

**MINUTES  
FACULTY SENATE  
SPECIAL MEETING  
UNIVERSITY OF ARIZONA  
October 14, 1996**

**1. CALL TO ORDER**

The meeting was called to order by Presiding Officer Jeffrey L. Warburton at 3:05 p.m. in Room 146 of the College of Law.

Present: Senators Abrams, Aleamoni, Atwater, *Barrett*, Brown, Coons, D. Davis, T. Davis, Desai, Dvorak, Dyl, *Emrick*, Feltham, Garcia, Garrard, Gerber, Glittenberg, Gore, Gruener, Hurt, Jacobs, Joens, Larson, Lei, Levy, McCaslin, Medine, Meyer, Mitchell, Myers, Neuman, J. O'Brien, S. O'Brien, Pacheco, Pitt, Poss, Reeves, Schooley, Schwarz, Silverman, Sliger, Sugiyama, Sypherd, Troy, Warburton, Wilson, Witte, and Zwolinski. Observer Groth (Sierra Vista). Robert Sankey served as Parliamentarian.

Absent: Senators Anderson, Chen, Clarke, Dahlgran, Erickson, Forbes, Mare, Schiffer, Sharkey, Szilagyi, Taylor, and Williams.

**2. CONTINUATION OF DISCUSSION AND ACTION ON DRAFT 11, PROCEDURES FOR CONTINUING REVIEW DOCUMENT (Attachments)**

Senator Warburton began by explaining the format of the special meeting: The 13 proposed amendments to Motion 1996/97-5 (submitted in writing prior to the meeting) will be discussed individually, in the order that they would appear in the text of the document. The author of each amendment will explain the rationale for the suggested change and make the motion for the amendment, if he or she is present; if not, someone else will need to make the motion in order for the amendment to be considered. A second to the motion will be required before the amendment can be discussed on the floor. Academic Personnel Policy Committee members then will be invited to state their position on the amendment. Discussion will conclude no later than 5:15 p.m., so that a vote on the document can be taken. Senator Warburton asked that discussion on each individual amendment be limited to ten minutes, so that all amendments and any general discussion can be heard during the time allotted, and anyone who wishes to speak has the opportunity to do so.

Amendment #1, submitted by Senator Levy, was placed on the overhead projector. Since Senator Levy was temporarily absent, others made and seconded a motion [Motion 1996/97-8] to amend the document as follows:

On page 1, section I, paragraph 2, change the final sentence to read, "Through a rigorous assessment process over time, the awarding of tenure, as measured by many different criteria at the department/unit, college, and University levels, is a strong recognition of the accomplishments of candidates in their disciplines, an expression of confidence in their ability for, and commitment to, continued growth and excellence, and recognition of the qualitative and quantitative contributions to the University's mission."

Senator Schooley, chair of the Academic Personnel Policy Committee (APPC), explained that his committee had not had time to meet and review the amendments submitted. Since he and Prof. Ervin, an APPC member, had been able to review the amendments briefly, he would state their position on the proposed amendment and then call for other APPC members' input. With regard to the first amendment, he noted that he and Prof. Ervin are generally in favor of it. Senator Poss, another APPC member, commented that this change seems to expand on the intention of the original text to include the overall mission of the University, but he had no problem with the change, which does not seem to be significant. Motion carried, with one no vote.

Amendment #2, also submitted by Senator Levy, was moved and seconded in his absence [Motion 1996/97-9]: On page 1, section I, paragraph 4, change the text, starting with the second sentence of the paragraph, to read: "In a system of tenure the application of a merit salary system is especially important. Accordingly, the Faculty Senate urges that all future salary adjustments to faculty be based entirely on considerations of merit and market. The expected rigor of the recruitment and tenure process at the University should ensure that only persons with the strongest credentials, contributions and accomplishments, based on stringent national and local criteria, should attain tenure or continuing status. The standards of assessment in the University should ensure that every faculty member who is rated as performing satisfactorily or better in annual reviews is delivering to the University a quality performance, and contributing in an appropriately balanced fashion to the mission of the University."

Senator Schooley commented that he and Prof. Ervin did not think the proposed change in wording was better than the original text, but they had no strong opposition, except for the second sentence stating that all future salary adjustments to faculty should be based entirely on considerations of merit and market. He noted that he and Prof. Ervin feel that perhaps there should be some base increase that addresses cost of living, with merit increases in addition to that, and that it would not be appropriate to require that all salary increases be based on merit and market.

Senator Silverman made a motion [Motion 1996/97-10] to delete the second sentence of amendment #2, "Accordingly, the Faculty Senate urges..."; the motion was seconded. Senator T. Davis commented that he would like to have the market aspect discussed in the document, since it is a major issue which is not addressed anywhere in the current text; he added that all three factors—cost of living, market, and merit—could be included in the document, but to remove market would be a mistake.

Senator Poss noted that he saw a potential problem in the market question: In the academic setting, "market consideration" might be interpreted to mean what a professor in a given area could be paid at other universities, but outside the University, it might be read as, "What is the free-market value of a Latin teacher on the open market?" He said he saw a danger in that.

Senator Neuman said he would like to see not only the merit aspect, but also the University-based market aspect retained in the proposal. Instead of deleting the sentence, he suggested substituting the word "largely" for "entirely" in the second sentence of the amendment, so that it would read, "Accordingly, the Faculty Senate urges that all future salary adjustments to faculty be based largely on considerations of merit and market." Senator Warburton asked Senator Silverman if he was willing to consider that change to his amendment, and he responded said that he still wanted to delete the entire second sentence of amendment #2. In that case, Senator Warburton noted, the suggested change in wording would have to be addressed later as a separate amendment.

Senator Medine asked what force the Faculty Senate's "urging" has. The consensus was perhaps none. Senator Schooley noted that, in a sense, this is superfluous detail; we have already called for this to be consistent with the performance-based compensation plan approved at a previous Faculty Senate meeting, which does address those issues. From that perspective, deletion is appropriate.

Senator Silverman noted that this is not a compensation document; we have other documents that address that. The sentence under discussion may not be in compliance with other compensation documents; we should make certain that it is before we allow it to remain in the document. He added that he did not agree with the sentence in any case, because the cost of living issue also should be addressed. He concluded by saying that Senator Medine's question pointed out the way things had sometimes happened in the past, with Senate recommendations having no effect; however, he noted, perhaps the University climate has changed and the Senate's urging will cause something to happen. We are making a statement with this sentence; if we do not include cost of living in it, someone could say later that we must not have cared about that issue.

Senator Witte stated that she thought the compensation issue is irrelevant. Also, this body should remember that it unanimously passed a motion saying that unless there was more than a five percent cost of living increase, merit is not appropriate. That Senate action still stands, even though it has been disregarded.

Senator Troy said he agreed with Senator Schooley that the Senate is getting into detail that is already included in the current wording of draft 11. The first sentence of paragraph 4 (page 1, section I) as it reads without Senator Levy's suggested amendment, states: "The rewarding of proven quality performance is a vital part of the whole system, and must include a performance-based compensation plan as approved by the Faculty Senate in the Spring of 1995 and regularized funding to operate it." He added that he did not think the Senate should get back into the argument about merit and market in this particular document.

**Motion 1996/97-10**, to delete the second sentence in amendment #2, was carried, with four nays.

Senator Warburton directed the Senate back to general discussion about amendment #2. Senator D. Davis commented that amendment #3 seems to have a similar tone, and perhaps the two amendments should be discussed together. Senator Warburton agreed, but said the discussion should center on amendment #2 at this point.

Senator McCaslin made a motion [**Motion 1996/97-11**] that amendment #2 be changed to reinstate the end of the first sentence as it appeared in the original text of draft 11, so the sentence would read: "The rewarding of proven quality performance is a vital part of the whole system, and must include a performance-based compensation plan as approved by the Faculty Senate in the Spring of 1995 and regularized funding to operate it." Motion seconded.

Senator Neuman asked why we need two documents; could we not combine the two documents [performance-based compensation plan and continuing review] into one much shorter one that deals with faculty evaluations, compensation, and responsibility toward the institution? Senator Schooley responded that it was simply a matter of expediency; the performance-based compensation plan was previously approved by the Senate and is acknowledged in this document with Senator McCaslin's amendment. There is not enough time to combine the two documents now, but there is no reason that they cannot be combined at some future point.

Senator Witte asked what the rush is; why are we not producing a good document here? We have lived with a document; as Senator Clarke pointed out, the only problem is that it has not been enforced. Why are we having emergency meetings and constricting employment rights of faculty that are guaranteed in the courts, when we are supposed to be acting on behalf of the faculty—not ourselves, the Regents, or the administration? We should produce a proper document that ensures the same rights that we currently have and future faculty will have, so they will not, to paraphrase Dr. Levy in a memo to his faculty, start out as zeros on their productivity scores and have to prove themselves from that point on. She noted that she had distributed a copy of Dean Levy's memo, which she said indicated the way faculty would be "evaluated to death," in a "bean-counting" manner. Senator Schooley responded that a great many people have been working on this document since last January, giving it their best effort; he said he thought the various committees working on the document had given it careful consideration. He invited Chair Schwarz to address the urgency issue.

Chair Schwarz confirmed that the document had evolved through many different iterations with ample input from the general faculty and the Faculty Senate. There will be an ABOR decision on this issue, in November or possibly December. The document that was established by the Senate in April 1995 was good but also fairly general; it did not have details about exactly how evaluations occurred—with what standards, mechanisms, and protections for faculty, for example. The current document contains all of those elements. Senator Schooley added that those issues are what the task force and APPC tried to address in the current document, without repeating what was in the earlier document.

**Motion 1996/7-11** carried, with one no vote.

Senator Gruener commented that the language in amendment #2, as well as verbiage on page 4 of the document, appear to be too one-sided, addressing only the responsibilities of the faculty. He suggested adding something in the last sentence of amendment #2 to indicate that the University is responsible for appropriately rewarding satisfactory faculty performance. Senator Schooley remarked that the first sentence of the amendment, including the portion just reinserted from the original draft by Senator McCaslin's amendment, appear to cover the issue adequately.

Senator Schwarz asked Senator Gruener if the first and second sentences of the fifth paragraph of the Position Statement (section I of the draft) sufficiently delineate University responsibilities, in his opinion. Senator Gruener responded that they do not; he also pointed to page 4, section IV, A, 1, of the draft and suggested that the language in that passage be changed to read, "Those tenured faculty members who are found to be performing overall at acceptable levels in the annual performance review *shall receive* merit raises ...," rather than "... will be eligible for merit raises." He also suggested that the last sentence of that same paragraph be changed to read, "Outstanding performance in teaching *will* be strongly rewarded in the same manner as for scholarly activity." Senator Gruener concluded by commenting that he saw in several sections of the document a very strong commitment on the part of the faculty, but a very weak commitment on the part of the University; notwithstanding any financial problems that the University might have, there should be a *quid quo pro* in this situation, he added. Senator Schooley noted that the issue had been discussed at great length in committee, and members tried to make the language as strong as they could, considering that they do not have any funding authority.

Senator Neuman remarked that the preceding discussion highlighted the reason that he would vote against the document. It is a negative document, he noted, one which spells out faculty responsibilities and looks for delinquency among faculty, but says very little about superior performance. It also focuses on teaching as a measure of satisfactory or unsatisfactory performance, without addressing other aspects of faculty work, he added.

**Motion 1996/97-9**, to accept amendment #2 as modified (i.e., deleting the second sentence of the amendment, and reinstating the end of the first sentence of the paragraph as it appeared in the original text) was carried, with 37 votes in favor, 7 against, and 3 abstentions. Thus, the affected paragraph (Page 1, section I, paragraph 4) now reads:

The rewarding of proven quality performance is a vital part of the whole system, and must include a performance-based compensation plan as approved by the Faculty Senate in the Spring of 1995 and regularized funding to operate it. In a system of tenure the application of a merit salary system is especially important. The expected rigor of the recruitment and tenure process at the University should ensure that only persons with the strongest credentials, contributions, and accomplishments, based on stringent national and local criteria, should attain tenure or continuing status. The standards of assessment in the University should ensure that every faculty member who is rated as performing satisfactorily or better in annual reviews is delivering to the University a quality performance, and contributing in an appropriately balanced fashion to the mission of the University.

Amendment #3, submitted and moved [**Motion 1996/97-12**] by Senator Desai, seconded by Senator Silverman, was considered: To change page 1, section I, paragraph 5, to read, "The University is committed to strengthening its system of accountability and rewards. Just as it is right for faculty to be held professionally accountable, so it is right for faculty to expect that quality performance will be compensated properly. If the Board of Regents is to remain in keeping with the concern it has expressed about quality performance, however, we believe that the Board *has the obligation, working* with the Governor and the Legislature, to insist on the provision of regularized funding to support a genuine performance-based compensation system. We ask that it do so."

Senator Schooley noted that he and Prof. Ervin are in favor of this amendment, and he invited other APPC members to provide additional input.

Senator J. O'Brien asked if it is possible to have the continuing review document without having performance-based compensation. Senator Schooley responded that he could not speak about the legal aspects of the question, but the intent of the committee was to have the two documents inextricably linked. He noted that the funding of the performance-based compensation plan is an entirely different matter, which is beyond the control of the APPC.

Senator Silverman agreed that the two documents are linked. He noted, however, that if the Senate approves it, the continuing review plan will be in effect, even if the Legislature does not fund the performance-based compensation plan. Senator Schooley noted that Senator Silverman's assumptions were correct; if there is no money in a given year for merit raises, then there will be no merit raises.

Senator Witte observed that these points go to the heart of the comments made by Senator Neuman and Senator Gruener. We are bargaining without any bargaining chips; all we have is what we have right now, and we are giving it up a bit without getting anything in return; this is exactly what happened in Minnesota. They compromised a little bit, they got nothing for it, and now the situation in Minnesota is in a turmoil.

Senator Myers offered two comments: (1) We should write into the document a provision that it is totally null and void if salary increases are not forthcoming in a given year; and (2) in amendment #3, following "obligation," delete everything up to "regularized funding;" insert "to obtain" immediately before "regularized funding," and substitute "just" for "performance-based." Thus, the affected sentence would read, "If the Board of Regents is to remain in keeping with the concern it has expressed about quality performance, however, we believe that the Board has the obligation to obtain regularized funding to support a just compensation system." Senator Desai and Senator Silverman said they had no problem with that friendly amendment.

Senator Feltham commented that he found it interesting that the Board of Regents wants us to have a system of accountability, when the Board itself is accountable to no one, unless a law is broken.

Senator Levy noted that it is commonly the case in all organizations that boards of directors have an expectation of performance but are not subject to similar expectations themselves. He asked if the change in wording suggested by Senator Myers has an operative significance, other than being an expression of desire and a credo. Is there an operational impact? Senator Desai commented that there are many things in the document that do not have operative significance.

Senator Sypherd commented that the administration and faculty have been working on a performance-based compensation system for several years, and Senator Myers' suggested change in wording from "performance-based compensation system" to "just compensation system" moves away from a concept that should be kept in front of the Regents; "just" is a judgment, while "performance-based" is a more objective measure. Senator Desai said he agreed with Senator Sypherd and wished to withdraw his acceptance of the friendly amendment to his amendment.

Dr. Sankey, in his role as Parliamentarian, commented that friendly amendments were a tradition that had evolved in Senate proceedings. However, it would be more orderly and correct to discuss and act on amendments one at a time. He also pointed out that once a motion is on the floor and seconded, it belongs to the whole body, not just to the author. At this point, he added, it would be better for Senator Myers to make his suggested change in the form of a formal amendment to the amendment.

Senator Myers moved [Motion 1996/97-13] that amendment #3 be changed as described above; Senator Witte seconded it. Motion defeated.

Motion 1996/97-12, to accept amendment #3 as originally written, carried with 2 nays.

Amendment #4, submitted and moved [Motion 1996/97-14] by Senators Sliger and Williams, was seconded: On page 2, section II, A, to the definition of Annual Performance Review, add two sentences at the end stating,

“This review shall include a systematic assessment of student written teacher evaluations. The student input shall be given equal consideration as the peer review opinion.” Senator Sliger explained that she and Senator Williams feel that it is very important for students to have a voice in the faculty evaluation process; while they do not expect students to serve on faculty review committees receiving privileged information, they would like to have the written evaluations prepared by all students at the end of a class given equal consideration in the review process.

Senator Schooley commented that he and Prof. Ervin are in favor of student participation and comment in this review process, but they have some problems with the wording of the amendment; he asked Senator Aleamoni, another APPC member, to speak regarding this issue. Senator Aleamoni noted that he agreed with the sense of the amendment (i.e., the idea of including student input in the system); however, he disagreed with the wording of the motion. He noted that student-written evaluations do not allow for objective scoring of items for which comparative bases of information can be built and consensual opinion determined; student-written comments can also be variously misinterpreted and misused. If the intention is student input, not written comments, he suggested that the word “written” be deleted from the amendment, so that it would read, “... a systematic assessment of student teacher evaluations.” Senator Aleamoni also commented that he had a problem with giving student input equal consideration with the peer review opinion. It would not be a problem to weight student input equally with the classroom visitation portion of the peer review process; however, the entire review process should be decided at the departmental level, with the discipline setting up the standards and criteria for the review, as well as determining how much weight each part of the review should carry. Senator Schooley observed that this level of detail, outlining precise weighting and procedures, is not present elsewhere in the document, but is left to be developed at the unit level.

Senator Feltham referred to a one-page document he distributed to Senators prior to the meeting. He noted that he is in total agreement with the need for students to have input in evaluating people who have continuing appointments to teach. However, not everyone who has a continuing appointment necessarily teaches, and those who do teach may not have teaching assignments during a particular semester or year, due to sabbatical leaves. He concluded by saying that the idea of equal consideration is a problem in the amendment.

Senator Levy agreed that the word “equal” in the amendment is problematical, and he pointed out that, in fact, “equal consideration” is not demonstrably achievable. He suggested that the wording be changed to “appropriate consideration.” He also noted that he had serious concerns about what he saw as Senator Aleamoni’s attempt to restrict student input to the quantitative evaluation forms; in his experience as a department head and dean, he has found that other types of communication from students are absolutely essential. In some cases, these alternate types of communication provide very important information for assessment, particularly in problematic situations in teaching, to which the continuing review document is directed. To restrict student comment to tick marks on a quantitative form is a damaging circumscription of student input, he concluded.

Senator Williams commented that the motivation for this amendment is that the document does not provide an explicit explanation of the role of students in the review process. However, the annual performance review procedures state that a peer review will be weighted as a component of the review process, as will the student evaluations. The student amendment was not intended to mean that student evaluations should comprise half of the review process, but that they should be a component of the process, along with the peer review.

Senator Mitchell repeated Senator Feltham’s comment that this review includes people for whom student evaluations do not occur, including librarians. He added that he thought it would be a mistake to become too prescriptive in this document; he suggested that the amendment could be changed to state that the review will include systematic assessment of student evaluations as appropriate. He concluded by saying that it would be a mistake to try to impose what probably would work for the majority onto people who are not in the same situation.

Senator Garcia asked for a point of information: Would the substitution of “appropriate” for “equal” in amendment #4 carry the same significance for the promoters of the motion? There was some discussion of this change, with no conclusive answer to Senator Garcia’s query. Senator Warburton suggested that speakers continue in their queue and the question be addressed again later.

Senator Gore expressed the opinion that no one opposes including student evaluation and input; in fact, some of the colleges already include student input in the review process. He added that he objected to the term “equal consideration,” and he suggested that the entire last sentence of amendment #4 could be deleted without harming student input. He emphasized that people are promoted on the basis of teaching, research, and service on the main campus, and those three items in addition to patient care on the medical campus. Students are in a very good position to evaluate teaching, but are less able to judge research, service, and patient care. Furthermore, most students graduate and leave the University without having to live with the consequence of their judgment, whereas faculty do.

Senator Aleamoni noted that there are many aspects of teaching and teaching effectiveness that are not evaluated by student input; that does not mean that we diminish their input on the delivery aspect of teaching. Peers may be in a better position than students to judge such areas as course design and management. He added that his concern about written comments is that they provide a much more restricted representation of student input than do the objective, tick mark comments; consensual opinion cannot be obtained from student-written comments, unless the form is deliberately designed to do that, and most are not. Most researchers in this field, as well as many related studies, advise strongly against using written comments for personnel decisions, although it is fine to use them for personal feedback for improvement purposes.

Senator Joens commented that amendment #4 refers mostly to classroom teaching. Those faculty who do research and work with graduate students are also involved in teaching, but their situation is not reflected in the amendment as it is currently written. He suggested that the amendment be changed to include something about how a faculty member’s graduate students are performing.

Senator Wilson moved [Motion 1996/97-15] that the last sentence of amendment #4 be changed to read, “The student input shall be given serious consideration in evaluating teaching in the peer review process.” Motion seconded. Senator Witte suggested beginning the aforementioned sentence with “Where applicable, ” but Senator Warburton explained that Senator Wilson’s motion must be discussed and acted upon as is first.

**Motion 1996-97-15** defeated, with 13 votes in favor, 33 against, and no abstentions.

In response to Senator Aleamoni’s earlier remarks, Senator Williams said he feels that written student comments are critical to the evaluation process, since they allow students to address issues about the teacher that may not be represented on the form; there may be concern about the appropriateness of some comments, but overall the comments can provide a deeper insight into the relationship between teacher and student.

Senator Gruener commented that he is also in favor of the inclusion of student opinion in evaluations, and he offered a suggestion to address concerns expressed earlier. He moved [Motion 1996/97-16] to change amendment #4 to read: “Where applicable, this review shall include a systematic assessment of student teacher evaluations.” (Thus, the second sentence of the original amendment is deleted.) Motion seconded and carried, with 4 nays and 1 abstention.

**Motion 1996/97-14**, to accept amendment #4 as amended above, carried, with 1 nay vote.

**Amendment #5** was identified and introduced as a motion [Motion 1996/97-17] by Senator Schooley: On page 2, section II, B, under Objectives of the Review, add as the first bulleted statement: “to provide an equitable system for connecting performance to rewards.” Senator Schooley explained that he had authored the amendment in response to the Faculty Senate discussion on October 7, 1996, that rewards need to be placed in the forefront of the continuing review document. Motion seconded.

Senator Pitt commented that in the Department of Art last year a percentage limit was set for the annual peer review on one of the levels of evaluation. That is, they were told by the dean that only 5 per cent of the faculty could be considered outstanding; in a faculty of 40, that meant that only 2 people were allowed to be considered outstanding. According to Senator Pitt, the Art Department faculty was furious about this, because clearly more than 10 percent is generally considered outstanding. Accordingly, Senator Pitt made a motion [Motion 1996/97-18] to change amendment #5 to add at the end of the first bulleted statement, "without limitations set on the number of faculty ranked at any level." Motion seconded by Senator J. O'Brien.

Senator Gruener argued against Senator Pitt's motion, expressing his opinion that the Senate is getting bogged down in enormous detail again. The anecdotal example from one dean, he noted, is insufficient reason to warrant inserting this kind of limitation or description into this type of document. As Senator Pitt suggested, it is acknowledged that in various colleges, perhaps in all colleges, more than a certain percent of the faculty do, in fact, exhibit behavior that is outstanding. He concluded by saying that Senator Pitt's amendment did not address the problem; the matter should be addressed with the dean rather than included in this document.

Senator Garrard echoed Senator Gruener's comments, stating that Senator Pitt's quarrel is with her dean, and that is a battle that needs to be fought in the appropriate place, not in this document. Senator T. Davis concurred, noting that what Senator Pitt described is a non-equitable system, whereas the amendment specifically states that an equitable system will be provided. It is the local unit's responsibility to correct any non-equitable system; is it not the Faculty Senate's role to deal with every unit problem in this document. Senator Dyl agreed that we cannot address the horror that might be inflicted in specific departments in this kind of general document.

Senator Witte commented that we should reflect on how meaningless our words are: Senator Myers used the word "just" and everyone laughed; now someone uses "equitable," and suddenly it has a legal implication. She said that we should have some precision in the wording of the document; however, she added, she cares so little for the document that she might prefer that it be full of fallacies.

**Motion 1996/97-18**, to change amendment #5 as described above, defeated, with 2 votes in favor and 1 abstention.

**Motion 1996/97-17**, to accept amendment #5 as originally proposed, carried, with 1 nay and 2 abstentions.

Amendment #6: On page 3, section III, B, Senator Sypherd proposed adding "with approval of the dean and Provost" at the end of the third sentence in the first paragraph, so that the sentence would read, "These expectations will be defined in writing by the faculty of the unit, including the unit head, with approval of the dean and Provost." [Motion 1996/97-19] Motion seconded.

Senator Warburton noted that Senator Desai had submitted a written statement about this same passage, without actually proposing an amendment. Senator Desai's concern was that two departments within a college could have different criteria for unsatisfactory performance; if a faculty member in department 1 with unsatisfactory performance criteria higher than those in department 2 is terminated, he or she would have sufficient grounds for appeals and legal action, based on unequal treatment. Senator Desai explained that his recommendation would be that uniform criteria for performance expectations and unsatisfactory performance be developed, at least within a given college. Senator Warburton stated that the Senate would have to deal with Senator Sypherd's proposed amendment first, then return to the discussion about Senator Desai's recommendation.

Senator Schooley noted that he and Prof. Ervin agree with Senator Sypherd's amendment; it was the committee's intent that the wording regarding a chain of responsibility be consistent, and this amendment takes care of that.

Senator Witte spoke strongly against the amendment; she said she thought it went to the heart of academic freedom. The more all these things are decided by administrators higher up, the less the individual faculty member is able to determine them. She noted that when she went to Columbia University, the mission was simply “in thy light, we shall see the light;” and it was followed. That mission held Columbia together as a top-ranked institution. In contrast, the situation at the University of Arizona—with stated expectations of a tenured faculty member having to go up the line and be approved at various levels, as well as adhering to the mission and goals of units and colleges—sounds more like either a Communist system or a Fascist system. It totally undermines the concept of academic freedom, she concluded.

Senator Aleamoni spoke against the amendment, as well. He noted that the APPC’s intent was to have the elected faculty at the departmental or discipline level define their criteria, guidelines, and expectations, including any concerns that either the department head or the dean might have. Once that deliberation was completed, it was to be a “done deal,” not then to be second-guessed, approved, or overturned later at a different level. What we are doing, he argued, is removing the decision-making from those who are in a less appropriate position, because of background or intent, to make the decisions.

Senator Gore noted that the addition of the phrase, “with approval of the dean and Provost,” is redundant, because this is covered in the final sentence of the paragraph with the words, “must be approved by the college dean.” He added that because the dean acts at the discretion of the Provost and the President, the mission problem is already handled.

Senator Garcia agreed with Senator Gore. After all, he noted, the dean and the Provost can remove the unit head; because of that, it is further redundant, in addition to already being there in the wording.

Senator Troy commented that, as another member of APPC, he would argue against the inclusion of the suggested wording in the amendment. This document should include strong elements of trust, he noted; since this amendment was proposed by the Provost, it adds in the issue of trust, which we are trying to accept.

Senator D. Davis remarked that he is concerned about uniformity across the University, and he had therefore written a note to the APPC about that. There are no hints or guidance as to what is satisfactory. It seems that those measures are going to be determined by the Senate, the Committee on Academic Freedom and Tenure, the President, or perhaps by the court. If we have too much difference among departments and colleges as to what satisfactory means, we are in trouble. The guidance can be general, but there should be some degree of uniformity in discussions of just cause for dismissal, he concluded.

Senator Desai noted that that was the intent of his written comment to the committee—to recommend some uniformity, at least within a college, about what constitutes satisfactory performance on the part of a faculty member. If there is not some consistency, there will be problems, not only with dismissing someone, but also in promotion and tenure procedures. Senator Sypherd’s amendment adding in approval by the dean does not address the issue fully, he noted. The college faculty should decide upon uniform criteria for the college, he concluded.

Senator Neuman remarked that the amendment was just adding two levels of bureaucracy to what is already in place.

The Senate then voted to close debate and call for the question. Motion 1996/97-19, to adopt amendment #6 as described above, defeated.

Senator Schooley noted that Senator Desai’s recommendation came in the form of a suggestion, rather than an amendment, so it was not included in the amendments packet. He added that it was the APPC’s feeling that criteria for satisfactory performance should be set at the unit level, and that the last sentence of the paragraph being discussed (page 3, section III, B) addressed that issue.

Senator Medine, author of amendment #7, moved that it be accepted [Motion 1996/97-20]; motion seconded. Senator Medine described the amendment: On page 3, section III, B, change the second sentence of the second paragraph to read, "When appropriate, the review should evaluate the faulty member's role in his or her unit in light of that unit's most recent academic program review." He explained that he had proposed this amendment because the original wording of this passage did not make sense to him. When he spoke to Senator Schooley about this section after the October 7, 1996, Senate meeting, Senator Schooley agreed that the text should be changed, and he asked Senator Medine to propose new wording, in the context of the desire to include external contributions to the review procedures being developed. Senator Schooley noted that he and Prof. Ervin support the amendment, because the wording is clearer than the original text.

Senator Myers commented that he was unsure what a faculty member's role should be, as opposed to his or her performance. He asked for an example of how this might apply; Senator Medine responded that his role as a faculty member is to teach, do research, and serve. Senator Myers asked if we are saying that a faculty member's role changes as a result of the review; Senator Medine responded that the contribution of a particular faculty member can be appropriately assessed in light of a programmatic review. Senator Myers asked if *role* and *contribution* are the same thing, and if we are evaluating the faculty member's role or the faculty member's contribution. Senator Medine answered that he considered role and contribution, if not synonymous, at least very closely connected.

Senator Garcia stated that he supported this amendment. Faculty should be aware of what the unit and the University are supposed to be doing, and they should be contributing to that. If they are not actively contributing, they are part of the problem. Faculty should know what the unit's academic program review has yielded and what is being done to improve the situation.

Secretary Gerber noted that the problem with the amendment seems to be with the word "role," while the entire document deals with performance. She moved [Motion 1996/97-21] that "performance" be substituted for "role" in amendment #7; motion seconded and carried unanimously.

Senator Dyl reported that he had intended to propose the same change that Secretary Gerber did.

Senator Neuman commented that, like so much else in the document, amendment #7 is redundant; since amendment #6 also deals with stated expectations, there is no point in adding this amendment.

Senator Silverman reported that, in his role as an APPC member reviewing the document, he had questioned the need for the passage regarding the unit's academic program review; he had been told that its purpose was to address a concern of the Regents. He noted that he still did not understand the meaning and intent of the passage; he added that he was not sure he was in favor of including the passage at all, either in its original form or as amended.

Senator Medine commented that he had misgivings about the initial wording of the passage because he wondered whether it opened the door to individual evaluations in light of some intention to eliminate a program, i.e., a replay of the Journalism episode. If we want to strike anything, he suggested, we should strike the entire paragraph. If, however, it is necessary or desirable to have some outside-reviewer component in the document, the academic program review seems the most legitimate and honest outside consideration to employ, he concluded.

Senator Troy agreed with Senator Medine's comments; he asked Senator Schooley to clarify what the APPC sensed as a concern from above about including external reviewers. Senator Schooley confirmed that this passage of the document provided a specific place the committee could point to as providing outside opinion. Senator Aleamoni concurred that this passage was included as an attempt to address the Regents' concern about including outside people in the evaluation process.

**Motion 1996/97-20** to accept amendment #7 (as amended by Motion 1996/97-21), carried. Senator Myers pointed out that this amendment serves as a substitution for the second sentence of the affected paragraph in the original text.

Amendment #8, submitted by a faculty member through Chair Schwarz, was read: On page 4, section III, D, to add “the faculty and head of” in between “in writing by” and “each unit” in the first sentence of the paragraph. Thus, the entire sentence would read, “A faculty member’s annual performance will be evaluated according to measures and procedures specified in writing by the faculty and head of each unit.” A motion was made and seconded [**Motion 1996/97-22**] to accept amendment #8. Senator Schooley noted that he and Prof. Ervin were in favor of this amendment.

Senator Myers asked what the difference was between this section and section III, B; he expressed the opinion that it was redundant. Chair Schwarz explained that a faculty member had approached him about how the procedures in III, D, would be implemented; when he said it would be by the faculty and head of each unit, the faculty member noted that that was not specified in the text and suggested that the proposed wording be added in order to clarify the passage. Senator Myers noted that III, B, and III, D, would be very similar if amendment #8 is adopted. Since both sections deal with setting criteria, there is no need for two separate sections; III, B, could just be modified. Senator Troy noted that Senator Myers had a good point, that both places in the text mention that stated expectations should be in writing, a redundancy that the committee had overlooked. There was some discussion about deleting section III, D.

Senator Gore pointed out that III, D, refers to procedures, while III, B, refers to evaluation. Senator Schooley confirmed that III, B, addresses criteria, and III, D, addresses measures and procedures, which were two separate issues in the minds of committee members, but it happens that both are generated in the same process. Senator Sugiyama commented that he was against deleting III, D, because it also mentions election of the peer committee by faculty, and there is no notation of this in section III, B. Senator Schooley noted that the two sections do, in fact, deal with two separate issues—expectations on the one hand, and measures and procedures on the other hand.

Senator Pitt commented it is important to have this clarified because in some units the department heads feel they have authority over the faculty. She added that she strongly supported the amendment, because as the original text is written, it could allow department heads to write the measures and procedures without input from the faculty.

Senator Medine asked a point of information, to which he suggested Senator Sypherd could respond: We have had annual performance review mandated by the Regents for more than a decade. Is there any uniformity in these procedures? Are deans responsible to make sure that departments do this? Senator Sypherd responded that, indeed, deans do have responsibility in this regard.

Senator Silverman commented that this document is an attempt to establish certain basic procedures (e.g., require that a peer review committee be elected, unless decided otherwise by the faculty of the unit). However, other procedures established do not have to be uniform across the campus; units can decide their own procedures and criteria, and courts can deal with that—they do it all the time, by reviewing the procedures that are in place and deciding if there has been a violation.

Senator Pitt noted that, as she stated last week, some departments, such as hers, have a department head who overrides the peer committee, and it is perceived by faculty that he does that in a retaliatory manner. This procedure protects people who may challenge the department head, since they can go to an outside source for a second review. She concluded that she and many Art Department faculty feel very much protected by the procedures being proposed, because this involves them on an equal footing with the department head.

**Motion 1996/97-22**, to accept amendment #8, carried.

Senator Myers asked whether the 3-5 year period for evaluating an individual faculty member's performance, mentioned in section III, B, of the document, refers to an expectation or a procedure. Senator Schooley responded that it was a criterion, or part of a criterion, that is aimed at the idea of compensation or reward. Since there may not be merit raises in every year, more than one year should be considered when reviewing a faculty member. Senator Myers asked if the time period changes depending on what the history is, in terms of pay raises. Senator Schooley said that was not the case; the idea is that each unit will choose a time period between 3 and 5 years appropriate to their own historical perspective.

Senator Levy explained his rationale for submitting amendment #9, which proposes either eliminating or rewriting the second paragraph of section IV, B (page 5 of the document). He noted that he thought the original text of this paragraph was overly defensive and undignified, and he would prefer to delete it entirely. However, he added, if the Senate feels that such a statement is necessary, he would propose substituting the following paragraph: "The rigorous hiring and promotion processes referred to in the Position Statement are intended to ensure that the annual performance reviews will find overall performance of a faculty member to fall below acceptable standards in only a small percentage of cases." Senator Schooley reported that he and Prof. Ervin opposed deletion of the paragraph, because they feel that it is an important point, but the suggested substitute paragraph is acceptable. Senator Levy noted that since he did not think a motion to delete the paragraph entirely would pass, he made a motion [Motion 1996/97-23] to substitute the aforementioned wording for that paragraph; motion seconded.

Senator Feltham asked what a small percentage of cases in the Department of Astronomy is—0, 1, 9, 100? Senator Levy explained that the wording referred to a small percentage of the entire university faculty, and that percentage is percentage regardless of what the population is.

Senator Medine noted that there is a difference between the language of the original paragraph, which states "only a very small percentage of cases," and the proposed amendment, which uses "only a small percentage of cases." He asked Senator Levy if he intended a distinction there. Senator Levy responded that he was educated to use "very" only if it had a significant and interpretable role in the sentence. Senator Medine noted that Senator Levy had been taught properly.

Senator Witte suggested that, in order to minimize mischief, Senator Levy's interpretation of the difference between "small" and "very small" not be inserted, but rather to leave the wording "very small." She added that this seemed particularly important since she had seen the performance review proposal Senator Levy had distributed, in which all faculty start at 0. Senator Witte moved [Motion 1996/97-24] to modify amendment #9 to insert "very" between "in only a" and "percentage of cases." Thus, the passage would read, "... will find overall performance of a faculty member to fall below acceptable standards in only a very small percentage of cases." Motion seconded and carried, with 21 votes in favor, and 18 opposed.

Senator Desai asked for clarification whether the very small percentage referred to cases or to total faculty members. The general response was the wording refers to each case.

Senator Myers moved [Motion 1996/97-25] to modify amendment #9 as follows: "The rigorous hiring and promotion processes referred to in the Position Statement are intended to ensure that few, if any, faculty members will have an overall performance below acceptable standards." Senator Levy said the essence of the change is that it is an intentionality rather than statement of fact, and he agreed with the change. Motion seconded.

Senator Gruener said that, again, the Senate seemed to be going in circles. Whether there are going to be very few, or very, very few, or no cases at all, it does not make any difference—we still are going to have the procedure in place. He concluded by urging Senator Levy to return to his original idea of completely deleting the paragraph in question, because it is totally meaningless.

Senator Neuman commented that he wanted Senators to recognize the absurdity of agreeing that there will be a very small number of delinquent cases, and the amount of effort invested nevertheless, not only by the Senate in developing this document, but also by all faculty, who will be involved in an annual review process that goes back 3 to 5 years. It is especially absurd, he added, when one considers that administrators are subject to review only every few years. He concluded by saying that he did understand the logic of mandated annual reviews, but the bare minimum should be done, and nothing else.

Senator Atwater remarked that she was not quite as cynical as Senator Neuman, and she would rather omit the whole paragraph addressed in amendment #9 than state that there may not be any faculty who fall below acceptable standards, as the language in Senator Myers' motion suggests. She recommended that these kinds of prejudgments not be made in the wording.

**Motion 1996/97-25**, Senator Myers' motion to change amendment #9 as described above, was defeated.

Senator Levy noted that he would like to withdraw his original amendment in favor of Senator Atwater's suggestion to delete the entire paragraph. Senator Warburton said that the motion on the floor must be acted upon before entertaining other motions.

**Motion 1996/97-23**, to adopt amendment #9 as written, was defeated.

Senator Atwater moved [**Motion 1996/97-26**] to strike the entire second paragraph of section IV, B, on page 5 of the document. Motion seconded and carried.

Amendment #10, also submitted by Senator Levy, was described: On page 5, section IV, B, 1, change "every effort" in the first sentence to "reasonable efforts," and to add the following sentences at the end of that paragraph: "However, in view of the stringent criteria under which University faculty are recruited and tenured (or elevated to continuing status), it is recognized that University faculty are expected to perform as independently-driven professionals of the highest order. Accordingly, the final responsibility for recognizing and correcting deficiencies of performance—if such should arise—lies with the faculty member himself or herself." Senator Levy moved [**Motion 1996/97-27**] that amendment #10 be accepted; motion seconded.

Senator Gruener commented that the suggested additional text in amendment #10 has the same sense of the amendment just defeated, and he therefore urged the defeat of this motion, as well.

Senator Schooley reported that he and Prof. Ervin were originally in favor of amendment #10, but that was before the discussion on the previous amendment, so they would remain neutral.

Senator Levy noted that he did not think this amendment had anything to do with the previous discussion. The justification for the first proposed change—the change of wording from "every effort" to "reasonable efforts" is obvious, he said: In a finite universe in a finite lifetime, it is impossible to observe every possible effort. He commented that his concern about this paragraph is that, throughout the document, there is a clear placing on the shoulders of the institution the responsibility to help an individual perform or recognize and correct deficiencies. There is a growing tendency in society, and faculty members see it frequently in their classrooms, to take away individuals' responsibility for their own behavior and success. This is something for which faculty need to draw a line in the sand, not only as it pertains to the students in their classes, but also as it pertains to faculty performance as professionals. Senator Levy concluded by saying that it is important to accept that, as much as the institution has a responsibility to help faculty improve where it is needed, in the end it is the responsibility of the individual faculty member to recognize and correct deficiencies, as an independent, individual professional.

Senator Abrams spoke against the amendment, noting that the entire document had already been criticized as being punitive in tone, and this amendment simply adds to that. He added that he did not think the amendment

was appropriate; the effort to help the faculty member who is in trouble should pervade the document, rather than being diminished by the type of statement in amendment #10.

Senator Myers noted that if the last sentence of the amendment is taken at face value, then the entire document is irrelevant. Senator Levy commented that he absolutely disagreed with Senator Myers' statement.

Senator D. Davis suggested that amendment #10 be changed as follows: Retain the substitution of "reasonable efforts" for "every effort" in the first sentence, but strike the remainder of the proposed amendment, i.e., delete the two sentences added on to the original text, beginning with, "However, in view of ..." Parliamentarian Sankey noted that these suggested changes could best be dealt with by separating the two issues and voting on them individually.

**Motion 1996/97-27A**, to substitute "reasonable efforts" for "every effort" in section IV, B, 1 (page 5), carried.

**Motion 1996/97-27B**, to accept the additional verbiage in amendment #10, defeated.

Amendment #11 was introduced: On page 5, section IV, B, 2, in the second paragraph, strike "jointly" and change "and" to "or." Thus, the paragraph would read, "The faculty member may opt to have an enhanced evaluation occur through a committee of the unit appointed by the head or by the chair of the unit peer review committee; by the elected peer committee at the next higher level; or by an elected peer committee at the university level." Motion made [**Motion 1996/97-28**], seconded, and carried with no discussion.

Senator Warburton read amendment #12, submitted by Senator Desai: On page 6, section IV, B, 4, in the third sentence of that paragraph, change the second "reasonable" to "all," change "appropriate" to "required," and add "approved by the peer committee and head" in between "resources" and "to facilitate ..." That sentence would then read, "The plan must state reasonable expectations, and the University will make all efforts to provide required resources, approved by the peer committee and head, to facilitate the plan's implementation and success." Senator Desai moved [**Motion 1996/97-29**] that amendment #12 be accepted; motion seconded.

Senator D. Davis suggested that "reasonable" is better wording than "all." Senator Desai explained his rationale for the amendment: If a faculty member is required to have an improvement plan, and that plan has been approved by the peer committee and head, then the University should be obligated to provide whatever resources are required to implement the plan. Chair Schwarz asked Senator Desai if he saw any difference in his proposed wording and "the University will provide required resources," or if the latter suggested the same intent. Senator Desai said he would accept Senator Schwarz's alternate wording. Senator Schooley remarked that Senator Schwarz's suggestion was an improvement. Senator Warburton called for a vote on Senator Schwarz's friendly amendment to Senator Desai's amendment. The friendly amendment was carried unanimously.

Senator Atwater asked if the mandates in amendment #12 all need to be approved by the peer committee and the head. Senator Schooley responded in the affirmative.

Senator Sypherd commented that throughout the document he has been concerned that the Senate will vote to adopt language that runs headlong into ABOR policy. It has already happened several times, he noted, and this is another example of the Senate's attempting to mandate the expenditure of resources, which is actually outside the purview of the Senate and the faculty. We could include it and be ignored, he added, but why litter the language of the document? Senator Schooley asked if the unit head could simply not approve the improvement plan if resources are not available. Senator Sypherd confirmed that the head or the dean could disapprove the plan.

Senator Witte stated that this points to the fact that we are continually bargaining away our rights, but we have no commitment at all that we are going to receive anything from the other side. It just does not make any sense, she concluded.

Senator Silverman said he thought the resources in question belong to all of us, not just to the Regents or the administration. Additionally, he noted, the Senate as a body should take a stand about what needs to be done, and what resources are required to do it. If the administration or the Regents disagree, we can deal with it at that time, but it is important for the Senate to make a statement about how resources should be used—that if a faculty member needs resources for improvement, those resources should be made available.

Senator Schwarz said that as he understood the proposed amendment, the improvement plan would have been approved by a representative of the administration—the unit head. If the resources are not available, and the head believes that to be the case, then presumably the head will try to find some other way to implement an improvement plan that does not require the expenditure of resources.

Senator Garrard noted that he agreed absolutely with the two previous Senators. He added that he did not intend to be intimidated from expressing a view just because the resources may not be available; we have the absolute right to say what we believe, and to state what we think is required.

**Motion 1996/97-29**, as modified by Senator Schwarz’s friendly amendment, carried.

Senator Warburton reviewed amendment #13: On page 8, section IV, C, in the third paragraph, add “or academic freedom” wherever “deprivation of due process” appears; i.e., to change the phrase to “deprivation of due process or academic freedom” in three places in the paragraph. Senator Schwarz, who submitted the amendment in writing, moved [**Motion 1996/97-30**] to accept amendment #13; motion seconded by Senator Garcia. Senator Schooley noted that he was in favor of this amendment. Motion carried unanimously.

Senator Warburton then recognized Senator Feltham, who requested to explain the memo he had distributed to Senators immediately prior to the meeting. Senator Feltham noted that he had two primary concerns with continuing review, which are outlined in his memo: (1) We have a multi-tiered system to review individuals with continuing appointments or tenure; they are reviewed under different circumstances, at different times, and some are not reviewed at all in a formal way. Senator Feltham expressed the opinion that everyone who falls into this category should be reviewed on the basis of his or her teaching, research, and service. He acknowledged that the percentage of teaching, research, and service could vary among faculty, as well as from year to year for individual faculty members; nevertheless, he said, to have a believable, real tenure review or review of continuing appointees, the procedures must be applied even-handedly, regardless of whether the appointee happens to be in the College of Fine Arts, the College of Science, or in the administration. (2) One of the largest difficulties in doing a meaningful review is that it is done retrospectively and it is done every year. The retrospective aspect is a problem because communication is not always optimal between the supervisors in the department and the faculty. We need to have at least some of the communication done ahead of time, in order to forestall some potential misunderstandings about goals and activities during the upcoming review period. He noted that his memo contained examples of how this advance communication can occur. He added that his suggestions should be incorporated in the continuing review document, possibly near the beginning, since they are principles. He reiterated that all individuals with a tenure rank should be reviewed, in order for the system to be credible. He added that, even though the UA is not structured like some larger institutions (e.g., Berkeley), where faculty have meaningful input into all decisions about higher-level personnel, UA faculty nevertheless must have some input into the review of them; just as feedback on faculty members is provided to their superiors (i.e., department heads), feedback on administrators should be furnished to their superiors. He concluded by noting that the results of the faculty survey developed by the Committee of Eleven would be released soon.

Senator Schooley noted that, with respect to Senator Feltham’s first point, it had been discussed at the last APPC meeting. It was the APPC’s feeling that department heads, deans, and higher-level administrators are not primarily involved in teaching, research, or service roles, since they are occupied with administrative duties. When an administrator leaves the administrative position for whatever reason, he or she would certainly fall under the purview of this review every year. Regarding Senator Feltham’s second point, Senator Schooley

referred to page 4, section III, E, of the continuing review document, which requires that the unit head and faculty member, at their meeting for the annual performance review, also discuss expectations for the next annual review.

Senator Abrams spoke in support of Senator Feltham's first point. It is important, he said, to apply the continuing review program equally to administrators who have continuing or tenured teaching appointments, even though they will be devoting most of their effort to administration. The administrative duties can be viewed as the service component of the trilateral approach to the review. He concluded by saying that it is perfectly appropriate to have the whole review program be applied equally to administrators who have tenured teaching appointments.

Senator Medine said he wanted to follow the line of the previous statements and express his fear, rapidly hardening into a conviction, that we are approaching the status of a house divided between the faculty, who are laborers, and the administration, who are management. If we approve this document, we will have a situation in which the faculty, however defined, will be annually reviewed, as has been the case in the past, but now with provisions for dismissal. At the same time, we will have administrative colleagues who enjoy continuing appointment as professors with tenure but will not be so reviewed. This is widening the chasm within our house, he added; this is a very, very serious step, and this document will put the faculty in a deeper hole, removing us further from the position that the administration holds.

Senator Witte spoke strongly in favor of Senator Feltham's position. The academic administrators are, indeed, academic administrators; they have opinions, they change curricula, they decide what kind of research should or should not be done. Those are matters of scholarship, and administrators should be judged each year for their academic scholarship, as reflected in their decisions and their allocation of resources. To leave them out of this process is to create serfs and masters. Including administrators in the review will bring some equity and accountability into the system.

Senator Silverman commented that we do need some system, whether the Senate creates it or not, for annual review of all administrators, whether they are academic appointments or not. Why are deans, heads, and other administrators reviewed only every five years, when staff and faculty are reviewed annually? Why are the Regents so concerned about faculty and seemingly unconcerned about the people who run this institution? He concluded by wondering aloud whether the continuing review document could be modified to include administrators in the process.

Senator Hurt noted that there is a basic misunderstanding here. As a department head for 10 years, he said, he has been reviewed by his faculty every single year; in his college, he has been reviewed every year, as well. It is not correct to say that all administrators are unreviewed. He added that he thought Senator Feltham's idea was excellent. He concluded by saying that he found it curious that a peer review system that the Senate helped develop does not include review of administrators, and that he would not want to be an administrator who was not reviewed.

Senator Garcia commented that there are two aspects to this problem. One is the tenure and continuing status of some administrators, while other administrators do not have that tenure and continuing status. Those who wish to keep that tenured and continuing status should be reviewed according to the principles associated with holding tenure and continuing status; those who do not wish to do that can give up their tenure and then not be reviewed in this system. That should be an option open to every administrator, he concluded.

Senator Witte stated that Senator Garcia's point is exactly what needs clarification. That is, we are discussing the tenured positions in the academic departments; in fact, some administrators hold tenured positions in several academic departments. They should be evaluated every year in those academic departments by the peer review committee and the department head; if they are found wanting in promoting scholarship, they should be judged unsatisfactory in their tenured position. They cannot just hold it in abeyance for 20 years and then want it when they feel like it, she concluded.

Senator Neuman agreed with Senator Hurt that, indeed, some department heads are being reviewed, perhaps some of them annually. However, he added, he has served on his departmental peer review committee on a number of occasions, and he did not recall once reviewing his department head as a member of that peer review committee. Not only that, he added, but there are two more senior administrators at the University who are formally members of his department, and he did not remember their ever being reviewed at the level of the peer review committee; he also said he was certain his department was not unique in this respect. Rather than drawing from this the conclusion that everyone at the University should be reviewed once a year, he suggested that the Senate seriously consider a review process only every 3 to 5 years for everyone. If ABOR forces the University into something else, we will have no immediate legal recourse, but at least we will not have contributed to a policy which we consider to be totally inappropriate for faculty who are expected to perform as independently-driven professionals of the highest order.

Senator Feltham thanked his colleagues for carefully expanding and understanding his memo which specifically discussed reviewing only those administrators who have continuing appointments, not all administrators. Administrators in tenured faculty positions should all be reviewed on an equal basis—that is the key; otherwise, there is no credibility to the process, he added. It is financially insane to consider reviewing everyone every year; it costs too much money, and it is not worthwhile, he said. Besides, he added, 1 year generally is not sufficient as a review period; 1-year reviews, in his experience, have been perfunctory and have led to some of the problems that concern the Board of Regents. Developing this document is an opportunity to change the process, he concluded.

Senator Schwarz commented that this is a very complicated area where there is a clear and obvious sentiment to move forward. He suggested that the APPC take this sentiment and report back to the Senate with a proposal that works into the continuing review policy.

Senator Garrard noted that the sentiment here is clear—that all those administrators who hold continuing or tenured positions should be judged and evaluated like everyone else. He recalled that both Senator Pacheco and Senator Sypherd had urged the Senate to pass the continuing review document, so he assumed that they think this kind of post-tenure review is a good idea and therefore are in favor of the sentiment expressed by several Senators. He agreed with Senator Medine that the divisiveness between those who judge and those who are judged is a very serious problem. If we are not careful, we will get into a position somewhat similar to that at the Arizona International Campus, where the head of that new institution has tenure himself, which he proposes to keep, but none of his faculty will have tenure. That would be the most extreme case, and we certainly want to avoid that, he concluded.

At 5:20 p.m. Senator Warburton called for a vote on **Motion 1996/97-5\***—adoption of the entire document, Draft 11 of the *Procedures for Continuing Review*, as moved on October 7, 1996, and amended by today's discussion. Senator Witte suggested that it would be a simple matter to add a statement at the end of the document that nothing contained therein would exempt administrators who hold tenured academic appointments from being included under these guidelines in their departments. Thus, such administrators would be subject to the same review procedures as other faculty members.

After further discussion, **Motion 1996/97-31** was made and seconded to amend Draft 11 of *Procedures for Continuing Review* as follows: On page 2, section II, add at the end of the first paragraph the sentence, "This includes administrators who hold tenured or continuing appointments." Motion carried, with two abstentions.

**Motion 1996/97-5**, to adopt Draft 11 of *Procedures for Continuing Review*, as modified by all of the amendments previously discussed and passed, carried, with 37 votes in favor and 6 opposed.

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\*Motion number corrected retroactively; the motion originally numbered 1996/97-5 has been redesignated Motion 1996/97-5A.

Senator Witte made a point of order that no recommendation concerning University policy is final until the general faculty has had an opportunity to challenge Faculty Senate action, as provided in the *Constitution of the General Faculty of the University of Arizona*.

### 3. ADJOURNMENT

The meeting was adjourned at 5:27 p.m.

#### Appendix\*

1. Draft 11, *Procedures for Continuing Review* document (dated 9/24/96)
2. Proposed Amendments to *Procedures for Continuing Review* (dated 10/14/96)
3. *Procedures for Continuing Review*, as approved by the Faculty Senate on 10/14/96.

\*Copies of material listed in the Appendix are attached to the original minutes and are on file in the Faculty Center.

#### Related Motions from the Meeting of October 7, 1996

- 1996/97-5 A motion to adopt Draft 11, *Procedures for Continuing Review*. Action postponed until after further discussion at a special faculty meeting on October 14, 1996.
- 1996/97-5A A motion to endorse the statement, "The Faculty Senate refuses to discuss this document [*Procedures for Continuing Review*, Draft 11, dated 9/24/96] and declares that the existence of such a document prepared by anybody else would be considered a hostile act against the University." Motion ruled out of order.

#### Motions of the Meeting of October 14, 1996

- 1996/97-8 (Amendment #1) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 1, section I, paragraph 2, change the final sentence to read, "Through a rigorous assessment process over time, the awarding of tenure, as measured by many different criteria at the department/unit, college, and University levels, is a strong recognition of the accomplishments of candidates in their disciplines, an expression of confidence in their ability for, and commitment to, continued growth and excellence, and recognition of the qualitative and quantitative contributions to the University's mission." Motion carried.
- 1996/97-9 (Amendment #2) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 1, section I, paragraph 4, change the text, starting with the second sentence of the paragraph, to read: "In a system of tenure the application of a merit salary system is especially important. Accordingly, the Faculty Senate urges that all future salary adjustments to faculty be based entirely on considerations of merit and market. The expected rigor of the recruitment and tenure process at the University should ensure that only persons with the strongest credentials, contributions and accomplishments, based on stringent national and local criteria, should attain tenure or continuing status. The standards of assessment in the University should ensure that every faculty member who is rated as performing satisfactorily or better in annual reviews is delivering to the University a quality performance, and contributing in an appropriately balanced fashion to the mission of the University." Motion amended; see below.
- 1996/97-10 A motion to amend Motion 1996/97-9 by deleting the second sentence of the amendment. Motion carried.
- 1996/97-11 A motion to amend Motion 1996/97-9 to reinstate the end of the first sentence as it appeared in the original text of Draft 11, so the sentence would read: "The rewarding of proven quality performance is a vital part of the whole system, and must include a performance-based

- compensation plan as approved by the Faculty Senate in the Spring of 1995 and regularized funding to operate it.” Motion carried.  
Motion 1996/97-9 carried as amended.
- 1996/97-12 (Amendment #3) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: To change page 1, section I, paragraph 5, to read, “The University is committed to strengthening its system of accountability and rewards. Just as it is right for faculty to be held professionally accountable, so it is right for faculty to expect that quality performance will be compensated properly. If the Board of Regents is to remain in keeping with the concern it has expressed about quality performance, however, we believe that the Board *has the obligation, working* with the Governor and the Legislature, to insist on the provision of regularized funding to support a genuine performance-based compensation system. We ask that it do so.” Motion to amend; see below.
- 1996/97-13 A motion to amend Motion 1996/97-12 so that the third sentence reads, “If the Board of Regents is to remain in keeping with the concern it has expressed about quality performance, however, we believe that the Board has the obligation to obtain regularized funding to support a just compensation system.” Motion defeated.  
Motion 1996/97-12 passed as originally written.
- 1996/97-14 (Amendment #4) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 2, section II, A, to the definition of Annual Performance Review, add two sentences at the end stating, “This review shall include a systematic assessment of student written teacher evaluations. The student input shall be given equal consideration as the peer review opinion.” Motion amended; see below.
- 1996/97-15 A motion to amend Motion 1996/97-14, changing the second sentence to read, “The student input shall be given serious consideration in evaluating teaching in the peer review process.” Motion defeated.
- 1996/97-16 A motion to amend Motion 1996/97-14, by changing it to read: “Where applicable, this review shall include a systematic assessment of student teacher evaluations.” Motion carried.  
Motion 1996/97-14 carried as amended by Motion 1996/97-16.
- 1996/97-17 (Amendment #5) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 2, section II, B, under Objectives of the Review, add as the first bulleted statement, “to provide an equitable system for connecting performance to rewards.” Motion to amend; see below.
- 1996/97-18 A motion to amend Motion 1996/97-17 to add at the end of the bulleted statement, “without limitations set on the number of faculty ranked at any level.” Motion defeated.  
Motion 1996/97-17 carried as originally written.
- 1996/97-19 (Amendment #6) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 3, section III, B, add “with approval of the dean and Provost” at the end of the third sentence in the first paragraph, so that the sentence would read, “These expectations will be defined in writing by the faculty of the unit, including the unit head, with approval of the dean and Provost.” Motion defeated.
- 1996/97-20 (Amendment #7) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 3, section III, B, change the second sentence of the second paragraph to read, “When appropriate, the review should evaluate the faculty member’s role in his or her unit in light of that unit’s most recent academic program review.” Motion amended; see below.
- 1996/97-21 A motion to amend Motion 1996/97-20 to substitute “performance” for “role.” Motion carried.  
Motion 1996/97-20 carried as amended.
- 1996/97-22 (Amendment #8) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 4, section III, D, to add “the faculty and head of” in between “in writing by” and “each unit” in the first sentence of the paragraph. Thus, the entire sentence would read, “A faculty member’s annual performance will be evaluated according to measures and procedures specified in writing by the faculty and head of each unit.” Motion carried.

- 1996/97-23 (Amendment #9) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: To rewrite the second paragraph of section IV, B (page 5 of the document) to read, “The rigorous hiring and promotion processes referred to in the Position Statement are intended to ensure that the annual performance reviews will find overall performance of a faculty member to fall below acceptable standards in only a small percentage of cases.” Motion amended; see below.
- 1996/97-24 A motion to amend Motion 1996/97-23 to insert “very” between “in only a” and “percentage of cases,” so that the passage would read, “... will find overall performance of a faculty member to fall below acceptable standards in only a very small percentage of cases.” Motion carried.
- 1996/97-25 A motion to amend Motion 1996/97-23 by changing the paragraph to read, “The rigorous hiring and promotion processes referred to in the Position Statement are intended to ensure that few, if any, faculty members will have an overall performance below acceptable standards.” Motion defeated.  
Motion 1996/97-23, as amended by Motion 1996/97-24, defeated.
- 1996/97-26 A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: To strike the entire second paragraph of section IV, B, on page 5 of the document. Motion carried.
- 1996/97-27A (Amendment #10) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 5, section IV, B, 1, to change “every effort” in the first sentence to “reasonable efforts.” Motion carried.
- 1996/97-27B A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 5, section IV, B, 1, to add the following sentences at the end of that paragraph: “However, in view of the stringent criteria under which University faculty are recruited and tenured (or elevated to continuing status), it is recognized that University faculty are expected to perform as independently-driven professionals of the highest order. Accordingly, the final responsibility for recognizing and correcting deficiencies of performance—if such should arise—lies with the faculty member himself or herself.” Motion defeated.
- 1996/97-28 (Amendment #11) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 5, section IV, B, 2, in the second paragraph, strike “jointly” and change “and” to “or.” Thus, the paragraph would read, “The faculty member may opt to have an enhanced evaluation occur through a committee of the unit appointed by the head or by the chair of the unit peer review committee; by the elected peer committee at the next higher level; or by an elected peer committee at the university level.” Motion carried.
- 1996/97-29 (Amendment #12) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 6, section IV, B, 4, in the third sentence of that paragraph, change the second “reasonable” to “all,” change appropriate to “required,” and add “approved by the peer committee and head” in between “resources” and “to facilitate ...” That sentence would then read, “The plan must state reasonable expectations, and the University will make all efforts to provide required resources, approved by the peer committee and head, to facilitate the plan’s implementation and success.” A friendly amendment was proposed to change the wording to “... the University will provide required resources...” Motion carried as modified by the friendly amendment.
- 1996/97-30 (Amendment #13) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 8, section IV, C, in the third paragraph, add “or academic freedom” wherever “deprivation of due process” appears; i.e., to change the phrase to “deprivation of due process or academic freedom” in three places in the paragraph. Motion carried.
- 1996/97-31 (Amendment #14, from the floor) A motion to amend Draft 11, *Procedures for Continuing Review*, as follows: On page 2, Section II, add at the end of the first paragraph the sentence, “This includes administrators who hold tenured or continuing appointments.” Motion carried.  
**Motion 1996/97-5, to adopt Draft 11 of *Procedures for Continuing Review*, as modified by all approved amendments, carried.** (This motion was originally discussed at the Faculty Senate meeting on October 7, 1996.)