

MINUTES
FACULTY SENATE
THE UNIVERSITY OF ARIZONA
January 26, 1998

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<http://w3.arizona.edu/~senate/minutes.htm>

1. CALL TO ORDER

The meeting was called to order by Presiding Officer Jeffrey L. Warburton at 3:00 p.m. in Room 146 of the College of Law.

Present: Senators Aleamoni, Atwater, Caldwell, Chen, Clarke, Coons, Dahlgran, D. Davis, T. Davis, Dvorak, Dyl, Erickson, Erlings, Ervin, Feltham, Fericola, Garcia, Gerber, Glittenberg, Gruener, Heckler, Hogle, Howell, Joens, Levy, Love, Maré, McCaslin, Medine, Miller, Mishra, Mitchell, Montanaro, Myers, O'Brien, Pepper, Pitt, Poss, Reeves, Schiffer, Silverman, Spece, Sypherd, Szilagyi, Troy, Warburton, Weinand, Witte, and Zwolinski. Robert Sankey served as Parliamentarian.

Absent: Senators Carlson, Davidson, Emrich, Emrick, Gore, Hurt, Larson, Likins, Nelson, Romer, and Schooley.

2. OPEN SESSION

(Please note that speakers at the Open Session are expressing their personal opinion, which may not reflect the position of the Faculty Senate.)

Ms. Janolyn LoVechhio, a disabled classified staff employee at the UA, provided an update on State Senator Victor Soltero's Senate Bill #1168, which proposes a change in retirement accrual allowed for state employees who become disabled. Referring to the informational sheet distributed on Senators' desks, Ms LoVechhio noted that the State Senate's Finance Committee needs to schedule a hearing on the bill by Feb. 20 or it will be killed. Describing the bill as "vitaly important" to those who began working for the state under age 30 and subsequently became disabled, she asked Senators to call or write their legislators in support of the bill, and to share the information with their campus departments.

Senator Garcia expressed his concern regarding the University's proposed agreement with the Nike Corporation. He said to enter into an agreement to publicize, help to sell, or endorse a product is very different from honoring donors by naming buildings after them. The University should operate on a higher moral plane, he added.

Senator Medine commented that the Teaching Incentive Program (TIP) had satisfied no one. He suggested that inequity problems in faculty salaries may be a result of internal mismanagement of funds. Citing the example of a specific department, he noted that the broad problem of faculty compensation comes from dislocation of the salary structure and the frequently large differences between lowest and highest salaries within ranks.

3. REPORTS

3A. **ASUA President Gilbert Davidson**

In Senator Davidson's absence, Senator Montanaro gave the following report: (1) ASUA elections, scheduled to begin next week, will end on Mar. 4. (2) ASUA is working in conjunction with the Arizona Students Association and Arizona State University to improve benefits for graduate teaching assistants. (3) ASUA plans to conduct a survey on the perceptions of teaching and then draft a letter to the Legislative Study Committee on Faculty Roles and Rewards. ASUA will also make a related presentation to the Arizona Board of Regents. (4) ASUA leaders are currently searching for a graduation speaker; a more detailed report will probably be available at the next Senate meeting. (5) Teacher course evaluations will be available online later this week. Senators who want to preview this information may e-mail Senator Montanaro at kana@u.arizona.edu. Senator Montanaro expressed ASUA's appreciation to Provost Sypherd and Dr. Jennifer Franklin, Director of Instructional Assessment and Evaluation Services, for their help and support with this project.

3B. **Presiding Officer of the Faculty Senate Jeffrey Warburton**

Presiding Officer Warburton's announcements: (1) Item #9, discussion and action on proposed changes to Emeritus language, has been removed from today's agenda. It will be returned to the Academic Personnel Policy Committee for additional work before being presented to the full Senate. (2) Faculty representatives met with the two new Regents last Friday. The occasion was an opportunity for the new Regents to learn about the UA, without any set agenda.

3C. Secretary of the Faculty Rose Gerber

No report.

3D. Chair of the Faculty Jerrold Hogle

Chair Hogle divided his comments into two categories: (A) Matters of Shared Governance - (1) The Shared Governance Review Committee has had its first meeting and is now in the process of developing a mission statement, which eventually will be reviewed by the Senate. (2) The Task Force on Extending Shared Governance has done a great deal of work and is about to make recommendations to the Senate. The Task Force has already met with the President, and its recommendations will be reviewed by the Provost this week. It is hoped that these recommendations, which have more to do with regularizing representation on search committees and other campus groups than with shifts in power, will be incorporated into the Shared Governance Memorandum of Understanding by the end of the year. (3) Chair Hogle, the President, and the Provost will be meeting with the Deans' Council and Heads Up, the largest group of department heads on campus, to discuss the actual implementation of Shared Governance in colleges and departments. (4) The Chair's Task Force on Faculty Salaries has been gathering data and has developed a survey to determine faculty members' perceptions of salary inequities. This survey will be distributed in the packet for the Feb. 9 Senate meeting as a pilot test before distribution to the General Faculty; Senators are asked to bring the completed survey form to the Feb. 9 meeting. Input on the format and wording of the survey is also welcome. (5) Chair Hogle has discussed with the President and the Provost, respectively, the establishment and composition of search committees for the positions of Vice President for Advancement and Dean of Arizona International College, to assure that there is adequate faculty representation on the committees and that procedures comply with the spirit of Shared Governance. (B) Faculty Workload and Compensation Plans - (1) At the December ABOR meeting, the Arizona Faculties Council and the Regents agreed on what the measures of faculty workload should be. The AFC is now in the process of gathering data from each campus to support those measures; this data will be presented to the Regents at their April meeting. There is no longer any contention between ABOR and faculty regarding the value of faculty work; if any contention exists, it is with the Legislature. (2) The Legislative Study Committee on Faculty Roles and Rewards, co-chaired by State Senator Rusty Bowers and Representative Bob Burns, had its first meeting on Jan. 21. The group, which also includes other legislators, faculty leaders, administrators, parents, and students from each campus, will help determine how the second year of incentive funding will be distributed. There are four components of the state funding—general adjustment (sometimes called COLA or cost-of-living adjustment), classification maintenance review (CMR), merit, and incentive (called TIP the first year). During the first year all CMR funds went to classified staff. However, next year CMR funds will be increased, and graduate teaching assistants, appointed personnel, and faculty will also be able to participate in CMR, although classified staff will have the highest priority. There is currently no plan for a general adjustment in the second year. John Lee, Director of the Joint Legislative Budget Committee (JLBC), has said that faculty will be eligible for merit in the second year. Although faculty leaders would prefer to fold incentive funding into merit, so that each campus can determine the allocation of the funds, this scenario appears unlikely. Some legislators represent a particular attitude that college professors are an elitist group that expects more pay for less work with students than teachers at other levels. This attitude makes the process more difficult, but AFC members will do their best to represent faculty interests. Chair Hogle concluded by inviting input and suggestions from faculty members.

3E. Provost Paul Sypherd

Using an overhead transparency, Provost Sypherd discussed the UA's FY 1999 budget request. Highlights: (1) The UA has requested a total budget of \$331,602,200, an increase of 7.4% over the FY 1998 base. The Governor's Office of Strategic Planning and Budgeting (OSP) and the JLBC have presented recommendations of a 2.7% and a 2.9% increase over the UA's FY 1998 budget base, respectively. These are an initial request and recommendations, representing the beginning of a negotiation process. The final appropriation will be decided by the Legislature. (2) In response to requests from other state agencies, the Legislature approved a surprising bill, effective July 1998, that will increase the sick leave payout upon retirement to 50% of a state employee's hourly base pay, up to a maximum of 1,500 hours of accumulated sick leave. This presents a problem, because there is no appropriation for this large additional expense to the campuses. Also, sick leave reporting for faculty is inconsistent or even nonexistent on some state campuses. (3) The most troubling aspect of the initial budget recommendations is that none of the UA's requested decision packages was funded. The request for the Arizona International College was severely cut. If this is not changed, it will be difficult to even offer the AIC program, because it will continue to have its own operating expenses, even after it is relocated back to the main campus. (4) The UA's budget continues to erode because appropriations have not kept pace with inflation in recent years, and the UA has been experiencing decreased enrollments, a trend which now appears to be reversing. The FY 1999 budget as it now stands is the worst-case situation in several years.

In response to questions from several Senators, Provost Sypherd made the following points: (1) The UA will need approximately \$2.5 million to fund AIC's third year. (2) Neither the JLBC or the OSPB is currently recommending funding for decision packages on any state campus. The JLBC has suggested giving \$5 million total to the Regents and allowing them to decide how to distribute it in response to decision package requests statewide. If that occurs and the distribution is the usual 2-2-1 ratio among the three campuses, the UA's share would be \$2 million. (3) The UA will have to honor the new sick leave payout legislation (HB2331), because it is the law, but the funding for it will have to "come out of our hide." Given that there may be a number of faculty wanting to take advantage of this new law soon after it takes effect, some deans may have begun holding back funds in anticipation of the extra expense. However, thus far central administration has taken no such action. (4) Although there has been some speculation that the Legislature will provide a lump sum to ABOR to fund university budgets statewide and will allow Regents to

determine how to allocate it, this is unlikely, because legislators tend to want to protect their own districts. (5) The decrease in funding for university library acquisitions is a significant problem nationwide.

Provost Sypherd also responded to concerns expressed several times recently in the Senate regarding former administrators retaining their administrative salaries after returning to academic faculty appointments: Since 1993, letters initiating administrative appointments have contained three figures—(1) the faculty salary, with verbiage stating that the figure may be revised by whatever adjustments occur during the tenure of the administrative position; (2) the annualized salary, generally 20% more than the faculty salary to account for the fiscal-year appointment; and (3) an administrative stipend, which can be thought of as a “bribe” or an incentive to persuade someone to accept an administrative position. The letter also clearly states that, upon the person’s return to a faculty appointment, the salary will revert to the first figure. Thus, for the past five years, there has been no ambiguity regarding what a particular individual’s compensation will be once he or she returns to an academic appointment.

3F. **President Peter Likins**

No report, since President Likins was unable to attend.

4. **QUESTION AND ANSWER PERIOD**

Noting that she had seen several different figures for the total of General (Voting) Faculty in recent times, Senator Witte expressed concerns regarding the accuracy of the Voting Faculty list. She also commented on her perception that the proportion of tenured, tenure-eligible, continuing, and continuing-eligible members of the total Voting Faculty seems to have declined significantly in the past several years. Addressing members of the Committee on Faculty Membership, she asked that an updated Voting Faculty list be provided by the next Faculty Senate meeting. She noted that it is important that this list be accurate in time for the upcoming faculty elections. Presiding Officer Warburton said he would try to provide this information to the Senate by the next meeting.

Senator Clarke asked Chair Hogle if the Legislature is attempting to micromanage the universities (via the implementation of TIP) because it lacks confidence in the institutions’ abilities to allocate funds appropriately. Chair Hogle responded that he had not seen evidence of that; the concern expressed by legislative staff is that faculty are not spending enough time teaching in classrooms (i.e., funding is not being used to incentivize teaching).

In response to an inquiry, Chair Hogle briefly explained the informational sheet he had placed on Senators’ desks regarding faculty teaching loads and salary adjustments for fall 1997: Although the state universities were originally scheduled to receive the same amount of TIP funding per qualifying faculty member (\$1,913), ultimately the UA received significantly less per TIP qualifier than either ASU or NAU (\$1,440, compared to \$1,628 for ASU and \$1,820 for NAU). The original total allocation to each university was based on the number of its qualifying faculty. However, after the definition of qualifying faculty was broadened and many more UA faculty qualified, the UA’s total allocation was not changed; thus, the per-person amount for the UA was reduced. Describing himself as very angry when he discovered this, Chair Hogle apologized for not having foreseen this situation and taken steps to avoid it; he said he had assumed the funding would be re-allocated after the definition of TIP qualifiers was broadened and the number of qualifying faculty changed. Senator Ervin added that the negotiations surrounding the TIP distribution had been difficult; the JLBC had a very narrow definition of what would qualify faculty for TIP funding, and they were unbending.

The Senate discussed at some length the UA’s potential agreement with the Nike Corporation. Senator Witte likened the situation to a recent embarrassing interlude for the American Medical Association, after its staff entered into an agreement to endorse 151 medical and health products manufactured by a private corporation. She offered to share with interested Senators and President Likins a copy of an article from the *Journal of the American Medical Association (JAMA)* describing the incident’s aftermath. Senator T. Davis requested that Mr. D. James Livengood, UA Director of Athletics, be invited to a future Senate meeting to discuss the proposed arrangement with Nike. Presiding Officer Warburton agreed to collect input and questions regarding the matter by e-mail prior to the Senate discussion with Mr. Livengood. Senator Garcia commented that the UA needs to set its own standards; just because other universities are entering into such agreements does not mean the UA should, he said. Senator Dyl said having UA athletes use free Nike equipment does not necessarily imply the UA’s endorsement of Nike products; he cautioned against forming preconceived notions of the proposed agreement. Senator D. Davis suggested that the proposed Nike agreement may be different only or mainly in its scale, since the UA has previously had arrangements with private companies at a lower level.

5. **APPROVAL OF THE MINUTES OF DEC. 1, 1997**

The minutes of the Faculty Senate meeting on Dec. 1, 1997, were approved as distributed.

6. **REPORTS FROM STANDING COMMITTEE CHAIRS**

Committee chairs briefly described the charge of their respective committees and listed their memberships. Highlights of the reports follow.

Academic Personnel Policy Committee (APPC) - Co-Chairs Atwater and Troy reported that: (1) The revised sexual harassment policy is still being reviewed by the Affirmative Action office and the UA Attorneys’ office; the APPC hopes that it will be ready for continued discussion in the Senate by March. (2) The APPC is assembling an orientation packet for Senators on the proposed whistleblower legislation (HB2182); this will be enclosed in the February meeting call for the Senate. Senator Troy noted that the

APPC had met with Dr. Carol Bernstein regarding this legislation. Senators Witte and Garcia requested that Dr. Bernstein also be invited to the full Senate discussion of this issue; Presiding Officer Warburton agreed to issue the invitation. (3) The APPC is still examining proposed revisions to the Emeritus language; thus, this item was removed from today's agenda. (4) The APPC is currently reviewing the promotion and tenure instructions distributed by the Provost; the committee is attempting to incorporate the latest changes, so that the information will be as current as possible when presented to the Senate. (5) The APPC is currently examining the proposed establishment of a University Enhanced Review Board (UERB) and its suggested activities. This board will be one of the three appeal options available to faculty who receive an overall unsatisfactory performance rating. The APPC hopes to present more information regarding UERB to the Senate in the near future.

Instruction and Curriculum Policy Committee (ICPC) - Chair Dahlgran noted that the ICPC deals with programmatic changes, which are then presented to the Senate for action. Other issues the ICPC is currently considering are AIC articulation, priority registration, listing textbook costs on course syllabi, and the possibility of scheduling commencements on days other than Saturday.

Research Policy Committee (RPC) - Chair Gruener reported that the committee is reviewing the conflict of interest and commitment policy, which it hopes to bring to the Senate in a couple of months. Senator Witte asked that the RPC also consider issues of intellectual property.

Student Affairs Policy Committee (SAPC) - Chair D. Davis reported that the SAPC is considering two major issues this year—academic integrity and student recruitment and retention. With regard to the first topic, the SAPC was asked to review the honor codes for the colleges of Law and Medicine to confirm the necessity of having separate codes for the professional schools and to verify that those codes substantially conform to the UA's Code of Academic Integrity. The SAPC's meeting with the two deans resulted in an agreement that the professional schools would incorporate some sections of the Code of Academic Integrity into their own codes in order to align them more closely with the code used by the remainder of the campus. When that process is complete, the revised codes will be presented to the Senate for approval. With regard to the SAPC's second topic, the committee has been gathering information and specifically discussing ways to increase faculty involvement in student recruitment and retention efforts. Senator D. Davis noted that retention rates vary widely within the UA campus, from a low of 20% for the University College to a high of 80% for the Honors Center. Senator T. Davis reported that an Alumni Association representative had researched retention rates and found that the UA ranks 24 out of 25 peer institutions for retention.

Committee of Eleven (C-11) - Chair Aleamoni noted that the committee now has a Homepage, which contains a description of the committee, its history, and its charge, as well as the Shared Governance Memorandum of Understanding. Issues on the committee's agenda this year include post-tenure review, AIC, indirect costs, and the whistleblower legislation. The C-11 has met with several guests this year, including President Likins and various committee chairs, to discuss such issues as faculty workload, faculty salaries, and other topics.

7. **PRESENTATION ON THE PROMOTION AND TENURE STATISTICS REPORT (Attachment)**

APPC Co-Chair Atwater reported that the committee had reviewed the report and found the statistics in proportion to and consistent with those from previous years. The progress of recommendations through various stages from department to Provost was in a pattern consistent with previous years, also, she said. Senator Garcia questioned what appeared to be a typographical error on page 2 of the Chapter 3 summary. He also pointed out that, according to information on page 2, only one appeal out of 8 succeeded. Senator Atwater confirmed that that seemed consistent with previous years.

8. **APPROVAL OF CONSENT AGENDA ITEMS FORWARDED FROM INSTRUCTION AND CURRICULUM POLICY COMMITTEE (Attachment)**

Chair Dahlgran briefly explained the rationale for the change in the administrative drop policy, which comes as a seconded motion [Motion 1997/98-27] from the ICPC: Students who are passing when administratively dropped for non-attendance often petition to have their mandatory E changed to a W later. This change, to allow instructors the discretion of awarding either a W or an E for an administrative drop from the beginning of the fifth week to the end of the eighth week of the semester, would reduce the petition load. Morton carried, with one vote opposed.

Senator Dahlgran noted that the ICPC would like to withdraw the second consent agenda item, reinstatement of thematic minors. He said he had reviewed the action on thematic minors taken last year and had determined that reinstatement was not necessary, merely a clarification of the timing for the declaration of thematic minors. Since that seems too trivial an issue for Senate consideration, the ICPC's seconded motion [Motion 1997/98-28] is withdrawn, he said. Senator Garcia said he would, nevertheless, like to revisit the issue of thematic minors, since he does not agree with the policy as it currently exists. Senator Dahlgran and Presiding Officer Warburton agreed to place discussion of the minor policy on a future Senate agenda.

9. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:02 p.m.

Rose M. Gerber, Secretary

Appendix*

1. Key Issues/Legislators to Contact to Support Senator Soltero's Bill.
2. University of Arizona FY 1999 Budget Request.
3. Faculty Teaching Loads - Fall 1997 and Salary Adjustments.
4. "Business and Professionalism in Medicine at the American Medical Association" (article from the *Journal of the American Medical Association*, Jan. 14, 1998, issue)
5. Promotion and Tenure Statistics, Actions Taken in 1996-97 to be Effective 1997-98.
6. Consent agenda information sheet dated Jan. 26, 1998.

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

Motions of the Meeting of Jan. 26, 1998

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| 1997/98-27 | Seconded motion from the Instruction and Curriculum Policy Committee to change the administrative drop policy to allow faculty members to award either a W or an E to a student who is administratively dropped between the beginning of the fifth week and the end of the eighth week of the semester; motion carried. |
| 1997/98-28 | Seconded motion from the Instruction and Curriculum Policy Committee to reinstate thematic minors; motion withdrawn by ICPC Chair. |