

**MINUTES
FACULTY SENATE
THE UNIVERSITY OF ARIZONA
May 7, 2001**

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1. CALL TO ORDER

The meeting was called to order by Vice Chair and Presiding Officer Wanda Howell at 3:04 p.m. in the College of Law, Room 146.

Present: Senators A. Armstrong, Benson, Caldwell, D. Davis, G. Davis, Eribes, Garcia, Gonzales-Portillo, Hancock, Heinrich, Howell, Hurt, Jenkins, D. Jones (substitute for Pintozzi) Larson, Likins, Marchalonis, Mitchell, O'Brien, Price, Quinn, Quintero, Regan, Richardson, Romer, Schooley, Silvernan, Smith, Spece, Strom, Taren, Tatman, Walsh, Warburton, Warnock, Weinand, Witte, Wright, and Zwolinski. Thomas Volgy served as Parliamentarian.

Absent: Senators N. Armstrong, Bickel, Dahlgran, Grant, Impey, Joens, Judice, Kurzer, Medine, Merkle, Mishra, Pintozzi, Songer, Szilagy, and Tal.

2. OPEN SESSION

Senator Andy Silverman – Senator Silverman reported that one of the responsibilities of the Senate Task Force for Monitoring Labor and Human Rights Issues has been to monitor the 1999 Commitments between President Likins and the Students Against Sweatshops. The Task Force has made periodic reports ending with the final deadline in the Commitments of February, 2001. The Task Force has also taken on other activities besides monitoring. In Fall 2000, the Task Force sponsored visits from Sam Brown, the Executive Director of the Fair Labor Association, and Richard Appelbaum, a board member of the Worker Rights Consortium. In Spring 2001, the Task Force helped to sponsor the Labor in the Americas Conference offered by Latin American Studies. It also helped to sponsor a forum on a workers' strike at the Kukdong factory in Puebla, Mexico which produces UA apparel. The Task Force hopes to begin sponsoring research dealing with sweatshop-related issues, and is looking into alternative licensing options and factory models through Borderlinks.

Senator Frank Romer – Senator Romer expressed his gratitude to the faculty advisors who will be on campus twelve times this summer to facilitate new student advising. Since these twelve dates fall between May 14 and August 16, the exact three months that professors on nine-month contracts are not paid, Senator Romer proposed that faculty advisors be paid for this time if summer advising is to become a regular demand on faculty members' time. He also hopes that the University-wide Task Force on Advising will make more visible and more inclusive efforts to improve the general advising situation next year.

3. REPORTS

3A. ASUA President Ray Quintero

Senator Quintero introduced a new student Senator, Amy Armstrong, who will serve as ASUA's Director of Academic Affairs. Angelle Judice, who was unable to attend today's meeting, will also serve on the Senate this year. ASUA is continuing its work on the Academic Advising Task Force and is formulating a student survey on how to improve advising. The survey will be conducted on the mall as well as on-line during the Fall semester.

3B. GPSC President Kirsten Price

Outgoing GPSC President Auxier thanked the Senate for its openness and for allowing student input and participation into policy changes and other affairs. He introduced law student Kirsten Price, the new GPSC President who will serve in the Senate this year.

3C. Vice Chair of the Faculty Wanda Howell

Vice Chair Howell welcomed the new and returning Senators and the two replacements for Senator T. Davis and Senator Mitchell. She announced that, based on Senators' comments and concerns at the April meeting and upon the recommendation of the Parliamentarian, the Executive Committee has voted to hold a special election for the remaining six Senators-at-Large in the Fall to complete the Senate roster. She also announced that Graduation Services urgently needs a marshal for the May commencement ceremony.

3D. Secretary of the Faculty Robert Mitchell

The Committee on Faculty Membership met in April and has formed a study group to consider some of the issues developed by last year's committee. Any recommendations from the committee will come to the Senate in the Fall.

3E. Chair of the Faculty Jory Hancock

Chair Hancock also welcomed the new Senators and officers. He asked Jacqueline Sharkey, who was a UA representative to the statewide Evaluation Committee that was charged with negotiating the healthcare benefits for 2001-2002, to describe the process and explain how the CIGNA contract was finally accepted. Ms. Sharkey explained that the Evaluation Committee was given criteria to provide all state employees and their families in both urban and rural areas with quality healthcare at a reasonable cost. The legal criteria included 1) acceptability of providers with performance on the current state contract, 2) the track record and reputation of each company that submitted an offer, 3) the ability to enhance employee choice, 4) the plan design 5) funding arrangements, 6) financial stability, and 7) cost. The RFP's originally asked for proposals for three regions: Maricopa County, Pima County, and all other counties. Initial offers came from CIGNA, Health Net, United Healthcare and Pacificare, the same four companies that are providing healthcare benefits under the current contract. Only two offers made provisions for the rural areas of the state, Health Net and United Healthcare. United Healthcare's proposal depended on a self-funded funding arrangement, which was outside the contract's legal parameters. Health Net's cost estimate was more than \$10 million above the state estimate and did not meet the legal provider standard in seven rural counties. With no viable option for the rural employees, the committee asked the four bidding companies to submit offers to be the sole carrier for the entire state. The committee hoped that the larger pool of employees would bring in reduced rates. Only CIGNA submitted a new offer. HealthNet and United Healthcare left their offers the same and Pacificare did not submit any offer. Since United Healthcare's offer was outside the legal parameters for the state, it could not be considered. The committee then compared the two companies and offers and found that CIGNA had the strongest urban and rural network, had met or exceeded all standards in the current state contract, had the highest satisfaction rate among employees (over 90%), had the lowest complaint-to-employee ratio, had the lowest number of appeals, had financial stability, and had the lowest-cost HMO and PPO plans for all three regions, whereas HealthNet would have cost \$300/mo more for individual coverage and \$800/mo more for families. She referred questions and concerns to Ted Evers, ADOA Benefits Manager for the Arizona Department of Administration. Chair Hancock also extended his personal thanks to outgoing Chair of the Faculty Jerry Hogle for mentoring him and the new faculty officers during this transition period, for supporting the Faculty Center staff, for making Shared Governance even more inclusive, and for his involvement in some of the major actions and policies that were developed during the past four years including an Agreement for Extending Shared Governance, an Enhanced Review Board, a Revised Policy on Conflict of Interest and Commitment, a Policy on Corporate Relations, a new Code of Research Integrity, a Regents' Whistleblower Protection Policy, a sexual harassment policy, a faculty grievance policy, and an initial draft of a new research integrity policy. Chair Hancock also thanked the faculty members who have worked on each of these policies. He presented outgoing Chair Hogle with a plaque for extraordinary service to the faculty of the University of Arizona. Chair Hogle expressed his gratitude for all of the Senators, committee chairs and members, and faculty officers who have served with him in the past four years. He also thanked Provost Davis and President Likins for their commitment to shared governance and their sensitivity to and respect for faculty viewpoints. He expressed gratitude to his wife and to the Faculty Center staff for their continuous support and said it has been an honor for him to serve the faculty.

3F. Provost George Davis

Provost Davis identified the new academic degrees, programs, and units that have been approved this past year through the faculty, colleges, and Senate, as well as proposals that are currently going through the approval process. He does not yet have a summary of recruitment and new hires for this year but he hopes to announce the new Vice-President for Graduate Education and the new Vice President for Health Sciences within two or three weeks. Arizona International College's Rosenblatt is stepping down and a search has begun for his replacement. Dave Gnagy is serving as Acting Dean in the interim. The search committee for the Dean of the new College of Public Health will probably make its recommendations in June. This summer, Provost Davis will bring a consultant to campus to do a needs assessment on how UA can move forward with greater effectiveness in the area of diversity. In particular, the NCA identified faculty diversity as a challenge for the University. He hopes to invest more funding and to create an extraordinarily welcoming environment for recruiting and retaining faculty from diverse groups. An NCA report on what has been done and what is planned is due in 2003. The question of whether to hire for a Chief Information Officer/Vice President of Information Technology has been an ongoing search challenge for some time. Last year's national search was terminated to allow the University to develop a greater understanding of the investment required for market and start-up costs while considering the value derived. Provost Davis also thanked Jerry Hogle for his loyal service to the General Faculty.

3G. President Peter Likins

President Likins reflected on the past four years. Upon his arrival in 1997, his main concern was the fragmented community. He has worked hard to develop good working relationships with the faculty, the students, the administration, the University community, the Regents, the external community, the business community, and the legislature. He thanked Jerry Hogle for easing the process of developing associations with the faculty, and for enabling him to understand the culture and to respond to the needs of the faculty. He also thanked the Faculty Senate for providing an opportunity to discuss issues and differences. He commented that the student leaders in recent years have made effective contributions and valuable differences. He thanked the Provost for becoming an instant partner. The team composed of the President's Cabinet, the University Council, the Vice Presidents and the Deans has really begun to function effectively in the past year. All of these collaborations are having a positive effect as University personnel are beginning to feel valued by the governor, the legislature and the external community, largely as a result of Janet Bingham's efforts in the Office of Advancement. Some of the legislature's response to higher education priorities is a consequence of the dialogue between business community leaders and legislators. Proposition 301 and some of the newly elected pro-education legislators indicate constituents' greater commitment to education and to the University's mission. Although some things are still dependent on such externalities as the accidents of politics or the economy, he feels that these coalitions and collaborations are truly a new beginning for the University that will only improve with time.

4. **QUESTION AND ANSWER PERIOD**

Substitute Senator D. Jones inquired about the status of Proposition 301 funds. Provost Davis said UA's funds will amount to about \$16 million and expenditures can begin July 1. A structure is in place with checks and balances for budget preparation and approval for the six areas designated to receive the funds; BioTechnology, Information Technology, Water, Optics, Access, and Workforce. He expects to receive faculty-generated proposals for appropriate and optimum expenditures from leadership teams of deans and directors.

Senator D. Davis inquired about handling inappropriate classroom behavior. Senator Romer replied that most disruptive behaviors are addressed by the Code of Conduct violations and can be handled directly with the student or by informing the Dean of Students. He also suggested that faculty should discuss citizenship in the classroom and fair treatment of both students and faculty at the beginning of each semester. The Student Affairs Policy Committee has also been discussing plagiarism and intends to put an electronic link about plagiarism on the University-wide General Education Committee's WebPages.

5. **APPROVAL OF THE MINUTES OF APRIL 2, 2001.**

The minutes of April 2, 2001 were approved as distributed.

6. **ELECTIONS FOR COMMITTEE ON CONCILIATION, UNIVERSITY COMMITTEE ON ETHICS AND COMMITMENT, UNIVERSITY HEARING BOARD, AND FACULTY SENATE REPRESENTATIVE TO THE FACULTY SENATE EXECUTIVE COMMITTEE (attachment)**

Votes were cast using written ballots. Secretary Mitchell and Parliamentarian Volgy served as tellers. Within the General Faculty Bylaws, those elected were:

Committee on Conciliation

Thomas Ervin
Dennis Ray
Joyce Verran

University Committee on Ethics and Commitment

Gabriel Gonzales-Portillo
Juan Heinrich
Eileen Luna
David Ortiz

University Hearing Board

Patricia Anders
James Farrell
Gale Manke
Michael Mulcahey
Steve Smith
Dianne Winslow

Faculty Senate Executive Committee Representative

Malcolm J. Zwolinski

7. **ACTION ON CONSENT AGENDA ITEMS FORWARDED FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE (attachment).**

The consent agenda item detailed at the end of these minutes was approved. [Motion 2001/02-1]

8. **DISCUSSION ON RESEARCH INTEGRITY POLICY**

Senator Hurt reported that the Research Policy Committee has been unable to completely finish considering each of Senator Spece's suggestions of the April 2nd meeting. He thanked Senators Lehman, Walsh, and Benson for their assistance on the policy and said this year's committee has attempted to balance the federal requirements, the rights of faculty members, and the rights and responsibilities of the institution. He thanked Senator Spece for his considerable input and close reading of the policy. He asked Senators for suggestions of philosophy and elements they would like to see incorporated in the policy for next year's RPC to consider. Senator Davis inquired whether consistency across related policies and procedures would be considered. Senator Hurt cautioned against inserting statements about related policies within the policy and advised referring directly to the external policies. Senator Hurt requested that the Senate quickly and judiciously consider the policy for next fall.

9. **REPORT ON INTERCOLLEGIATE ATHLETICS**

Director of Athletics Jim Livengood reported that although some universities are experiencing problems with salary issues and the "arms race," the UA is not out of control, largely because of President Likins' efforts. Mr. Livengood admitted that there is room for improvement and he expects that the UA model for athletics over the next few years will be different than others around the country because of the following five elements:

- 1) Trust: The Athletics Department has to ensure the University community's trust by not operating in the red. Four percent of the Athletics Department's \$29M budget comes from the University and that percentage will not increase and may decrease. Athletics already pays \$1.2M/year in Administrative Service fees and over \$600K/year in student wages, and is very involved in the Student Union project and will contribute \$.5M/year for five years.
- 2) a) Academics/Graduation Rates: Graduation rates have steadily increased and are expected to be in the 65-75% range in the next few years. Although UA's athletes' graduation rate is currently ranked 2nd or 3rd in the PAC-10, the Athletics Department's goal is to have every one of the 489 UA student-athletes graduate. At the recent Mary Roby luncheon, 157 student-athletes were recognized for maintaining a 3.0 GPA for two consecutive semesters and 15 athletes had 4.0 GPA's.

- b) Credibility/Compliance: The Athletic Department intends to maintain credibility and compliance by following all of the University rules, the PAC-10 rules and the NCAA rules.
- 3) Recruiting: The Athletics Department continues to attempt to recruit better athletes, students and teams, which in turn affects the student-athletes' successes, the UA's graduate rates and the UA's teams' successes.
 - 4) Marketing/Promoting UA: Although the Athletics Department has no control over how much media coverage is given to the University's teams and sports, Mr. Livengood reminded Senators that all media coverage is actually marketing and promoting the University of Arizona and all its events.
 - 5) Development and Funding: UA is currently building the Eddie Lynch Pavilion to increase the size of McKale Center, which was built in 1972 for 137 athletes. All of the facilities for athletics in the past eight years have been built with private funds, unlike other universities that have bonded debt in their athletic program. The toughest challenge for the Athletics Department is to work within its budget constraints and to project revenues for FY'02. Bad weather, poor performance, or public perception can cause revenues to fluctuate wildly, sometimes over \$1.5M in one season.

Intercollegiate Athletics (IA) has the same goals as the University, to provide the very best academic and athletic experience possible for the 489 members of the nineteen men's teams and eleven women's teams. Mr. Livengood described two publications, the "Intercollegiate Athletics Annual Report" and the "Intercollegiate Athletics White Paper, Facts and Myths about Intercollegiate Athletics at UA" which address academic and financial issues and myths. These publications are available by request by calling 621-4622. One pervasive myth exists that assumes IA is a cash cow for the University; it is not. Furthermore, IA does not have an answer for why the basketball players want to turn pro before they complete their education, but the department is making every effort to ensure that the players understand the value of a college education and what the age curve is all about. Senator Walsh inquired about the comparison of the student-athletes' graduation rate compared to the overall student body graduation rate in the PAC-10. President Likins remarked that the UA's overall graduation rate ranks ninth (ASU is tenth) in the PAC-10, but our athletic graduation rates are relatively high, so the gap for UA is larger than is typical even for the top half of the conference. Student transfers also hurt our graduation rates. President Likins commented that there are current proposals in the NCAA for reducing the number of student-athletes if graduation rates fall below a certain threshold. He and others are trying to persuade the NCAA and the PAC-10 that they are looking at the wrong rate when they consider absolute graduation rates, because the athletics department's rate is higher than the student body as a whole, and it should not be punished by having to put fewer players on the field than Stanford, for example. Senator Schooley inquired how the 4% state funds are spent. Mr. Livengood stated that those funds are not used for salaries, but rather for operations, primarily academic support, staff support, and medical services. Furthermore, IA no longer receives funding from student fees. In truth, IA contributes more funds to the University than it receives. Provost Davis inquired whether the student-athletes are isolated from the other students. Mr. Livengood answered that the academic advising and counseling for student-athletes was removed from McKale four years ago, although some counselors and tutors are still located there. Chair Hancock inquired about the athletes' reaction to the Fourth Avenue riots. IA and the student-athletes felt terrible about this event and considered it an embarrassment to the University and the community. Senator Silverman inquired about how IA can connect with the University's academic mission. Mr. Livengood suggested that IA all across the country could be more proactive in this area, however, in this past year, UA student-athletes have spoken to over 31,000 Tucson students of non-recruitable ages (eight years and under) about the importance of education and staying in school. Senator Silverman suggested pairing these speakers with non student-athlete speakers. President Likins commented that his experience as a student-athlete was an important part of a holistic developmental experience and that he does not see a disconnect between learning and athletics. Senator Richardson commented that some student-athletes migrate to certain faculty members, and that this presents some of the largest challenges to academic integrity. Senator Garcia suggested a symposium on academic integrity to be co-sponsored by IA and the campus community. Senator Davis inquired if there are additional ways for faculty to become involved in recommending policy other than through the Intercollegiate Athletics Committee (ICAC). Mr. Livengood suggested using e-mail and Senator Warburton stated that two Faculty Fellows also serve on the ICAC. Mr. Livengood said the IA and the UA need to do a better job of communicating athletics' academic achievements.

10. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:51 p.m.

Robert L. Mitchell, Secretary

Appendix*

1. Open Session statement by Senator Frank Romer
2. Consent Agenda from the Instruction and Curriculum Policy Committee
3. Biographical statements of nominees for membership on the Committee on Conciliation, the University Committee on Ethics and Commitment, the University Hearing Board, and the Faculty Senate Representatives to the Shared Governance Review Committee and the Faculty Senate Executive Committee.
4. Annual reports from the Academic Personnel Policy Committee, the Instruction and Curriculum Policy Committee, the Research Policy Committee, the Student Affairs Policy Committee, the Committee of Eleven, the Committee on Academic Freedom and Tenure, the Committee on Conciliation, the University Committee on Ethics and Commitment, and the University Committee on Corporate Relationships.
5. "Making a Large University Appear Small" report from the Committee of Eleven, April 20, 2001.
6. 2000-2001 Faculty Senate roster and email addresses.
7. Schedule of 2001-2002 Faculty Senate and Faculty Senate Executive Committee meetings.
8. Synopsis of spring 2001 Faculty Senate elections and General Faculty Election results.
9. Provost Davis' "Academic Programs and Unit Changes, 2000-2001" May 7, 2001

10. State Health-Care Contract overheads

*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 May 7, 2001

2001/02-1 Seconded motion from the Instruction and Curriculum Policy Committee to approve a concurrent degree program that will allow a student to earn an MA in Women's Studies and a JD in Law, and to approve a new degree program in the College of Science, B. S. in Science Education with a major in Sciences Education. The office of the Vice President for Undergraduate Education will be responsible for facilitating cooperation and collaboration among all academic units of the University involved in science education. Motion carried.

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FACULTY CENTER
1400 E. Mabel
PO BOX 210473