1. CALL TO ORDER

The meeting was called to order by Vice Chair of the Faculty Michael Brewer at 3:02 p.m. in the Old Main Silver and Sage Room. Brewer announced that the nomination process for the General Election was underway with petitions due by Wednesday, March 23, 2016. The General Election commences on Thursday, March 31, 2016. The Faculty Center did not receive as many petitions as there are seats for Faculty Senate College Representatives. Available still are one seat for the College of Agriculture and Life Sciences, one seat for the Eller College of Management, two seats for the College of Engineering, one seat for the College of Fine Arts, one seat for the College of Law, one seat for the College of Medicine-Tucson, one seat for the College of Nursing, one seat for the College of Public Health, two seats for the College of Science, and two seats for the College of Social and Behavioral Sciences. There are also two seats available on the Committee on Committees for which no petitions were received.


Absent: Senators Cox, Dai (sabbatical), Finnegan, Fregosi, Guertin, Hammer, Lee, Miller, Najafi, Netherton, O’Keeffe, Rees, Ritter, Snyder, Spece, Sun, R. Vaillancourt, Valerdi, R. Witte and Yeager.

2. APPROVAL OF THE MINUTES OF FEBRUARY 1, 2016

The minutes of February 1, 2016 were approved.

3. REPORT FROM THE FACULTY OFFICERS – VICE CHAIR OF THE FACULTY MICHAEL BREWER

Brewer reported that the Faculty Officers conducted a faculty poll on the sharing of scholarship. The responses showed that 88% of those polled felt that the sharing of scholarship was extremely or very important, 7% moderately important, 5% slightly important or not important at all. Several of those who left comments pointed out (correctly), that support for this goal should not be understood as equating with support for Open Access journal publishing, which is but one way of pursuing broader access to scholarship and research findings. Other commenters underscored that quality, intended audience, and tenure requirements should always be paramount in choosing a publishing venue, while others cautioned that the role and health of smaller society publishers should be considered. The Open Access Policy will be discussed at the April 2016 Senate meeting. The Listening Tour and Quality definition continues. The UA hosted a meeting of the Pac12 Academic Leadership Coalition on February 26 and 27, 2016 where ideas and practices were shared amongst the faculty governance leaders from eight of the twelve PAC 12 schools. Topics included roles of Non-tenure Track faculty within shared governance, campus climate and safety, open access/open textbooks, outcomes and assessment, academic freedom, and the interface between academics and athletics.

4. QUESTIONS FOR ASUA, GPSC AND APAC

Senator Martin asked APAC representative Breci about the impact federal legislation will have on changes between exempt and non-exempt status as it relates to salary increases and overtime for Appointed Professionals. Breci said that the salary maximum will be in the $50,000 range, but the limit hasn’t been set yet by the Federal Government.

5. REPORT FROM THE PROVOST – PROVOST ANDREW COMRIE

Comrie reported that highly interactive and productive meetings were held with the student leadership with regard to tuition. An agreement in numbers was reached, but ABOR will release the numbers for all three Arizona universities on March 18, 2016. The Veterinary Medicine accreditation should be received by the end of March 2016. Two Search Advisory Committees have been appointed; one for the College of Humanities Dean and one for the Chief Information Officer/Vice President for Information Technology. Comrie said that the Academic Program Review is progressing with several completed including program accreditation. There are approximately 100 Promotion and Tenure packets currently under review in the Provost’s Office. The quality discussion at the ABOR level is proceeding, to be continued at the upcoming ABOR meeting. The naming of an interim dean for Architecture, Planning and Landscape Architecture is in process with meetings upcoming with the senior leadership of that College.
6. REPORT FROM THE PRESIDENT – PRESIDENT ANN WEAVER HART

Hart reported that ABOR opposes the proposed legislative bill for concealed weapons on Arizona campuses. A new practice was put into effect in 2015 disallowing backpacks at all McKale Center events. The UA has a desire to establish a new approach and relationship with the Arizona Legislature on what delineates quality and performance, and is forging ahead to make sure the legislature is grounded with the obligation for the state to help fund a college education for Arizona residents. The UA is hopeful of a 50/50 split on the funding for Arizona resident college students, and progress in this area will be made this year and through subsequent years. A funding amount of $32M is receiving positive discussion. Focusing on regulatory reform, the state should not rely on the Universities to fund areas in which they are less than optimally efficient and effective. Savings would continually accrue if the University system acquires its own medical insurance, with an approximate $28M minimum per year savings.

Some of the issues that have been brought to the forefront by the faculty Listening Tours are the discreet availability of information associated with sexual orientation, training for residence assistants to better deal with unpleasant or hostile living situations within student housing, archaic University diversity requirements for general education, training for faculty and staff in this area, and the implied community message. Hart expressed an ongoing dialogue with lawmakers for a safe, weapons-free campus with all three University Presidents. The University shared governance communities continue to be involved with all of the campus-wide issues that affect many areas of concern.

Hart called attention to her decision to join the Board of Directors of the for-profit Devries Education Group. An article that was published in the Arizona Daily Star on March 6, 2016 stated Hart had accepted Presidential service on the external board for a stipend of $70,000. Hart said that last summer, she was approached by an executive head hunter about her potential interest in serving on a for-profit, training and education company’s Board. At the time, Hart was intrigued, but declined the invitation. The Devries Education Group is a holding company corporation including two medical schools and a veterinary medicine program. Dr. Richard Carmona, a UA faculty member and the former Surgeon General, is a Board member of one of the Devries Education Group’s medical schools. Hart is convinced that as a current member of the higher education community in an institution with a strong, shared governance tradition, ongoing discussions pertaining to quality in teaching and research, employability of graduates, earning capacity, quality of life, etc., are essential to the future impact the UA will have in education. After careful consideration that Hart may have to recuse herself from discussions that may affect the UA, and after consultation with the Office of General Counsel and ABOR regarding policy that may interfere with service on the Board of the Devries Education Group, she accepted the invitation to join the Board. Prior to her accepting the invitation, the Federal Trade Commission issued a complaint against Devries University, a subsidiary company of Devries Education Group, for misrepresenting the employment history of graduates from the 2012 year. As an extramural activity, Hart believes that staying actively engaged and being fully informed will insure that students will have better opportunities to thrive under diminishing funding resources.

7. QUESTION AND ANSWER FOR PRESIDENT, PROVOST, FACULTY OFFICERS REPORTS

1) Senator Mclain thanked President Hart for her clarification of events, but explained that the outcome of her decision has brought very negative comments from an assortment of people, both inside and outside the University. Mcclain asked if the Hart had any plans to make her response public. Hart responded that she had, but the reporter for the Arizona Daily Star chose not to include it in the article. The commitment for the Board is for one year. 2) Senator Silverman asked about Hart receiving her second Board of Regents’ bonus, and whether or not she had received his email suggesting she donate the bonus to the UA, as some previous UA Presidents have done. Silverman mentioned the stipend of $70,000 to join the Board of Directors of Devries Education Group, plus $100,000 in Devries stock options, and said that the extra money she makes in addition to her $650,000 a year salary should be used as donation money to the UA. Hart responded that she does donate money to the UA, as well as many other Universities and charities without bragging about it. Hart said that she previously answered Silverman’s question about bonuses, and reiterates that the $100,000 is not a bonus, but is part of her base, ongoing compensation, which is at-risk and paid three years after the initial contract period. Hart did not earn the at-risk compensation after the three-year period. 3) Senator Russell said many faculty have consulting opportunities outside of their regular teaching jobs in accordance with respective UA contracts, and take into consideration that there is another University President in Arizona who makes more money and contributes to many more Boards than Hart. 4) Senator Cuello said that he supports Hart’s decision to become a Board member of the Devries Education Group, but wants some reassurance that the engagement will not be a conflict of interest or responsibility to the Presidency of the UA. Hart responded that there are institutionalized requirements. The Board of Regents reviews external employment of all Presidents every year and they are required to turn in a report on all outside compensation, its source, duties performed, and how the compensation is earned. Hart served on the Board of Citizen’s Bank of New Hampshire while President at the University of New Hampshire, and at Citizen’s Bank of Atlantic States while President at Temple University. A thorough discussion of duties performed is completed in a private review of assignments with the Board of Regents on a yearly basis. The Office of the General Counsel also reviews the assignments.

8. ACTION ITEM: SENATE RESOLUTION – OPPOSITION TO ANY LEGISLATION PERMITTING FIREARMS OR OTHER WEAPONS TO BE ALLOWED ON CAMPUS – VICE CHAIR OF THE FACULTY MICHAEL BREWER

Brewer reminded Senators that the Resolution comes to Senate as a seconded motion from the Senate Executive Committee [Motion 2015/16-10]. Hart said that ASUA, GPSC, Arizona State University, and Northern Arizona University are all unanimous on their stance in favor of this Resolution. McKean mentioned that the Senate passed a similar resolution in 2010. "The Faculty Senate of the University of Arizona emphatically opposes any legislation permitting firearms or other weapons to be allowed on campus, and specifically opposes AZ State House Bills HB2072 and HB2338, which, by allowing students and faculty to carry weapons on or across campus, would increase..."
the number of guns on campus and endanger the safety of faculty, students, staff, and campus visitors." Comrie made a friendly amendment to delete "by allowing students and faculty to carry weapons on or across campus." Silverman wanted reassurance that the Resolution would make its way to the Legislature, and Hart assured him that Vice President of Government and Community Relations, Timothy Bee and his team would make sure it would be heard by the Legislature. [Motion 2015/16-10] passed unanimously as amended and is detailed at the end of these minutes.

9. NON-CONSENT AGENDA: FACULTY SUPPORT OF STUDENTS POLICY AND FINAL EXAM REGULATION AMENDMENTS – CHAIR OF THE UNDERGRADUATE COUNCIL, DENNIS RAY.

Brewer reminded Senators that the policy and amendments come to Senate as seconded motions [Motion 2015/16-11] and [Motion 2015/16-12] from Undergraduate Council. [Motion 2015/16-11] and [Motion 2015/16-11] passed unanimously and is detailed at the end of these minutes. Senator Jull mentioned that the Final Exam Regulation Amendments appears to create a bureaucratic process for conducting an exam at a correct time. Ray responded that the amendment came about to address finals for online courses so that they aren’t given all at the same time. The amendment doesn’t address scheduling an individual final exam for a student for a legitimate reason. Jull said that the way he reads it, it rules out exceptions. McKean said that the amendment states: "Specific exceptions for certain courses may be made with approval from the appropriate academic unit head and academic dean. Students shall be informed of any such exceptions in the class syllabus." Senator Smith said that she assumed the amendment has been integrated with the Exaity Program through University Information Technology Services to make sure of legitimate performance during exams. Senior Vice Provost Gail Burt responded that the amendment addresses the issue of timing so that not all classes have exams at the same time on the same day. Senator Meixner says he teaches a course that is dynamically scheduled beyond the spring semester, and wants to know how the amendment plays into this issue. Ray said that it would come under exceptions, and would have to be stated in the syllabus. [Motion 2015/16-12] passed unanimously and is detailed at the end of these minutes.

10. DISCUSSION ON PROPOSED CHANGES TO THE UNIVERSITY HANDBOOK FOR APPOINTED PERSONNEL (UHAP) – VICE PRESIDENT FOR HUMAN RESOURCES AND INSTITUTIONAL EFFECTIVENESS, ALLISON VAILLANCOURT

Senator Vaillancourt explained to Senate that the University’s policy on policy formulation requires that policies that are revised receive substantial review and vetting, but does not require that level of review for basic updates or corrections. There are updates to approximately twenty policies in UHAP. The reason for the updates is that the information is no longer accurate or not categorized as policy. Senate supported the proposed changes to UHAP.

11. OPEN SESSION: STATEMENTS AT THE PODIUM ON ANY TOPIC, LIMITED TO TWO MINUTES, MAXIMUM NUMBER OF SPEAKERS IS FOUR. NO DISCUSSION IS PERMITTED, AND NO VOTES WILL BE TAKEN. 8 MINUTES OR LESS.

Senator Brock addressed the Senate regarding the Athletics Fee for students. The GPSC report mentions the survey that was sent out to all graduate students, and of those who responded, 95% were strongly opposed to the implementing the Athletics Fee. Athletics Director, Greg Byrne, reached out proactively and met with the students in an open conversation, and through this outreach it was determined to table the mandated Athletics Fee for all students. Brock commended Byrne for setting a perfect example of proactively and positively engaging with students, and the overall professional demeanor during the entire process.

12. LOOKING AHEAD: A STRUCTURED DISCUSSION AMONG SENATORS ON SHARED GOVERNANCE AND MEMBERS OF THE GENERAL FACULTY – MEMBERS OF THE NON-TENURE TRACK AD HOC COMMITTEE.

Brewer referred to the survey report from the Non-tenure Track ad hoc Committee summarizing the survey that was sent out to all tenure and non-tenure track teaching faculty. Article II of the University of Arizona Faculty Governance Constitution states that the criteria for membership for the General Faculty is: “For purposes of University government, the General Faculty of The University of Arizona is composed of: a. Faculty members who hold half-time or more tenured or tenure-eligible appointments, b. Academic professionals who hold half-time or more continuing or continuing-eligible appointments, c. Non-tenure eligible faculty members who hold half-time or more multi-year appointments, d. Such persons in categories (a), (b), and (c) who hold Emeritus status. Section 2. No candidate for a degree at the University of Arizona shall be a member of the General Faculty. Section 3. This membership provision shall become effective upon approval by the President. Section 4. Members of the General Faculty are eligible to vote in matters of faculty governance and to hold offices and to serve on committees established in accordance with this Constitution. Faculty with administrative appointments vote in their home college. Should any faculty member’s home college change (i.e., due to the transfer of an individual to another unit, or due to a unit reorganization or merger), voting privileges move to the new college. Emeritus faculty shall have voting privileges in the first five years of Emeritus status, which will be extended for additional five-year periods at the request of the individual faculty member.” The idea is to unify and expand active participation in shared governance to a larger portion of non-tenure track faculty, specifically those that are long-term NTT faculty in ranked professional or lecturer positions. There are approximately 100 multi-year contracts currently at the UA. The remaining non-tenure track faculty represent 1/3 of the overall faculty as described by ABOF and in UHAP. Senator Martin asked if a non-tenured faculty member who is granted Emeritus status then becomes a member of the General Faculty. Brewer responded yes. Conmrie added that Emeritus status takes a minimum of fifteen years. Senator M. Witte requested numbers for all the different categories and also wanted to know about clinical faculty in the College of Medicine. The numerical chart from the report was referred to on the overhead screen. At the institutional level, this would allow more non-tenure track faculty to vote, run for office, or be appointed to committees. Within colleges, there would continue to be flexibility around how to integrate people into shared governance, and many non-tenure track faculty report that they are currently able to participate. The bylaws of the college or department would specify how each college would incorporate non-tenure track faculty into shared governance. Senator Russell said it matters how many non-tenure track faculty have a say in matters when the faculty member does not have the education or experience at the academy and is granted an equal vote. Galilee-Belfer said that the issues in the
College of Medicine with its clinical faculty can be categorized separately, but went on to state that there are many people at the UA on year-to-year contracts for multiple years for which this proposal applies. Comrie stated that there are many Banner employees who are not academic employees and only work for the hospital. These employees are not eligible to vote in UA matters. There are some Banner employees who do minimal clinical work for the University, but are still not eligible to vote in UA matters. Galilee-Belfer said that every unit will run things differently, and the subsequent discussion questions, taken from the prepared PowerPoint, will involve a short report-out from tables. Senators were instructed to write down each table’s answers to share after each discussion question. “In thinking about your own units and departments: what are the current practices with NTT faculty participation in shared governance? How would you characterize those practices in terms of effectiveness?”

Table #1 said that there were four departments represented at the table, and one department did not have any non-tenure track faculty and another department gives all non-tenure track faculty the same rights as tenure track faculty within the department. One department only allows the non-tenure track faculty member to vote on matters that pertain only to them, such as curricular. In another department non-tenure track faculty have some voting privileges within committees and certain areas, but not for seconded motions that are to be voted on by tenure track faculty. Table #2 said that there was diverse representation as well, with some units who treat NTT faculty regardless of contract the same as any other faculty member, others where the faculty member had little to no input to departmental voting, and some who follow the University level guidelines for voting faculty. “What might be improved through the inclusion of non-tenure track faculty as members of the General Faculty and where might there be concerns?”

Table #1 responded that there would be a better connection with students, a more vibrant Faculty Senate, and a better sense of what NTT faculty think and feel. Concerns were resource allocations for NTT faculty hires, and NTT representation at the local level with committees and others groups. Table #2 responded that it would improve the inclusion factor for NTT faculty to become part of the General Faculty. Table #3 responded that individuals who fit under this category would be sufficiently independent and withstand pressure from outside sources in casting their vote because of a lack of permanence afforded to tenured faculty.

Brewer asked Senators for opinions on continuing the discussion due to lack of time at this meeting. Senators agreed to continue the discussion.

13. OTHER BUSINESS

There was no other business.

14. 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*
*Copies of material listed in the Appendix are attached to the original minutes and are on file in the Faculty Center.

1. Minutes of February 1, 2016
2. Report from Faculty Officers
3. Report from GPSC
4. Report from APAC
5. Report from the Provost
6. Report from the President
7. Proposed changes to the University Handbook of Appointed Personnel
8. Faculty Support of Students Policy
9. Final Exam Regulation Amendments
10. NTT ad hoc Senate Committee Survey Summary Report
11. NTT ad hoc Senate Committee Shared Governance Proposals

Motions of the Meeting of February 1, 2016

Motion 2015/16-10 Seconded motion from the Faculty Senate Executive Committee for a Senate Resolution – Opposition to any legislation permitting firearms or other weapons to be allowed on campus: “The Faculty Senate of the University of Arizona emphatically opposes any legislation permitting firearms or other weapons to be allowed on campus, and specifically opposes AZ State House Bills HB2072 and HB2338, which, by allowing students and faculty to carry weapons on or across campus, would increase the number of guns on campus and endanger the safety of faculty, students, staff, and campus visitors” with a friendly amendment to read, “The Faculty Senate of the University of Arizona emphatically opposes any legislation permitting firearms or other weapons to be allowed on campus, and specifically opposes AZ State House Bills HB2072 and HB2338, which would increase the number of guns on campus and endanger the safety of faculty, students, staff, and campus visitors.” Motion carried.
Motion 2015/16-11 Seconded Motion from the Undergraduate Council, Faculty Support of Students Policy. Motion carried.

Motion 2015/16-12 Seconded motion from the Undergraduate Council, Final Exam Regulation Amendments. Motion carried.

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