Hyder, Impey, Jones, Kermes, Knight, Koffler, Kolodny, Krager, D. Larson, LaSalle, Law, Lei, Mautner, McCullough, McElroy, Mitchell, J. O'Brien, S. O'Brien, Parsons, Phipps, Pitt, Reiter, Roemer, Rollins, Salomon, Sander, Silverman, Spera, Sugnet, Sullivan, Thomson, Tomizuka, Valenzuela, VanMetre, Vezino, Woodard, Zukoski, and Zwolinski.

SENATE MEMBERS ABSENT: Badger, Barrett, Braden, Burkhart, Cusanovich, Dalen, Dvorak, Fenstermacher, Fernandez, Ganguly, Garcia, Herst, Joens, L. Larson, Nelson, Pao Tao, Rich, Saint-Germain, Sigelman, Smerdon, Smith, Songer, Terrazas, Valdez, Witte and Zeigler.

WELCOME TO NEWLY ELECTED SENATORS-AT-LARGE AND RECENTLY APPOINTED ASUA REPRESENTATIVES: Dr. Cox welcomed newly elected or re-elected Senators-At-Large Bruce Barrett, Physics; Christopher Impey, Steward Observatory; John Law, Biotechnology; Keith McElroy, Art; Shirley O'Brien, Agriculture; Sheila Pitt, Art; Joycelyn Reiter, Music; and Michelle Saint-Germain, Southwest Institute for Research on Women; and student representatives Lee Knight, President of ASUA, Josh Grabel, Scott Hyder, Darren Kermes, Jordan Rich, Ilia Terrazas, Patrick Vezino, and two alternates, Shelly Herst and Jeff Nelson.

APPROVAL OF MINUTES OF APRIL 1, 1991: The Minutes of April 1, 1991 were approved as distributed.

ELECTION FOR COMMITTEE ON CONCILIATION, EMPLOYEE BENEFITS ADVISORY COMMITTEE, FACULTY MEMBERSHIP COMMITTEE, UNIVERSITY COMMITTEE ON ETHICS AND COMMITMENT, UNIVERSITY HEARING BOARD, 1991-92 PRESIDING OFFICER OF THE FACULTY SENATE, AND FACULTY SENATE EXECUTIVE COMMITTEE: Dr. Cox asked Senators to review the biographical statements provided to Senators with their meeting call, and to fill out the ballots placed on Senators' desks today, for elections as listed above. She said she wished to announce results before the meeting adjourned today. She then called for nominations from the floor for 1991-92 Presiding Officer of the Senate and Senate Executive Committee. There being none, she requested voting commence while the agenda proceeded. [Prior to the conclusion of the meeting, ballots were collected by Senator Butler and Parliamentarian Sankey, and results tallied and announced. Committee on Conciliation: Helen M. Gothberg, Gail G. Harrison and Robert Mautner. Employee Benefits Advisory Committee: Andrew W. Nichols. Faculty Membership Committee: Kenneth E. Foster and Elizabeth Roemer. University Committee on Ethics and Commitment: Carrie Jo Braden and Lois Olsrud. University Hearing Board: Isa Bergsohn, H. Bruce Fowler, Bruce A. Larson, Jane H. Underwood, and Mary C. Wetzl. 1991-92 Presiding Officer of the Faculty Senate: Vivian L. Cox. Faculty Senate Executive Committee: Henry L. Ewbank.] Senator Hetrick reported that the biographical sheet for the University Committee on Ethics and Commitment indicated two-year terms, while the correct term is for three years. Dr. Cox thanked Dr. Hetrick for correcting this error.

REPORT FROM THE PRESIDENT OF THE UNIVERSITY: President Koffler said his remarks today would cover two topics: (1) two matters discussed at the meeting of the Board of Regents last weekend and (2) since this would be his last meeting with the Senate, as President of the University, he would comment on what he saw as unfinished business for the Senate and for the University in the years ahead.

He reported that last Friday the Board approved the following six Regents Professor appointments, all of whom have exceptional records of achievement nationally and internationally: Elizabeth Bernays, Entomology; Yetta Goodman, Education; Vance Haynes, Geosciences; John Law, Biochemistry; Robert Netting, Anthropology; and Richard Shelton, English. Particularly impressive, he said, was the frequency with which references to their achievements as researchers and scholars was accompanied by tributes to their work as teachers and mentors. He asked the Senate to join him in congratulating them with a round of applause. In a separate matter, he said, the Regents addressed the enrollment problem that all three universities will face in a few years' time. Graduates from Arizona's high schools will increase sharply in 1994, and by the turn of the century the annual number will be roughly one-third larger than today. "This calls for making basic decisions in the next few years about how to handle these numbers. Do we choose to have each university grow by one-third or more? Alternatively, should the state establish one or more new campuses? And a related question is how best can the universities and the community colleges work together to meet this growth in the demand for higher education?" He said the matter represents a basic question of public investment policy that must be answered in the next few years, before the increased numbers are upon us. President Koffler said he was delighted when the Regents began to grapple with this problem last year, and he was pleased to be able to report that the pieces are beginning to fall into place. "As you may know, the Board set up a tri-university Enrollment Capacity Study Group to work, with the help of external consultants, to delineate and quantify different parts of the problem. This study group is charged with assessing the capacity of the present campuses when their 1996 construction programs are complete; with assessing how effectively space is being used today; with developing a model to predict enrollment demand as far ahead as the year 2010; and with proposing options for handling the increased demands. These possible options will include making fuller use of existing and presently proposed facilities through such means as more evening and weekend classes or trimester calendars or increased student course loads. They also would include such external options as 2+2 arrangements with the community colleges or new branch campuses or telecommunication links to potential students." He said he believes a report will be available next fall for discussion by the individual universities, and will require full discussion if the Regents are to receive the best advice possible before they make their decisions.

President Koffler then turned to "a variety of what are unfinished items of business in the sense that I would have liked to make greater progress in each one during my own presidency, but somehow didn't get them done." Concerning undergraduate education, "during the recent presidential search, there was much public discussion about the defects of our present arrangements. The frequent suggestion was that we have neglected undergraduate education and need to pay it more attention. Many commentators must have overlooked what we actually have accomplished since the early 1980s. Our General Education program was totally revised to provide improved foundations; we established a number of new undergraduate majors; the Honors Program had been near-moribund and was revitalized under new leadership; and we established a new University Teaching Center and a Learning Center to help students with their learning skills. This is only a partial list of accomplishments, but it demonstrates the considerable effort and the considerable investment that has gone into undergraduate education."

He said "no one could have predicted the unforeseen enrollment surge of 1987 to 1989, when for unidentified reasons the proportion of admitted students who actually appeared on our doorstep suddenly increased. We found ourselves in 1989 with the faculty, facilities and budgets of 1989, but the enrollment previously predicted for 1998. You all know what this has meant in overcrowding, in difficulties in obtaining courses, in students sitting on the floor in class, in overloaded advising services, and the like. I suggest that much recent criticism of our undergraduate programs was based on observation of the result of this enrollment surge and misinterpretation of this as neglect."

President Koffler said a small drop in enrollment last Fall, and a second minor drop anticipated next year, will help to relieve some pressures, but will not entirely answer the University's needs. "The collaboration of the faculty still will be necessary to improve the situation. There will continue to be difficulty in getting into some courses, and a few students will continue to sit on the floor as long as some faculty members insist on teaching their courses between 10:00 a.m. and 2:00 p.m. on Tuesdays, Wednesdays and Thursdays, and as long as they resist moving classes to alternative classrooms. One of the simplest of keys to improving undergraduate education is in the hands of faculty members who can be more flexible in the times that they teach and the rooms that they use."

He added that the current construction program will help the situation by providing more and better space over the coming years. He noted that some faculty members have advocated slowing down or halting the building program at this time, and he believed that would be a strategic error of major proportions, given the enrollment demand we will face beginning in 1994. "It takes several years to plan a facility, arrange for financing, and construct the building. That is not a spigot to be turned on and off at short notice."

"A second area of unfinished business concerns faculty governance. It is clear that the faculty and the administration are both dissatisfied with various aspects of our current arrangements. These arrangements must be reviewed and improved. I want to contribute three brief comments to the discussion. The first is that it is the faculty itself that must decide how it wants to structure faculty governance at the campus level. It is clear that they are very confused on the structure and appropriateness of present arrangements. In my opinion, the sooner those disagreements are resolved, the better. Second, I want to suggest that governance arrangements at the department and college levels deserve equal attention, not least because they are critical to the academic enterprise. It would be an error to overlook them or to regard them as not being central to the issue. Thirdly, I want to warn the faculty about avoiding unfulfillable expectations. Given that it is the president of the University who is personally accountable to the Regents and to the Legislature for how things run at this institution, it would be an error to assume that governance arrangements ever can place the faculty in the position of deciding everything rather than advising on significant issues. To think otherwise would be a delusion that can lead only to frustration. In my view, the faculty would be best advised to focus on improved arrangements for consultation and advising, and to recognize that the president, as the accountable individual, must remain free to decide whether to accept that advice or otherwise, as appropriate."

"Finally, I want to say something about salaries. The fiscal circumstances of this state are such that in recent years we have not made the progress in faculty salaries that we needed to make, and that includes staff salaries. From paying average salaries distinctly above the means of our peers a few years ago, we have slipped to the position of paying somewhat below the mean, though not in every field. Moreover, in the case of the funds we received last year, our hands were

tied. We were not allowed to distribute the increases according to individual merit, but only according to market comparisons, department by department. This question of salaries for faculty members, as for all other employees, has been one of the most frustrating matters with which I've had to grapple. In view of the state's medium-term--if not long-term--prospects, the situation now seems to call for a statewide campaign. We need to combine the universities, their alumni and the business community in a coalition that can impress on the Legislature that higher education is fundamental to this state's economic future, and pivotal to the quality of life for all Arizonans. In the past, I think, to bring about this coalition and use it with full force, was probably not as necessary as it will be in the future. I concluded that we have to go all out this year, but starting next year for sure."

He concluded by thanking Presiding Officer Cox and members of the Senate for their many courtesies over the years that he has been President. He said he has been most appreciative, and he hopes similar help and courtesies will be extended to his successor.

REPORT FROM THE PROVOST OF THE UNIVERSITY: No report.

REPORT FROM THE PRESIDING OFFICER OF THE FACULTY SENATE: Dr. Cox thanked Cedric Dempsey for graciously permitting the Faculty Senate to use the Stadium Club today. She said Intercollegiate Athletics staff had been extremely helpful in facilitating this endeavor.

Dr. Cox reflected on the Senate's 1990-91 major issues: appointment of an ad hoc committee to review budgetary actions affecting the Library, with its report due today; together with our counterparts at ASU and NAU, endorsement of the Martin Luther King, Jr. holiday; approval of revisions to the Guidelines for Periodic Reviews of Deans, Directors and Department Heads of Academic Units; approval of ASUA's resolutions concerning a uniform, campus-wide instructional evaluation system, and transmittal to a Senate standing committee for review of implementation issues; and completion of revisions to the Constitution and Bylaws which, she reported, have been transmitted to the President for forwarding to the Board of Regents. She noted that each of the Senate standing committees, as well as two ad hoc committees and the Senate Executive Committee, had been productive and hard-working, and she wished to take this opportunity to thank them all publicly, on behalf of faculty governance, for their efforts, as well as each member of the Senate, for their service. She said their contributions had made a difference. Dr. Cox added that she looked forward to the 1991-92 academic year, and anticipated a long and productive working relationship with President-Designate Manuel Pacheco. "As members of the Faculty Senate, you are an integral part of the governance of this University, and we thank you for your willingness to participate."

REPORT FROM THE CHAIR OF THE FACULTY: Dr. Cox reported that Dr. J. D. Garcia, newly elected Chair of the Faculty, was unable to be present today, and he had asked her to read the following report:

"I'm sorry not to be able to be present for this meeting of the 1991-92 Faculty Senate. I felt it necessary to honor a long-standing commitment for me to attend and present a report to the National Science Foundation's Advisory Panel. As you find in your own active lives, conflicting duties occur sometimes. This promises to be an exceptional year for faculty governance at the University of Arizona, and I look forward to working with the reconstituted Faculty Senate. I have indicated to our new President our willingness to cooperate in making the University of Arizona better than it already is.

"As Chairman of the Faculty, I am an automatic member of the Arizona Faculties Council (AFC). The other UofA members are Doug Jones and Mal Zwolinski. The AFC met on May 3 in Tempe, in connection with the Arizona Board of Regents meeting. AFC made great strides in bringing faculty issues to the Board of Regents, and the Regents have now voted to give us representation on both the Programs and Resources Committees, as well as the regular reporting slot on the Board's agenda. I was elected Secretary/Treasurer of AFC, and Alan Matheson of ASU will be the new Chair. I hope to give you a longer report on AFC activities in the near future. I look forward to working with you and to an exciting year."

REPORT FROM THE SECRETARY OF THE FACULTY: Senator Butler said Senator Burkhart submitted the following, to be read into the Senate Minutes: "My appreciation to all those who ran in 1991 for faculty offices and congratulations to winners, in particular to the new Chair of the Faculty....The year ahead will also present an excellent opportunity for faculty governance leaders to help pull together the many constituencies within the university behind a new president....I would like to thank those members of all committees who worked long and hard to solve our collective faculty problems....I hope that...discussions will bear fruit in the years ahead to make the University of Arizona an even stronger institution in terms of the role and voice of the faculty."

REPORT FROM THE PRESIDENT OF ASUA: Senator Lee Knight reviewed, from the student perspective, highlights of the 1990-91 Faculty Senate: students worked on Grade Replacement Opportunities; students spearheaded the effort to get teacher evaluations brought to the Faculty Senate; and students worked on the Ad Hoc Committee for regulation of hate speech in the Rules for the Maintenance of Public Order. She said students are looking forward to contributing to substantive issues in the 1991-92 Faculty Senate. Senator Knight introduced each student representative: Darren Kermes, a continuing Faculty Senator, has been active on the Instruction and Curriculum Policy Committee; Patrick Vezino, who is serving his third term in the Faculty Senate; Josh Gabel, an ASUA Senator; Shelley Herst, unable to be present due to finals; Scott Hyder, who worked on the teacher evaluation program and who will continue those efforts in 1991-92; Jeff Nelson, the first student ever to receive the Graduate Teaching Assistant Award as an undergraduate; Jordan Rich, a 1990-91 member of the Student Senate; and Ilia Terrazas, 1991-91 ASA Task Force Director. She added that ASUA directorship appointments have been completed, as well as appointments to many committees. In the past month, both student elections and Spring Fling had been concluded. ASUA presented its annual report on undergraduate education to the Regents, and saw Dr. Koffler receive the Regents Medal. ASUA concern with budget issues continues. She expressed thanks for a great 1990-91, and reported that students are looking forward to working with the Faculty Senate in 1991-92.

REPORT FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE: Senator Ewbank noted that he would embellish the committee's annual report, distributed with the call to this meeting, only by adding his personal sense of satisfaction for "having put in the barn" revisions to Guidelines for Periodic Reviews of Deans, Directors and Department Heads, and the revisions to the Constitution and Bylaws, and to express his appreciation for the faithful work of the committee for the last three years.

REPORT FROM THE BUDGET AND STRATEGIC PLANNING POLICY COMMITTEE: Senator Roemer reported (1) that the committee has responded in general terms on proposed principles and plans for the 1992 budget; main points made by the committee were for broader-based faculty participation in some of the critical decisions. (2) The committee has also been asked to respond on implementation of two recommendations from the Fischer Report; one response has been submitted, and the committee is

awaiting a plan currently under development in the Deans' Council. (3) With respect to the committee's analysis of market salary adjustments, that topic appears on today's Senate agenda, and she will have additional remarks to make at that time.

REPORT FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE: Senator Mitchell noted the committee's annual report was included with today's meeting materials. He thanked the members of the committee for their service this year. He noted that the 1991-92 committee will inherit one major piece of unfinished business: drafting procedures for implementation of the proposal for recognizing excellent teaching, which the Faculty Senate approved in principle at its April meeting.

REPORT FROM THE RESEARCH POLICY COMMITTEE: Senator D. Larson reported that the committee has continued to work with a subcommittee and members of the Technology Transfer Committee on revisions to the Conflict of Interest Policy, and had continued its dialogue with Controller Bert Landau on the need for improvement in FRS services to the research community.

REPORT FROM THE STUDENT AFFAIRS POLICY COMMITTEE: Senator Enos noted that the committee's annual report was included with today's meeting materials, and the committee had two items on today's agenda. She thanked all the members of the committee who worked very hard this year.

REPORT OF THE COMMISSION ON THE STATUS OF WOMEN: Senator Atwater said the Commission on the Status of Women, created by the Arizona Board of Regents in the Fall of 1989, has almost completed its work. She said a final report will be submitted to the Board this summer, hopefully within the next month. She said the purpose of the Commission could be described as a three-stage process: to assess the conditions of employment of women at the state's three universities, to define the vision for women at the universities in the year 2000, and to make recommendations to the Board in an advisory capacity which would make it possible for the universities to achieve that vision. Membership on the Commission included three members of the Board of Regents: Edith Auslander, who was instrumental in appointing the Commission, Esther Capin, and Donald Pitt, who chaired the Commission. It included the Executive Director of the Board of Regents, three Legislators, three members of the public, and eight representatives from each university, including faculty, academic and service professionals, administrators and classified staff. Meetings of the Commission were held in Phoenix almost every month for the past eighteen months; some committees met more frequently and conducted conference phone calls. An open forum was held on each campus to obtain additional input from members of the University community, and a written survey of employee perceptions of their working environment was conducted at all three universities. The Commission's work was divided into three committees: equity (compensation, hiring, recruitment, promotion and tenure); career development (performance evaluations, career paths, rewards and honors); and campus climate (family support, culturally diverse women, and the chilly climate for women). "It is our hope that the work of the Commission will make a major contribution to the achievement of a vision which seeks to create a working environment that will enhance the careers of all employees at the universities."

APPROVAL OF CURRICULAR MATERIAL: Dr. Cox announced one change in Curriculum Bulletin, Vol. 13, No. 18, page 2: Electrical and Computer Engineering 565 was withdrawn, and will appear in a future Bulletin.

Senator Hetrick commented on the history of the Energy Engineering Program, scheduled for deletion (page 1): "One might regard these proposals as reasonable

in the face of budget cuts and hiring freezes. Nevertheless, we deeply regret that Energy Engineering, an important innovation at this university, should lose its identity as a field in Engineering, especially when the rebirth of national support for alternate energy sources and energy conservation seems to be imminent." Senator Ganapol also commented on the factors considered in eliminating the Energy Engineering program, and added "we just fought a war about energy, and it seems very inappropriate at this time to eliminate a program where we can find alternate energy sources that will help not only us, but the whole planet." Speaking on behalf of Dean Smerdon, Associate Dean William Cosart spoke in favor of the proposal, noting that while the degree will be deleted, course work will be offered under the Department of Mechanical Engineering. Factors included declining enrollments, the transfer of majors into Mechanical Engineering in their sophomore or junior year, limited faculty resources, and the fact that there are no accredited programs in Energy Engineering in the U.S. The proposal was generated after an academic program review in 1988-89; the external committee and the university committee both recommended that either additional resources be provided, including faculty and associated operational funds, or that the program be discontinued. "Our Dean has made the recommendation because the budget is not going to allow adding resources to the program." Approval of Section I was then moved, seconded and approved (motion 91/92-1) on a voice vote. Approval of Section IV was then moved (motion 91/92-2), seconded and unanimously approved on a voice vote.

APPROVAL OF PRELIMINARY DEGREE LIST FOR MAY 1991 COMMENCEMENT: Senator Butler reported that this is the first time the Student Information System has been used to generate the degree list, and it had been achieved in the order requested by the Senate and with a reduction in overall girth. He noted, however, that the list does not include the graduate degrees, and he requested the Senate's indulgence in approving them in absentia. "You have our assurance that nobody will graduate unless they have met the requirements." He moved approval (motion 91/92-3) of the list. The motion was seconded and unanimously approved on a voice vote.

INTELLECTUAL PROPERTY POLICY PROPOSAL: Senator Larson reported that he would have to withdraw consideration of this item today. On May 2 the University Attorney had advised Dr. Cusanovich of some reservations that office had with the Intellectual Property Policy proposal, related to the way it deals with copyrights, computer software, and some other issues. He said Dr. Cusanovich recommended further review of the Intellectual Property Policy until the University Attorney's Office reports the document is ready for further consideration.

Senator Kermes reported that students have four major concerns with the proposal:

- 1) It seems to place graduate students on an uneven footing, primarily on the basis of their financial status, i.e., student employees cannot afford computer software or journals at home; students would lose out in terms of losing the rights to their intellectual policy; and students who must work would have the least resources, while those who do not need to work fall outside this policy.
- 2) Students have concern that it might affect the recruitment of potential doctoral and master's students: why would they come to the UofA and lose out on their property rights, when certain other major universities do not have this type policy and would not seek to maintain control of their work?
- 3) Why was a distinction made between course work and thesis/dissertation efforts? How would a student be treated who developed some concept in a course, and then brought that to fruition as a thesis or dissertation?
- 4) What about a doctoral student who completes a dissertation, finishes the degree, secures employment at another university and then wants to continue that line of research? Who owns what the student had originally done?

ACCEPTANCE OF REPORT FROM THE AD HOC LIBRARY COMMITTEE: Dr. Leland Pederson, Chair of the Senate's Ad Hoc Library Committee, reported that the committee had completed its work in a fairly short period of time, the assumption being that a report presented before the end of the academic year was better than a report two years hence. He noted that the committee acknowledges that there is still a good deal of information that could be reported, and there are questions as to allocation of resources--how they are and should or might be allocated--that did not get answered. Nevertheless, the committee believes it has addressed the Senate's charge of reporting and monitoring. The report includes two recommendations: 1) the allocation for research should be reviewed, and 2) a standing committee of the Senate might be appointed to coordinate library activities among the various libraries and between the main university library and the administration. It was then moved, seconded and approved unanimously on a voice vote (motion 91/92-4) to accept the report.

ACCEPTANCE OF MARKET SALARY ADJUSTMENT REPORT: Senator Roemer, Chair of the Senate's Budget and Strategic Planning Policy Committee, noted that Senators had received a copy of the committee's analysis of a questionnaire and some financial information on distribution of market salary adjustments, known as equity adjustments in the Regents central office. She said responses to the questionnaire revealed a substantial amount of dissatisfaction, but it would be fair to note that even though the sample was disproportionately representative of people who did receive adjustments, that the distribution of the adjustments was essentially bimodal. Bar graphs prepared by the Provost for the Regents Resources Committee last January "show that, for the faculty, about 31 percent received zero adjustment, another 17 percent received between .1 of 1 percent and 2 percent adjustments. There were substantial numbers of members of the faculty who received a 1 percent adjustment, these being people who were well below the benchmark needs. Fifteen percent received adjustments of more than 10 percent. So it is entirely possible that in the self-selected sample that we were sampling, those who received small adjustments responded disproportionately. These people are rather unhappy." Concerning the financial tables in Appendix C, Senator Roemer said, part of this information came from the Provost's Office, and information was obtained separately from the Colleges of Agriculture and Medicine that were not included in the material readily available in the Provost's Office. "Even this afternoon, Doug Jones and I have been in touch with Dick Roberts, the Budget Officer. There have been some questions growing over the last two weeks or so between information available in the Provost's Office and some that is available on campus. The bottom line is that I think we cannot guarantee any figures in that financial information table. We're not entirely certain that things are clean between faculty, tenure-track faculty, adjunct faculty and professionals, and they may be a little bit different from one college to another. I think that the ballpark figures are safe, but we have some more homework to do." She added that it does appear that the 4 percent of base budget line dedicated to the market adjustments has, in fact, been put into the market adjustments and the figures on average market, at least the first couple of figures, are pretty close. In terms of bringing the people who bear much of the burden of the University's business in instruction and research closer to market, she believes a start has been made, but with much less success in the compression problem. Senator Roemer said "We are up against a situation in which we had hoped this was the first installment of a multi-year plan, and I don't think anybody knows at this stage when the next installment may come along. Some people are going to be pretty unhappy in the meantime." She then moved acceptance (motion 91/92-5) of the report. That motion was seconded and unanimously approved on a voice vote.

DEFEAT OF RECOMMENDATIONS CONCERNING DEGREE CANDIDATE LISTS: Senator Enos, Chair of the Student Affairs Policy Committee, reported that last fall the Presiding

Officer asked the committee to study whether Senate ratification of degree recipient lists is necessary or only honorary. Because procedures already exist to ensure adherence to the University's graduation requirements, the committee recommended the Senate change to ratification of a summary list only, rather than the entire list. The committee's recommendation was then moved and seconded (motion 91/92-6). Senator Atwater asked if this meant the Senate will no longer receive the standard list, such as the one in today's packet. Senator Enos responded affirmatively: the Senate would receive only the summary. Senator Atwater said she liked the improved, shortened list prepared for today's meeting. Senator Aleamoni agreed, and noted that it is useful to review individual names. He said he believed previous Senate discussion was aimed at cutting down the bulk, which has now been accomplished. Senator Butler pointed out that in the future, his office will have the capability of sending a floppy disk of degree candidates to each academic department, providing departments with both the opportunity to carefully review the names and the ability to mail personal invitations to special Commencement events. He added that it is no longer a major effort to prepare the list in the format presented today. The vote was called, and a hand vote indicated the motion was defeated.

ACCEPTANCE OF THE UNDERGRADUATE ADVISING REPORT: Senator Enos reported that the Student Affairs Policy Committee would appreciate comments on its survey on Undergraduate Academic Advising; it believes it is essential to recognize the broad nature of advising. She said raw data has been placed on file in the Faculty Center and will be available on request. The faculty response was 23 percent, with the majority indicating they have been advising. Data collected suggests that nearly without exception the majority of faculty advisors have had no training in undergraduate advising, that the majority of departments had no formal method for evaluating advisors, and that there is a lack of adequate information needed for effective advising. The survey suggests that there are more differences in systems of advising between the Humanities and the Sciences than across departments University-wide. The committee concluded: (1) that advising should be included in P&T guidelines including the training and updating of skills, (2) the best system would incorporate both departmental advising coordinator(s) and faculty so that adequate information could be forthcoming, (3) forcing faculty to do advising does not produce quality advising, and (4) all departments should have a formal method for evaluating advising performance. Senator Enos concluded that the committee requested Faculty Senate acceptance of the report. Acceptance was moved (motion 91/92-7), seconded and unanimously approved on a voice vote.

ACCEPTANCE OF THE REPORT OF THE AD HOC COMMITTEE ON THE MAINTENANCE OF PUBLIC ORDER: Senator Bickel reported that during the committee's deliberations, students called to their attention some items in the Rules for the Maintenance of Public Order (listed as Document 1 in the Senate packet). He said he had personally outlined those items in red so Senators could readily review them. Senator Bickel commented on Senator Ewbank's assistance to the committee. The committee had been able to reach some conclusions regarding Document 1, with the assistance of two documents: Document 2, a summarized progress report from the Ad Hoc Committee on Discriminatory Speech, which worked hard for many months to develop that report. And Document 3, a letter written to the committee by Dean of Students LuAnn Krager. The committee concentrated on clarification of the language brought up by the students.

Dr. Cox called for acceptance of the report, and it was so moved (motion 91/92-8) and seconded.

Senator Woodard asked what acceptance of the report would imply. Senator Bickel

said he believed it would mean the committee's proposed additions and corrections would be sent on to become part of Document 2 in its final form. Senator Zukoski asked what would happen with Document 2 once these corrections were incorporated: return to the Senate, or transmittal to the President or the Board of Regents? Senator Bickel said he did not know, but the other two universities had already submitted their comments, and our campus was a bit behind. He thought it possible that the Senate might see it again.

Senator Silverman asked if paragraph C.13, one of the paragraphs wrapped in red, was fine as written. Senator Bickel responded affirmatively. Senator Silverman asked what role Document 2 would play. Senator Bickel referred this question to Professor Charles Ares, Chair of the Ad Hoc Committee on Discriminatory Speech, whose summary report was referred to as Document 2. Professor Ares said the committee is still working, and has not reached a final decision with respect to language. The committee will make recommendations to President Koffler on the Rules for the Maintenance of Public Order, which he understood to be a proposed set of rules to be adopted by the Board of Regents. He said the committee is also examining the present Code of Student Conduct. The committee has been in touch with Regents' legal staff, and will recommend that paragraph C.13 be amended as proposed on the second page of the committee's summary: that prohibited discriminatory harassment, as it is now stated in both the Code of Student Conduct and the Rules for the Maintenance of Public Order, "be defined as personal vilification as described by the committee in paragraph 2 of its report, that is that prohibited speech will be speech that constitutes personal vilification, defined as intending to insult and stigmatize an individual on the basis of sex, race, color, handicap, religion, sexual orientation or national and ethnic origin, addressed directly to the individual who insults or stigmatizes, and which makes use of fighting words or symbols which by their very ugliness inflict injury or tend to incite an immediate breach of the peace." He said there are some forms of what might be called stigmatory harassment, without specific definition, that are presently governed on the campus by federal statute applying to harassment in the workplace, and other forms of discriminatory harassment that may be delivered in the classroom which are governed by the contractual obligations for professional conduct. Professor Ares said the committee proposed no change in those at this point. He added that there may be so-called discriminatory speech on the mall or elsewhere on campus in the form of general statements of principle or policy, but the committee believes those are protected by the free speech and inquiry. He said the committee "will propose that discriminatory speech that takes the form of personal vilification delivered directly to the individual vilified and making use of what we for lack of a better term have called fighting words be subject to prohibition and in appropriate cases to discipline." He said it was the committee's understanding that the implementation of any recommendations that the committee will make to the President and to the Senate would have to be taken by the appropriate authorities which adopt rules of student conduct: the Senate, prior to submission to the Regents. "Certainly the Rules for the Maintenance of Public Order are within the jurisdiction of the Regents and will require action by them; whether they take it in accordance with the recommendations of our committee is out of our hands."

In response to a question from President Koffler, Professor Ares said that whatever proposal is made will be subjected to challenge. "We think a rule drafted as narrowly as what we will propose is one that will withstand first amendment or other challenge. Any regulation of speech is suspect to begin with. We recognize that, and believe that the University community has an obligation to preserve freedom of expression to the widest possible extent." He added that free speech is not absolutely free, however; the Supreme Court and the Supreme Court of Arizona have upheld restrictions on speech where there is some compel-

ling interest, as in the field of so-called fighting words. "I might say that the committee was not absolutely unanimous in this respect. One member of the committee feels that any regulation, even of so-called fighting words, runs the risk of diluting pungent speech, of diminishing the right of freedom of expression. Without in any way, I hope, offending anybody, let me simply suggest ...the kinds of words we're talking about...prohibiting--the use in direct confrontation of such words as 'spic' or 'nigger', and others of equivalent nature. And we think those can be controlled in personal confrontation."

In response to a second question from President Koffler, Professor Ares replied that the reference in Document 2 is to regulating personal vilification, focusing on so-called fighting words, as opposed to Document 3, regulating an intention to inflict emotional distress. He said it's a close one, and the University of Texas has taken the emotional distress option, while Stanford took the other. He said the committee prefers the Stanford model because there's no necessity of showing that there was an infliction of emotional distress. "We do not make the regulation of the speech depend on the sensibilities of the individual who's attacked in that respect. We do require an intention to insult and stigmatize, and a use of words commonly understood as gutter-wise. It was on that basis, of simply preferring the more objective and less subjective standard, that we chose the wording in Document 2."

Senator Woodard asked if students placed gutter words on a banner and hung it from a dormitory, would that act fall under this policy. Professor Ares replied the committee did not believe it would because it would not address an individual. Senator Mautner asked whether this has been challenged in Wisconsin, and if so, have the courts ruled on those challenges. Professor Ares said he was familiar with the Wisconsin rule, which closely tracks the Michigan rule, probably the most well-known challenge; Michigan tried to prohibit speech which created a hostile educational atmosphere. He said the court in which the challenge occurred thought it was far too broad, that it chilled even speech protected by the First Amendment, and was simply too great an impingement on the expression of ideas. For that reason, he said, the committee rejected that approach, as it was clear that the statement of prohibition was too broad. Professor Ares said the committee is not unaware that what is at work here is a kind of clash between the civil libertarian model of free expression on the campus and what has come to be a kind of civil rights model of attempting to prohibit speech which impinges on the notion of equal educational opportunity. "Though all of us on the committee are quite sensitive and favorable to the notion of protecting the rights of all individuals on the campus to equal educational opportunities and equal rights, the committee concluded that to craft a rule which prohibited speech on that broad base clearly in our view crossed the line....There is a tradition of freedom and free expression on the campus. Sometimes that expression hurts, sometimes it offends, but the world is like that, and the First Amendment was designed to preserve that kind of cauldron of expression. We do believe that there is no justification for injuring individuals through speech, but you have to draft it narrowly so that you do not cross the line into trying to quell dangerous, offensive, abhorrent ideas."

Dr. Cox thanked Senator Bickel and Professor Ares, and called for action on the motion. Motion 91/92-8 was then approved on a voice vote.

APPROVAL OF RESOLUTION CONCERNING PRESIDENT HENRY KOFFLER: Dr. Cox said the following resolution honoring President Henry Koffler was being submitted as a seconded motion (91/92-9) from the Senate Executive Committee: "Whereas, Henry Koffler, Professor of Biochemistry, Molecular and Cellular Biology and Microbiology and Immunology, has served as President of the University of Arizona

since conferred with that title in 1982 by the Arizona Board of Regents and, whereas President Koffler has served this land-grant university and the citizens of Arizona with distinction, therefore be it resolved that the Faculty Senate, as the representative body of the General Faculty of this institution, wishes to express its thanks and appreciation to President Henry Koffler, Ph.D., D.Sc., LL.D., and to wish him well in the coming years. His tireless devotion to his duties at this institution have earned the respect of all members of the General Faculty." A voice vote indicated unanimous approval.

APPROVAL OF A RESOLUTION CONCERNING PRESIDENT-DESIGNATE MANUEL PACHECO: Dr. Cox said the resolution which follows, welcoming President-Designate Manuel Pacheco, was being submitted as a seconded motion (91/92-10) from the Senate Executive Committee: "Whereas, the Arizona Board of Regents has appointed Manuel Pacheco, Ph.D., as the nineteenth President of the University of Arizona, effective July 1, 1991, and whereas President-Designate Pacheco is committed to continuation of the tradition of collegiality appropriate and necessary for a land-grant university as a community of scholars, therefore be it resolved that the Faculty Senate, as the representative body of the General Faculty of this institution, welcomes President Manuel Pacheco, Ph.D., and pledges to work with him to continue making the University of Arizona a truly outstanding University." A voice vote indicated unanimous approval.

NEW BUSINESS: Dr. Cox reported she had received a letter regarding Dr. Tien Wei Yang, a returning member of the faculty who has requested voting faculty status. A copy of memoranda from both Provost Cole and the Faculty Membership Committee, recommending approval, had been placed on Senators' desks today. Approval of voting status was moved (motion 91/92-11), seconded, and a voice vote indicated unanimous approval.

RECESS: At 4:45 p.m., Dr. Cox asked non-Senators and individuals not scheduled to make Honorary Degree presentations to briefly adjourn to the patio while the Senate went into Executive Session to consider Honorary Degree nominations.

ADJOURNMENT: The meeting adjourned at 5:15 p.m.

David Butler
Acting Secretary of the Senate

MOTIONS APPROVED AT MAY 6, 1991 MEETING:

- 91/92-1 Approval of Curriculum Bulletin, Vol. 13, No. 18, Section I
- 91/92-2 Approval of Curriculum Bulletin, Vol. 13, No. 18, Section IV
- 91/92-3 Approval of May 1991 Degree Recipients
- 91/92-4 Acceptance of Ad Hoc Library Committee Report
- 91/92-5 Acceptance of Budget and Strategic Planning Policy Committee Report on Market Salary Adjustments
- 91/92-6 Defeat of motion to change Preliminary Degree Recipient list from full list to summary only
- 91/92-7 Acceptance of Student Affairs Policy Committee Advising Report
- 91/92-8 Acceptance of Ad Hoc Committee on the Maintenance of Public Order Report
- 91/92-9 Approval of resolution concerning President Henry Koffler
- 91/92-10 Approval of resolution concerning President-Designate Manuel Pacheco
- 91/92-11 Approval of motion to grant voting status to a returning member of the faculty
- 91/92-12 - 91/92-21 Approval of motions concerning Honorary Degree nominations

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FACULTY SENATE
MAY 6, 1991 EXECUTIVE SESSION

Dr. Cox called the meeting to order at 4:46 p.m. to consider nominations for Honorary Degrees. Biographical statements were placed on Senators' desks, and Dr. Cox requested they be turned in when the meeting adjourned. The following candidates were placed in nomination (copy of biographical statements appended):

Dr. John S. Niederhauser: Dr. Philip Upchurch, College of Agriculture, nominated Dr. Niederhauser for the Honorary Doctor of Science, and reported college faculty had approved the nomination on April 22, 1991. Dr. Upchurch summarized areas of Dr. Niederhauser's distinguished career. Approval was then moved, seconded, and unanimously approved on a voice vote (motion 91/92-12).

Mr. Howard Wuertz: Dr. Upchurch next placed in nomination the name of Dr. Wuertz for the Honorary Doctor of Law. Mr. Wuertz's nomination was approved by college faculty on April 22, 1991. Following Dr. Upchurch's summary of Mr. Wuertz's distinguished career, approval was moved (motion 91/92-13), seconded, and unanimously approved on a voice vote.

Donald G. Shropshire: Vice-Dean William Barrett, College of Business and Public Administration, placed the name of Donald Shropshire in nomination. He reported college faculty had approved the nomination for the Doctor of Law on April 25, 1991. Following Dr. Barrett's summary of Mr. Shropshire's distinguished career, approval was moved (motion 91/92-14), seconded and approved on a voice vote.

A. Jack Pfister: Associate Dean William Cosart, College of Engineering and Mines, submitted Mr. Pfister's name in nomination for the Doctor of Engineering. The nomination was approved by college faculty on December 10, 1990. Following Dean Cosart's summary of Mr. Pfister's distinguished career, approval was moved (motion 91/92-15), seconded and unanimously approved on a voice vote.

Linda Ronstadt: Acting Dean Patricia VanMetre submitted Ms. Ronstadt's nomination for the Honorary Doctor of Musical Arts on behalf of the Faculty of Fine Arts. The nomination was approved by Fine Arts faculty during the Spring of 1991. Following Dean VanMetre's summary of Ms. Ronstadt's distinguished career, approval was moved (motion 91/92-16), seconded, and unanimously approved on a voice vote.

Esther Tang: Dean Annette Kolodny, Faculty of Humanities, placed in nomination Ms. Tang's name for the Honorary Doctor of Humane Letters. The nomination was approved by Humanities faculty May 2, 1991. Following Dean Kolodny's summary of Ms. Tang's distinguished career, approval was moved (motion 91/92-17), seconded, and approved unanimously on a voice vote.

Louise M. Rosenblatt: Dean Kolodny then placed in nomination Ms. Rosenblatt's name for the Honorary Doctor of Humane Letters. The nomination was approved by Humanities faculty on May 2, 1991. Following Dean Kolodny's summary of Ms. Rosenblatt's distinguished career, approval was moved (motion 91/92-18), seconded, and approved unanimously on a voice vote.

Howard J. Schaeffer: On behalf of the College of Pharmacy, Dean J. Lyle Bootman placed in nomination Dr. Schaeffer's name for the Honorary Doctor of Science degree. The nomination was approved by college faculty during the Fall semester of 1990. Dean Bootman noted this was only the third Honorary Degree nomination submitted by the College of Pharmacy in forty years. Following Dean Bootman's

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summary of Dr. Schaeffer's distinguished career, approval was moved (motion 91/92-19), seconded, and unanimously approved on a voice vote.

Dr. Elias James Corey: On behalf of the Department of Chemistry, Faculty of Science, Dr. Robert Bates placed Dr. Corey's name in nomination for the Honorary Doctor of Science. Dr. Corey's nomination was approved by Science faculty on May 1, 1991. Following Dr. Bates' summary of Dr. Corey's distinguished career, approval was moved (motion 91/92-20), seconded, and unanimously approved on a voice vote.

Dr. Catharine R. Stimpson: On behalf of the Faculty of Social and Behavioral Sciences Dr. Karen Anderson, Women's Studies, placed in Dr. Stimpson in nomination for the Honorary Doctor of Humane Letters. Dr. Stimpson's nomination was approved by SBS faculty on April 29, 1991. Following Dr. Anderson's summary of Dr. Stimpson's distinguished career, approval was moved (motion 91/92-21), seconded, and unanimously approved on a voice vote.

ADJOURNMENT: Dr. Cox noted it was the end of the year, and "we are happy to celebrate a great organization: the University of Arizona Faculty Senate. We are grateful to all who served, and we invite you to join us on the patio at this time for a reception." The meeting adjourned at 5:15 p.m.

David Butler
Acting Secretary of the Faculty Senate