

1990/91-1

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA  
Monday, May 7, 1990 Room 146, College of Law

The Faculty Senate convened in regular session at 3:15 p.m. on Monday, May 7, 1990, in Room 140 of the College of Law. Fifty-seven members were present. Presiding Officer of the Faculty Senate Thomas R. Rehm presided.

SENATE MEMBERS PRESENT: Adamec, Aleamoni, Aquilano, Avery, Badger, Beigel, Bickel, Bizik, Burkhardt, Butler, Chen, Cole, Cox, Cusanovich, Davis, Dvorak, Elliott, Enos, Escalante, Ewbank, Ganguly, Goetinck, Hetrick, Hildebrand, Joens, Johnson, Kermes, Knight, D. Larson, L. Larson, LaSalle, Lei, Mautner, Mitchell, O'Brien, Pao Tao, Ratner, Rehm, Roemer, Rollins, Salomon, Shisslak, Silverman, Songer, Spera, Sugnet, Sullivan, Thomson, Tomizuka, Tomoff, Vezino, Ware, Witte, Woodard, Zeigler, Zukoski and Zwolinski. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS ABSENT: Atwater, Bootman, Braden, Dalen, Fenstermacher, Fernandez, Ganapol, Garcia, Hershberger, Hicks, Jones, Koffler, Kolodny, Krager, Laird, Masone, McCullough, Paplanus, Parsons, Redeker, Sander, Sigelman, Smerdon, Steinke, and VanMetre.

WELCOME EXTENDED TO NEW FACULTY SENATORS: Dr. Rehm welcomed the following newly elected Faculty Senators: Terry Badger, Nursing; William Bickel, Arts and Sciences; Robert Dvorak, Architecture; Theresa Enos, Arts and Sciences; Jibamitra Ganguly, Arts and Sciences; Mary Jane Hicks, Medicine; John Hildebrand, Neurobiology (Non); Lynn Joens, Agriculture; Lon Larson, Pharmacy; James LaSalle, Business and Public Administration; Polin Lei, Medicine; Chia-lin Pao Tao, Arts and Sciences; Gavriel Salomon, Education; Glenn Songer, Agriculture; Christopher Sugnet, Library (Non); Donald Thomson, Arts and Sciences; Bernard Zeigler, Engineering; and Charles Zukoski, Medicine. Also welcomed were new ASUA representatives Thad Avery, President, ASUA; Lee Bizik, Scott Johnson, Darren Kermes, Lee Knight, Maria Masone, Kiril Tomoff, Patrick Vezino, and Efram Ware.

APPROVAL OF MINUTES OF APRIL 2, 1990: Hearing no changes to the Minutes of April 2, 1990, Dr. Rehm declared them approved as distributed.

REPORT FROM THE CHAIR OF THE FACULTY: Dr. Rehm noted that three items had been placed on Senators' desks today: a one-page ballot for the elections scheduled on today's agenda; the list of Senate standing committee chairs, for which ratification would be requested today; and page 2 of the Annual Report of the Committee on Academic Freedom and Tenure.

Dr. Rehm reported that his request for volunteers to investigate the possibility of a Faculty Club in the new facilities on the East side of the Stadium yielded only one individual. Accordingly, he will report to Intercollegiate Athletics that there does not appear to be interest at this time. He also reported that the Faculty Center has received the annual report of the Police Department and a copy of the 1988-89 Financial Report of the University, and these copies will be available for faculty perusal.

Dr. Rehm noted that in the recent letter he sent to members of the General Faculty which indicated current hiring procedures, some figures must be changed related to number of Target of Opportunity (TOP) appointments. He said it has

only been in the last year this number has been as large as indicated. The TOP program has been in existence for many years, but has been utilized extensively during the last year.

Dr. Rehm reported he had just received a telephone call from a committee at ASU, which is working with their counterparts at NAU, to establish a letter-writing and petition campaign directed at State Legislators in support of the three Presidents' efforts to establish additional funds for merit. The petition and list of addresses will be available in his office later in the day.

REPORT FROM THE PROVOST OF THE UNIVERSITY: Dr. Cole stated that those who had seen the paper over the weekend knew that Dr. George Davis, Interim Vice President for Financial Affairs, has been appointed President of the University of Vermont. "It goes without saying that we will miss George greatly. He has made a substantial contribution in his role as Professor, Department Head, Vice Provost, and now in this past year as Interim Vice President for Financial Affairs. He will now have an opportunity to make substantial contributions to the University of Vermont. I don't know if they deserve you, George, but good luck.

"Secondly, I am distributing to you copies of the 'Mission Statement, 5/4/90 Draft, For Comment Only.' We are currently dealing with another Mission Statement which is somewhat bulkier than the one we are presenting to you today, as required by the Regents. When the Mission Statement, composed of parts a and b, and which the Regents are now examining, first appeared, many of you were very concerned about the fact that the Mission Statement may not have been in the traditional form that most of us are accustomed to. Secondly, the NCA Self-Study Committee indicated they were somewhat concerned about the nature of the Mission Statement that was being prepared at that time. They made a recommendation, as you will recall, that we ought to look at some other kind of mission statement. Taking their advice, I formed a committee which has been working the past few months to draft the statement that you have in front of you. At this point, it has only been reviewed by our office and is now being presented to you for comment. While there is no opportunity today to discuss it, I hope that you will have an opportunity to comment on it at your leisure and send them to my office. The committee that was appointed to develop this was part of the NCA Self-Study Committee; we felt it might be appropriate because they had been working on this project. The committee also included Senator Roemer, Chair of the Budget Policy Committee, because, at the same time, that committee was also expressing concern over the form that the Mission Statement was taking. To bring you up-to-date, the Mission Statement is now in its tentative stage, and will be reviewed by the Regents' Strategic Planning Committee at the June meeting if the Council of Presidents at their meeting next Tuesday agree to forward it to the Regents. While this will not be available in any official form for the Regents, I have already received a call from one member requesting a copy.

"Our office will be starting the search for Vice Provost. We are now in the process of developing a job description which will be sent to the entire faculty during the next week. If there are individuals who are interested or who you wish to recommend, we would be very interested in receiving a variety of nominations. I would look forward to hearing from any of you in terms of either applications or nominations."

REPORT FROM THE SECRETARY OF THE FACULTY: Secretary Burkhart noted that Senate Minutes are long and costly to print. At its most recent meeting, the Senate Executive Committee discussed possible changes. Effective today, he said, March

and April minutes are available on the COSY conferencing system under "Senate Minutes". It is hoped that a shorter version of the minutes can be distributed to the General Faculty. Senator Witte asked if this could be placed on a future Senate agenda for discussion, as she feels the full-length version of the Minutes are too important to cut. Dr. Rehm responded that the Senate Executive Committee will further discuss this subject at its next meeting and bring a recommendation to the Senate in the fall. He noted that the full set could certainly be provided for members of the Faculty Senate.

REPORT FROM THE PRESIDENT OF ASUA: Senator Avery announced student appointments to Faculty Senate standing committees: Academic Personnel Policy Committee, January Esquivel; Budget Policy Committee, Thad Avery until August, followed by Lee Bizik for the remainder of the year; Instruction and Curriculum Policy Committee, Darren Kermes; Research Policy Committee, Maria Masone; Student Affairs Policy Committee, Patrick Vezino; Committee of Eleven, Joan Hirt.

Senator Avery reported that Associated Students had established a new directorship for University Relations, and has appointed Senator Patrick Vezino. Another new ASA program, SAVE '90 (Students Are Voting Everywhere), will endeavor to register all students to vote in the November elections. Registration has already begun and will continue when classes resume in August.

On behalf of Associated Students, Senator Avery offered congratulations to Vice President Davis, and the best of luck in his new position. He also extended ASUA's thanks to Dr. Davis and to Ron Sutherland of Exercise and Sport Sciences for their service this year as faculty representatives to the Student Senate. Next year's representatives will be Adela Allen and Brian Seastone.

QUESTION AND ANSWER PERIOD: Senator Ewbank asked Dr. Cole about a recent newspaper article which noted the highly irregular appointment of a faculty member to a department without consultation with the department head. A quotation stated that "it didn't happen a lot, but we do it from time to time, depending on the circumstances." Dr. Cole responded that the quote was not his, but that he would not like to discuss a personnel issue in an open forum. He said he would be happy to meet with the Academic Personnel Policy Committee at some time to discuss it. He added that he believed what was done in this particular case was done appropriately, and that after he talked with the committee, it could make a decision whether it wished to bring it to the Senate. Senator Ewbank said the committee will institute such a discussion.

Senator Silverman, speaking on behalf of the Committee of Eleven as its Vice Chair, said that he wanted to comment on a matter of concern to the committee: President Koffler's open letter published in the Wildcat and a second letter to the editor in the Arizona Daily Star, the subject of which was the ongoing review of Dean Fenstermacher. "The committee does not object to President Koffler's comment on the release of the report. It may have been improper to release that report, and it's perfectly permissible for Dr. Koffler to comment. What we're concerned about was the fact that not only did Dr. Koffler comment on the release of the report but actually commented on the substance of the review. He gave a clear impression of his feelings about the matter. Not only is the Committee of Eleven concerned about this, but other faculty members that we have talked with also interpreted it that merely by the open letter he has subverted the process of faculty governance...this is a step backward...he should not have made any comment on a substantive matter while the review process is going on." He said this action is relaying the message that he is unconcerned with what the review committee or the faculty have to say, because he has come to a decision.

Senator Silverman said that although these comments were addressed to Dr. Koffler, he wondered whether anyone else in the administration would want to comment. If not, he said, the Minutes will reflect this expression of concern from the Committee of Eleven, and thus be transmitted to Dr. Koffler.

Senator Hetrick said that last year he raised a question about the remodeling of the mall; at the time he was told this project would be supported by bond money and he should not be concerned that this was money that could have been used elsewhere. Since then, he said, he has been in communication with Dr. Koffler, who agreed that sometime this year a report on the project would be made to the Faculty Senate. He asked if the project still exists, and if anyone provide him with a brief statement of the progress? Dr. Davis said he had not come prepared to report on that project, but there is a project titled Open Space Development, and it does apply to the mall area. He said he believed it will be included in the Capital Improvement Plan, which will probably be completed no later than July. He said he could provide the Senate with an update on that project. Senator Hetrick commented that in these days of difficult budgets it might be injudicious to spend money in that way instead of in the renovation of classrooms. Senator Beigel reported that a portion of the Century II Campaign involved campus enhancement, and that sometime within the next month or two a brochure from the Development Office will be available which will identify the different projects for which private donations will be sought in the interest of campus enhancement; one of those projects involves malls, including the main campus mall. Obviously, he said, improvements would be consistent with the recommendations of the review committee which he believes is in existence. He said this is clearly seen as a gift opportunity.

REPORT FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE: Senator Ewbank said the annual written report was distributed with the call to this meeting, and the committee has proposed recommendations in items 17 and 18 on the agenda.

REPORT FROM THE BUDGET POLICY COMMITTEE: Senator Roemer said the committee has recently received copies of the Report of the Advisory Committee on Enrollment Matters as well as a new version of the Five-Year Strategic Plan (which is Part B of the Mission Statement); those documents are now being reviewed and discussed. She commented that committee members are continuing to improve their understanding of the various nuances of the acquisition and disposition of financial resources. They have suggested and encouraged deposit in the Faculty Center of interesting documents such as the Annual Financial Report. Many of these documents have been placed in Special Collections in the Main Library, but the committee was not aware of this. Senator Roemer reported the committee has suggested such deposits in Special Collections and the Faculty Center be announced in Lo Que Pasa so their existence is more widely known. She said the committee has received excellent cooperation from the Provost's Office.

REPORT FROM THE INSTRUCTION & CURRICULUM POLICY COMMITTEE: Senator Aleamoni noted that the committee's annual report had been included with today's meeting call. During the summer months, a subset of the committee will (1) summarize and report the survey results and (2) edit and make available copies of the minutes of the Provost's Symposium on Teaching. The committee will report back to the Senate in the fall.

REPORT FROM THE RESEARCH POLICY COMMITTEE: Senator Larson said the committee's annual report had been included with the Senate agenda materials. The committee is continuing to interact on development of policies in intellectual property and conflict of interest.

REPORT FROM THE STUDENT AFFAIRS POLICY COMMITTEE: Senator Chen, reporting in Dr. Brainerd's absence, said the committee's annual report was included in material the Senate received for today's meeting, although one item was missing. The committee is still working with the Provost's Task Force on Academic Integrity. Revisions are expected to be brought to the Senate in September.

QUESTION AND ANSWER PERIOD: Senator O'Brien asked Senator Aleamoni about the origin of the survey on the University Teaching Center (UTC). Senator Aleamoni said the survey of instructional services was instituted in terms of a monitoring function, as a result of the 1987 committee's annual report. The UTC was not directly consulted on the survey; during the period of gathering information to put the survey together, committee members went to UTC to pick up the materials and this was prior to the appointment of the new director in January. Senator Aleamoni acknowledged the committee should have shared a copy of the final survey with the director, although they didn't feel approval was necessary. He reported that the majority of responses have been received. Tabulation will occur over the next few weeks, and a formal report will be made available to all concerned parties, including the UTC.

APPROVAL OF CATALOG MATERIAL: Dr. Rehm called for discussion on Section I of Curriculum Bulletin, Vol. 13, No. 10. Senator Mautner asked whether the name change from Committee on Black Studies to Committee on African-American Studies indicates a concern with African matters, as distinct from Afro-American matters. He wondered whether the name should more appropriately include the term Afro-American. Senator Ware said he believed the intent of the name change was to better relate to the identity of heritage and to better identify the coursework. Senator Goetinck asked if North Africa is included in the study area. Wanda-Lee Nickerson, Coordinator of the Committee on Black Studies, explained that Afro- or African-American are similar, and the Committee did not want the shortened name; the term African-American refers to the entire continent, and they believed it was unnecessary to be more descriptive than that. The intent of the Committee, she said, is to present the heritage, culture and origins from which African-Americans come. Ms. Nickerson added that the present term "Black" does not adequately describe the intent of the program. Approval of Section I was then moved (motion 90/91-1), seconded and unanimously approved on a voice vote. Approval of Section IV was then moved (motion 90/91-2), seconded and unanimously approved on a voice vote.

APPROVAL OF PRELIMINARY DEGREE LIST FOR COMMENCEMENT MAY 1990: Dr. Rehm noted that the list of degree candidates for May 1990 commencement had been presented alphabetic order, although at a previous Senate meeting Mr. Butler had confirmed future lists would be ordered by college. Mr. Butler said the prior list had indeed been presented in college order, and noted that the degree candidates are subject to satisfactory completion of requirements. Approval was then moved (motion 90/91-3), seconded and approved unanimously on a voice vote.

ELECTION OF 1990-91 PRESIDING OFFICER OF THE FACULTY SENATE: Dr. Rehm called for nominations from the floor. There being none, Senators were asked to cast their ballots. [Note: The count was not available until after the meeting had adjourned. Senator Vivian E. Cox was elected to a one-year term (5/90-4/91).]

ELECTION OF 1990-91 REPRESENTATIVE TO THE FACULTY SENATE EXECUTIVE COMMITTEE: Dr. Rehm called for nominations from the floor. There being none, Senators were asked to cast their ballots. [Note: The count was not available until after the meeting had adjourned. Senator Henry L. Ewbank was elected for a one-year term (5/90-4/91).]

ELECTION OF MEMBERS TO THE COMMITTEE ON CONCILIATION: Senators were asked to cast their ballots for the Committee on Conciliation. [Note: The count was not available until after the meeting had adjourned. Elected to two-year terms (5/90-4/92) were Paul Marcus, Roger Caldwell, and Jeanne M. McCarthy.]

ELECTION OF MEMBERS TO THE COMMITTEE ON ETHICS AND COMMITMENT: Senators were asked to cast their ballots for the Committee on Ethics and Commitment. [Note: The count was not available until after the meeting had adjourned. Elected to three-year terms (5/90-4/93) were Patricia L. Anders and Robert Lansing.]

ELECTION OF NOMINEES TO THE UNIVERSITY HEARING BOARD: Senators were asked to cast their ballots for nominees to the University Hearing Board, one-year terms (5/90-4/91). [Note: The count was not available until after the meeting had adjourned. Nominees selected were: Bruce Larson, Reka P. Hoff, H. Bruce Fowler, George Babich, Richard A. Scott, Jeffrey Showell, and Christopher Sugnet.]

FIRST ANNUAL REPORT OF THE COMMITTEE ON ETHICS AND COMMITMENT: Senator Hetrick, 1989-90 Chair of the Committee on Ethics and Commitment, had distributed the annual report with the call to this meeting. He said the Presiding Officer had requested that he share with the Senate the committee's activities in its first year, and answer any questions.

Senator Hetrick reported that the committee had received two requests for assistance. Both requests are currently inactive, pending receipt of more information. The committee also assisted the Office of the Vice President for Research in reviewing federal guidelines concerning misconduct in research and University procedures for reporting to federal agencies. The written report calls attention to the final rule for dealing with misconduct in research that was promulgated by the U.S. Public Health Service in August 1989. He added that he thinks it is important that the Research Policy Committee be commended for creating policies concerning misconduct in research and advocating creation of the Committee on Ethics and Commitment. He said it is very fortunate that the policies created and adopted by the Faculty Senate are consistent with the policies put forth by the federal agency. And it is also fortunate that the committee has not received a request concerning that particular aspect; no complaints have been received that he would categorize as concerning fraud or misconduct in research. Senator Hetrick said the committee will not act on verbal requests. It has taken the position that it requires specific, written requests for the assistance of the committee before any action will be taken.

Dr. Cusanovich said this is a vitally important committee, both to comply with federal guidelines but also because it serves the university well. He said the Faculty Senate needs to make sure the faculty know it exists, and some way should be found to advertise its existence and its confidential nature.

Senator Hetrick noted he had not emphasized the aspect of confidentiality; the committee's deliberations are completely confidential. Written communication is viewed only by members of the committee.

Senator Witte said she had just returned from a national federal research meeting where a member of the President's Advisory Committee had made a presentation. There is a great deal of concern about conflict of interest statutes. She said she thinks it very likely that our own Committee on Ethics and Commitment could at some time have an additional charge in this area. Senator Hetrick noted that the charge adopted at the committee's inception referred to three areas: miscon-

duct in research or scholarly activity, conflict of commitment, and misuse of facilities. "We've taken the position that these three are examples of areas for possible assistance by this committee. We do not intend to be restricted to those three specific areas. The broader umbrella of ethics certainly includes questions of conflict of interest, and we stand ready to help."

RATIFICATION OF 1990-91 CHAIRS, FACULTY SENATE STANDING COMMITTEES: Dr. Rehm called for ratification of chairmanships of four Senate standing committees (5/90-4/91), as follows:

Academic Personnel Policy Committee: Senator Henry L. Ewbank  
Instruction and Curriculum Policy Committee: Senator Robert Mitchell  
Research Policy Committee: Senator Dennis Larson  
Student Affairs Policy Committee: Senator Theresa Enos

Nominations were drafted by the Committee on Committees and approved by the Faculty Senate Executive Committee. It was moved (motion 90/91-4), seconded and unanimously approved on a voice vote to so ratify.

ANNUAL REPORTS OF GENERAL FACULTY AND FACULTY SENATE STANDING COMMITTEES: For the record, Dr. Rehm reported the following annual reports, provided to the Senate with today's meeting call, would be appended to the Minutes: Academic Personnel Policy Committee, Instruction and Curriculum Policy Committee, Research Policy Committee, and Student Affairs Policy Committee; and Committee on Academic Freedom and Tenure, Committee on Conciliation, and Committee on Ethics and Commitment. In addition, the Committee of Eleven report will be available in time for distribution with the Minutes.

APPROVAL OF CHANGE TO CONSTITUTION/BYLAWS CONCERNING NAME OF BUDGET POLICY COMMITTEE: Senator Ewbank said that part of the continuing review of the Constitution and Bylaws led to the proposal which Senators received with their call to this meeting, Bylaws Article V, Section 4, changing the name of the Budget Policy Committee to Budget and Strategic Planning Policy Committee. He said this was coming as a seconded motion from the Academic Personnel Policy Committee, and he moved for approval (motion 90/91-5). The motion was seconded and unanimously approved on a voice vote.

ACTION POSTPONED ON RECOMMENDED CHANGES TO GUIDELINES FOR FIVE-YEAR REVIEWS: Senator Ewbank said the Academic Personnel Policy Committee had reviewed the existing Guidelines for Five-Year Reviews of Deans and Department Heads. Proposed changes were in the first half of the document submitted to the Senate, and the current version in the second half. One amendment proposed is addition of "Directors" to those reviewed. In the first line in the first paragraph, labeled "General" the committee also proposes inserting "of academic units" following the word "department heads". And on page 4, final paragraph, the committee proposed the following additions: line 3, add "both" following the word "covering"; and in line 4, "the substance of" following "and". Senator Ewbank said that after distribution to the Senate of this material, he had learned from Dr. Cole that his office had not had sufficient time and personpower to complete its review. Consequently, at Dr. Cole's request and the committee's concurrence, the revisions are presented for Senate information only at this point. He said he would be glad to receive any suggestions Senators might have between now and the fall, and after the committee has had an opportunity to confer with Dr. Cole, he will report back to the Senate with recommendations.

Senator Spera said he would like to comment about section (2) at the bottom of page 2, "Where a director or department head is to be reviewed, the General Faculty of the academic unit shall elect three of their tenured and/or continuing members to serve on the review committee." He suggested adding a sentence to the effect that 'If the academic unit has clearly defined the sections within the unit, as in French and Italian or Spanish and Portuguese, at least one member of the review committee shall represent each of the sections.' And in section (3), on page 3 "The dean has the discretion to appoint up to two additional members drawn from the academic unit involved, or from elsewhere.", Senator Spera asked Senator Ewbank if the two additional members would come from the department or the administration, and wondered what was meant by elsewhere. He said he liked the revisions to Guidelines, but hoped a situation such as he described could be included in the revisions.

Senator Silverman commented that some changes have to do with the extraordinary review. While he wasn't opposed to waiting until Fall to vote on the matter, he said he would like to ask Dr. Cole that if an extraordinary review is sought in the meantime, he examine the proposal because it appears to be an improvement.

Senator Aleamoni said on page 1, under Extraordinary Reviews, items (1) and (2) involve the Committee on Conciliation. He said it appeared that under item (3) and (5) the proportion who can request the review has increased from half to more than half, if he was interpreting the document correctly. He said his concern centered on a majority or a close majority making such a decision, rather than one or two initiating the process of conciliation. He asked the committee to review this carefully. Senator Witte cautioned that minority concerns also must be respected.

APPROVAL OF PARENTAL EXTENSION OF THE TENURE/CONTINUING CLOCK: Dr. Rehm reported that the Senate Executive Committee had reviewed draft policy concerning parental extension of the tenure/continuing clock, and were submitting as a seconded motion (90/91-6) the proposal distributed with the call to this meeting. He called for discussion on changes to University Handbook for Appointed Personnel, Section 3.12.01, Limitation on Tenure-Eligible Service, and Section 4.10.03, Limitation on Continuing-Eligible Service.

Senator Hetrick said his only concern is that it appears that in a period of seven to eight years the extension can occur only once. Dr. Rehm acknowledged that point is correct, and it can be requested prior to the second-year or fourth-year review or prior to the tenure review. Dr. Cole said that Professor Burke has reminded him that if the second-year review is delayed, the fourth-year review is automatically delayed. Senator Hetrick suggested the language be simplified: if it said one-time, one-year extension and stopped there, it wouldn't get into the difficulties with (a), (b) and (c), he believed.

Dr. Rehm noted that with the change indicated by Senator Hetrick to clarify wording in the second paragraph, 3.12.01, as well as the equivalent change for 4.10.03, he would propose wording to indicate a one-year parental extension on any of the reviews in the tenure-eligible appointment period.

Senator Chen asked what happens if the individual took less than one year. Dr. Rehm responded that these are not leaves, but are extensions of when the review would take place. Dr. Cole noted, however, that some individuals do delay by six months, but it ends up being a one-year delay.

Senator Ewbank said he was responding belatedly to Senator Silverman's line of

thought: perhaps the word 'delay' would be better than extension, unless it could be changed to 'extension of review period.' And he had just received another question: what about the circumstance wherein one becomes a caretaker of a dependent, other than a child? Would it be useful to include that eventuality in the initial consideration of this, or to come back another year and take a look at it again? Dr. Cole said he believes the document is fine the way it is, and no matter what policy is established, differences will arise that will have to be dealt with.

Dr. Rehm asked if the Senate wished to send the document back for rewording prior to voting on it, or if it wished to vote on it at this time. Senator Silverman said he would not like to see it delayed for another year. Dr. Cole said the proposal could be implemented at any time, and in fact some units are already using it. "This was just to ensure that all units would implement this. The quicker we do this, the quicker we get it going." The question was then called. A voice vote indicated unanimous approval of motion 90/91-6.

### OLD BUSINESS

Senator Bickel provided the following report on the Tien Wei Yang case: "For approximately ninety continuous minutes on Friday, April 6, 1990 at ASU, the people of Arizona witnessed an unprecedented open session of the Arizona Board of Regents. Eleven speakers addressed the board supporting Dr. Yang's reinstatement during the call to the audience segment of the meeting. The last of the eleven speakers was Dr. Yang himself, who spoke on his ongoing research on the creosote bush and against the latest rumor that he was a decrepit old man who no longer could fit into an active research program at the U of A.

"During the discussion about the \$48,000 settlement offer made to Dr. Yang by President Henry Koffler, several Regents expressed their misgivings concerning the way the Yang case was mishandled over the years. This is what they had to say, from the transcripts:

Regent Esther Capin: '...I have sat through many explanations, read many reports...which are contradictory...there has never been in my mind a complete explanation for the original sequence of events that led to the departure of Dr. Yang....so many times things are said, actions are taken, which seem not to be discriminatory but which are discriminatory....certainly there is a perception and interpretation that a grave injustice has been done.'

Regent Donald Pitt: '...I, too, have previously...read much conflicting information, and it is certainly conflicting...'

Regent Herman Chanen: '...I am troubled by the fact...that Dr. Yang had not been able to speak his piece when he wanted to....I believe that we have not...had an opportunity to make proper determinations, because it is pretty clear to me that...throughout these many years we have not necessarily received all the information in its entirety....I would like to move that we suspend the rules in order to give Dr. Yang an opportunity to be heard at this time.'

Regent Counsel Jacqueline Schneider: '...The Board has the right to allow Dr. Yang to respond.'

Regent President Auslander: '(addressing Dr. Yang)...It is our understand-

ing that you decline this monetary offer. Is that correct?'

Dr. Yang: 'That is correct.' And then he went on to explain why.

Regent Herman Chanen: 'And now I would like to speak to the recommendation of the University by saying that I cannot support the recommendation at this time. I believe there are t o many items that are in conflict, by the fact that Dr. Yang has made it clear that he is not willing to accept that. I do not have a solution at this time. But I would like to move that this matter that has been presented to us by the University today be tabled and that the University meet with Dr. Yang on a good faith basis and try to work out a solution that is mutually satisfactory.'

Regent Eddie Basha: 'Second.'

Regent President Auslander: 'I will call for the question....The chair votes aye. The motion carries. And it goes back to the U of A. Thank you, Dr. Koffler.'

"Thus ended the singularly most impartial, truly open and most memorable meeting that the Arizona Board of Regents has had in its recent history. Dr. Yang met, one on one, with Dr. Henry Koffler on Friday, May 4. We expect the resolution of the Yang case to begin sometime this week. So it is not over yet. But I would like to say that the Faculty Senate deserves credit for getting this whole business started. That happened when on March 7, 1988, you agreed to include in your minutes a statement by Senator Cornelius Steelink and me on behalf of Dr. Yang, and when on October 3, 1989, you passed the Steelink motion to accord Dr. Yang a CAFT hearing."

ADJOURNMENT: With election results not yet available, Dr. Rehm stated results would be included in the Minutes. The meeting adjourned at 4:30 p.m.

Respectfully submitted,

Ford N. Burkhart, Secretary

MOTIONS OF MEETING OF MAY 7, 1990:

- 90/91-1 Approval of Curriculum Bulletin, Vol. 13, No. 10, Section I.
- 90/91-2 Approval of Curriculum Bulletin, Vol. 13, No. 10, Section IV.
- 90/91-3 Approval of Preliminary List of Degree Candidates, May 1990.
- 90/91-4 Ratification of 1990-91 Chairs of Faculty Senate standing committees.
- 90/91-5 Approval of name change for Senate standing committee.
- 90/91-6 Approval of changes to University Handbook for Appointed Personnel concerning Parental Extension of the Tenure/Continuing Clock.

ATTACHMENTS TO THESE MINUTES:

1989-90 Annual Reports:

- |   |                                    |
|---|------------------------------------|
| Academic Personnel Policy Committee       | Committee on Ethics and Commitment |
| Instruction & Curriculum Policy Committee | Committee on Conciliation          |
| Research Policy Committee                 | Committee of Eleven                |
| Student Affairs Policy Committee          |                                    |
| Committee on Academic Freedom and Tenure  |                                    |