

**MINUTES  
FACULTY SENATE  
NOVEMBER 6, 2023**

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**1. CALL TO ORDER [00:00:01]**

Presiding Officer of the Faculty Senate, Mona Hymel, called the November 6, 2023, Faculty Senate meeting to order at 3:03 PM in Silver and Sage and via Zoom. Secretary Dysart was also present. Vice Chair Hymel stated that when Senators interrupt to raise a point of order, the item must pertain to a parliamentary issue and cannot be used to interrupt a speaker. Vice Chair Hymel stated that for the process of motions, there is an individual who makes a motion, a seconder, then the Vice Chair repeats the motion, it is then turned over to the maker of the motion where they are able to explain their motion further without interruption, and this process happens prior to discussion.

**Present:** Senators Bernick, Braitberg, Braithwaite, Brochin, Cai, Casey, Cheu, Coletta, Cooley, Domin, Downing, Dyke-Compton, Dysart (Secretary), Eckert, Fellous, Fink, Gerald, Gregory, Guzman, Harris, Hudson (Chair), Hymel (Vice Chair), Jones, Leafgren, Little, Marx, Medevoi, Meyer, Nelson, Neumann, O' Leary, Pace, Pau, Rafelski, Rankin, Robbins (President), Rocha, Rogers, Russell, Schwartz, Senseney, Simmons, Slepian, M. Smith, J. Smith, Spece, Stegeman (Parliamentarian), Stephan, Stone, Su, Torres, Waddell, Werchan, Williams, Willis, M. Witte, R. Witte, Wittman, Zeiders, Ziurys.

**Absent:** Senators Anderson (GPSC Rep), Barron (ASUA Rep), Cochran, Cui, Dial, Gordon, Grijalva (ASUA Rep), Kandel, Knox, Ottusch, Rodrigues, Sanchez, Schulz, Tropman, Yoon (GPSC Rep).

**2. ACTION ITEM: APPROVAL OF THE AGENDA – VICE CHAIR OF THE FACULTY, MONA HYMEL [00:02:08]**

Vice Chair Hymel stated the four speakers for Open Session. Vice Chair Hymel stated the agenda will include the following changes:

- Item 7: Report from the President will have an allotted thirty minutes instead of ten minutes.
- Consent Agenda Item A: Proposal Emancipatory Education Graduate Minor under Action Item 9 will be removed.
- Old Business Item A: Resolution concerning filing newly created Faculty Senate Seats, and Item B: Apportionment of Faculty Senate seats will be removed to allow President Robbins more time for his report.

Secretary Dysart moved **[Motion 2023/24-15]** to approve the agenda as amended with the note that old business items will be deferred to a future meeting. Motion was seconded. Motion passed by unanimous consent.

**3. ACTION ITEM: APPROVAL OF THE MINUTES OF THE SEPTEMBER 26, 2023 and OCTOBER 2, 2023 FACULTY SENATE MEETING [00:06:51]**

Chair Hudson moved **[Motion 2023/24-16]** to approve the minutes of the September 26, 2023 and October 2, 2023 Faculty Senate Meeting. Motion was seconded. Motion passed by unanimous consent.

- Senator Hammer stated he would like to acknowledge the fine quality of the minutes.

**4. OPEN SESSION [00:07:51]**

**Michael McKenna, Professor, College of Social & Behavioral Sciences and Director, Graduate Admissions [00:07:58]**

I was identified in a report on September 11<sup>th</sup> and in the report, it identified me as someone who was hired by a corrupt process. A process according to which my higher was influenced by a wealthy donor who had ideological interest and they swayed my hire. I was also described as someone whose work supports and is designed to sway academic research in the direction of free markets. I have written a letter, and I have described why I am upset by this. I would like to say, to follow up on that, when I was hired here at the University of Arizona, it was one of the greatest and one of the most important moments of my life. It was very important, and I was very proud of that. It takes something from

me when describe me as not having earned that hire on the basis of my merit. That is the first thing. The second thing is this: I have done nothing, written nothing, and in any way, I have never advised a student, given a talk, or taught a course that is in any way associated with promoting or favoring free market ways of engaging political discourse. That is not what I do, and it is a misrepresentation of me and my work to describe me in that way. I have described all of this in a letter, and I have basically supplied proof, as I see, that these were basically misrepresentations of me. Now, I'm offended by this, but I also see it as a threat to my professional reputation. This risks demeaning me publicly, not just here at the University, but in the wider philosophical profession. So, what I want from the University and from Faculty Senate is an explicit retraction of that report that was reckless and defamatory, and I want someone to explicitly state that the claims made about me were false. That is all I have to say.

**Thomas Christiano, Department Head and Professor, College of Social and Behavioral Sciences [00:10:48]**

Thank you for giving me the chance to address the Senate. I'm Tom Christiano and I'm the head of the Philosophy Department and this is part of a response to the Committee on Inappropriate Donor Influence. I was a participant in nearly all the activities discussed by that Committee. It is based on, as far as I can see, on very superficial evidence. It's clearly driven by an a priori but false belief that he who plays the piper calls the tune, without much appreciation for how University departments actually operate. So, the process in the Spring of 2009, by which the four original faculty in the Philosophy Department and the Freedom Center were hired, was a thorough and rigorous search. At no time in this process (I was there the entire time) was there any discussion of what donors might want, or what were their ideological cast of candidates. If the donor had said no to any of the people we had chosen, the Philosophy Department would have rejected the gift. In case you doubt that the fact is the Philosophy Department has left a lot of donor money on the table because of such inappropriate requests. Uppermost concern of any department in this University, I'm sure, is to increase the national or international reputation within the community of scholars and we succeeded in doing that with these four hires.

There is another element here, the unquoted parts of the Philosophy Department minutes are clear. Certain parts of the Philosophy Department minutes are quoted. It turns out that the unquoted parts are quite clear that we chose to hire a classical liberal scholar in 2023, because, first, the concern of the Freedom Center for the diversity of point of view was legitimate, we thought. There were no other classical liberals at the time, among the Faculty in the Freedom Center. Second, we knew we could get the highest scholar, even with this limitation on the search, and happily, we succeeded. The last thing I want to say (I wanted to say something about the end but I will go quite directly to the end), the claim is that the ad-hoc committee is concerned to protect the academic autonomy of our department is sadly belied by the fact that they chose not to interview anyone in our department to inquire into our actions. This should have done before any report. Thank you.

**Senator Marlys Witte [00:14:15]**

During the past few years at Faculty Senate meetings, I have advocated reestablishing the cross campus Undergraduate Research Grant Program that funded ~1,000 students and many exciting projects over 30 years. This program arose from the faculty-elected Research Policy Committee that VP for Research Laurel L. Wilkening enthusiastically funded with ~\$35,000 per year. Last year, under Senior RII VP Betsy Cantwell, this program was restarted with a five-year \$75,000 award (\$15,00 per year) to our office. I invited Associate Research Dean and Professor of Humanities, Ken McAllister to join me in this effort. On behalf of the fourteen-member review team of faculty and students across eight colleges and more than twenty departments, we are pleased to announce the eleven recipients of the year who won awards of \$1,000 to \$1,500 each, for student-initiated, original research. They represent seven different colleges and sixteen departments. These "Wildcats in Wonderland," are:

- Lenox Helene Baloglou, 2025, Math (Science): Is there a computationally sufficient solver for the Lambert problem of orbital dynamics?
- Kanishka Chinnaraj, 2025, Neuroscience (Medicine): What are the effects of pulse sequence variability in electrical brain stimulation on dopamine release?
- Bhargav Ghosh, 2026, Molecular & Cellular Biology (Science): How does the cd2319 gene regulate the virulence of *Clostridium difficile*?
- Virginia Gabrielle Janier, 2024, Agriculture Life & Environmental Science (Natural Resources): How does the global chamomile in California differ from Arizona and the relation to drought?
- Heather Jensen, 2024, Creative Writing (Humanities), Arabic/Middle Eastern/North African Studies, (SBS) and Neuro-Cognitive Science (Science): How does cultural production of Palestinians living outside the Middle East contribute to making a national identity especially in absence of the physical homeland?
- Alexandra Louise Keen, 2025, Neuro/Cognitive Science (Science)/Religious Studies (Humanities): Can rats

perceive and memorize spatial distance?

- Carmen Sanchez Moreno, 2026, Molecular and Cellular Biology/Computer Science/Ecology & Evolutionary Biology (Science): How do unorganized and uniformly distributed cells give rise to organized complex structures during embryonic development and do jamming transitions determine formations of condensations?
- Alana Marie Maluszczak, 2024, Biomedical Engineering (Engineering)/Mathematics (Science): Can we create a neural network that combines human cognition and AI application to risky decision-making?
- Nguyen Chi Pham, 2025, Physiology (Medicine)/Pharmaceutical Sciences (Science): Can oral anti-hepatitis B drugs be repurposed for ocular administration in herpes simplex infection?
- George Jacob Romero, 2024, Theater, Film & Television (Fine Arts): In what ways have youth-oriented art spaces, particularly Groundworks in Tucson, impacted local youth?
- Colter Douglas Thomas, 2006, Geography/Political Science (SBS): How does the growing network of US surveillance towers for US border security shape Southwestern borderlands and experiences of migrants navigating through this region and how might photography and geographical research make this infrastructure and its effects more visible and understandable to public audiences?

The deadline for year two application submissions will be in late January 2024, and the annual “Undergraduate Wildcats in Wonderland” Forum will take place in March 2024.

### **Senator Katherine Zeiders [00:20:08]**

I’m Katie Zeiders, Faculty Senator from CALES. In September, I spoke about the financial position of CALES under the new AIB model. That we had done everything right, yet we faced a 10-million-dollar deficit. This is because our University Central Administration had decided to take the money of my colleagues and I, that worked so incredibly hard to generate to use for its so-called strategic investments as they see fit to spend. Now, two months later, CFO Lisa Rulney’s report to ABOR clearly indicates how our University’s Senior Leadership Team has so badly drained our central reserves of cash on hand with loans to athletics, and other strategic initiatives, mismanaging our University’s finances. To understand this financial management, look no further than the metric by which the University is using as an indicator of the crisis, days of cash on hand.

As presented to ABOR, we are currently at ninety-seven days, and a significant plummet to this number started with hiring of both President Robbins and CFO Rulney in 2017 and 2018 respectively. In 2017, we had a hundred to eighty-two days of cash on hand, and we have seen a linear decline in this number year after year, except for the years after the University took thirty-million dollars with furloughs and received seventy-three million in higher-education, emergency relief funds. What is astonishing about this plummet in cash on hand is that in the last three years in particular, we’ve seen the steepest drop, yet, the University, not just CALES, has had record years of success.

You and I, and all of our colleagues have grown enrollment to record numbers, we’ve increased research dollars to record amounts. In fact, as President Robbins points out, we generated 79.4 million net surpluses for the University. This past year the Regents have called for across the board actions that ignore the failures of the administration, and instead punish the employees who are committed to our land-grant institution and to serving our students. Fellow senators, faculty directors, unit heads, staff, deans, and students, I urge us all to begin to ask the rough questions and commit to standing with one another to ensure that no programs in your college are eliminated, no salaries are cut, and no one loses their jobs. We must make it very clear to our colleges, to our workers, and to our students, that we will not be punished for the Administration’s complete mismanagement of our University’s finances. Thank you.

### **5. Statement from the Chair of the Faculty [00:23:47]**

Thank you everyone and welcome to all our guests here today. It is wonderful to see the civic engagement that we have generated, perhaps provoked. I hope it continues and gets less friction as time goes on. I had planned to use this statement today to talk about the concerning volatile and fluid state of academic freedom and freedom of speech on campus. But the liquidity, crunch, and management crisis that Senator Zeiders has just talked about have preempted much of that.

Suffice to say that our Administration needs to do a better job of protecting academic freedom from aggressive encroachments of outside organizations. We witnessed sadly, last month in the College of Nursing and in the ongoing, and continuing harassment of LGBTQ+ colleagues, in the Humanities and Education College. As for freedom of speech on campus in a time of atrocities and genocide in Israel and Palestine. I think many of you share my impression that we, here at the University of Arizona, are doing better than other campuses around the country. In my opinion, this is not because, rather, in spite of, well meaning, but clumsy attempts by President Robbins to achieve moral clarity by silencing and perhaps inadvertently smearing as terrorist sympathizers. Those who speak out for Palestinian rights against occupation, against the IDF attacks on Gaza and violence in the West Bank, and against the U.S. policy that supports and sustains them. Rather, it is because we, and especially our students as a community, are disciplined and dignified, and we constantly work on educating ourselves. Let’s keep up the good work, since the

opportunities for hate will sadly continue, as long as the war on Gaza does and beyond. Let's leave behind the ugly absolutist parts of the barbarian scriptural traditions, religious and secular, and get back to the basics of responsibility. Do unto others as you would have done unto you from Christianity, love your neighbor as yourself from Islam, and perhaps the most powerful negative Judaic formulation, do not do to others what you would not have done to you. Also, don't yell "fire" in a crowded theatre. Working with our amazing new associate, Vice Provost for Diversity, Inclusion, Jenna Hatcher, and my good friend Barak Orbach, with whom I disagree about many things, but not about our intolerance for hate and intimidation. I hope to institutionalize Vice Provost, Jenna Hatcher's project of an inclusion task force which documents and addresses incidents of potential hate and misunderstanding for all our communities.

Now to account and accountability. On Thursday, we heard an alarming presentation from CFO Rulney and President Robbins at the Arizona Board of Regents. Before we start pointing fingers and formalizing our lack of confidence, it behooves us to learn more, and to help guide and structure the process going forward. Various unit leaders have called for independent forensic accounting analysis, and we will try and work on that. Also, we may very well call a special Senate meeting to discuss the Administration's plans, hopefully by December 1<sup>st</sup>, prior to the ABOR deadline on December 15<sup>th</sup>. Point one, which is very important, is a crisis of management, not a crisis of revenue. As an institution, we are wealthy in so many ways, including having an eighty-million-dollar surplus. This is a crisis of management. Point two, the academic programs are not the problem. We have generated and produced this surplus through our work. Also, in case anyone was wondering, RCM is not the problem. AIB, in its current, uninvestigated, untweaked form, is certainly not the solution. The guiding principles of the Arizona Treasury which sets the guidance on days cash on hand required has a slogan that we should take to heart when dealing with our institutional funds. Safety first, liquidity second, yield last. This conservative stance is entirely appropriate for the public trust that is a University. But unfortunately, our administration, imagining itself perhaps to be a Venture Capital Fund, has taken what have called out, for years, clear responsible risks in search of yield and profit. Comprising our liquidity of operating funds, and leaving the safety and integrity of the institution as our last priority. So here we are contemplating the results of quietly emptying our checking account into the athletics program, and a portfolio of strategy disconnected for most of us, and certainly not transparent. As the CFO, and the President work their way out of this difficulty of their own making, they need to listen to Shared Governance as much, if not more, than the Board of Regents. The Board of Regents has encouraged and incentivized short-sighted risk-taking that has led us here and has encouraged them, using an alarming series of metaphors to come up with a plan to restore operating reserves. We share governance need to be the counterpart to that, urging strenuously that the sinister sounding right-sizing, the sinister sounding clubbing, and bleeding out that were referenced in Phoenix on Thursday come from draining the auxiliaries.

First and foremost, athletics, the unsustainable tuition discounting and initiatives, the bloated administrative bureaucracy, and the poorly constructed strategic initiatives that we proceed without panic in a realistic timeframe, and that we not further erode, strip, or flood the engine of our excellence. The mission at the core of our community. We will pull together, but we will not sacrifice our excellence, that is our people, our programs, our research, our excellence, and our teaching. If we do that, we will come out stronger together. Thank you.

## **6. Report from the President – President Robert Robbins [00:30:50]**

President Robbins stated his thanks to Vice Chair Hymel for making extra time for his report. President Robbins stated he would agree with mostly everything Chair Hudson stated. This is an issue with cash on hand. There was a presentation to ABOR in the end of June 2023 that there was an anticipation of 156 days of cash on hand which is roughly \$6 million per day. In October 2023, the University became aware that the methodology that is used to calculate the days cash on hand, which gets very complicated, resulted in a miscalculation and the projected \$156 million of cash on hand would instead be \$110 million. This is a \$240 million miscalculation which is a major issue.

Regarding what was done with investing the money is pointed to the strategic plan where about \$20 million per year was being invested and was funded out of the days cash on hand. While there was money in the "savings" account, rather than the "checking" account, it was invested in academic programs. The increase in research expenditure has gone up from about \$650 million to over \$9 million was directly stimulated by this strategic investment. It was realized that this would only be a five-year plan so this will be coming to an end. Any further expenditure out of the savings account will be stopped.

President Robbins stated Chair Hudson touched on a topic that he has been mentioning for a while which is that there was an investment to bring a high caliber of students to the University. President Robbins stated that he believes everyone would be proud of the class who was admitted in the past year, it was the most diverse and the most qualified class the University has had. However, this comes at a cost. In 2018, the University was giving \$200 million per year in financial aid, and the University received about \$275 million from the State. Most of the money that was received to support the university was given to students to recruit and provide financial aid. President Robbins stated he is not suggesting returning to the 2018 level of financial aid, but the University is currently providing \$368 million per year in financial aid. A solution is to focus on the tough decision to decrease the amount of financial aid given to students which will come at a price as there are students who will choose not to attend. President Robbins stated the

past Thursday night he was walking on the Mall and there were two students who he asked their names, major, and reason for attending the University of Arizona. President Robbins stated the students stated very simply that the University of Arizona gave them a better financial package than any other institution. President Robbins stated he receives this answer frequently, and if everyone looks across the board, it works great to get students to come to the UA but it is not financially sustainable. The cost in 2018 of educating students was about \$15,000 per student, today it is about \$20,000 per student. President Robbins stated he is reminded of the analogy of the car salesman who said, "Well, we're losing money with every new car we sell. We'll make it up in volume." President Robbins stated this has been discussed for a while, but this issue should now be addressed, and action should be taken.

President Robbins stated the issue with athletics is serious and although he has ideas of how to address other issues, athletics continues to be a vexing problem. President Robbins stated he doesn't know of any other athletic program in the country that makes money, the game has changed, including all other things happening with athletics. There was a strategic decision made during the pandemic, when the amount of revenue coming into the athletic department from TV revenues was down, there was a \$55 million internal loan out of days cash on hand to the Athletic Department with the idea that once the games began again, there would be revenue to pay the loan back. This did not happen quickly enough. There was a thought that there would be a new contract exceeding the nearly \$40 million per year coming from the Pac-12 for athletics. The athletic budget is roughly \$100 million, with \$40 million which comes from the Pac-12 which is now dissolving, roughly \$30 million from ticket sales, primarily in football and basketball, and the other \$30 million from philanthropy, contracts, and other processes the department has. This issue will require a lot of difficult decisions. There are ideas about cutting sports as there are currently twenty-three, when the transition is made to the Big-12, institutions typically have an average of seventeen sports. President Robbins stated he believes everything is on the table in terms of athletics which is a major part of the current issue. President Robbins stated individual stated athletics is being thrown under the bus, and explained he is just explaining what the situation is and that there has to be a solution to address it.

Regarding other units, some are spending more money than they have revenue to cover. There has not been a satisfactory way of holding these units accountable, and it is a minority of colleges, departments, and units across the university. President Robbins stated widespread cuts are not on the table, but the issue of losing money on students who are being paid to attend the institution to attend for free needs to be addressed. President Robbins stated he has always known that for in-state students the tuition was roughly \$12,000 and it costed the institution about \$15,000 to educate each student on average, and now the figure is closer to \$20,000 per student. The narrative was always to make up the difference in cost with out-of-state students.

President Robbins stated the issue is being called mismanagement or bad decisions and there is a question of why this wasn't handled sooner, but when he got to the UA there was a lot more cash on hand and there were decisions to spend of the money, but not to the current level. President Robbins stated he was as surprised as everyone else to learn that there was not 156 days cash on hand, but 110 days cash on hand, and there is a projection that it will be 97 next year which indicates a clear problem. President Robbins stated he takes this very seriously and he knows everyone else does as everyone is working harder. There was a 2% cut across the board last year for colleges. President Robbins stated there were no salary increases for a long time, especially not during COVID, and the salary increases, and minimum wage increase were funded because he believed it was the right thing to do. He did not realize that the savings account had dipped to the current level.

President Robbins stated he believes there is a path going forward and he will enjoy working with everyone to come up with solutions and it is a major problem. President Robbins stated athletics will require draconian cuts. On a positive note, there was a kickoff for the UA's campaign and there was a focus on student scholarships. There is \$100 million asked from one donor to fund scholarships. If this type of money can be freed, there would be no need to continue along the same pathway to invest in students while also losing money on each of them. President Robbins stated need-based aid will not be touched. Students who receive 3.75–4.0 GPA from high school do not pay, students with a GPA of 3.5 receive about \$12,000 in merit-based aid although retention and graduation rates are high. President Robbins stated he is not suggesting that top-levels of financial aid are cut from \$32,000 to \$12,000, but there has to be some form of solution that can increase revenue as money won't be spent. **[00:24:49]**

- Secretary Dysart stated she has two questions with the first being when the UA became aware of this drastic difference as it seems everyone found out at the end of October, and the second question is that addressing waivers and student aid is a long-term solution, but what can be done immediately? Secretary Dysart asked if in order to do the immediate change requested by ABOR, will there be hiring freezes or other cuts across the board?
  - President Robbins stated he believes it must be any sort of hiring pause should not affect people who are doing very well, which most of the colleges are. President Robbins stated it must be focused on colleges, unit-by-unit, on those that are running a structural deficit, which the administration has allowed to happen. President Robbins stated returning to the management issue, they have not stepped up, and strategic reserves were used. President Robbins stated he will disagree that it will take years because for example, the four-year guaranteed tuition program which only a few other peer, competitive universities

- have, costs money and such program can be stopped immediately. There is already a grid posted on the financial aid website for next academic year which locked in the award amounts, but a step can be taken moving forward. Hiring freezes should be targeted at where there are issues, not for everyone.
- Senator M. Smith stated she does not understand why Vice Presidents are seeing increases to their salaries with the current financial issue occurring. Senator M. Smith asked why it is not a possibility to reduce the number of Vice Presidents which the UA did not have before to recover some of the money.
    - President Robbins stated everything is on the table as far as administrative costs, and he has heard about concerns with administrative bloat. President Robbins stated most of this is in the colleges with Deans and Assistant Deans, but if a college is doing well, there shouldn't be changes.
  - Senator Ziurys asked for clarification on the \$240 million miscalculation and asked if the people responsible for the miscalculation would be held responsible. Senator Ziurys stated that if she made a \$240 mistake on a grant, she would get nailed by the University and this is far worse.
    - President Robbins stated he agrees with Senator Ziurys and that there will be a look taken at accountability although there is a fundamental issue of more being spent than revenue brought in.
    - Senator Ziurys stated there are numerous people in administrative positions to balance the budget and to look out for errors such as this one.
  - Senator Fink stated he would like to agree with Senator Ziurys. Senator Fink asked if he were to give President Robbins the benefit of the doubt, how can it be that he was in the dark about the error for such a long time. Senator Fink stated the President's subordinate officers have an obligation to inform him, if not on a monthly or a quarterly basis, then on a daily, or even hourly basis, if things such as this transpires. Senator Fink stated this is a discussion on a discontinuous trend, based on a miscalculation which includes a sudden development that goes from good to bad.
    - President Robbins stated as Lisa Rulney explained to the Regents, the model uses regression analysis which has been used for the last ten years and it has been accurate. President Robbins stated something changed, and even the people running the models were surprised, and it took some time, because it was hard to believe that it was possible. President Robbins stated he knew there was money being spent, but he believed there were reserves for spending. The strategic planning spending is coming to an end and can be truncated early if needed, but it is in its last year. This is stimulating investments in faculty and research programs which has helped to improve the amount of research expenditures.
    - President Robbins stated it would be worthwhile to have a detailed explanation about how the model is developed. President Robbins stated that as he understands the days cash on hand, there is a lot of cash on Census Day which draws down over the course of the semester, and their infusion in January, but this is a large miscalculation.
  - Senator Rafelski stated it seems that there are two problems which include capital and cash flow which there should be two different solutions for. Senator Rafelski stated all of the discussion is surrounded by cash flow such as cutting the number of Vice Presidents, and financial aid, but this is an issue of capital. Senator Rafelski stated there was a statement made where there was a consideration to sell assets, but there is also the idea of investing in a future campus. This idea can be turned into a question on whether someone would invest in our athletics by purchasing goods. Senator Rafelski stated if there are people involved who are qualified to run athletics, perhaps this can be turned into a good sale price and profit. Senator Rafelski stated other recommendations that were stated will certainly improve the cash flow position and issues, and he recommends selling assets.
    - President Robbins stated during COVID, he made a statement based on the first day he arrived where real estate developers descended on him to say that the most valuable piece of property in Tucson, Arizona is the East Side Campbell Farms and there can be development. ASU has \$3 billion in tuition revenue which is roughly the size of the UA budget. ASU's budget is almost \$7 billion, they receive revenue from leased land and have a huge market for their online business, with over \$1 billion in tuition revenue. The UA has a lot of land, and the largest and most valuable land is the land in Pinal County which is 2,000 acres. The experiment station needs about 300 acres. President Robbins stated there can be a consideration to sell about 500 acres of the land, but he is opposed to this idea because he sees an investment opportunity where there can be ground leases with a forever steady income. Once the land is sold it is gone. Revenue and expenditure are the issues and must be balanced.
    - President Robbins stated Florida State is in negotiations with Goldman Sachs to invest in Florida State athletics because they want to shift away from their ACC Conference to make more revenue. President Robbins suggested moving athletics from the University and have it been run by the board with the President deciding who the Athletic Director is. President Robbins stated he appreciates the points brought up about valuable assets.
  - President Robbins stated during the financial crisis he was told the Capital was sold and it was leased back to the State. Once the financial crisis was lifted, the asset was bought back. President Robbins stated he is unsure if there was a short-term agreement, but the UA is looking into buildings, land, and other ideas and whether there may be short-term options. President Robbins stated the issue of financial aid, revenue, and spending must be dealt with.
  - Senator Russell stated she understand this is a temporary crisis and would like to suggest thinking very hard and protecting the core of research and teaching. Senator Russell stated she is worried that there are a lot of administrative units on campus which don't have any students or research grants, and those are the ones she

would like the University to go after first every time. Senator Russell stated is newly a department head and has major retention problems with some of her best and brightest Hispanic faculty members. Senator Russell stated she is worried that if there is an announcement of a 10% cut, across the board, as stated at the ABOR meeting. Senator Russell asked why ABOR is not working with the University as they are public servants to the State of Arizona. Senator Russell stated she agrees with Secretary Dysart and if core values are protected, the University can get through this.

- President Robbins stated when he was in Texas, he considered concessioning all the parking which would have resulted in a \$1 billion payment. President Robbins stated the results would not be as much as the University of Arizona but the idea of concessioning Parking and Transportation, the Student Union, and other things would be a big upfront payment, which studies proved.
- President Robbins stated he and CFO Rulney went over this many times, with all of the auxiliaries outside of teaching and the core, the reports showed this would not save money but would be a short-term and long-term way to focus on the core mission. Concessioning all auxiliaries including athletics may be tricky.
- President Robbins stated if the Bookstore were to be concessioned and an outside entity came in to manage it, there would be a concern of whether or not they would still employ students since a lot of them are employed by such auxiliaries. President Robbins stated he outsources a part of Texas Medical Center, and the company not only employed them, but gave them opportunities for growth which they were not given beforehand.
- Senator Zeiders stated it is quite alarming to hear the President's solutions such as concessions, privatization, selling land, and thinking about students.
  - Senator Zeiders stated in the Q&A in Zoom it states, "In my understanding that colleges aren't doing well per Ms. Rulney's presentations on colleges, more colleges are challenged or at-risk categories. How is central admin going to be held accountable for the fiscal seat of the affairs they caught."
  - Senator Zeiders stated she would like to make a point that President Robbins stated many of the colleges running in a deficit are overspending yet CALES has never had a structural deficit, including in the recession, yet they are in a position with the new AIB, where they have a \$10 million deficit.
  - Senator Zeiders stated there is attention on colleges and mismanagement when truly mismanagement is at the highest level.
  - Senator Zeiders stated through from 2015 to 2017 there was RCM which Ron Marx was behind, which resulted in a cash on hand from 139 to 182. With the AIB model, there was a decline from 149 to 97 days cash on hand.
  - Senator Zeiders stated she is bothered by the fact there is no responsibility being taken, how this has been mismanaged so poorly, and how Lisa Rulney still has a job.
  - President Robbins stated he believes he was the one who impugned Ron Marx for being an architect of RCM. President Robbins stated he is incredibly grateful for Provost Marx's wisdom and assistance as there couldn't be a better person in the Provost's Office at this time.
  - President Robbins stated he does not believe it was stated that many colleges are in structural deficit, there are a few.
  - President Robbins stated that with AIB, while there may have been taxes for strategic investments, the model is not the issue, there is more spending than what is being brought in. The question is how this may be stopped and how it may be moved forward.
- Senator Downing stated that in President Crow's presentation there is an underlying issue stated which is State support which has been dropping in the Universities. President Crow stated all three universities have tried to "launch a lot of ships and see if some come back with fish."
  - Senator Downing stated he is worried about priorities which is focused on the decision to loan the Athletic Department \$55 billion. Senator Downing asked if there was an expectation that this would be repaid when the loan was made, and whether the loan reflects his point of view of athletics over the faculty, staff, students, and programs.
  - Senator Downing stated this prioritization concerns him deeply. The idea that there is blaming, rather than solutions is concerning, and mistakes should be owned up to which can include cutting down Vice Presidents and spending.
  - Senator Downing stated the Regents seemed surprised and asked if Jon Dudas was reporting these issues or if he was just as surprised as he was at the meeting.
  - President Robbins stated the Regents were informed when the University found out. There was a slight delay due because there had to be a recalculation done. Some of the Regents may have been forewarned and forearmed.
  - President Robbins stated about athletics, this was an internal loan, and it was absolutely expected to be paid back. These loans have been given to many departments and colleges. An example of such type of loan is one that was given to the College of Science to recruit a new dean, which was an issue with the existing structural deficit. President Robbins stated it was his understanding that the College of Science received cash on hand to repair the structural deficit, but it was not on given on a loan basis. President Robbins stated during the furlough, he remembers a vigorous debate between the furlough and the \$55

- million loan to Athletics. President Robbins stated this is why he thinks the idea of potentially selling or concessioning the auxiliaries including athletics, must be on the table.
- President Robbins stated he does not believe athletics is being prioritized because it was thought that there was a rational payback plan due to the revenue expected from a potential increased media contract which did not end up happening. President Robbins stated in his opinion, he believes the Big-12 maneuvered the University in this aspect. President Robbins stated once Texas and Oklahoma decided to leave the conference, there would be eight schools from the Big-12 which could have been the Pac-20 with a major TV deal. The Big-12 will not be a major solution, although it does have improvements, and there will have to be tough cuts to make.
  - Senator Downing asked if President Robbins can return to the Faculty Senate with the Coach and Athletic Director.
  - President Robbins stated yes.
  - Senator Hammer stated he is glad there is a conversation occurring which gives individuals the opportunity to vent and raise solutions.
    - Senator Hammer stated the best solution presented by CFO Rulney will come from the Administration in concert with Shared Governance. Ways to accomplish that include Faculty Senate but also SPBAC who would be the best option. Senator Hammer stated that he wonders if these solutions will arise from such consultation.
    - President Robbins stated he all of the elected representatives of the Faculty will be involved in addition to economists, and other individuals. President Robbins stated he believes Professor Rhoades has a committee who is also able to aid.
  - Senator Bernick asked if one of the non-performing units is UAGC, and if so, if there are any plans to adjust the strategic direction of UAGC as other performing core units are more successful.
    - Senator Bernick also asked why there is advice being taken from people who have never worked at the institution such as the Board of Regents who is a body of unelected individuals, appointed by the Governor, with no experience teaching a class or running an academic unit, yet they provide guidance to the President with more weight. Senator Bernick stated his fear is that the Board of Regents advice is often misguided and there is no bottom-up process.
    - President Robbins stated UAGC has reserves, they are up in terms of enrollment, and their cost structure is a different issue. President Robbins stated UAGC is spending money on investing in new technology systems. There is a bigger issue on how to tackle UAGC, and there was a larger discussion at a SPBAC meeting. President Robbins stated he believes UAGC should be included in this discussion as there are potential ideas once there is a decision made on how they will be incorporated into the University. There are 23,000 students and there is a question of whether the departments and colleges would like to teach the students because they pay tuition. There is also a big discounting issue at UAGC, but not as bad as Main Campus.
    - President Robbins stated he listens to ABOR because they are his supervisors. Regent Penley was most animated in the ABOR discussion as he has been through a similar process as he was a President and Professor. This is a problem that must be solved at the university level because there is an expense problem where more money is being spent than there is revenue.
  - Senator Simmons stated his question is for President Robbins but more for CFO Rulney. Senator Simmons stated he is curious to know what occurred with the actual miscalculation: was it a result of the GASB rule changes, the transition of UAGC from FASB to GASB, that had affected the income on tables that were shared during the ABOR committee meeting? Senator Simmons asked if the changes in accounting practices are related to the cash on hand miscalculation as this seems like too large of a number that may be related to a broader systemic change. **[01:16:26]**
    - President Robbins stated CFO Rulney is on the call and suggested that all senators ask their questions before she speaks.
  - Senator Slepian stated regarding endowment, there is a conservative fear, and he doesn't believe everyone understands every working component including AIB, RCM, savings account, and checking account. Senator Slepian suggested creating a common language where everyone is on the same page so that creative and positive thinking may be sparked.
    - Senator Slepian stated there are short-term and long-term solutions needed. Regarding short-term solutions, there are many individuals, particularly in the Eller College of Management, who sit on boards. Senator Slepian suggested forming a small group beyond elected committees, who deal with economics and stock exchange to look at the models. Senator Slepian stated a big concern was that the linear regression model has been used for ten years which should no longer be used, especially new innovations such as AI.
    - Senator Slepian stated it is important to find the most favorable solution to the problem and focus on what is the most important. Senator Slepian stated he would push for investing in innovation as this can be a big return for long-term effects. Senator Slepian also stated looking at athletics in a creative way is a good idea.
    - President Robbins stated Kasey Urquidez is concerned that if there are decreases in the amount of financial aid award packages given, there will be a drastic decrease in students. President Robbins



stated reputationally, he believes students will want to attend the University and will be willing to pay. President Robbins stated the issue is, the highest students are paying nothing which results in a loss of \$20,000 for each meritorious student. President Robbins stated the cost is going up but the return on investment is not matching.

- Senator Schwartz stated there is one group of people who have not been responsible for the financial problems which are the faculty. Senator Schwartz stated in addition to student education, the University produces scholarships. Senator Schwartz stated he assumes there will be careful attention paid to not damage the benefits that make the UA more than a mediocre University when making cuts.
- CFO Rulney stated she appreciated everyone for giving her the opportunity to speak and clarify the situation.
  - CFO Rulney stated when days cash on hand is forecasted, it is based on budget data. The model used for the last ten years is based on budget data which has been very predictable. The last several years were analyzed, and there were never more than 10% differences. This year, the prediction was off by 30% which is not acceptable, so there was a new model built which uses regression analysis.
  - CFO Rulney stated regarding a comment made by Senator Slepian about using AI, J.P. Chase Morgan is one of the University's vendors, has an AI tool to predict cash. The tool needs a bit more work, but the new model being used is the Regression Analysis Model. If this model were used when reports were submitted to ABOR in May 2023 using March 2023 data, it would have predicted that day's cash on hand would end in 105 which is less than 110 which is where the University landed. There is more confidence in the new model. CFO Rulney stated it is important to focus on the plan rather than the estimate given on June 30<sup>th</sup> of every year.
  - CFO Rulney stated she is committed to working with everyone involved in Shared Governance to find a multi-pronged path focused on institution including how specific units who may have acute challenges can be supported.
- Vice Chair Hymel stated her thanks for CFO Rulney.

7. **Action Item: Consent Agenda [01:25:05]**

A. **General Education Attributes Policy Amendment, General Education Curriculum Policy Amendment, Credit for Prior Learning proposal and benchmarking, Grades for Grading System proposal and benchmarking**

Chair Hudson moved [**Motion 2022/23-17**] to approve the Consent Agenda. Motion was seconded. Motion passed by unanimous consent.

8. **Old Business [01:25:40]**

A. **Financial Recalibration Committee Report and Questions, Chair of the Financial Recalibration Committee, Gary Rhoades [00:42:07]**

Chair Rhoades stated he and Chair Hudson chaired a committee three years ago on UAGC which was a different experience in terms of cooperation received from every branch of Central Administration.

- Chair Rhoades stated he just received data on personnel expenditures for faculty by status of employment, which indexed against personnel expenditures for the entire university research expenditures, and a variety of other data. Chair Rhoades stated he appreciated Lisa Rulney and Garth Perry's advice to seek Ravneet Chadha's assistance in gathering this data.
- Committee members are meeting with Kasey Urquidez to discuss the tuition over discounting that was discussed by President Robbins.
- There has been a lot of cooperation with the Central Administration.
- Three basic tasks that the committee is working on include suggestions for the path forward, which some is consistent with committee discussions.
  - The committee has been meeting with the Steering Committee and the Dean's Council which has been a very robust exchange on issues regarding Faculty staffing and staffing in general. Both Department Heads and Deans will be surveyed about their experience in AIB, and any suggestions for recalibration.
  - There will be more discussion with Kasey Urquidez to discuss low-cost, high-yield recruitment by scaling up existing projects. Urquidez's team has already begun to reduce some of the merit awards given the loss of money.
  - There will be more head count data gathered on Graduate Assistants like Staff and Senior Administrators.
- Chair Rhoades stated in terms of absolute numbers, there are more colleges than there is Central Administration, but the growth rate in Central Administration is considerably higher than at the college level. Both are growing. One of the rates is at about 120% while the other is at about 20%. There are opportunities included in the handout.
- The key takeaway is that there is a need for recalibration to avoid making the same mistakes and to set the University on a more solid strategic and financial trajectory.

- Regarding the immediate cash on hand issue, the committee has watched the ABOR presentations and both CFO Rulney and President Robbins stated there was 80 million dollars made in the past year (79.4 million years). The University is not in a deficit in terms of spending more than had in regular operations of the University, it is quite the opposite. There has been a surplus generated with increases in net tuition, revenue, and student credit hour contracts. The University is below ABOR's level in days cash on hand.
- CFO Rulney and President Robbins indicated the central reserves were spent down on strategic initiatives which are not the regular ongoing operations of the institution. The point of AIB, when every department got taxes, was to create pots of money to make central strategic initiatives. Chair Rhoades stated there is no argument that the University does not need to invest in strategic initiatives, the question is the scale of spending. Chair Rhoades states he thinks the statement, "we made bets and we overspent," is a fair assessment of what occurred.
- The challenge in RCM and AIB is that there is no real mechanism for checking, balancing, and creating guardrails for central spending. The issue is not that there is too much money spent on units, it is that there is no clarity on how central funds are spent. Chair Rhoades stated one way of recalibrating is to put in guard rails and accountability for central spending. Investing in the Athletics Department who had been losing money two years prior, may not have been the wisest decision, but is now being looked at in retrospect.
- Chair Rhoades stated Provost Marx previously asked for the costs of administrative units on campus when he worked on the RCM Taskforce.
- Chair Rhoades stated it is feasible to have a plan within a month, to scale back on tuition discounting which is not at 43% and was previously at 33% before the pandemic. Chair Rhoades stated the University is at the top of their peers, and there is a way to do this without losing students. This can potentially get more students who outperform the average graduate rate, or even within the state.
- There cannot be a research university without graduate assistants and faculty. All faculty are important but when there are only 10% of faculty hired with tenured track which is not going in the right direction.
- Chair Rhoades stated he is glad to hear there are selective cuts because across the board cuts would compound the issue of hiring and would compromise the ability to have a net gain of \$79.4 million next year.
- There is an opportunity for shared governance bodies to come forward with ideas that strengthen everyone and allow for recalibration in ways that reinvest in the colleges which have collectively generated net positive position. Recently, there have been experiences of detrimental budget – doing more, getting less, and getting it later. There is uncertainty of whether there will be another installment.

## 9. **New Business [01:40:12]**

### **A. Developments with the Committee on Donor Influence, Chair of the Faculty, Leila Hudson, and Freedom Center Director, Mary Rigdon [01:40:28]**

Chair Hudson stated the letters from the Freedom Center, Mary Rigdon, former and current heads of the Philosophy Department, and Professor Michael McKenna have prompted some changes to committee and the trajectory of the discussion on donor influence.

- First, the former chair of the committee, Professor David Gibbs, has resigned. Dr. Gibbs thinks it is prudent for him to step away from the committee. This will have the added advantage of allowing our discussion to go forward, to focus on the question of what is appropriate to donor influence, rather than focusing on the messenger, who I deliberately asked to kick-start the discussion.
- I thank him, and I thank the committee for their report. I will not retract it, as was requested by our colleagues in the Freedom Center and the Philosophy Department, but we will add to it over time, as the discussion proceeds.
- Ultimately, as Professor Maloney circulated in his second letter, it is I, not the committee who is ultimately responsible for the committee's work. When I put the committee together, I was motivated by the prospect of a spirited debate on the question of the extent of appropriate donor influence and I did not adequately consider the sensitivity of the Faculty of the Faculty Department and the Freedom Center. I do apologize to Professor McKenna for exposing the conditions of his hiring, which he feels could negatively affect his reputation. I hope that I am correct in my opinion that no serious critic of his would hold that against him, and I am personally willing to put that in writing in the form of an apology in meeting with them.
- Listening to our colleagues, I became acutely aware that not only are they largely a new generation of faculty and that which founded the Freedom Center, but they have insights into the nature of donor relations that we can all benefit from. For that reason, I reiterate here what I told Dr. Rigdon and her colleagues that I will not bring a resolution of censure to the Freedom Center, the Philosophy department, or any unit as I had originally contemplated.
- I also asked the Freedom Center and Philosophy department to nominate two new members to the Donor Influence Committee, they have declined to do so, and I respect that decision. But I will extend the term of the committee and add new members, including, I hope, one from the University of Arizona Foundation so they can consider other donor influence causes of a different texture, including that one of Castro House and come up with recommendations for the University as a whole, by the Spring. This is especially important at a time, as we have just learned that our endowment has expanded in a weekend by nearly \$2 billion, and at a time when liquidity

crunch and management prices exacerbate the corresponding challenges to public and transparent funding.

**Freedom Center Director, Mary Rigdon [01:44:08]**

Good afternoon. I'm Mary Rigdon, Director of the Freedom Center and Associate Professor in the Department of Political Economy and Moral Science (PEMS). I joined in July 2021 as the Center's Associate Director and was promoted to Director in February 2023, when our Founding Director, David Schmitz accepted a position at West Virginia University. My Ph.D. is in Economics from Eller so returning to UA in summer 2021 was like coming home. I'm here with my Freedom Center colleagues Saura Masconale and Thony Gillies to respond to the Ad Hoc Committee Report on Donor Influence that was presented by David Gibbs at the September 11, 2023 faculty senate meeting. We have supplied an exhaustive 24-page response that provides a line-by-line rebuttal of the allegations against the Center. It is available as part of today's agenda, and we encourage you to read it in its entirety.

We were told the Committee found this response to be inadequate. We asked for a written reply detailing the precise reasons why. As you know, we only received that this morning, leaving us without the requisite time to address it fully.

We do note that the reply emphatically does not constitute a specific, detailed reply. It does not say why the evidence in the Report, despite the Center's response, remains probative. It does not say why the Center's response does not fully and adequately address these issues.

What it does do is pivot: it is an exercise in wondering what if donor agreements operated differently in the university. I am not inclined to engage in that fruitless exercise, and instead suggest engaging with the UA Foundation if you have issues with donor agreements.

The vast majority of the Report concerns matters dating back 15 years. In fact, there is not a single member of the Center, core faculty or staff, who was part of the Center during this time.

The Report alleges the "most recent instance of donor influence occurred on November 15, 2022, when the Freedom Center worked with the UArizona Department of Philosophy to hire a new faculty member. We quote below from the minutes of the faculty meeting, which strongly suggest that Arizona legislators who are funding the Freedom Center will be allowed to influence the hire (p.3)."<sup>1</sup> The Center does not have its own tenure lines and cannot serve as a tenure home for faculty members, so it often collaborates with other units on campus to sponsor faculty hires. It is a bedrock of academic freedom that the Center be granted the same autonomy as any other academic unit on campus in determining which faculty it seeks to recruit. When we make a joint hire, each unit is responsible for making their own decisions.

With respect to this particular hire:

- i. We believe the quote from the Chair (AA) represents a simple miscommunication:
  - a. the Center decided to try to replace Professor Schmitz with someone who also works in classical liberalism;
  - b. the Center communicated this to someone in legislative affairs at the University of Arizona, and they agreed this seemed prudent<sup>2</sup>;
  - c. this was communicated to Philosophy.
  - d. These are not "members of the legislature" but employees of UArizona.
- ii. There is nothing objectionable about conducting a search in this specific area, and both the Center and the Department had legitimate reason to do so in this case.
- iii. These deliberations cited were deliberations within the Department of Philosophy. However, the Report does not include or rely on any evidence from Philosophy's hiring process or evidence from any members of the search committee.

<sup>1</sup> These minutes were in fact unofficial and had not been approved by the department.

2 Regular communication between the Center's leadership and legislative affairs is part of normal operations at the Center.

iv. Philosophy was free to choose to not partner with the Center to conduct this search. It is up to the Department to decide whether or not a targeted area search meets their needs, in the same way it is up to the Center to decide whether a targeted area search meets its needs. The Center, like any academic unit on campus, does not owe the Committee or any outside body an explanation for how it chooses to pursue its mission in ways it sees fit, including the personnel choices it makes. That is a bedrock of unit autonomy.

The Center receives money in the State of Arizona budget to pursue the Center's mission. Part of the Center's core mission is to provide for meaningful viewpoint diversity in the academy and having representation in the classical liberal tradition is a key part of that. Professor Schmitdz was for many years an important part of this. In anticipation of his departure in December 2021, the Center wanted to sponsor the hiring of someone to fill this gap, in order to continue to pursue the Center's mission. This is not "inappropriate" influence by the legislature. It is the Center seeking to pursue its mission in a way that it sees best.

The Department of Philosophy, in this case and all others, was free to deliberate and decide whether a partnership was in their interest. If they did not want to search and hire a political philosopher working in the classical liberal tradition, they certainly could—and would—have decided not to. The Center could not and did not influence the Department of Philosophy's decision. We include here, with permission, testimony from the chair of the search committee about the hiring process:

At the beginning of the search process, I asked the Director of the Freedom Center why the position needed to be advertised in [classical liberalism] as opposed to a broad search in political philosophy with no restriction on area. I was told that it is a core part of the mission of the Center to support and maintain intellectual diversity, and that with the departure of the former director . . . there was a need for the Center to appoint someone who worked in the classical liberal tradition. This seemed reasonable to me, and I also thought the philosophy department had its own reasons for searching in this area.

You will now hear from Saura.

**Associate Director, Freedom Center, Saura Masconale [01:50:08]**

Good afternoon. I'm Saura Masconale, Associate Director of the Freedom Center, Assistant Professor in the Department of Political Economy and Moral Science (PEMS), and affiliate faculty at the College of Law. I joined the Freedom Center in 2019 as Outreach Director and was promoted to Associate Director in December 2022. I am very honored to have such an incredible group of Center colleagues, many of whom are here today. Thank you.

I hold a Ph.D. in Law and Economics, yet for years I navigated my career as a "trailing spouse" due to my husband's job. I am sharing this because I believe it is relevant to the Ad Hoc Committee's focus on faculty hiring and the Freedom Center's role. The committee never reached out to me or my colleagues at the Center (or PEMS or Philosophy). One Committee member — with whom I was serving on a university wide committee — contacted me in his individual capacity — not suggesting he was acting on behalf of the Ad Hoc Committee — in April 2023 to inform me he had collaborated on a report to investigate "past donor influence at the Freedom Center." Mary Rigdon and I promptly responded that we would have been happy to address any questions he might have had for us, but the committee member soon retracted his offer, suggesting we wait until the early fall. The next thing we knew was that there was a report being presented to the faculty senate alleging the Center had — and continues to — allow for inappropriate donor influence.

All of this is very unfortunate, especially considering that the committee's purpose, as stated by the Senate Chair, was to provide a "conversation starter" about transparency issues. Had the committee engaged us, it could have avoided the egregious mistakes we detail in our Response. They would also have learned that the Center promotes gender parity, in addition to intellectual diversity and outstanding scholarship. You might have heard of the "quiet resignation" dilemma — women relinquishing careers post-education for family, due to various constraints, including path-dependency barriers. The Center, in collaboration with PEMS, acted to dismantle those barriers for me.

I would like you to keep this mind when examining the claim that the Center has allowed its external donors to "improperly influence" the hiring of university faculty, especially in relation to two faculty hires at the Philosophy Department from 15 years back. Today, you have heard from people who participated in that hiring process. I did not. However, I can present you the main insights from an impartial analysis of the available evidence:

First, informing your donors of what you plan to do with their money is not allowing "improper donor influence." It is a normal way to communicate with donors. In fact, the University of Arizona has an ethical and legal obligation to expend donor funds in the ways cited in gift agreements. Informing donors of faculty hire finalists is a best practice to fulfill that

obligation. Should you harbor any skepticism regarding these assertions, I encourage you to seek verification from the Foundation and the University's General Counsel.

Second, that a filename might provide conclusive evidence about alleged donor influence without further examination of the context would be laugh-able if we were not all here today to talk about this. As explained by the former head of the Philosophy Department, Chris Maloney, the filename was to serve as mnemonic tool for him to remember that the donor had approved of the fact that its gift was to be expended consistent with the donor's agreement **and not to signify that the donor had power to veto hires** — a power that neither the University, the Center or the Philosophy Department would have ever allowed.

Third, the allegedly problematic hires examined by the Report were consistent with the Center's mission to advance intellectual diversity and promote outstanding scholarship. The Report asserts that "the Freedom Center and PEMS represent a massive effort led by the Koch family to sway academia in a free market direction." But then the committee members need to explain why the Center supported hires in the quoted circumstances that were not aligned with that effort. They should also explain why the Center continues to support faculty members holding widely different views, whether about free markets or anything else. By very admission of that same member of the Ad Hoc Committee, he and I — I am quoting — "have often been in agreement on key points and have been able to find common ground" while working together on that university wide committee.

The Center did not engage in any inappropriate donor influence. Hence the Ad Hoc committee should be dismantled and if transparency is the genuine concern here, we should go back to understanding what a real conversation starter is, hopefully bringing in a broader and non-biased faculty base to conduct that assessment. Thank you.

### **Professor, Department of Philosophy, Thony Gillies [01:55:24]**

My name is Thony Gillies. I am a core faculty member in the Center and the Sherwin Scott Professor of Philosophy. I rejoined University of Arizona in 2021, having earned my PhD here in 2001 and teaching at Texas, Harvard, Michigan, and Rutgers for 20 years.

There are many things I found striking about the Report issued by the Ad hoc Committee. Among them is how deeply unserious and unscholarly it is as a document. You may now have seen a "reply" from the Committee. I regret to inform you that it makes for only marginally better reading.

The report is vague. It does not articulate or define the term "inappropriate influence". It does not state any criteria relevant to determining whether behavior is "inappropriate". As a result, the Report conflates completely normal behavior with something actually inappropriate.

The Report is imprecise. It fails to clearly distinguish between the Center, the Department of Philosophy, and the Department of Political Economy and Moral Science (PEMS). These are distinct academic units, with different faculty, who make their own decisions according to their own procedures. This is why the Report cites some fragment of communication about deliberations within the Department of Philosophy and based on this incoherently alleges "impropriety" by the Center. To again be clear: in making a joint appointment, both units have to agree on a candidate. The Department of Philosophy was free in each case to decide not to hire the candidate in question, for whatever reason. Similarly, the Report alleges impropriety by the Center in connection with curricular development apparently unaware the Center does not develop, administer, or teach any undergraduate courses.

The Report is not backed by even the most basic research. As you know, the Committee did not seek input or information from the faculty or staff in the Center, in the Department of Philosophy, or in PEMS.

- i. Although the Report alleges impropriety in hiring, it does not include any evidence or testimony from any search committee and contains no evidence that the hiring unit's and the College of SBS's normal hiring procedures were not followed. In contrast, the Center's response contains specific testimony that normal hiring procedures were followed.
- ii. Although the Report alleges impropriety in curricular development, it does not include any evidence or testimony from any curriculum committee and contains no evidence that the unit and the College of SBS's normal policies for curricular development were not followed.
- iii. Although the Report alleges impropriety in the Center's donor agreements, it does not contain any evidence or testimony from the UA Foundation (who executed the agreements) or any of the Center's donors that the agreements are nonstandard in anyway. In contrast, the Center's response contains specific testimony and evidence that the Center's relationships with its donors are normal and unproblematic.

The Report is a threat to unit autonomy. Every academic unit on campus has the inherent right to control its personnel decisions. The Report attempts to insert the Committee and by extension the Faculty Senate into the Center's hiring decisions. This undercuts a fundamental right in the university.

The Report is defamatory. There has been a lot of pearl clutching about this but make no mistake: the Report recklessly makes false statements of fact that imply or suggest a lack of integrity. These false statements are

damaging to the reputations of colleagues, the Center and its members, the Department of Philosophy and its faculty, PEMS and its faculty, the UA Foundation, and donors to the University.

The Report is transparently political. The Ad hoc Committee was chaired by someone who has publicly called for the Center to be removed from campus for political reasons. It is his publicly expressed political opinion that funding from private sources such as the Koch Foundation should not be allowed, and it is his publicly expressed political opinion that directed funds from the State of Arizona to the Center are a "violation of academic freedom". No mention is made in the Report of the other seven units on campus that also receive state-directed funds. While it is fine for him to have such political opinions, weaponizing the Faculty Senate to pursue those personal political goals is a clear violation of academic freedom.

The Report should be retracted and the Ad hoc Committee dismantled.

**10. Adjournment**

With no further business, the meeting adjourned at 5:00 PM.

**Tessa Dysart, Secretary of the Faculty  
Jasmin Espino, Recording Secretary**

**Motions of September 26, 2023 Faculty Senate Meeting**

**[Motion 2023/24-15]** to approve the agenda as amended with the note that old business items will be deferred to a future meeting. Motion passed by unanimous consent.

**[Motion 2023/24-16]** to approve the minutes of the September 26, 2023 and October 2, 2023 Faculty Senate Meeting. Motion passed by unanimous consent.

**[Motion 2022/23-17]** to approve the Consent Agenda. Motion was seconded. Motion passed by unanimous consent.

**Attachments Within the Minutes**

1. Page 1, Item 2: Action Item Approval of the [Agenda](#)
2. Page 1, Item 3: Approval of the minutes of the [September 26, 2023](#) and [October 2, 2023](#) Faculty Senate Meeting
3. Page 9, Action Item 9: [General Education Attributes Policy Amendment](#), [General Education Curriculum Policy Amendment](#), [Credit for Prior Learning proposal and benchmarking](#), [Grades for Grading System proposal and benchmarking](#)

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