

**MINUTES
FACULTY SENATE
April 7, 2014**

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1. CALL TO ORDER

The meeting was called to order by Vice Chair of the Faculty Robert Mitchell at 3:00 p.m. in the College of Law, Room 164.

Present: Senators Abraham, Aleamoni, Armstrong, Ayoun, Blanche, Brewer, Camenisch, Colina, Collins, Comrie, Conway, Dai, Daryaei, Duran, Fountain, Fregosi, Ganapol, Gehrels, Guertin, Hart, Hildebrand, Howell, Johnson, Labate, Lee, Lysecky, Martin, Mazzella, McCammon, McKean, Mitchell, Moreno, Nadel, Pau, Reed, Reynolds, Silverman, Spece, St. John, Ulreich, Vaillancourt, Visscher, M. Witte, R. Witte and Zwinger. M. Polakowski substituted for P. Willerton.

Absent: Senators Ashton, R. Brown, Castro, Cervelli, Cuello, Dahlgran, Franklin, Hamilton, Higgins, Jones, Joseph, Nfonsam, Rychlik, Secomb, Smith, Sokoloff, Staren, Tabor, Watchman, and Zedeno.

2. OPEN SESSION

The first speaker was Chula Robertson, a member of Arizona Students' Association, who spoke to Senators about voter registration and civic engagement on campus. Robertson is hoping that future voter registration becomes centralized in the UAccess system for easier student access.

The second speaker was Senator Ganapol, who informed Senators that Professor Emeritus Dimitri Kececioglu has passed away. Kececioglu came to the UA in 1963 and taught for over forty years.

3. REPORTS

3A. ASUA President Morgan Abraham

Abraham introduced the newly elected President Issac Ortega who will be taking office in May 2014. Spring Fling starts April 11, 2014 and will be located on the UA campus. The ASUA end-of-the-year concert is scheduled in May. Arizona Board of Regents approved the Guaranteed Tuition Proposal for incoming freshmen starting in the Fall of 2014.

3B. GPSC Representative Iman Daryaei

Senator I. Daryaei reported that the GPSC and Tech Launch Arizona have collaborated to form TLA Ambassadors. The program will aid graduate students in awareness and education of intellectual property, knowledge and resources for technology commercialization, internships and student body engagement, and outreach and marketing with a focus on connecting with UA researchers and laboratories. The collaboration is in alignment with the ABOR 2020 Enterprise and the *Never Settle Strategic and Academic* plans. The program was created to acquire more technology-based companies in Arizona. GPSC Appreciation Week was March 31 to April 4, 2014 and included tours of the Three Ring Laboratory, a barbecue on the mall and social hours at Gentle Ben's. The GPSC Travel Grant program has grown 20% in the past year, and thanks to the Student Services Advisory Board, GPSC may see an increase of \$230,000 in total funding. GPSC awards \$750 per student.

3C. APAC Representative Pierre Blanche Report

APAC's last meeting was March 24, 2014 with guest Senior Vice President for Student Affairs, Melissa Vito, who spoke about distributed learning and online engagement. The next meeting will be on April 21, 2014 with Interim Vice President for Research, Jennifer Barton, who will speak about strategic plan goals and challenges. APAC is discussing the role of Appointed Professionals in the University's goals for doubling the research and engagement learning missions. APAC is implementing a campus-wide internship program that will enhance engagement of students. The APAC Policy Committee has reviewed the Tobacco-free University of Arizona Policy, Paid Parental Leave Policy, UHAP Revisions and the report from the Senate Non-Tenure/Non-Continuing Track Task Force. The APAC Membership Committee is working on APAC constituency within the University and representation within the council. An election for the APAC Executive Committee is forthcoming.

3D. Faculty Officers' Report

Mitchell reminded Senators that the General Election is underway online and the deadline for voting is April 11, 2014 at 5:00 p.m. Results from the Primary Election have been placed at Senators' desks.

3E. Provost Andrew Comrie

Provost Comrie informed Senators that senior academic administrators from the UA and Pima Community College met at a regular breakfast meeting to strategize enhancing the number of transfer students from Pima Community College to the UA. The *Never Settle Strategic and Academic Plan* references a goal of 3,000 transfer students from all regions of Arizona, with a major influx from Pima

Community College. Comrie made a presentation outlining the values of a Liberal Arts education to the ABOR Academic and Student Affairs Committee on April 2, 2014 on behalf of all three state Universities. The kickoff of the new UA fundraising campaign begins April 11, 2014. The UA will host a visit from the Association of American of Universities to recognize a grant for Science, Technology Engineering and Mathematics (STEM) education promulgated by Vice Provost Gail Burd.

3F. President Ann Weaver Hart

President Hart discussed the importance of agenda item #6 – the Interim Policy for Non-Enrolled Minors. Prevention and full information is key to protecting minors who use the UA facilities. The legislature continues to debate the budget. The Governor will veto any legislation that comes before her until there is a budget presented for her approval. The House and Senate are divided on financial issues. The UA's proposed component of funding is \$3M for Cooperative Extension and \$2.5M of funding from other sources. One money source stems from debt refinancing and that process has saved the State of Arizona \$9.6M through the UA's refinancing efforts. The regional office of the National Labor Relations Board has agreed that the football players at Northwestern University are employees for the purposes of unionization and can form a union as employees and collectively bargain with the University for benefits for its football players. There will be a vote in April, and regardless of what the national office of the Labor Relations Board decides, the results of the election for the union will not be released until there is a final determination as to whether it will go forward. An article in the *Arizona Daily Star* criticized the implementation of Arizona State University's student athletics fee. Hart assured Senators that the UA will not be implementing such a fee in an effort to keep student costs to a minimum. With the exception of tuition waivers, the UA's athletics program has been self-supporting since 1978. The Capital Campaign launch celebration is scheduled for April 11, 2014 and coincides with Spring Fling. The Regents approved a tuition increase of 2% for in-state undergraduate students and 5% for out-of-state undergraduate students. The out-of-state tuition increase was determined after a commissioned elasticity study confirmed that the UA's out-of-state tuition was lower than UA's peers. The recommendation aligns with the demand for UA degrees, as well as the long-range plan to balance institutional aid with the high price of tuition. Hart acknowledged the leadership of the student body officers in the implementation of presenting the Guaranteed Tuition Proposal. Hart shared the UA's loss from the recent death of a student at one of the UA residence halls.

4. QUESTION AND ANSWER PERIOD FOR ITEM 3

1) Senator Polakowski asked the President and Provost about national news reports concerning the lack of communication between the UA Police Department and Tucson Police Department during NCAA tournament post-game festivities. Hart responded that to the contrary, there was extensive communication between all law enforcement agencies as well as notices and emails to students to enjoy the festivities in a prudent and safe manner. Vice Provost Gail Burd responded that she was involved in two meetings prior to the NCAA game and verified planning strategies with the UA Chief of Police, Sheriff's Department, and Marana Police Department. Chief Seastone is meeting with the Tucson Police Department in an effort to be better prepared for next year. Communication efforts with students will intensify in the future. Comrie commented that previous years' experiences facilitated precautionary measures this time, and future endeavors should successfully preempt disruptive behavior. 2) Senator McCammon congratulated the newly elected Faculty Officers and reminded Senators to vote for the one open seat on the Committee on Committees.

5. APPROVAL OF THE MINUTES OF MARCH 3, 2014

The minutes of March 3, 2014 were approved with one correction and three abstentions.

6. DISCUSSION AND ACTION ITEM: UNDERGRADUATE COUNCIL'S NON-CONSENT AGENDA ITEM AND GRADUATE COUNCIL'S CONSENT AGENDA ITEM – GEORGE GEHRELS, CHAIR, UNDERGRADUATE COUNCIL AND KOEN VISSCHER, CHAIR, GRADUATE COUNCIL

Gehrels introduced the College Level Exam Program (CLEP) Policy [**Motion 2013/14-17**], described at the end of these minutes, that eliminates the stipulation that CLEP examinations should be taken before the completion of 55 units for native students, and before the completion of 55 units or two UA semesters for transfer students. Units earned by CLEP exams should be limited solely by the 60-unit cap on all exam credits (i.e., AP, IB, CLEP, department competency exams, and special exams) that apply to all UA baccalaureate programs. Gehrels deferred any complex questions to Director of the Advising Resource Center, Roxie Catts. [**Motion 2013/14-17**] was approved with one abstention.

Questions and comments included: 1) Senator Conway asked why there is a limit for students to take the CLEP Policy exam. Gehrels said students can take the exam at any time at the University, freshman through senior, and that a total amount of 60 credit units can be applied by special exam to an undergraduate degree. Sixty units appears to be optimal among UA's peers. Conway asked why it is necessary for a student to meet with an advisor in order to take the exam. Catts responded that advisor input isn't required, but recommended. Burd responded that there is a fee to take the CLEP exam, and an advisor can inform a student if there are benefits to taking the exam. Senator Aleamoni asked if there was a differentiation between internal and external units. Catts said that eliminating the stipulation of a fifty-five unit cap allows credit by exam to apply more broadly. A minimum of thirty credit units needs to be taken at the UA in order to obtain a degree.

Visscher introduced two Consent Agenda items, [**Motion 2013/14-18**] and [**Motion 2013/14-19**] that passed unanimously with one abstention and are detailed at the end of these minutes.

Gehrels introduced a Consent Agenda item changing the Undergraduate Council's membership and name change in the bylaws. The item was removed from Consent for discussion. [**Motion 2013/14-20**] passed unanimously and is detailed at the end of these minutes.

Questions and comments included: 1) Senator Conway asked why there is a statement concerning “one or two student representatives.” Gehrels said that some semesters, two different students serve on each subcommittee of Undergraduate Council and some semesters there is only one student who serves on both. 2) Conway asked about removing the Petitions Committee chair from the membership. Gehrels said that this change was not being introduced at this time. Faculty Center staff will check into the omission.

7. **INFORMATION ITEM: INTERIM POLICY FOR NON-ENROLLED MINORS – VICE PRESIDENT FOR LEGAL AFFAIRS AND HEAD COUNCIL, LAURA TODD JOHNSON AND VICE PRESIDENT FOR HUMAN RESOURCES AND INSTITUTIONAL EFFECTIVENESS, ALLISON VAILLANCOURT**

Johnson informed Senators that Vaillancourt is co-sponsoring the Interim Policy for Non-Enrolled Minors. The interim policy is currently being vetted on campus. Senior Assistant Vice President for Student Affairs James Van Arsdel and University Attorney Bruce Skolnik coordinated efforts to gather feedback and form work groups of concerned constituencies and vested stakeholders on campus. Vaillancourt explained that the public expects the UA to enforce safeguards to maintain the safety of children who visit the UA campus. Johnson said the three ideas the policy is built on are protection, attention to what happens around you, and reporting questionable circumstances. Limiting one-on-one interaction is a best practice, but some programs require this type of interaction. In such cases, parental approval, or informed consent, will allow one-on-one contact between an adult and minor. A central registry monitors programs requiring one-on-one contact. Vaillancourt said that feedback and suggestions may be offered until May 23, 2014. All input, including today’s meeting, will be collected and the vested stakeholders will review and incorporate changes in the policy.

Questions and comments included: 1) Senator McCammon asked about programs taking place during summer months. Johnson said that program information is provided to Van Arsdel to find out what is possible and needed on an individual basis. The current interim policy is still in place. 2) Senator M. Witte wanted clarification that the policy does not apply to programs paid on federal grants. Vaillancourt responded affirmatively. 3) Senator Martin asked if the behavioral expectations form will have to be filled out more than once a year with groups who meet more than once a year. Johnson responded that Cooperative Extension was well represented in the focus groups, and this aspect can be discussed with simplification factors in mind. 4) Senator Silverman said that background checks on individuals can create problems by revealing convictions from as many as forty years ago. The policy doesn’t address what happens if a former conviction has no relation to an authorized adult being around minor children. Vaillancourt said that Human Resources always gives the person an opportunity to explain past convictions or circumstances, but certainly this aspect can be taken into consideration. 5) Senator Howell wanted to make sure that the policy changes and revised policy will move forward in an expedited manner. Vaillancourt said that she wasn’t certain whether or not a new interim policy would be issued after the changes were made or if a formal policy would then come to Senate for approval. Howell wanted to know who makes that decision, and Vaillancourt responded that the President ultimately approves all policies. President Hart responded that she will call the task force group together to review input, make recommended revisions for her review, and publish the newly revised interim policy by the end of May 2014 until it can be voted on in the Senate in September 2014. 6) Senator M. Witte wanted to know what the public school districts use for policy with one-on-one contact with minors, and if there is any history of infractions for the UA campus. Vaillancourt responded that school districts do not have policies restricting one-on-one interaction with minors, and Johnson responded that the goal is to keep infractions from happening.

8. **DISCUSSION AND ACTION ITEM: TOBACCO-FREE UNIVERSITY OF ARIZONA POLICY – TED TONG, CHAIR, STUDENT AFFAIRS POLICY COMMITTEE AND ALLISON VAILLANCOURT, VICE PRESIDENT FOR HUMAN RESOURCES AND INSTITUTIONAL EFFECTIVENESS**

Tong explained that the Student Affairs Policy Committee reviewed the proposed Tobacco-Free University of Arizona policy, and questions pertaining to compliance were answered to members’ satisfaction. The suggestion and comment period for the policy ends on April 25, 2014 and can be accessed online.

Questions and comments included: 1) Senator McCammon asked about smoking at events like The Festival of the Books being held on campus. Vaillancourt responded that the policy would prohibit smoking and would encompass the entire campus regardless of event. 2) Senator Conway asked what state laws pertain to the proposed smoking policy. Vaillancourt answered that there are regulations enforcing smoking distance from doorways and buildings. 3) Senator Martin asked what constitutes UA property. Vaillancourt responded that the policy references UA property, but determining boundaries can at times, be difficult. Senator Conway called the question [**Motion 2013/14-21**], thus ending debate. Motion passed 35-0 with one abstention. [**Motion 2013/14-22**] to endorse the Tobacco-Free University of Arizona policy passed with two abstentions and is detailed at the end of these minutes.

9. **DISCUSSION AND ACTION ITEM: BYLAWS REVISIONS OF THE FACULTY GRIEVANCE POLICY – BOBBI MCKEAN, CHAIR, CONSTITUTION AND BYLAWS COMMITTEE**

McKean informed Senators that a one-page description of itemized changes accompanied the proposed document. One change throughout the document clearly differentiates when a grievance, not governed by ABOR policy 6-201 or 6-301, is being reviewed and when a grievance is being heard through a formal hearing by the Committee on Academic Freedom and Tenure (CAFT). Clarification if now offered for the Grievance Clearinghouse Committee as the first review body who directs grievances to the appropriate entity. Section Four is revised to include the Point of View informal resolution opportunity through Human Resources. Section Five has been divided into two sections making a Section Six, outlining the review procedures of the Grievance Clearinghouse Committee and adding the provision for an *ad hoc* committee. Another important step added in the CAFT process is allowing the grievant to speak with CAFT members before a decision is made concerning the grievance. Senator Spece moved for three proposed amendments. The first amendment [**Motion 2013/14-23**] on page B-2 to change the first sentence of paragraph h. to read, “In cases to which they apply, the Arizona Board of Regents Policy Manual 6-201 and 6-302 take priority.” Motion was seconded and passed unanimously with one abstention. The second amendment [**Motion 2013/14-24**] on page B-8, Section 6, paragraph a., third line after “action,” add: “(including violations of due process or academic

freedom.)” Motion was seconded and passed unanimously. The third amendment [Motion 2013/14-25] on page B-2, add a new paragraph j. after i. (and change subsequent lettering) with the following: “j. At any and all times, the faculty members hearing grievances shall have the opportunity, but not the duty, to consult University counsel or any outside counsel who has or will be appointed for consultation purposes. In all matters and proceedings, however, the faculty members considering a grievance shall have the right to make the final decisions on all matters substantive or procedural. The role of University or outside counsel shall be solely to answer questions put to them by the faculty considering the grievance.” Motion was seconded and passed unanimously with 8 abstentions. Senator Silverman moved [Motion 2013/14-26] to add clarification on page B-7 in Section 5, a., v., “The Grievance Clearinghouse Committee shall either affirm the decision to decline to send the grievance forward or overrule the decision sending the grievance forward.” The motion was seconded and passed unanimously with one abstention.

Questions and comments included: Senator Spece said that his experience with outside counsel recommended by the Office of the General Counsel to advise CAFT has been worrisome. Head Counsel Laura Todd Johnson advised Senators that the Office of the General Counsel only provides advice to administration and not to individual faculty members.

Senator Duran called the question [Motion 2013/14-27], thus ending debate. Motion passed 26-8. [Motion 2013/14-28] approving the revisions to the Faculty Grievance policy as amended passed 33-1 with six abstentions.

10. **INFORMATION ITEM: UA BRANDING AND ARIZONA NOW CAPITAL CAMPAIGN – SENIOR VICE PRESIDENT FOR UNIVERSITY RELATIONS, TERI THOMPSON**

Thompson informed Senators that the UA Branding and Arizona Now Capital Campaign has been an effort over the last nine months to develop new message and design platforms. Two different platforms were tested; “Boundless” and “Only Here.” Feedback from both concepts was weighed, and Boundless was the winner. The concept of Boundless will be a guide for the written copy and design work going forward with the UA’s communications and marketing efforts.

11. **OLD BUSINESS**

12. **NEW BUSINESS**

13. **ADJOURNMENT**

There being no further business, the meeting adjourned at 5:09 p.m.

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

Appendix*

1. Primary Election results.

**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 April 7, 2014

Motion 2013/14-17 Seconded motion to approve Undergraduate Council’s Non-Consent Agenda Item Approval to Modify the College Level Examination Program (CLEP) Policy. Motion carried.

Motion 2013/14-18 Seconded motion to approve Graduate Council’s Consent Agenda Item Request for Authorization to Change an Existing Degree Program Management MS – Accounting Emphasis to Accounting MS. Motion carried.

Motion 2013/14-19 Seconded motion to approve Graduate Council’s Consent Agenda Item Request for Authorization to Implement a New Degree Program Health Behavior Health Promotion MSPH/PhD. Motion carried.

Motion 2013/14-20 Seconded motion to change Undergraduate Council’s membership in the bylaws. Motion carried.

Motion 2013/14-21 Motion to call the question to end debate on the Tobacco-free University of Arizona policy. Motion was seconded and passed.

Motion 2013/14-22 Motion to endorse the Tobacco-free University of Arizona policy. Motion was seconded and passed.

Motion 2013/14-23 Motion to amend page B-2 of the Faculty Grievance Policy’s first sentence of paragraph h. to read, “In cases to which they apply, the Arizona Board of Regents Policy Manual 6-201 and 6-302 take priority.” Motion was seconded and passed with one abstention.

Motion 2013/14-24 Motion to amend page B-8 of the Faculty Grievance Policy, Section 6, paragraph a., third line after “action,” add: “(including violations of due process or academic freedom.)” Motion was seconded and passed unanimously.

Motion 2013/14-25 Motion to amend page B-2 of the Faculty Grievance Policy, add a new paragraph j. after i. (and change subsequent lettering) with the following: “j. At any and all times, the faculty members hearing grievances shall have the opportunity, but not the duty, to consult University counsel or any outside counsel who has or will be appointed for consultation purposes. In all matters and proceedings, however, the faculty members considering a grievance shall have the right to make the final decisions on all matters substantive or procedural. The role of University or outside counsel shall be solely to answer questions put to them by the faculty considering the grievance.” Motion was seconded and passed with 8 abstentions.

Motion 2013/14-26 Motion to add clarification on page B-7 in Section 5, a., v., “The Grievance Clearinghouse Committee shall either affirm the decision to decline to send the grievance forward or overrule the decision sending the grievance forward.” The motion was seconded and passed with one abstention.

[Motion 2013/14-27] Motion to call the question and end debate on the Faculty Grievance Policy. Motion passed 26-8.

[Motion 2013/14-28] Motion approving the revisions to the Faculty Grievance policy as amended. Motion passed 33-1 with six abstentions.

FACULTY CENTER
1216 E. Mabel
PO Box 210456