

MINUTES OF THE MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, September 10, 1990 Room 146, College of Law

The Faculty Senate convened in regular session at 3:00 p.m. on Monday, September 10, 1990, in Room 146 of the College of Law. Sixty-two members were present. Presiding Officer of the Faculty Senate Vivian E. Cox presided.

SENATE MEMBERS PRESENT: Adamec, Aleamoni, Atwater, Avery, Badger, Beigel, Bickel, Bizik, Braden, Burkhardt, Butler, Chen, Cole, Cox, Cusanovich, Elliott, Enos, Escalante, Ewbank, Fenstermacher, Fernandez, Ganapol, Goetinck, Hetrick, Hildebrand, Joens, Johnson, Jones, Kermes, Knight, Koffler, Kolodny, D. Larson, L. Larson, LaSalle, Masone, Mautner, Mitchell, Pao Tao, Paplanus, Parsons, Redeker, Rehm, Roemer, Salomon, Sander, Silverman, Smith, Songer, Spera, Steinke, Sugnet, Thomson, Tomoff, Valdez, VanMetre, Vezino, Witte, Woodard, Zeigler, Zukoski and Zwolinski. Dr. Robert Sankey served as Parliamentarian.

SENATE MEMBERS ABSENT: Aquilano, Bootman, Dalen, Dvorak, Ganguly, Garcia, Hershberger, Krager, Lei, McCullough, O'Brien, Phipps, Ratner, Rollins, Shisslak, Sigelman, Smerdon, Sullivan, and Tomizuka.

REMARKS FROM PRESIDING OFFICER: Dr. Cox extended a warm welcome to all Faculty Senators and guests. She predicted the year would reflect willingness from all sides to participate in reaching solutions to the many problems which arise, as well as renewed endeavors in the path of excellence. Dr. Cox noted a slight change in seating arrangements: those who will be making reports will be seated on the aisle for ease in reaching the podium.

APPROVAL OF MINUTES OF MAY 7, 1990: One correction to the Minutes of May 7 was noted on page 2, line 8, "merit" changed to "market." The Minutes were then approved as amended.

REPORT FROM THE PRESIDENT OF THE UNIVERSITY: President Koffler stated that the painful budget readjustments of recent weeks had been a traumatic experience for many people, and he regretted that this has occurred, particularly at a time when "we all would have rather concentrated on the joyful aspects of starting a new academic year. This afternoon I want to explain in some detail what occurred and why these budget reallocations have been necessary, painful as they are.

"In mid-August I indicated that all units would have to reduce their expenditures this year below the level indicated in their initial budget forecasts. These reductions, six percent in the case of instructional and library units, and seven percent in the case of all other units, were to contribute to a reallocation pool largely for the benefit of academic, academic support and student support activities. Many individuals perceived that announcement as unusually unfeeling because it did not acknowledge that units with a large part of their budget wrapped up in salaries would experience extreme difficulties. I want to assure everyone that I recognize the need to be flexible in putting together the University's savings plan so as to alleviate extreme difficulties to the best of our ability. Since my original announcement, certain rearrangements have made it possible to reduce the required reductions for instructional and library units from six percent to four percent.

"I first want to stress that reallocations on a substantial scale to meet

priority needs have long been a normal part of the University's annual budget setting. This year the need involves \$22 million. Last year it involved \$18 million. In the past we were largely able to meet these needs centrally because we could draw on increases in state appropriations, on growing local revenues, and on central resources. As a result, campus operating units rarely felt the full impact of reallocation, although obviously departments were affected indirectly because funds were not available to meet other requests. Similarly, in response to frequent mid-year rescissions in the state budget, we have protected the operating units in the same way. The difference this year is that we did not have substantial increases in the state appropriation and local funds. Moreover, our central resources had reached a level at which it was no longer prudent to draw them down any further. Much as I regret it, this year we cannot meet our reallocation needs without a direct impact on the operating units. The obvious question is: How did we reach the point at which centrally controlled funds were insufficient to meet our allocation needs?

"The key point here is that we face a situation that primarily results from pressures on resources accumulating over a number of years. While one factor is that we overestimated our reserves last year, this in itself was not unusual since our budget process always has to depend on estimates that sometimes are on target and sometimes are high or low. More important were a number of other longer standing factors that all contributed to the situation:

Six mid-year state budget rescissions in nine years have cost the University a total of almost \$43 million.

One year alone excepted, since enrollment began to grow in 1986 our enrollment increases have never been fully funded according to state formula: the cumulative shortfall is now \$3 million.

Even though we were not fully funded, we still had to finance the growing need for undergraduate instruction and this has meant providing temporary funding for instruction that has grown from \$3.9 million in 1986-87 to \$8.5 million this year.

Our need for building renewal appropriations has never been fully funded according to state formula ever since the formula was introduced in 1986-87. The cumulative shortfall to date is over \$17 million and, over the years, we have had to fund some priority projects from central resources.

"Throughout these years of constraints on resources, the University has had to meet substantial new financial requirements well beyond the demands of growing enrollments. Let me remind Senators that this University has been able to flourish over the last several decades because of a deliberate policy of making maximum use of available resources, of investing to the best of our ability in selected new or expanding academic programs of high promise, and of making substantial reallocations of funds to meet priority needs as they arose. These have been the policies that permitted our departments and colleges to seize their opportunities, and thereby raise the quality of the entire institution. We have made progress through being enterprising, not through a passive acceptance of the status quo. Thus, we have made increased investments in faculty recruitment and retention in order to succeed in a competitive national scene. We have responded to the best of our ability to a growing need for up-to-date equipment, including computers and instructional computer laboratories. In addition, we have leased extensive additional space off campus because our activities have grown faster than our building program, sizeable as it is. The net result of this combination of constrained resources and growing expenses is that we have progressively diminished our reserves. This is why we cannot centrally fund our

reallocations this year and why we need to draw on the initial budgets of the operating units.

"Given economic conditions in Arizona in recent years, we are fortunate that a number of legislators who are firm supporters of higher education have worked so diligently for funding for the universities. Were it not for their help we would have faced this situation sooner or in an even more extreme form.

"Of course, we could have avoided the problem we face this year by adopting more conservative budgeting policies sooner. In other words, we could have reduced allocations to operating units last year and the year before, instead of taking advantage of opportunities open to us at that time.

"It is against this background of constrained resources, growing expenses and a tradition of reallocation that our 1990-91 operating budget has been shaped. It progressively became clear that we needed to reallocate \$22.2 million in order to meet our needs this year. This sum included the following elements:

A total of \$3.1 million must be returned to the state to cover the Legislature's requirement for a larger vacancy factor, an increase of \$1.6 million over last year.

Another \$500,000 must be provided from local funds to make market salary adjustments in positions not funded by the state.

Our Indirect Cost Recovery accounts must be replenished by \$1.6 million to cover unanticipated increases in expenditures last year, particularly for utilities and the Mount Graham project.

We must provide the academic departments with \$8.5 million in temporary teaching allocations to meet the demand for undergraduate instruction, an increase of \$250,000 over last year.

Finally, we need to provide another \$8.5 million to maintain a variety of ongoing activities and to support a few new activities deemed to be matters of priority. Almost one half of these funds will go to four purposes: lease payments for off-campus space, security for animals used in research, the Computer Center to maintain its systems and operate instructional laboratories, and the operation and maintenance of new buildings.

"Out of the grand total of \$22.2 million, approximately \$7 million can be provided from central sources and the College of Medicine will provide another \$1 million. This leaves \$15.2 million to be obtained from operating units on the Main Campus, including \$5.5 million from instructional and library units.

"In my opinion it would be a mistake for the central administration to stipulate where these cuts are to be made. The deans, directors and department heads have the most realistic idea of where cuts can best be absorbed so as to minimize the damage. So I have asked each operating unit, by September 14, to propose its own savings plan for review by the appropriate vice president. I expect these plans to be constructed with the help of close consultation with the faculty members of each unit, using whatever form of consultation is acceptable to the unit. I know that this is already occurring in some units in which, for example, the entire faculty has met to discuss the problem. The sooner these consultations occur everywhere, the better.

"I know that our early communications on these cuts inadvertently left the impression that cuts would be imposed irrespective of local circumstances. I

apologize for this. The fact is that, as unit savings plans are received for review, the vice presidents and I stand ready to consider how best to try to relieve some of the most onerous burdens. There would be little merit in a rigid attitude on our part if the required savings can be achieved with less pain through some amendment to our requirements.

"I want to make several points by way of perspective on the savings that are required:

First, key minority programs will be excused from the cuts. These programs play an unusual part in the life of our University and they are at a critical stage in their development.

Second, the required reductions will not apply to sponsored projects nor to auxiliary funded operations.

Next, in order to give maximum flexibility in developing plans, this year the savings generated from vacant positions will be retained by the operating units rather than gathered centrally as in prior years. This is an important point since these vacancies will provide, on the average, about two of the four percent or seven percent savings required. This, of course, will be scant comfort to those units that anticipate little or no savings from vacancy savings. For them the problem is still severe and we have to be prepared to do our best to help them.

Finally, most of the \$22.2 million collected for reallocation purposes will be distributed to the academic, academic support and student support units to fund their activities.

"I appreciate that news of these reallocations was a shock, coming as it did when almost everyone had focused on this budget largely as one that provided a more generous salary package than we have seen for several years. The question arises whether an earlier warning could have been provided. I think not, at least not to any significant extent. While we knew late last Spring that we had overestimated some revenues for last fiscal year, the impact of this fact on this year's budget was still not clear at that time. Our expectation was that we could again attend to all needs centrally. This expectation was not eroded and eliminated until we received word of our state appropriation in late June, and firm word on our fund balances later in July. Even then it remained for us to determine just how much we would need to take back from operating units. This was not finalized until mid-August. In fact, the first news was distributed even before all our budget reviews were complete. That is why the percentages required of operating units have been reduced since the first announcement. Even now there is one remaining uncertainty concerning our revenues. We shall not know what to expect this year in student fees and tuition until late September when enrollment figures are final.

"I want to make one final point. In recent weeks there have been frequent public comments suggesting that these budget reallocations have been the cause of numerous class cancellations to the detriment of our students. I want to make it absolutely clear that this is not true. As a matter of fact our number of class cancellations is down substantially from last year, and 48 percent of the cancelled classes had no students enrolled in them. Another 41 percent had enrolled less than the minimum number of students required. The number of cancelled classes that had met minimum enrollment levels was virtually the same as last year, that is 66 compared with 63. Since word of the budget changes came so late, they could have played little part in the cancellation of these 66 courses out of the 9,376 that we had scheduled. Even so, as cancellations are

brought to our attention, I have asked Provost Cole to examine each instance and the reasons for it most carefully.

"I should be pleased to answer any questions that the Senate may have today. Let me add that I, Provost Cole, his staff, and every other vice president stand ready, on request, to meet with departmental and college faculties to answer their questions also."

REPORT FROM THE PROVOST OF THE UNIVERSITY: Dr. Cole said he had some good news: in addition to salary enhancement funds, the Legislature approved funding to fully implement the General Education program, thus completing the project begun a few years ago. Dr. Cole reported on some additional items: (1) The Faculty Governance Committee is nearing completion of its review, he said, and as soon as the report is available he will share it with the entire Senate, for their reaction and recommendations. (2) During the Spring semester, discussions concerning the Mission Statement indicated faculty believed a more traditional statement was needed. Comments from the Senate which he received after the May meeting were shared with the committee he had appointed to review the matter, and most recommendations were accepted. He has provided the Chair of the Faculty with the resulting copy, for assignment to the appropriate committee before coming before the Senate. (3) Regarding market salary distribution, the timing is still in question, primarily awaiting material from the other two state universities. Implementation, originally scheduled for consideration at the October Board meeting, may be delayed until the November meeting, as the Regents want all three plans approved simultaneously.

CHAIRMAN OF THE FACULTY REPORT: Senator Rehm confirmed that the Faculty Governance Committee is working on the final draft of its report, having obtained input from the Committee of Eleven, the Academic Personnel Policy Committee, and the Budget and Strategic Planning Policy Committee. With its final meeting scheduled for this week, the report will be transmitted to the Provost soon.

Senator Rehm reported that the President of the Board of Regents had requested the Senate to provide a list of fifteen faculty and five academic professional nominees by August 27 for the Presidential Search Committee. The Regents will select five faculty and one academic professional for membership on that committee. Because the Senate was not in session during that time period, he asked the following individuals to serve on an ad hoc committee to draft nominees: the Secretary of the Faculty, the Presiding Officer of the Senate, the Chair of the Committee of Eleven, and the chairs of the five Senate standing committees. He also requested nominations from AAUP, the Association of Women Faculty, the Committee on Committees, the African-American Faculty, Chicanos in Higher Education, Asian Faculty/Staff Association, and the Native American Professors Group, as well as the Committee of Eleven, Arizona Health Sciences Center, the College of Agriculture, two Senate committees, and several individuals. Senator Rehm reported that 74 faculty and 13 academic professional nominations were considered by the ad hoc committee, and the faculty list submitted to the Board consisted of five women and ten men, including four minorities, with ten of these having had faculty governance experience. Eleven of the fourteen colleges were represented, and at least one individual from each of the recommending groups was included. The professional list contained the names of three women, two men, no minorities, and four had faculty governance experience. Senator Rehm said it was his understanding the Board of Regents is currently selecting membership of the search committee, reportedly to be comprised of eighteen to twenty members, including five faculty, one academic professional, a Regents professor, a dean, one or two students, and three Regents.

Parking arrangements for game times are as follows: Cherry Avenue garage permit

holders can park there anytime space is available. The Harvill/BPA lot is open during game times and days. Both the Park Avenue and Second Street garages are open without charge to permit holders. A shuttle will carry people from the Sixth and Tyndall red lot to the west side of the stadium for those who are displaced from lots near the stadium. Blue permit holders can park free in a lot at Speedway and Vine.

The Board of Regents plans to continue a program to meet with the faculty. This year, a breakfast will be held on Friday, November 9, providing an opportunity for interaction. Those interested in attending may phone the Faculty Center at 1-1342.

Regarding the budget reduction, Senator Rehm noted that he had sent a memorandum to all members of the General Faculty requesting information on situations where a lack of faculty input, oversight, and involvement in the allocation of University resources may have been a contributing factor in the apparent mismanagement of these resources. He said a wide range of items have been communicated to him in the four days since the letter was distributed. Among faculty concerns reported thus far are the following:

(1) Why was a year-to-year spousal hire made at a salary level some 81 percent higher than that of a qualified, long-time individual who subsequently quit?

(2) Why are the apparent rates being paid for long-distance telephone calls in many cases much higher than residential rates?

(3) Why was an expensive coordinator for minority engineers being added to a dean's staff at this critical time of resource shortfall? Why have deans' staffs in general grown so large?

(4) Why are the number of administrators, and their staffs, so large? Why is so much money spent in this area? Where are the seven percent cuts in this area to be made? Is the list of proposed cuts to be made public?

(5) Who will make the decisions of what items will go on the All-Funds budget? Will these items fit the mission and goals of the departments, colleges, or the University?

(6) Teaching support appears to be in a second-class category and given short shrift. This may lead to lawsuits being filed by students who are unable to finish their coursework on time. Is this the image that the administration wishes to present to the public?

(7) Why was a full professor hired with tenure on a fiscal year appointment to teach one graduate class per semester and assist the department head for three days per week? Was the departmental faculty consulted? Was this the best allocation of resources?

(8) Why were there delays in the construction start of the new Chemistry/Bio teaching building that will cost the University an additional \$101,250?

(9) Why is the University still purchasing land in the neighborhood for some \$382,500 (in September, 1990) at this time? One parcel is even being purchased from the University of Arizona Foundation. Why is money spent here when it is so short elsewhere?

(10) Why are there so many multi-color, slick University magazines and reports being published and distributed to all and sundry, even to those for which they have no interest?

(11) Why are short funds being expended on lavish recruitment dinners for prospective new faculty? Couldn't a dinner with only two or three of our faculty do the job better than a dinner with eight?

(12) Why were not faculty more deeply involved in the resource allocation process in past years? If they had been, perhaps the administration would not have made the decisions that have led to the apparent shortfall with which we are now faced.

(13) Why have administrators not had the fortitude to say no to spending for new projects and/or the continuation of old projects in the face of repeated reductions in funding for the University? If a project is too costly, if the returns on the investment are too low, then we must learn to say no.

Senator Rehm said these examples of faculty concern show there are serious budgetary and programmatic questions which are worthy of response by all levels of the administration. In closing, he had two major suggestions, both of which, if they had been in place, he believed would have prevented the current budget shortfall situation: (a) Have faculty directly involved in setting the mission and goals of their units and be directly involved in seeing that the allocation of resources for their unit follow the mission and goals of that unit; and (b) have administrators made accountable for their actions, good or bad, positive or negative. He believes that administrators should not be afraid to say no when an allocation is inappropriate.

REPORT FROM THE SECRETARY OF THE FACULTY: Secretary Burkhart reported that plans are still being reviewed for a shorter version of Senate Minutes for blanket distribution to the General Faculty. He hoped a full report would be available at the next Senate meeting, and invited comments and suggestions. The full version of several sets of Minutes had been posted to CoSy, and Secretary Burkhart said interested faculty could phone 621-HELP for assistance in accessing them.

REPORT FROM THE PRESIDENT OF THE ASUA: Senator Avery introduced Senator Rob Schneider, who will be taking the place of one student representative who did not return to campus. Senator Bizik has been appointed to the Budget and Strategic Planning Policy Committee. Senator Avery reported that ASUA is drafting proposals related to teaching evaluations and reward of effective teaching that will be transmitted to the Instruction and Curriculum Policy Committee and others as soon as they are ready. ASUA's voter registration drive is continuing. He noted that ASUA had received numerous complaints about class cancellations.

QUESTION AND ANSWER PERIOD: Senator Salomon asked President Koffler about budget reallocation efforts, whether the problem lay with errors of omission or commission, and the extent to which faculty were consulted; and he asked Dr. Cox about the role this governing body plays in financial affairs of the university.

President Koffler responded that the University has experienced a cumulative decrease in fund balances, combined with tremendous demands, primarily from departments, which the administration has been striving to meet. The situation with accounts out of balance, as he reported in his formal remarks, must be rectified without delay. He noted that since the second half of President Harvill's tenure, there have been directives towards increasing the quality of the University as quickly as possible to better serve student and faculty needs. "As a consequence, you have many opportunities. Not all of them turn out, not all your judgments are correct. But you try to accommodate and to the best of your abilities. In other words, we don't believe that money centrally is the best place for the money to be. It's best in units." He said the current situation had not developed due to any mischievous purpose, but it must be rectified.

In response to the question on consultation with faculty concerning the budget shortfall, President Koffler responded that the administration typically works from requests which originate in departments and progress upwards to the Provost's and President's Offices, and faculty are involved in most such funding requests, although it varies from department to department, and he has received different feedback on that. "We encourage operating units to consult on these

decisions in terms of mission and objectives...We have worked quite consistently, unfortunately not well enough on this issue, with the Budget Committee of the Senate, which I think is the formal, probably designated, group as far as the Senate is concerned, and we plan to do that more. What I said in my formal remarks regarding these cuts that how to deal with them be carefully considered at the departmental and collegiate levels and I have asked our officers to do that. We urge you to make sure this happens in your own departments. Across-the-board cuts are usually not sound because some units are hurt more than others and some units can afford it more than others. We should make differential decisions to ensure essential activities are not harmed. This is not my preference or my staff's by any means. However it had to be done quickly, and we didn't have an awful lot of time to debate the issue; we had to get on with it. These are temporary cuts. We need to bring these accounts into balance for next year on a permanent basis, which means we have to go to departments for permanent decisions. Fortunately, we have enough time now to do a fair amount of consultation; hopefully that will take place. These decisions will be effective July 1991, far enough ahead of time that we can plan more thoughtfully rather than in the shotgun manner we had to employ this time."

Senator Ewbank, on behalf of the Academic Personnel Policy Committee, asked how likely it would be that some or all of the items will carry over as increases in future years, necessitating similar reallocation measures--items such as lease payments, animal security and operation of new buildings. President Koffler said that to some extent he had dealt with this in the previous question. "We are dealing now with a temporary cut. We're going to have to deal with a permanent cut, but we have more time to do that, and the dimension of that is not necessarily going to be the same as this cut. I hope that after that is done, if it is done properly, unless we have serious economic problems because of a national recession, we should not have to go through this again. I think by then we will have brought the accounts into balance, and I think we should then have sufficient fund balances to cope with the issues. But we also, frankly, will have much more conservative assumptions. Let me illustrate what I meant before, if I may, Senator Ewbank, to some extent going back to Senator Salomon's question. The Provost talked about the funding of General Education...For example, the General Education review, which I initiated several years ago, has resulted in considerable changes in General Education and we have been progressively funding these. It is only last year, for this year, that the Legislature has given any money for this. As Provost Cole pointed out, it was urgent for us to proceed; Provost Cole told the units involved they would have funds whether we got them or not because it was urgent to move ahead with that. If you add up many of these, it adds up to quite a few important things. Yet all of them, not necessarily all in your judgment, because there is a great deal from category to category of that nature. There are things that we need to do and we need to get on with them. Sometimes you take risks in doing that. I think the risk for not taking that risk is ultimately greater than taking it because then you basically slow down the development of the University which I don't think serves the citizens of the state very well."

Senator Ewbank asked how large a percentage is operation and maintenance of new buildings, mainly non-classroom buildings, of the \$8.5 million. President Koffler said he could not provide that percentage, but it is a typical example of what he was talking about. "We construct buildings typically from bonds which we have issued. Anticipation of completion of these buildings requires funding for maintenance. Very rarely do we get those on time. So there is a choice of not opening the building, and some of you may feel that is a good way to do it. I think that is one arguable position. If I have the choice to open them up--we have an enormous pressure on space, a lot of faculty members and students clamoring for that space--I've had to accommodate them. But that means we are

not fully funded to do that job either in utilities or in custodial. Incidentally, that has a spill-over effect on other maintenance problems on the rest of the campus. Is it better to keep a building closed for a year, or try to open it up and experience some reduction in quality of service elsewhere? That's a very tricky decision, and I stand by that, although it is debatable."

Senator Ewbank asked if a declaration of financial exigency or reorganization of units within the University was imminent or contemplated, and what plans are in place to engage faculty in developing plans for such implementation. President Koffler responded "First of all, I am not speaking of a financial exigency. I have been in this business for a long time. Serious financial stress that is catastrophic is quite different from what we are experiencing now, in spite of the fact that this is painful to all of us. I could not declare that we have a financial exigency. That's out of the question. So the motivation for any changes would have to be the traditional motivations of units, namely mission and scope purposes. And they will follow the rules by which the Senate has been functioning. We intend to follow that, and that is well prescribed."

Senator Ewbank, on a lighter note, remarked that over the last couple of weeks the reallocation of the initial six percent turned to four percent within a few days. And now it was down to two percent. He wondered what were the chances, within a few more days, of getting back to normal. President Koffler: "Only to the extent that my report addresses it, Senator Ewbank. I've indicated why that change was brought about. We announced it even before we had finished our review, to bring it to early attention of the faculty, and as you know there was great concern that this was far from early enough. I'd suggest that you read my report again. The Provost, after receiving the plans, will deal with units. There is no question some units will have serious hardships. We have to deal with them in some fashion and will try to do the best we can; we may change the number for certain departments."

Senator Vezino asked if any thought had been given to taking back position vacancy savings, and making just a general two percent cut across the board, since some units don't have the two percent in their budget to give up. President Koffler responded that would be difficult to do ex post facto, although he believed it was a mistake to allow vacancy savings to revert to departments. He concluded, however, that "we cannot change that at this time."

Senator Witte asked President Koffler when the findings from the University's employee survey would be released to the public for analysis. She noted the Committee of Eleven had been provided with preliminary findings in the early part of the summer. President Koffler said he believed those findings had been released some time ago. Senator Beigel wondered whether the committee had been provided with the executive summary rather than the documentation.

Senator Silverman said one of the concerns the Committee of Eleven has had since it learned about the monetary problems is ensurance of faculty input at college and department levels concerning the cuts. He asked what the President and Dr. Cole would do to ensure that when budgetary cuts come from the colleges there was faculty input at those levels. President Koffler said that "we intend to ask deans what consultation methods were used." He added that "if individuals feel they have not been participating, I think we certainly would like to know about it." He noted that Dr. Cole might wish to add to his comments. Senator Silverman added that he hoped Deans would get assurance from Department Heads as to what mechanisms were used to gain faculty input, and the administration should obtain the same from Deans. He said it would be interesting to learn, by means of a straw vote, if faculty members present, or those in their units, have been consulted.

Senator Jones said he was pleased to note that the key offices related to minority affairs are being exempted from the reallocations. He asked President Koffler if that also applied to the affirmative action plan and office. President Koffler asked if he was referring to actual hiring or the administration of it. Senator Jones: Both. President Koffler responded that employment, of course, may be affected in that we will not have as many vacancies this year, and this would doubtless have an effect "unless we are able to change the pattern completely. I think we have progressively increased the number of minorities and women on appointments at all levels of faculty, staff and administration. We tend to drive that very hard, but I don't know that whether overnight we can make all hires minorities and women." On the second part of the question, he said he wasn't sure what figures had been given to the affirmative action office.

Senator Goetinck commented that, with University efforts to attract and retain minority students, he perceived that the University is confronting a moral dilemma: representatives of the Apache nation have said in the news media that the construction on Mt. Graham will constitute desecration of their sacred grounds, that their tribal spirits dwell there, and one was quoted as saying it would be the end of the Apache nation. "How is the University going to face that problem?" President Koffler: "We faced it originally a long time before this relatively small and not necessarily representative group has raised a voice. Recognizing that there may have been relics of significance, we asked all tribes to react to that, and we had some reaction, not from this group, when we started this project."

Senator Aleamoni said he noticed from the President's report that reallocations have occurred not just this year but in the past as well. "You also referred in several spots about trying to upgrade undergraduate instruction and concentration on the undergraduate programs. How much of this reallocation is really involved in the undergraduate education thrust or the academic area versus building, research, and so on?" President Koffler: "We have increased funding for various undergraduate programs, sometimes generic like General Education, the Honors Program, and so on, very significantly over the last few years. That's in the base budget through Decision Packages and otherwise or through initial funding. But beyond the monies available in the regular budget, we have for some time had to supplement that through special allocations during the year. That has grown from \$1.5 million in 1982-83 which was my first year to \$8.5 this year. It has been continually increasing...but even under the conditions of hardship that we are experiencing, we are increasing the amount from \$8.25 to \$8.5 and we may not even have more enrollment this fall than we had last year."

Dr. Cox, responding to Senator Silverman's request for a straw vote to determine faculty participation in budget reallocation decisions, proposed that, because the deadline for submission of reallocation recommendations was a few days away, Senators remain alert and apprised of events in their units, and the straw vote could be taken at the October meeting. Senator Silverman suggested that if meetings have not yet been called in some units, that elected Senators request them, before it is too late. Senator Witte proposed that a reading now would be particularly valuable, and so requested. Dr. Cox agreed, and Senators were asked if they, as faculty members in their units, were consulted as to what cuts should be made: 17 responded affirmatively. Senator Witte noted that several members who responded were members of one unit or were administrators. Secondly, Senators were asked if they were aware of the final or current unit decisions. Eighteen responded.

Senator Witte asked Secretary Burkhart if he would delay an abbreviated version of the Senate Minutes, perhaps instead cutting them six percent in length. She said she believed the full version of the Minutes was at least as valuable as

other items which are mailed to all faculty. Secretary Burkhart responded that the complete version of the Minutes would be distributed to all Senators and to anyone else on a list by special reservation and who needs to get it, but the \$16,000 cost would be substantially reduced. He noted the Minutes will also be available in Fast Copy Centers, Deans's offices, and Department Head's offices in case faculty wish photocopies. "We are talking about various ways of making it available but without the cost of sending out the full Minutes. There was a hope expressed by some that we might get even better readership of the Minutes if they were cut from the present sixteen pages down to four.

Senator Mautner asked Senator Rehm if anything of consequence had been reported in the replies he had received. Senator Rehm said the clearest items in all responses were the views that the administration is top-heavy in numbers and is unable to utilize faculty input in decision-making.

Senator Paplanus strongly agreed with Senator Witte's comments on distribution of full Senate Minutes. "I hope that before any changes are made the Senate has a chance to discuss and vote on the proposal." He said the Minutes are widely read, and essential to faculty awareness of what is going on, and are more important than the small amount of money that would be saved.

Senator Witte directed congratulations to Senator Avery for student effort and achievement exemplified in the completion of the Student Recreation Center. "It's certainly a lesson for the faculty, the administration, particularly the Athletic Department, and all of us, on how to do something that is not elitist, that's open to every member of the University community, and is probably one of the finest things that has happened on this campus." Senator Avery responded that he could not personally accept the credit, but would accept it on behalf of others in ASUA.

Senator Salomon asked Dr. Cox what role the Senate plays now, or will in the future, in the financial affairs of the institution. Dr. Cox noted that the issue of faculty governance was discussed in Senate meetings last spring, resulting in a task force being appointed to review and make recommendations. In addition, she said, within the last two weeks the Chairman of the Faculty, the Presiding Officer of the Senate, the Senate's Budget and Strategic Planning Policy Committee, and the members of the Committee of Eleven had met with the administration in hard and serious discussions concerning the budgetary shortfall and the procedures for dealing with it. She said she hoped such interactions would continue. "One point has been emphasized strongly: faculty members should be involved in the process of decision-making from beginning to end." She said the second part of her response involves everyone in this room: "Each of us has a responsibility to not let these proceedings stop when the meeting ends, but rather to go back to our departments, our colleges, to our administrators, and to our peers, and to share this information and get actively involved setting into motion a chain of interaction that says we are indeed an integral part of these things and we intend to remain so."

Senator Vezino asked Dr. Cole why over five hundred classes were being canceled because of below-minimum enrollment, and what happens to the resources and faculty that were scheduled for those classes. Dr. Cole responded that every three years all classes in the catalog are reviewed, and those which have not been offered in that time period are considered for cancellation. He noted that departments decide either to retain them, for graduation requirements, for example, or to delete them, sometimes if they were experimental courses. This course monitoring is an ongoing function, he said. In response to resources, many of the courses were canceled some time ago, and no resources were committed; if they were canceled during or near the start of classes. The administration

asks what happened to the instructor. In some cases, he said, the instructor was assigned to cover additional sections of lower-division, high-demand undergraduate courses, but the administration does monitor it. Senator Vezino: "So we don't have teachers who are being paid to teach but are not teaching?" Dr. Cole responded that it is against state law for paying somebody for doing nothing, and secondly, "We don't have the resources to do that kind of thing."

Senator Ewbank said the Academic Personnel Policy Committee requests that the plan for distribution of the monies provided by the Legislature for the four percent market adjustments be made available at least to the members of the Faculty Senate and perhaps others, prior to the distribution of those funds. Dr. Cole responded that the plan is not fully approved yet, but it was made available to the Committee of Eleven and to the Budget and Strategic Planning Policy Committee; input was obtained from them, since the Senate was not in session at that time, and several suggestions were incorporated. An early submission date was anticipated, explaining the prompt action. The lateness of the legislative session prevented a longer period of consultation, which will be done in the future, and further discussion may yet be possible. Senator Witte asked if the plan could be brought to the floor of the Senate at the October 1 meeting so that it could be discussed. Dr. Cole said he had no objection to that, but he would have to look at the timing.

Senator Ewbank asked Senator Rehm for further details on the Presidential Search Committee. Senator Rehm responded that the Board of Regents will make appointments to that committee. Dr. Cox noted that other groups have also submitted recommendations to the Board for membership on the search committee.

REPORT FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE: Senator Ewbank noted that several of the committee's actions have been mentioned previously. In addition, the committee continues to examine the Conditions of Faculty Service, and plans to report recommendations at the October Senate meeting. It appears, he said, there will be few if any additional necessary changes in the Constitution to bring it into compliance. Under New Business, he said, he will move to recommend the required General Faculty meeting and mail ballot proceed, in order to obtain approval of the Constitution/Bylaws changes approved by the Senate in May.

REPORT FROM THE BUDGET AND STRATEGIC PLANNING POLICY COMMITTEE: Senator Roemer noted that the committee presents its annual report (copy attached) at the September meeting, and that report was included in the meeting call. She said she would like to expand on "Mission Statement and Five-Year Strategic Plan." Various drafts have been reviewed during the last year and a half, though they have never succeeded in getting a Mission Statement within the form specified by the Regents that they were sufficiently satisfied with to bring to the Senate with a "do pass" recommendation. "According to the time scale set by the Regents, the Mission Statement and the accompanying Five-Year Strategic Plan did go to the Regents in July this year. It was presented with an opening statement by President Koffler. Certainly the combination of the opening statement and the most recent version of the Mission Statement and Strategic Plan is an improvement over everything we've seen before."

"Regarding market adjustments, three committees--Budget and Strategic Planning Policy Committee, Committee of Eleven, and Academic Personnel Policy Committee--had enough time to study the plan carefully and we submitted a joint response with a number of comments and recommendations. Last Friday afternoon we received a memo of response to our joint response that left us with some difficulty in reconciling the early version, the comments, with what we saw last Friday afternoon. At the beginning of the meeting today, I received a copy of apparently the revised plan that does reflect our input. I have not yet had time to

read it. In these circumstances I am somewhat relieved to discover that we do have a few weeks in which there may be some further negotiations because we have some serious points of concern about the plan as it was last Friday afternoon.

"With respect to the budget matter, it would appear from our charge that we have some responsibilities in this area. In fact we do have deep involvement in the Program Change Requests which represents the new planning. We have essentially zero input when it comes to the budget for continuation of ongoing programs. Clearly, in a time of financial stress there have to be some difficult decisions, that some things may have to be shrunk or terminated. I hope that we have conducted ourselves honorably enough and with sufficient wisdom that we can prove that we have something useful to contribute in these areas. With respect to this budget reallocation business, I'd like to make plain the time scale in which we found out about this. We had a meeting of the Budget Committee on August 21; I have routinely during the year covered our meeting calls and agenda with copies to the Provost's office a week to ten days ahead of our meeting. So the information was in the Provost's office that we were having a meeting. We knew nothing at that stage about the financial difficulties, even though the date on the President's letter to the Regents was August 17, preceding our meeting by four days. At our Budget Committee meeting, a rumor came to us that there was a budget problem and that the afternoon newspapers would have the story. I hand carried some material to the Administration Building that afternoon and managed in a chance encounter in the elevator to confirm indeed there was a problem. Later on that afternoon I had business in the Planetarium, and managed to pick up a few more morsels of information, and of course I read about it in the newspaper the evening of August 21. On the morning of August 22 I received by fax from the Faculty Center a copy of the President's letter to the Regents. It was a three-page letter, but not the attached two-page fact sheet. I found out about that when I read the delayed Wildcat which was dated August 23 and was actually on the stands on Friday the 24th. So on Friday the 24th in the afternoon I phoned the President's office and asked if I might have a copy of the Fact Sheet that was made available to the Wildcat reporter on Monday the 20th. I think we are deserving of earlier consultation."

REPORT FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE: Senator Mitchell said the committee had met and discussed the report of the Task Force on Computing and Other Academic Learning Services on which the committee was asked to comment. A summary of committee comments will be forwarded to Dr. Fernandez this week. One major piece of unfinished business from last year is the results of the Spring faculty survey on the University Teaching Center. Results are anticipated soon, and they will be shared with the Senate.

REPORT FROM THE RESEARCH POLICY COMMITTEE: Senator Larson said the initial meeting of the committee was devoted to a discussion of the Intellectual Property Policy, which is in draft form, and subsequently the committee submitted to Dr. Cusanovich a memorandum detailing its recommendations. Last Friday the committee met with Dr. Cusanovich and discussed those concerns and suggestions with him, and Senator Larson will provide the Senate with reports as progress is made.

REPORT FROM THE STUDENT AFFAIRS POLICY COMMITTEE: Senator Enos reported the committee has met this semester, and discussion centered on the importance of improving advising. However, the committee believed there were already so many ad hoc committees meeting on this subject that such efforts might be a duplication. It will be discussed further at the next meeting. One of the committee's priorities this year is the phone registration system because so many students are still having to walk through Registration. She plans to discuss priorities with Vice President Woodard's office. Work on the Code of Academic Integrity has not been completed, but it is anticipated a report will be submitted to the

Senate during the fall semester. Senator Enos invited Senators' advice and suggestions on these or other matters.

QUESTIONS AND ANSWERS: Senator Silverman asked Senator Ewbank for the status of (1) the current Constitution and Bylaws; and (2) the amendments to the Constitution related to Senate reorganization approved by the Senate last spring. Senator Ewbank said that in answer to the first question, to the best of his knowledge, the Constitution and Bylaws as amended in 1986 has not been presented to the Regents for their approval, as is mandated, and the amendment of the Constitution will be the substance of the motion he will propose under New Business.

APPROVAL OF CATALOG MATERIAL: Approval of Curriculum Bulletin, Vol. 13, No. 11, Section I was moved (motion 90/91-7), seconded, and unanimously approved on a voice vote. Approval of Section IV was similarly moved (motion 90/91-8), seconded and unanimously approved on a voice vote.

RATIFICATION OF FACULTY REPRESENTATIVES TO STUDENT SENATE: Senator Avery moved (motion 90/91-9) approval of Dr. Adela Allen and Administrative Sergeant Brian Seastone as faculty representatives to the 1990-91 Student Senate. The motion was seconded and unanimously approved.

CALL FOR NOMINATIONS FOR REPRESENTATIVES TO ARIZONA FACULTIES COUNCIL: Dr. Cox called for nominations for membership on the Arizona Faculties Council (AFC). She noted the election will occur at the October Senate meeting, and deadline for submission of nominations is September 17. Current representatives are Senators J. D. Garcia and Douglas Jones and, ex officio, Chairman of the Faculty Thomas R. Rehm. Senator Ewbank nominated Professor Martin M. Fogel. Senator Jones asked about guidelines for membership in AFC. Senator Rehm said representation from this campus is slightly different than the other two universities, where they select the current Senate Chair, immediate past Chair, and Chair-Elect. Guidelines approved by the Senate two years ago call for ex officio membership by the Chairman of the Faculty, and two members elected by the Senate from elected membership in faculty governance, which includes the Committee of Eleven and the Faculty Senate. Senator Roemer nominated Senator Douglas Jones.

REVISED FORMAT OF SENATE MINUTES: Dr. Cox noted this item will be rescheduled to a future agenda.

OLD BUSINESS: Senator Bickel asked permission for Dr. Ward Kischer to report on the status of the Tien Wei Yang case, and Dr. Cox asked him to proceed. Dr. Kischer: "It has been requested that I report to the Senate concerning the Tien Wei Yang case, in which this faculty body has already played a most courageous role in the furtherance of faculty governance at this university. Subsequent to the last report, made by Senator Bickel at the May meeting, and since April 6, when the Regents instructed the University administration to work out a mutually satisfactory solution with Dr. Yang on a good faith basis, the following has happened.

"In the intervening five-plus months there have been twelve negotiation sessions. The first meeting was initiated by Dr. Yang, but to bring the President to the first negotiation session required two letters, a chance encounter with Dr. Koffler on campus, and nearly one month. Dr. Yang subsequently initiated eleven more meetings with Dr. Koffler and/or his representatives. Dr. Koffler and his associates initiated none of the twelve meetings. I took part in one of the negotiation sessions on June 26. Present were Drs. Terry Burke and Holly Smith, representing the administration. At this meeting, it was apparent that only one major item remained unresolved. Dr. Yang was and

is requesting a four-year reappointment while Dr. Koffler offered only a three-year reappointment and added that his position was final. At this meeting, I offered a number of supportive statements justifying a four-year term. Drs. Burke and Smith offered no reasons for the three-year term except to say that was Dr. Koffler's final offer and that he thought it was appropriate. Since June 26, Dr. Yang has had two subsequent meetings, one with Dr. Koffler and Dr. Burke in the presence of Senator Ewbank, and the other meeting with Dr. Smith and Vice President Celestino Fernandez in the presence of Senator Bickel. At both these meetings, nothing further was accomplished. Dr. Koffler remained intractable.

"On July 17, Dr. Yang wrote to President Esther Capin of the Board of Regents requesting the Board to resolve the impasse and explaining that Dr. Koffler would not budge from his uncompromising position. President Capin wrote back to Dr. Yang on July 30 urging Dr. Yang 'to continue your dialogue with President Koffler and his administration in a constructive manner.' It would have been most helpful had President Capin similarly wrote to Dr. Koffler, instructing him to continue the negotiations with Dr. Yang, which she apparently did not do. After receiving this letter from President Capin, Dr. Yang requested a meeting with Dr. Koffler on Tuesday, August 14. This request was ignored and remained unanswered until Dr. Yang received a letter from Dr. Koffler dated August 28. In this letter Dr. Koffler unilaterally and arbitrarily ended all further negotiations by saying that his three-year reappointment offer was final. He set September 12 for Dr. Yang to accept his offer or to reject it.

"I hope and do believe that all of us here understand a good faith negotiation is defined by compromise and includes accommodation and give and take. Dr. Yang has already compromised for more than fifteen years of academic exile to a four-year reinstatement. From nearly half a million in lost salary, from the destruction of hundreds of his experimental plants by the administration, from the senseless interruption of his long-term research with the creosote bush, from the loss of countless publications, extramural grants, potential undergraduate and graduate students, and an interrupted career at the height of his professional life, Dr. Yang wishes to return to the University to continue his research, teaching and public service under a four-year reappointment. You, the Senators who voted to give him his long-denied hearing by the CAFT, that vindicated him decisively a year ago, could now support his immediate return to the University on a four-year reappointment. I would hope you would consider letters of support to the Regents or a supporting resolution from the Senatorial body."

NEW BUSINESS: Senator Ewbank said the Academic Personnel Policy Committee recommends that the Senate move (motion 90/91-10) to instruct the Chairman of the Faculty to proceed without delay to notify the General Faculty of the several amendments to the Constitution and Bylaws of the General Faculty of the University of Arizona and to issue the call for a meeting of the General Faculty and the mail ballot which will complete the amendment process on items now pending. The motion was seconded. Senator Rehm noted that the Senate has not yet seen the Academic Personnel Policy Committee's recommendation regarding revisions to Conditions of Faculty Service, which may impact on the Constitution and Bylaws. Senator Ewbank said he would be willing to stand corrected on matters of detail, but the overall appearance indicates there will be no changes of any significance. A voice vote indicated approval.

RATIFICATION OF CHAIR OF BUDGET AND STRATEGIC PLANNING POLICY COMMITTEE: Senator Jones moved (motion 90/91-11) that Senator Roemer be ratified as 1990-91 Chair of the Budget and Strategic Planning Policy Committee. That motion was seconded and approved unanimously on a voice vote. Dr. Cox confirmed that the Senate Executive Committee had recommended this appointment.

ADJOURNMENT: The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Ford N. Burkhart, Secretary

MOTIONS OF MEETING OF SEPTEMBER 10, 1990:

- 90/91-7 Approval of Curriculum Bulletin, Vol. 13, No. 11, Section I.
- 90/91-8 Approval of Curriculum Bulletin, Vol. 13, No. 11, Section IV.
- 90/91-9 Ratification of representatives to Student Senate.
- 90/91-10 Approval of motion to instruct Chair of Faculty to proceed with General Faculty meeting.
- 90/91-11 Ratification of 1990-91 Chair of Budget and Strategic Planning Policy Committee: Senator Elizabeth Roemer.

ATTACHMENTS TO THESE MINUTES:

- 1989-90 Annual Report, Budget and Strategic Planning Policy Committee (not appended to Faculty Senators' copies distributed with October 1 Senate meeting call)