

**MINUTES
FACULTY SENATE
THE UNIVERSITY OF ARIZONA®
April 3, 2006**

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1. CALL TO ORDER

The meeting was called to order by Vice Chair Mitchell at 3:03 p.m. in the College of Law, Room 146.

Present: Senators Asia, Chang, Conway, Cuello, Cusanovich, Dahlgran, Dang, D. Davis, Garcia, Jenkins, Joens, Jones, Kiefer, Mitchell, Mitchneck, Mutchler, Nolan, Pintozzi, San Martin, Sarid, Silverman, Smith, Songer, St. John, Sterling, Thorn, Ulrich, Wheeland, Willerton, Witte and Zizza. Robert Sankey served as Parliamentarian. J. Warnock substituted for Senator Ulreich.

Absent: Senators Baca, Burd, Chandler, Christenson, Cromwell, G. Davis, deWinter, Estrada, Green, Gruener, Hammann, Hertzog, Hildebrand, Howell, Jackson, Likins, Marchalonis, Mountford, Primeau, Ruiz, Spece, Strittmatter, Tatman, Ulreich, and Weinand.

2. OPEN SESSION

There were no speakers for the Open Session.

3. REPORTS

Associated Students of the University of Arizona

ASUA Cabinet member Brad Burns spoke on behalf of ASUA Acting President and President-Elect Erin Hertzog who is dealing with some emergency business today. ASUA is working on the proposed \$20/semester Student Union Fee referendum which will be held April 11-12. ASUA has not taken an official position for or against this measure but has expressed several concerns including lack of adequate education/preparation of student voters and the information campaign that was launched by interested parties. ASUA is holding some debates and forums to help educate students. The undergraduate tuition proposal was tabled at the last Board of Regents meeting so the Arizona Students Association (ASA) is combining efforts with the Campus Young Democrats and the UA College Republicans in a letter-writing campaign to lobby for the governor's new budget that would increase appropriations to the University significantly and hopefully keep tuition increases low for future years. They also plan to lobby the legislature personally on April 17th. Representative Downing's work-study bill that would provide \$10M for UA students has passed the House of Representatives and now moves on to the Senate. ASUA's Spring Fling begins April 6 at Rillito Downs. ASUA expressed concern that graduate students may have received biased and inaccurate information from GPSC leaders prior to voting on a GPSC survey regarding ASUA representation of graduate students and ASUA looks forward to working with graduate students on this issue.

3B. Graduate and Professional Student Council President Elaine Ulrich

GPSC President Elaine Ulrich announced that Senator and GPSC External Affairs Vice President Paul Thorn was elected to be the next GPSC president. GPSC elections included a referendum: Should the UA graduate students be represented by the GPSC and not by the ASUA. Of 1167 votes, 1085 (94.4%) voted in favor of GPSC representation and 64 voted in favor of the status quo. Voter turnout for this election increased by 500 more votes over last year's turnout, which President Ulrich believes is evidence of how strongly graduate students feel about this issue. President Ulrich said that equal and fair representation of all students, and particularly representation of graduate students by a graduate student on the ASA is clearly an issue that graduate students care about. GPSC will continue to work toward this end. President Ulrich thanked the Faculty Senate and leaders for including GPSC in all shared governance issues on campus this past year.

3C. Officers' Report

Vice Chair Mitchell advised the Senate that a reception beginning at 4:30 p.m. in the Museum of Art would be held on May 1, 2006, to allow the faculty to honor President Likins. The Senate will adjourn early on that day for this purpose. Written invitations will be sent and Vice Chair Mitchell thanked Provost Davis who has agreed to fund this event. It is anticipated that

President-designate Shelton will be in Tucson that day and will attend both the Faculty Senate meeting and the reception for President Likins. The Committee on Elections' second election for seven unsubscribed college representative Senate seats resulted in three more new senators: Owen Davis, from Science, Barnet Pavao-Zuckerman from the Non-College, and Judith Sebesta from Fine Arts. The Chairs of the Senate standing committees are reminded that their annual reports are due April 15 in the Faculty Center. Vice Chair Mitchell asked that nominations or self-nominations for the Senate's representative to the Senate Executive Committee be submitted to the Faculty Center by April 15, and thanked Senator Doug Jones who has been serving in this capacity for the past two years, and who is eligible to run again. The bulk of the Senate's recent discussion on Visitors in the Workplace was actually about the lack of on-campus childcare facilities, so Vice Chair Mitchell is creating a Senate Task Force to look into this issue and is soliciting senators to volunteer for this task force to begin work in the fall. Vice Chair Mitchell acknowledged Senators Asia and Baca who are rotating out of the Senate at this time. He also presented a plaque to longtime Senator J.D. Garcia, who has served in the Senate for over 30 years, has served two terms as Chair of the Faculty, has chaired the Committee of Eleven and the University Committee on Corporate Relations, and served on the Shared Governance Committee and numerous other faculty governance committees. Senator Garcia will continue to serve in faculty governance but not in the Senate next year. The plaque read, "To Professor J. D. Garcia, With great gratitude, respect and affection for your extraordinary and longstanding leadership and commitment to Faculty Governance at the University of Arizona, Presented before the Faculty Senate On Behalf of the Entire Faculty, April 3, 2006." Secretary Jenkins also advised Senators that there would be three honorary degrees presented at the morning Commencement and five honorary degrees at the afternoon Commencement.

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

There were no questions about the reports.

5. **APPROVAL OF THE MINUTES OF MARCH 6, 2006**

The minutes of March 6, 2006 were approved.

6. **APPROVAL OF CONSENT AGENDA ITEM FORWARDED AS A SECONDED MOTION FROM THE INSTRUCTION AND CURRICULUM POLICY COMMITTEE (attachment)**

Consent agenda item 1, detailed at the end of these minutes [Motion 2005/06-46] was approved unanimously.

7. **APPROVAL OF CONSENT AGENDA ITEM FORWARDED AS A SECONDED MOTION FROM THE ACADEMIC PERSONNEL POLICY COMMITTEE (attachment)**

Vice Chair Mitchell explained that following the Senate's approval of the motion to add a 3-month timeline for the President's response to tenure denial appeals in UHAP 3.12.08, the Office of the General Counsel requested that the Senate change "3 months" to "90 days," to be consistent with the rest of UHAP. APPC and the Senate Executive Committee agreed that this is a benign change and could come forward on consent agenda; therefore this change comes as a seconded motion from the APPC. Motion passed unanimously.

8. **SECOND READING AND POSSIBLE ACTION: EXCLUSIONARY ORDER POLICY (attachments)**

Vice Chair Mitchell explained that the Exclusionary Order Policy comes as a seconded motion [Motion 2005/06-47], from the Senate Executive Committee. Senators Silverman and Garcia worked with the Office of the General Counsel (OGC), the UA Police Department (UAPD), and the Office of Campus Life to make some changes to the policy since last semester when the Senate had its first reading. Senator Silverman said he and Senator Garcia met several times with stakeholders about this policy and made a number of suggestions that improved the policy. The senators found the passage that gives the UAPD the final authority to exclude someone from campus for up to six months to be troublesome: they felt that the authority to exclude someone for more than a couple of days should reside outside the UAPD. The OGC and UAPD, however, argued that such a change would cause administrative problems and that the only oversight is when charges are filed and an arrest is made and the case goes to a trial or hearing. The senators accepted the argument. There is, however, a provision in V.I.e. for all exclusionary orders to be reviewed internally by the UAPD and can be rescinded. Also, the person who is excluded can challenge the order and ask for a review. Such a review will be conducted by the Vice President for Campus Life or his/her designee. Senators' questions and comments included the following: 1) Does "campus" mean just the main campus or does it apply to all UA grounds or properties such as the agricultural stations, farms, UA South, or the College of Medicine in Phoenix? UA Attorney Steve Adamczyk commented that all UA grounds or properties are included, and the exclusionary order will state whether it involves just one building or all University properties. 2) What about the enforcement in an area where no UAPD officers are available? The policy allows for an UA official to issue an exclusionary order. S. Adamczyk explained that an exclusionary order must also first be served to the offender and that a UA police officer will always serve the order. Then if the offender returns to campus, s/he would be trespassing and any local authority could enforce the order and make the arrest for trespassing. 3) What about leased space, such as the Marshall Building? Attorney Steve Adamczyk explained that this building is controlled by an independent owner, but the exclusionary order could be written for a floor of offices or just one room. 4) Why is it that when a

person calls 911 from a University telephone, that call is routed to the UAPD instead of the Tucson Police Department? This seems like a liability and there should be a way to dial out of the University telephone system in the case of a real emergency such as the College of Nursing murders of 2002. 5) Can any non-university personnel such as the animal rights activist group PETA come onto the University farms where animals are housed? S. Adamczyk explained that the campus is not a place of unrestricted access. Some areas such as faculty offices or research labs are generally off-limits whereas other areas such as the mall and sidewalks are historically more open. Mr. Adamczyk said it is conceivable that an exclusionary order could be issued against a person or a group, if they are ordered to leave and do not comply. Vice Chair Mitchell called for a vote. Motion passed unanimously.

9. **DISCUSSION AND POSSIBLE ACTION: FORMATION OF A SENATE TASK FORCE TO ADDRESS CAMPUS CHILD CARE**

Vice Chair Mitchell said it was his impression and the faculty officers' impressions that the Senate was in favor of something being done to address campus childcare and he decided a task force could be appointed without a motion. E. Ulrich reminded the Senate the Dean of Students' Office is working on this issue and has contracted with a survey service to determine the needs. Anyone interested in being on this task force should advise Vice Chair Mitchell or the Faculty Center. Secretary Jenkins asked that this be announced at the May Senate meeting as well, to invite the newly elected Senators to participate.

10. **INFORMATION ITEM: INTERCOLLEGIATE ATHLETICS REPORT FROM FACULTY ATHLETICS REPRESENTATIVE DUDLEY WOODARD**

After a ten-minute break to allow Faculty Athletics Representative Dudley Woodard time to arrive, Vice Chair Mitchell explained that Intercollegiate Athletics Director Jim Livengood is attending the National Championship Basketball Tournament and will address the Senate in May. D. Woodard is in his last year as UA's FAR. The FAR provides academic oversight to be sure all student-athletes (S-As) are eligible to play, investigates grade changes that make a student-athlete eligible, looks for things like patterns in class enrollments, such as independent study courses, and primarily he makes sure S-As are progressing toward degrees. The UA has increased its overall graduation rate from 52% to 55% and this year the S-As' rate is 57%, which is still a cause for concern. The federal methodology rate doesn't work for public universities because it only considers how many students in a cohort graduate after six years. A "success rate" that more accurately reflects what happens in the public universities allows for transfers which are counted as a failure if a student leaves, but not if a student transfers for the right reasons. The NCAA has adopted this "success rate" methodology and applied it this year for the first time, which brings the UA S-As' graduation rate up to 66%. The new, "real-time" Academic Progress Rate allows two points for every SA that is both eligible and retained, one point for an S-A that is eligible but leaves, and negative two points for an S-A that is ineligible and leaves. Any team with a total of less than 925 can be penalized, so the NCAA is sending a message not to recruit S-As that can't be successful. This year the NCAA began imposing penalties (loss of scholarships) for academic accountability; the institutions must also submit a recovery plan. In Division 1A, 35 out of 6000 teams were penalized. UA lost four football scholarships and 1.17 baseball scholarships. Dr. Woodard mentioned that he and John Taylor from the College of Education have been asked by President Likins to become principal investigators for an NCAA-funded study of the S-A culture. The purpose is to determine whether the S-A culture encourages academic growth or does it encourage risky behavior. The study is also being conducted with student non-athletes. The preliminary report will be sent to President Likins and the final report will go to President-designate Shelton. Senators' questions and comments included: 1) How is that 925 figure arrived at? D. Woodard was not sure of the formula and agreed to forward it to the Faculty Center for distribution to the Senate. 2) Are there any positive incentives? Yes, teams can be cited for high grade point averages and that includes a monetary reward to the institution. 3) How do coaching changes factor into the Academic Progress Rate? New coaches inherit the program's problems and have to deal with them. 4) Academics is becoming much more of an issue in the NCAA than it ever was before. NCAA President Miles Brand has been instrumental in stiffening the NCAA's backbone and moving the NCAA away from an athletic culture and back to a collegiate culture. 5) There should be some sort of informal check for S-As before they are awarded a fifth-year athletic scholarship. 6) Regular students do not receive nearly the amount of academic support that student-athletes receive. Dr. Woodard said he worries about academic integrity given that these higher academic standards may exert pressures on our coaches, players and administrators. He also remarked that he has received marvelous cooperation from faculty, deans and department heads whenever he has had occasion to conduct an investigation here at UA.

11. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:34 p.m.

Jennifer L. Jenkins, Secretary of the Faculty
Pamela S. Bridgmon, Recording Secretary

Appendix*

1. Consent Agenda forwarded from the Instruction and Curriculum Policy Committee
2. Consent Agenda forwarded from Academic Personnel Policy Committee
3. Exclusionary Order Policy dated 6-27-05

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

Motions of the Meeting of April 3, 2006

Motion 2005/06-46 Seconded motion from the Instruction and Curriculum Policy Committee to approve the proposal to amend the Grade Replacement Opportunity (GRO) policy statement #11. Motion carried.

Motion 2005/06-47 Seconded motion from the Academic Personnel Policy Committee to revise the third paragraph of UHAP 3.12 08 to read, "The President's decision shall be issued. . . within ~~three months~~ 90 days of notice of appeal." Motion carried.

FACULTY CENTER

1400 E. Mabel

PO BOX 210473

Senmin 4-3-06