

**MINUTES  
FACULTY SENATE  
THE UNIVERSITY OF ARIZONA®  
May 3, 2004**

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**1. CALL TO ORDER**

The meeting was called to order by Vice Chair Howell at 3:05 p.m. in the College of Law, Room 146.

**Present:** Senators Baca, Chapman, Christenson, Conway, Cromwell, Cusanovich, Dahlgran, D. Davis, G. Davis, Garcia, Gruener, Hancock, Howell, Jenkins, Joens, Jones, Kiefer, Likins, Mitchell, Mitchneck, Mountford, Pintozzi, Radebaugh, San Martin, Silverman, Smith, Spece, St. John, Swanson, Timmermann, Tomanek, Ulreich, Weimand, Willerton, Witte, Zizza, and Zwolinski. Robert Sankey served as Parliamentarian.

**Absent:** Senators Bixby, Burd, Chandler, Garrett, Hildebrand, Larson, Marchalonis, Pitt, Powell, Songer, Strittmatter, Tatman, and Vierling.

**2. OPEN SESSION**

University of Arizona Retirees Association representative, Cornelius Steelink, reported that UA's Jaime Gutierrez has joined retired UA professor Keith Meredith on the Arizona State Retirement System's (ASRS) nine-member Board of Directors. The ASRS Board should complete its bid evaluation process for health insurance for retirees in June 2004. Three bills have recently passed the state legislature that will strengthen the ASRS pension fund. UARA held two workshops on health insurance and Medicare reforms this spring, and hosted a luncheon for Phoenix area UA retirees. A recent survey showed UARA volunteers have contributed over 8300 hours of service to the University this year and that number represents only 17% of departments that have responded so far.

**3. REPORTS**

**3A. ASUA President Alistair Chapman**

ASUA President Alistair Chapman announced that ASUA has 45 new student directors and that many of them will be working through the summer. The response for applications was tremendous and these directors represent the finest student leaders. The new student Regent from UA was selected today and will be announced by Governor Napolitano later this week.

**3B. GPSC President Jani Radebaugh**

GPSC President Jani Radebaugh reported that the GPSC elections are ending and that most of the college representative slots have been filled. GPSC voted to support the recommendation of the School of Planning Reorganization Advisory Committee to move the School of Planning into the Department of Regional Development in the College of Social and Behavioral Sciences. GPSC is grateful to the administration for committing to continually increase graduate assistant tuition remission to reach 100% within the next three years. GPSC will continue working with ASUA and Vice President Taylor's Office of Campus Life on the issues of graduate student housing and childcare. GPSC will continue working with national groups and legislators on foreign student visa reform to help UA's international students. President Radebaugh introduced her successor, Amanda Brobbel.

**3C. Secretary of the Faculty Robert Mitchell**

Secretary of the Faculty Robert Mitchell announced the results of the electronic vote about the recommendation of the School of Planning Reorganization Advisory Committee, which followed the April 19 Special Session of the Faculty Senate. A majority of senators voted in favor of the Advisory Committee's recommendation to move the School of Planning into the Department of Regional Development in the College of Social and Behavioral Sciences. A letter announcing this vote has been sent to President Likins and the Chair of the Strategic Planning and Budget Advisory Committee, Antonio Estrada.

**3D. Vice Chair of the Faculty Wanda Howell**

Vice Chair of the Faculty Wanda Howell welcomed and introduced the new student leaders, ASUA President Alistair Chapman and GPSC President Amanda Brobbel, and the new and re-elected senators. The General Faculty and the Senate standing committees' reports were distributed in today's packets. Vice Chair Howell announced the results of the electronic vote following the April 19 Special Session. Senators voted 35-2 with one abstention in favor of the Advisory Committee's recommendation to move the School of Planning to the Department of Geography and Regional Development.

**3E. Chair of the Faculty Jory Hancock**

Chair of the Faculty Jory Hancock commended GPSC President Jani Radebaugh for her leadership and amazing contributions to the Senate, SPBAC, and a number of other committees this past year, including the School of Planning Reorganization Advisory Committee. The Humanities Program faculty members have all agreed with the changes involving their new appointments so no advisory committee will be necessary. The School of Planning Advisory Committee's recommendation has passed the Senate and is on its way to the Strategic Planning and Budget Advisory Committee (SPBAC). In both of these cases, the "Reorganization Procedures" process didn't address the potential dispersal of faculty and the complexity of the proposals, so that document may need to be reconsidered. He reminded the Senate that the recommendations from the Senate and SPBAC are only advisory to the President. If the administration accepts this recommendation, the committee suggested that a design/implementation team be assembled to decide the best plan to accomplish the move. Chair Hancock announced that he has appointed two members to serve on the Committee on Committees, Ron Wheeland for a one-year term and Beth Mitchneck for a three-year term and Jeff Warburton has agreed to serve on the Committee on Elections for a three-year term. The Committee of Eleven held its annual retreat last week and elected J. D. Garcia as Chair and Andy Silverman as Vice Chair. Chair Hancock awarded plaques to retiring faculty member and former Chair of the Faculty John Schwarz celebrating his extraordinary effort as Chair of the Faculty in establishing shared governance at the UA, and to Jeff Warburton for his extraordinary and extensive service to the faculty in the Senate and a variety of standing committees. Dr. Schwarz recalled that when he took office as Chair of the Faculty, the Board of Regents, the faculty and the administration were essentially not speaking to each other. He hopes his goal of developing a collegial, mutually respectful way to communicate among equals has created more effective decision-making and strengthened the university system.

**3F. Provost George Davis**

Provost Davis thanked GPSC President Jani Radebaugh for her leadership and committee service this past year, and welcomed Alistair Chapman as the President of ASUA. He also thanked Pr. John Schwarz for his contributions as Chair of the Faculty at a time when the Board of Regents was contemplating eliminating tenure. Provost Davis said that at the most recent ABOR meeting, a participant recalled how Chair Schwarz presented the faculty workload study which helped to educate the Regents about how faculty prepare, teach and conduct research in order to serve students most effectively. Provost Davis noted that this is the time of year when the many contributions of faculty, staff and appointed personnel are being recognized at such events as the recent service awards, staff advisory council awards, and the faculty awards of distinction for excellence. The Provost's Office is currently completing the all-funds budgeting process, and the final phases of the equity study so that the equity adjustments can be awarded and will be retroactive to Jan 1, 2004. The Provost, Deans and department heads are actively engaged in the University-wide recruitment planning process, and the Provost and SPBAC are continuing the review of support processes. Provost Davis has engaged the Academic Council in discussions about future opportunities as presented by the focused excellence study teams as well as implications and the University's positioning according to the Batelle (an independent nonprofit research company) roadmap.

**3G. President Peter Likins**

President Likins welcomed the new ASUA and GPSC student leaders and commended outgoing GPSC President Jani Radebaugh for her balanced understanding and mature and sophisticated contributions to University committees she has served on this past year. He thanked Pr. John Schwarz for his efforts in establishing post-tenure review as an alternative to the Regents' intention to abolish tenure. The NCAA Division I Board has agreed to accelerate by one year the implementation of several of its intercollegiate athletics academic reforms. The Coalition on Intercollegiate Athletics has endorsed the NCAA proposed reforms. These groups' future reform discussions will involve the financing of intercollegiate athletics. President Likins has been asked to join the Knight Commission, a group that has enormous influence on effecting changes within intercollegiate athletics. The Board of Regents recently converged on a more sophisticated model of formula funding for the universities, to counter the state's funding formulas, which rewarded growth via the 22:1 formula and the building renewal formula, neither of which have not always been honored with funding. Ultimately the legislature will have to be persuaded about this new logic for building budgets. For UA, this model would reward improving academic performance of students, improving graduation rates, building the graduate program, and increasing degree awards. The state senate has just released its proposed budget, which retains the same \$24M allocation for the university system as the governor's budget. The pay package the Senate endorsed for all state employees is only \$37M compared to \$52M in the governor's budget. The house budget will probably be more severe. Another issue is whether the legislature will take some fiscal responsibility for state and university employees' health insurance and retirement benefits.

4. **QUESTION AND ANSWER PERIOD FOR AGENDA ITEM 3**

There were no questions on the reports.

5. **APPROVAL OF THE MINUTES OF April 5 and April 19, 2004**

The minutes of April 5 and 19, 2004 were approved.

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

The Senate conducted its annual election. Votes were cast using written ballots. Parliamentarian Sankey and Secretary Mitchell served as tellers. In accordance with the General Faculty Bylaws, those elected were:

**Committee on Conciliation**

Larry M. Aleamoni  
Esther Fuchs  
Victoria A. Mills

**University Committee on Ethics and Commitment**

Shannon Jenkins  
Stephanie A. Nugent  
David Ortiz, Jr.  
Kelly S. Potter

**University Hearing Board**

Jorge A. Giron  
Shitala P. Mishra  
Teresa K. Moreno  
Amy Tsang

**Faculty Senate Executive Committee Representative**

Douglas E. Jones

**Faculty Senate Shared Governance Review Committee Representatives**

J. D. Garcia  
Chestalene Pintozzi

7. **INFORMATION ITEM: ATHLETICS REFORM**

UA Faculty Athletics Representative Dudley Woodard explained that his job is to certify that student-athletes are academically eligible to play or practice, and to investigate fraudulent grade changes. For the past four years, he has served on a national NCAA committee working for academic reforms and those reforms have now made their way to the national Board and are being approved. He noted that the Arizona Board of Regents actually had some influence on bringing about these reforms. Reviewing the UA's student-athlete academic statistics for the 1994-95 cohort, 55% graduated within five years, 66% graduated or transferred in good standing to another institution, and 78% graduated, transferred, or went to the pros, and 16% left in good standing. So almost the entire cohort graduated or left the institution in good standing for whatever reasons. UA's average GPA for males student-athletes was 2.5 and for females was 2.9, and each year about 3-5 student-athletes are disqualified and another 8-12 (about 3%) may be declared academically ineligible to play. The new reforms will require ongoing reporting of institutional academic performance rates for each cohort and this will help to keep all student-athletes academically on track and graduating within five years. The NCAA will then determine whether incentives/disincentives should be applied to enforce these standards. Senator Silverman thanked Dr. Woodard for his report and suggested that he report to the Senate annually. He also spoke about the efforts of the Coalition for Intercollegiate Athletics (COIA), which now includes 35 schools including UA, Stanford and Oregon from the PAC-10. COIA is also working for reforms in ICA and recently has issued the "Principles, proposed rules, and guidelines concerning the faculty role in athletic governance." This document deals with the faculty athletic representatives (FAR), the campus athletic boards, (Intercollegiate Athletics Committee) and the faculty governance bodies (Faculty Senate). COIA occasionally asks member schools to vote on issues but since UA's Faculty Senate had not yet determined how to take a position on various issues presented by the COIA, the UA abstained on this issue. Senator Silverman reiterated that the COIA is a very thoughtful organization that does its homework. Senator Silverman will be the UA's point person for COIA and will keep the Senate informed about the activities of this group.

8. **APPROVAL OF CONSENT AGENDA ITEMS FORWARDED AS A SECONDED MOTION FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE (attachments)**

The consent agenda items detailed at the end of these minutes [Motions 2004/05-1, 2004/05-2, 2004/05-3] were approved.

9. **SECOND READING AND POSSIBLE ACTION: PRE-EMPLOYMENT SCREENING POLICY (attachments)**

Academic Personnel Policy Committee Chair Kiefer explained for the benefit of new Senators the proposed Pre-Employment Screening Policy, which came forward last month as a seconded motion [Motion 2003/04-48] from the Academic Personnel Policy Committee (APPC). Human Resources and Risk Management personnel authored the policy, which promotes responsible hiring and seeks to regularize the University's hiring practices. The policy will provide greater screening consistency by requiring the hiring authority to conduct reference checks and to verify educational or professional credentials or licenses, employment histories, and motor vehicle records where applicable. C. Nicholson of Human Resources and S. Holland of Risk Management have further refined the policy since the April 5, 2004 Senate meeting and the APPC unanimously supported forwarding this revised policy to the Senate for approval. Senator Silverman moved [Motion 2004/05-4] to amend the document by placing the Footnote #2 into the body of the document as part of #5 in the section headed "Security Sensitive Position Designation," and to place Footnote #1 into the body as part of the paragraph on under "Criminal History and Identity." Motion was seconded and passed. Senators' comments and questions included the following: 1) Can the University conduct criminal background checks internationally and if so, should the policy reflect that? Allison Vaillancourt of Human Resources responded that it is more expensive to conduct international background checks and the information may not be as sound, but it can be done. 2) Would an international background check elicit inaccurate information? A. Vaillancourt responded that it would more likely be an absence of information. What does a criminal background check involve? C. Nicholson explained that the process is laborious and involves searching courthouse records online whenever available, or hiring people to visit courthouses and look up records as necessary. Senator Likins moved [Motion 2004/05-5] to amend Footnote #1 by adding a parenthetical phrase, following the phrase "convictions in all states in which the prospective employee has lived and worked (and as necessary, internationally)" . . . ." Motion was seconded. 3) The policy as amended appears to excuse someone who might have visited a nation and committed a crime in that nation, but never actually lived or worked in that nation. Because UA is an international community of scholars, it would simply be impossible to visit every courthouse in every locale to know if such a crime has occurred. C. Nicholson of Human Resources offered a friendly amendment which Senator Likins accepted, to change the wording instead to read, "convictions in all states (and if necessary, nations) in which the prospective employee has lived and worked . . . ." Motion passed. Motion 2003/04-48 passed with one opposed.

10. **THIRD READING AND POSSIBLE ACTION: PROPOSED REVISIONS TO UHAP 5.09 GUIDELINES FOR FIVE-YEAR REVIEWS OF DEANS AND DEPARTMENT HEADS (attachment)**

Academic Personnel Policy Committee Chair Kiefer presented the Senate with the third reading and possible action on the proposed revisions to the University Handbook for Appointed Personnel (UHAP) 5.09 Guidelines for Five-Year Reviews of Deans and Department Heads, which came forward last month as a seconded motion [Motion 2003/04-49] from the Academic Personnel Policy Committee. The Senate subsequently offered suggestions for additional revisions that Chair Kiefer consulted about with the APPC and Provost Davis, and these are noted in the draft dated April 13, 2004 that is before the Senate today. Chair Kiefer also informed the Senate that he has met with Vice Provost Juan Garcia to relay the Faculty Senate's concern that most faculty feel the process of five-year reviews is too secretive and that they lack confidence that five-year reviews do not really have much impact in changing the behaviors of deans and department heads. Vice Provost Garcia is sympathetic to these concerns and is working toward a resolution of these concerns. The original revisions in today's draft were proposed by the Staff Advisory Council and were offered in the spirit of shared governance. A minor original revision to the policy primarily defines and specifies "general faculty" throughout the document. The second original revision is more substantive and specifies the composition of the review committee to more accurately reflect what is already in practice, that is, "to appoint others from the following groups: students, classified staff, professionals or community representatives." Chair Kiefer advised the Senate that the additional revisions as proposed by the Senate may still have to be sent through the Committee on UHAP Revisions (CONUR) as described in the protocol for revising or adding new material to UHAP. Several members who sit on this committee who were present at the Senate stated that this committee has never yet been convened. Parliamentarian Sankey explained that the CONUR was formed to check and update any cross-referenced documents, policies, and constituencies that might be affected by such any changes to UHAP, but not necessarily to examine content. Motion carried. Vice-Chair Howell will send the revisions forward to CONUR for approval and implementation.

11. **DISCUSSION AND ACTION: REVISED SHARED GOVERNANCE MEMORANDUM OF UNDERSTANDING (attachments)**

Vice Chair Howell directed the Senate's attention to the revised Shared Governance Memorandum of Understanding (SGMOU) which was forwarded as a seconded motion [Motion 2004/05-6] from the Shared Governance Review Committee (SGRC). The SGRC felt compelled to revise the document based on concerns about certain administrative actions of summer 2003. A subcommittee continuously consulted with the Provost as it rewrote sections of the MOU and subsequently met with the President and Provost to make final modifications. The final revision is before the Senate today for its approval. Senator Silverman moved [Motion 2004/05-7] to amend Article II, Section F, by adding a new section 2 to read: "The overarching shared governance groups and the administration are responsible for insuring that any proposed policy or strategic direction, wherever it originates, shall be developed pursuant to this agreement. The President, Provost, Chair of the Faculty, and Chair of SPBAC should consult periodically about whether any policy changes coming under this agreement may be in gestation that have not undergone the appropriate shared governance process in order that the process can and will take place in a timely manner." This amendment would ensure that any proposed policies would be processed within the shared governance guidelines. Sections

*\*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 3, 2004**

**Motion 2004/05-1** Seconded motion from the Instruction and Curriculum Policy Committee, to approve the proposal to add a Minor Average Requirement (2.000 or better) to undergraduate minors. Motion carried.

**Motion 2004/05-2** Seconded motion from the Instruction and Curriculum Policy Committee, to ask the Graduate College to establish University-wide criteria and procedures for awarding graduate certificates. Motion carried.

**Motion 2004/05-3** Seconded motion from the Instruction and Curriculum Policy Committee, to approve the disestablishment of the Graduate Interdisciplinary Program in Comparative Culture and Literary Studies (CCLS) for the MS and PhD degrees. Motion carried.

**Motion 2004/05-4** Seconded motion to amend the proposed Pre-Employment Screening Policy (see Motion 2003/04-48) by placing Footnote #2 into the body of the document as part of #5 in the section headed "Security Sensitive Position Designation," and to place Footnote #1 into the body as part of the paragraph under "Criminal History and Identity." Motion carried.

**Motion 2004/05-5** Seconded motion to amend the Footnote #1 of the proposed Pre-Employment Screening Policy (see Motion 2003/04-48) by adding a parenthetical phrase, following the phrase "convictions in all states in which the prospective employee has lived and worked (and if necessary, nations) . . ." Motion carried.

**Motion 2003/04-48** Seconded motion from the Academic Personnel Policy committee, continued from April 5, 2004, to approve the Pre-Employment Screening Policy, revised on 4/20/04 and as amended in Motions 2004/05-4 and 2004/05-5, today. Motion carried.

**Motion 2003/04-49** Seconded motion from the Academic Personnel Policy committee, continued from April 5, 2004, to approve the proposed revisions to the University Handbook For Appointed Personnel 5.09 "Guidelines For Five-Year Reviews Of Deans And Department Heads" Policy. Motion carried.

**Motion 2004/05-6** Seconded motion from the Shared Governance Review Committee to approve the revised Shared Governance Memorandum of Understanding. Motion postponed.

**Motion 2004/05-7** Seconded motion to amend Article II, Section F, 2, of the revised Shared Governance Memorandum of Understanding by adding a new section 2 to read: "The overarching shared governance groups and the administration are responsible for insuring that any proposed policy or strategic direction, wherever it originates, shall be developed pursuant to this agreement. The President, Provost, Chair of the Faculty, and Chair of SPCAB should consult periodically about whether any policy changes coming under this agreement may be in gestation that have not undergone the appropriate shared governance process in order that the process can and will take place in a timely manner." Motion carried.

**Motion 2004/05-8** Seconded motion to postpone discussion and action on the revised Shared Governance Memorandum of Understanding. Motion carried.

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