

**MINUTES
FACULTY SENATE
March 3, 2014**

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1. CALL TO ORDER

The meeting was called to order by Vice Chair of the Faculty Robert Mitchell at 3:01 p.m. in the College of Law, Room 164.

Present: Senators Aleamoni, Ashton, Ayoun, Blanche, Brewer, Camenisch, Castro, Colina, Comrie, Conway, Cuello, Dahlgran, Daryaei, Duran, Fountain, Ganapol, Hamilton, Hart, Hildebrand, Howell, Johnson, Labate, Lysecky, Martin, McCammon, McKean, Mitchell, Moreno, Nadel, Reed, Secomb, Silverman, Smith, Staren, Vaillancourt, M. Witte and Zwinger. M. Polakowski substituted for P. Willerton.

Absent: Senators Abraham, Armstrong, R. Brown, Cervelli, Dai, Franklin, Fregosi, Guertin, Gehrels, Higgins, Jones, Joseph, Lee, Mazzella, Nfonsam, Pau, Reynolds, Rychlik, Sokoloff, Spece, St. John, Tabor, Ulrich, Visscher, Watchman, R. Witte and Zedeno.

2. OPEN SESSION

Senator Ganapol informed Senators that Professor Emeritus David Hetrick has passed away. Hetrick was a master teacher and researcher, and wrote a textbook used by most nuclear engineering departments world-wide. In light of the UA appointing a new police chief, the Senate should have a sitting member of the UA Police Department to provide a report on a regular basis in order to keep the campus informed.

Presiding Officer Mitchell announced that agenda item #6, an information item on the Interim Policy on *Interactions with Non-Enrolled Minors*, was canceled due to a request by the Office of the General Counsel.

3. REPORTS

3A. ASUA President Morgan Abraham

T. Ashton substituted for President Abraham. ASUA is continuing its strategic planning. The three main components of ASUA's mission are to serve, engage, and empower all students. Today culminated the Task Force on Representation and Club Engagement in conjunction with GPSC. ASUA also signed the Memorandum of Understanding with the Graduate Student and Professional Student Council to move forward in partnership. Voting for the Primary election starts March 4, 2014 at 8:00 a.m. The guaranteed tuition campaign will be presented later in the meeting.

3B. GPSC Representative Iman Daryaei

Senator I. Daryaei reported that the Memorandum of Understanding will be beneficial for all undergraduate, graduate and professional students. GPSC's proposals were approved by the Student Services Fee Advisory Board allowing awards of \$280,000 in travel grants and \$100,000 in research and project grants. Program fee transparency is being discussed with constituents of GPSC. GPSC is in discussion with administration regarding a guaranteed master's tuition for students in a professional program.

3C. APAC Representative Pierre Blanche Report

This is the first report given by APAC since obtaining a voting seat in Senate. P. Blanche, APAC Representative introduced himself. APAC represents 4,000 University employees, including administrators, researchers and non-tenure track faculty. APAC has five committees that serve its needs; professional development, membership, communication, recognition and awards, and policy. Within the policy committee, Mika Galilee-Belfer has been working with M. Brewer on the Non-tenure Track Task Force to identify ways to recognize and create consistency in the University's definition of non-tenure track faculty. Due to gaps in the faculty bylaws, non-tenure track faculty's shared governance representation by APAC or Faculty Senate groups remains unclear. As part of the *Never Settle Strategic Academic and Business Plan*, APAC is sponsoring a campus-wide internship program that will create meaningful opportunities for volunteer Appointed Professionals (AP's) to be afforded practical career exposure to structured and quality programs. The concept has been shared with President Hart, shared governance constituencies, and the Campus Community Advisory Committee. APAC would like to hear feedback on the program as it evolves. The professional development of AP's has been an important focus area of APAC. With budget cuts, AP's have limited access to departmental resources for professional development, and that is hurting the mission readiness of the AP workforce and their ability to achieve strategy goals. In response, APAC has created the APAC Professional Development Scholarship which is a competitive program to support the AP, maintain credentials, advance knowledge and grow professional skills. APAC recently awarded \$7,000 (60% of APAC's operating budget) to eight employees.

3D. Faculty Officers' Report

Mitchell reminded Senators that the Primary Election is underway online and the deadline for voting is February 7, 2014 at 5:00 p.m. Only 10% of the eligible voting faculty have voted. Mitchell announced that agenda item ten has been postponed until the April 2014 Senate

meeting. Agenda item eight has been moved up to agenda item six to accommodate the speaker who has to leave early. Based on feedback the Faculty Officers have received since the last Senate meeting, the revisions to the Faculty Grievance Policy will need further deliberation. Mitchell informed the Senate that since the motion to approve the revisions to the Faculty Grievance Policy was tabled at the last Senate meeting, Robert's Rules of Order specify that a motion be made in between agenda items to un-table the motion. After approval of the minutes, Secretary of the Faculty McKean will raise her hand and Mitchell will call on her. McKean will move to take the motion off the table. The motion is non-debatable, and if it passes, McKean will then move to remove the item from consideration so Faculty Grievance Policy revisions can be further revised.

3E. Provost Andrew Comrie

Provost Comrie informed Senators that on Saturday, March 22, 2014, a retreat was held for the College of Humanities/College of Social and Behavioral Sciences. The retreat was aimed at getting discussion underway, and was successful in that regard. Breakout session materials and survey materials are being summarized and will be sent back to the respective colleges. Last week, Comrie was invited to speak to APAC about strategic planning as it pertains to the *Never Settle Strategic Academic and Business Plan* and APAC's role in the University's goals. Comrie would like to thank everyone involved in the Cats in the Community at Kellond Elementary School for its annual makeover. Academic Program Reviews (APR) are underway. Twenty programs per year are reviewed in order to complete all programs within a seven-year cycle.

3F. President Ann Weaver Hart

President Hart shared her strategies for more community awareness. The Giant Magellan Telescope (GMT), constructed and engineered through the UA's Optical Sciences and Astronomy departments, greatly contributes to the economy in Arizona. Hart will be traveling to Chile to the GMT site with ABOR President Eileen Klein with a goal to impact and show our leaders at the state level that the UA contributes to economies not only outside Arizona but globally. Hart is interested in working to make sure more trips like this one are planned with state leaders. When President Klein visited the UA campus for a tour of the Machine Intelligence Research (MIR) lab, she told Hart in an email after her visit how impressed she was that the University community recognized her, spoke to her, and how friendly everyone was on campus. Klein also made mention of the serene and peaceful beauty that emanates from the UA campus. The critical next step is to make sure the UA's \$15M share for overall educational support is included in the state budget. All of us, as a group effort, need to support the UA's champions and we all should express concern to legislators. We must insist that the UA's funding be in the budget before any votes are made. The mission-critical innovation fund depends on legislators' support. The broader agricultural community is supportive of cooperative extension and the UA's innovative proposal for a new veterinary medicine school that does not rely on a separate and free-standing college of veterinary medicine nor on the operation and construction of an animal hospital. The UA has the potential for a \$9M gift. UA is not solely relying on the legislature to fund UA projects. The UA continues to raise money from philanthropy and secure external support for mission-critical projects. Save the date cards are being circulated for a new fund raising campaign starting on April 11, 2014. Chief Brian Seastone, newly appointed Chief of Police, has been with the UA for over thirty years. Hart is fully supportive of implementing a Senate report from Chief Seastone or his representative on a regular basis. Dr. Barbara Bryson from Rice University has been appointed as the Vice President for Strategy and Planning. The announcements of campus visits for the three candidates for the Senior Vice President for Research will be forthcoming. The search for the Chief Financial Officer and Senior Vice President for Business Affairs has been redirected to the search consulting firm in order to secure an expanded pool of candidates.

4. QUESTION AND ANSWER PERIOD FOR ITEM 3

1) Senator Silverman asked Hart if Governor Brewer is supportive of funding for the UA. Hart responded that the only funding for higher education Brewer presented to the legislature was a \$3.5M decision package for cooperative extension and parity-funding for NAU and ASU. Brewer believes her budget is a responsible one and that it is critical for the state to carry a \$500M rainy day fund. 2) Senator Aleamoni asked Hart about her previous conversation with ASU President Crow and if Crow has utilized his contacts in the legislature to move the UA's funding forward. Hart responded that the proactive support for the UA is centered with ABOR President Klein, ABOR Chair Myers, and Regents Patterson and Killian. Presidents Crow and Haeger have spoken in favor of the \$15M funding for the UA.

5. APPROVAL OF THE MINUTES OF FEBRUARY 3, 2014

The minutes of February 3, 2014 were approved as amended with three corrections and two abstentions.

Senator McKean moved [**Motion 2013/14-13**] to remove the Grievance Policy Revisions from the table to allow for further revision. Mitchell reminded Senators that this motion is non-debatable and requires a majority vote. [**Motion 2013/14-13**] detailed at the end of these minutes, passed 34-0 with two abstentions.

6. INFORMATION ITEM: GUARANTEED TUITION MODEL – TAYLOR ASHTON AND GARRETT VOGEL, ASUA

Vogel reported that Guaranteed Tuition is a predictable tuition model for incoming freshman to know upon admission what tuition will cost for the next four years. In previous years, tuition rates have been volatile, and Governor Brewer would like a more predictable model for state schools. Many universities nationally have adopted a similar model. HB 2244 is advocating for Guaranteed Tuition for a four-year graduation. Many students look for a guaranteed tuition opportunity when applying to colleges, because a student will know what tuition costs will be for the next four years. ASUA has set up online petitions and gathered almost 1,000 signatures. Posters have been printed to hang in classrooms and a postcard-writing campaign has been initiated. ASUA is reaching out to Arizona Representatives, high school students, and parents. ASUA's Senate is supportive of the guaranteed tuition initiative, as well as the Residence Hall Association. Ashton said that the Guaranteed Tuition Initiative has been presented to the Senior Leadership Team, as well as SPBAC.

Questions and comments included: 1) President Hart said that Interim Senior Vice President for Business Affairs, James Hyatt and his team, are in the process of producing a tuition model to be proposed to the Arizona Board of Regents. The University of Colorado-Boulder, for example, requires out-of-state students to employ the guaranteed tuition model upon enrollment. 2) Senator Silverman asked if tuition will be increased for students who enroll year after year. Voge said that a student who is incoming the following year may pay more, but increases will not be drastic. Hart said that the intention is to make guaranteed tuition revenue-neutral, similar to a fixed-rate mortgage as opposed to a variable-rate mortgage, and will not be a disadvantage to students. 3) Senator Camenisch said that guaranteed tuition is a commendable opportunity, but initiatives like this one have to be connected to marketing strategies. Camenisch suggests the students from all three state Universities join forces and implement a campaign to force the legislature to adhere to Article XI, Section X of the State Constitution that land-grant Universities shall not be considered corporations. Camenisch asked about student fees. Voge said that student fees have been discussed with the Student Regent and a dissection of each fee will be reviewed on a yearly basis for transparency. 4) Senator Conway asked if five-year undergraduate degree programs were excluded. Voge replied yes, but the fifth year tuition would be comparable to what the following year's freshman would pay for their four year guarantee.

7. **DISCUSSION AND ACTION ITEM: INTERIM CONFLICT OF COMMITMENT POLICY AND INTERIM CONFLICT OF INTEREST IN RESEARCH POLICY REVISIONS – JENNIFER BARTON, INTERIM VICE PRESIDENT FOR RESEARCH AND VICTORIA TUGADE, CONFLICT OF INTEREST (COI) OFFICER**

Vice Chair Mitchell introduced the presenters and reminded Senators that the policy revisions come to Senate as a seconded motion from the Research Policy Committee. Barton told Senators that changes in the interim policies were made to improve clarity, and were also based on changes in federal regulations. Tugade started with the Interim Conflict of Commitment Policy in effect since August 24, 2012. Revisions were aligned with the *Never Settle Strategic Academic and Business Plan*.

Questions and comments included: 1) Senator Silverman questioned getting prior approval from the UA to sit on an outside board based on the faculty member's expertise. Tugade responded that this wording was in the prior document provided for reference. Disclosure requirements have been exempted in the final document. On page 3, section A1, second sentence, "Prior approval is not required to participate in professional commitments that are: (a) required as a condition of employment or tenure-eligibility, (b) are a part of a Covered Individual's duties on behalf of the University, or (c) are encouraged by the University as part of the Covered Individual's academic or professional development (such as professional societies, committee memberships, journal editorships, service to the discipline, service to the University, routine scholarly collaboration, etc.)." 2) Senator Conway pointed out in Definition J2, the referenced paragraphs of K(4) and K(9) where paragraph K did not exist. Tugade said the paragraph letter should have been changed to J(4) and J(9). Conway pointed out on page 3, section A1, reference is made again to section K. Conway asked if the University has feelings in reference to Page 2, line 2, "The University feels..." 3) Senator Nadel said that he wanted more clarification on Senator Silverman's comment. What conditions exclude a faculty member from obtaining permission from the UA to allow a faculty member to offer his/her expertise to an outside entity? Tugade said that the UA needs to be aware of outside time commitments when outside time commitments could have an impact on that faculty member's time commitment to the University. Senator Nadel asked if the time commitment was considered forty hours per week. Tugade said that the definition of an employee's hours and service to the University changes depending on the contract. Barton added that the fundamental consideration is if a faculty member's activities outside the University are impacting the faculty members' function inside the University. The Conflict of Commitment policy provides a set of principles that need to be applied at the department and college level. 4) Senator Smith asked if you only have to obtain prior approval if the affiliation/time commitment outside the University has an impact on your work. Tugade said it is dependent on individual departments' requirements. Smith said that the determination on whether or not a time commitment is affecting a faculty member's work should be judged on how well that faculty member performs their job. 5) Senator Witte asked if what is not excluded is permitted, or what is not expressly permitted excluded? Witte recommends a faculty elected committee that considers disagreements. 6) Comrie said that is important that policies exist so faculty can obtain federal grants, but also policies need to be in place to protect faculty. 7) Senator Silverman said it isn't clear if sanctions can be applied if a faculty member does not obtain prior approval and serves on a board as a result of their college affiliation or a person's general interest. 8) Camenisch said that no faculty member should do any harm to any unit at the University. If a health care researcher serves on the board of a tobacco lobbying board, how is this conflict resolved? Tugade said it would fall under the Institutional Conflict or mission of the University, and not the Conflict of Commitment policy. Camenisch suggested that the other policy be cited and referred to. 9) Nadel said it appears the policy requires a faculty member to fill out a form for everything. Barton responded that there is a level of trust and judgment given to the faculty in the proposed policy. The Conflict of Commitment is not mandated by federal regulations. 10) Senator Howell asked if the language is similar to other institutions similar to the UA. Tugade said yes. Howell asked if there are examples of sanctions being implemented. Tugade said no. Howell said this policy is already in existence and the changes are not creating a policing effort on the part of the University. The discussion is local should the discussion ever happen. 11) Senator Castro said that if the affiliation is something that he wouldn't feel comfortable putting on an annual performance evaluation, then it might be advisable to talk to a supervisor.

Mitchell asked for a vote, and [Motion 2013/14-14] detailed at the end of these minutes, passed with two abstentions.

Tugade talked about the Interim Conflict of Interest in Research Policy. Significant changes in federal law were made between the time the original policy was crafted and the proposed final policy. The National Science Foundation has a new Conflict of Interest Policy in place this week, and most other federal funding agencies use National Science Foundation standards. The Code of Federal Regulations' new circular will go into effect April 1, 2014, and simply states that all federal agencies must have an enforced COI policy that flows to those they provide federal funding to. The first change is that all Investigators must recertify disclosures every June. Updates to the disclosure system have been made to automatically notify the faculty member thirty days prior to expiration. For federal funding, conflict of interest disclosure and training has to be up-to-date before proposal submission. Disclosure requirements have been added for administrators.

Questions and comments included: Camenisch asked if the disclosure statement reporting system will be revised to improve population of fields and to become more streamlined and simplified. Tugade said yes, it is a work in progress.

Mitchell asked for a vote. [Motion 2013/14-15] detailed at the end of these minutes, passed unanimously.

8. **INFORMATION ITEM: DEFENSE AND SECURITY RESEARCH INSTITUTE – JENNIFER BARTON, INTERIM VICE PRESIDENT FOR RESEARCH**

Barton explained that the Defense and Security Research Institute was put in place to support one of the research initiatives outlined in the *Never Settle Strategic Academic and Business Plan*. The UA would like to have more opportunities to obtain more funding from defense and security related federal agencies, and in order to accomplish this, it will be necessary to facilitate interactions, better prepare team investigators and collaborate with other universities. The Department of Defense funds a wide variety of research efforts including neuroscience, environmental assessment, and materials/development. Funding opportunities with The Department of Defense and the Department of Homeland Security are areas where the UA can grow. Three open forums were held on campus and positive feedback and information was gathered from all constituencies.

Questions and comments included: Senator Ganapol asked if classified research would be incorporated in the Defense and Security Research Institute. Barton said that currently the UA does not engage in classified research, and it would be impractical to engage in classified research in the future.

9. **DISCUSSION AND ACTION ITEM – NON-TENURE TRACK TASK FORCE REPORT AND IMPLEMENTATION OF ACTION ITEMS – MICHAEL BREWER, CHAIR, NON-TENURE TRACK TASK FORCE**

Brewer announced members of the Non-tenure Track Task Force. Brewer would like to change Action Item #1 in the Non-Tenure Task Force Report to read, “Action Item 1: Standardize the use and meaning of “adjunct” across campus so that it is used solely as a modifier to describe Non-Tenure Track appointments that are 1) for less than a full fiscal or academic year in term (regardless of % effort) or 2) are for a full fiscal or academic year, but are below .75 FTE. Associate Provost Miller said the numbers in the report are drastically higher than the numbers in the national comparison due to the inclusion of instructional faculty. Howell moved [Motion 2013/14-16] to have the Senate approve the action items listed in the Non-Tenure Task Force Report and receive an update on the progress of the time line no later than one year from today. Motion was approved unanimously.

10. **OLD BUSINESS**

11. **NEW BUSINESS**

12. **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:00 p.m.

Barbara McKean, Secretary of the Faculty
Jane Cherry, Recording Secretary

Appendix*

1. Guaranteed Tuition Handouts.

**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 February 3, 2014

Motion 2013/14-13 Motion to remove the Grievance Policy Revisions from the table to allow for further revision. Motion carried 34-0.

Motion 2013/14-14 Motion to approve the Interim Conflict of Commitment revisions. Motion carried.

Motion 2013/14-15 Motion to approve the Interim Conflict of Interest in Research revisions. Motion carried.

Motion 2013/14-16 Motion to have the Senate approve the action items listed in the Non-Tenure Task Force Report and receive an update on the progress of the time line no later than one year from today. Motion carried.

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