

**MINUTES
FACULTY SENATE
DECEMBER 4, 2023**

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1. CALL TO ORDER [00:00:08]

Presiding Officer of the Faculty Senate, Mona Hymel, called the December 4, 2023, Faculty Senate meeting to order at 3:01 PM in Silver and Sage and via Zoom. Secretary Dysart was also present.

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

Absent: Senators Anderson (GPSC Rep), Barron (ASUA Rep), Cochran, Dial, Domin, Dyke-Compton, Eckert, Gordon, Grijalva (ASUA Rep), Kandel, Rodrigues, Sanchez, Tropman, Waddell, Williams, Yoon (GPSC Rep).

2. ACTION ITEM: APPROVAL OF THE [AGENDA – VICE CHAIR OF THE FACULTY, MONA HYMEL](#) [00:00:37]

Vice Chair Hymel stated the first item of business will be the approval of the agenda.

- Guest (Name Unknown) stated, "Hello, I call upon this body to censure the Freedom Center for gross intimidation. I refer you section 5.3 of the Freedom Center's response to the Committee on Donor Influence's report, it is headed to defamation, per se. This diaphanously veiled threat of a lawsuit has already caused the Chair of the committee to resign. Unlike the Freedom Center, he does not have seven million dollars in taxpayer money in his bank account, or billionaire foundations and individuals behind him. So, I am here today to speak against this oppression by big money. Inaudible from [00:01:40 – 00:01:47]."
- Vice Chair Hymel stated the individual does not have the floor and has not been recognized.

Vice Chair Hymel stated the Agenda approved by the Senate Executive Committee included a proposed grievance change and Secretary Dysart requested that the item be removed. Vice Chair Hymel stated Dean Cheu requested that the RII Item be removed from the agenda. Vice Chair Hymel stated Interim Vice President and Chief Safety Officer, Steve Patterson will be given fifteen minutes instead of five minutes.

- Senator Fink moved [**Motion 2023/24-18**] to approve the agenda as amended. Motion was seconded. Motion passed by unanimous consent.

3. ACTION ITEM: APPROVAL OF THE [MINUTES OF THE NOVEMBER 6, 2023 FACULTY SENATE MEETING](#) [00:03:47]

Senator Fink stated he would like for the November 6, 2023 minutes to be corrected and corrections were sent via email.

- Secretary Dysart stated changes to the minutes must be raised in open session as she has been criticized for supposedly editing minutes before the meeting once they have been made public and requested that Senator Fink state his corrections so they may be voted on.
- Senator Fink stated changes should be made on page 6 of the November 6, 2023 minutes, the corrected verbiage should be as follows:
 - "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 not on a monthly or quarterly basis, but on a daily, or even hour basis, if things such as this transpires. Senator

Fink stated this is a discussion of a discontinuous transition, i.e., of a sudden development that goes from good to bad, based on a miscalculation.”

- Chair Hudson moved [**Motion 2023-24/19**] to approve the November 6, 2023 Faculty Senate Minutes with Senator Fink’s amendment. Motion was seconded. Motion passed by unanimous consent.

4. **OPEN SESSION [00:09:09]**

Senator Jamey Rogers [00:09:25]

I wish to address a serious crisis within the larger UA Arizona fiscal crisis that impacts 6,500 students and 60 career-track lecturers I work alongside. My name is Jamey Rogers, I am a Faculty Senator and a career-track lecturer in the writing program. Career-track lecturers provide immense support to students. This work is labor intensive requiring close, personalized contact with students. By making deep and meaningful connections with them, we set them up to succeed and help them meet personal and academic challenges before they become a problem. Thus, we play a pivotal role in increasing student retention beyond the first year, especially in underserved populations.

In addition, career-track lecture teaching is highly profitable in the writing program. In the current AIB model, the writing program earns 9.4 million dollars a year from higher administration for teaching, with expenses of 6.12 million dollars, we contribute 3.3 million dollars net to the college. Despite these impressive numbers, each full-time lecturer receives a base salary of merely \$44,000 per year, compared to an average career-track lecturer pay across campus of \$60,000 per year. A 26% pay gap. These lower wages, combined with skyrocketing local rents, record inflation, and a high cost of living have serious consequences for our teaching. So, how do we move forward?

First, we must increase the base pay of writing program instructors to at least \$52,000 per year. Second, the University should conduct an annual salary equity study that actually exposes career-track salary inequities. Career track lecturers are a crucial component of the University, student success, and the financial well-being of the college. As the engine that dried these outcomes, we should be compensated fairly in recognition of our extraordinary contribution to. Finally, I ask you, how many people in this room are making \$44,000 a year and are surviving on it? Thank you.

Jeff Michler, Associate Professor, Department of Agricultural & Resource Economics, College of Agriculture, Life & Environmental Sciences [00:11:57]

Hi, I’m Jeffrey Michler. I am an Associate Professor in the Department of Agricultural and Resource Economics in the College of Agriculture, Life & Environmental Sciences. Many of you saw Sunday’s story about the Arizona Daily Star regarding budget issues in my college. The message I want to deliver is that my college is not unique. Having reviewed the University’s budget models as far back as 2015, using Central Administration’s own definitions, either all colleges and units are in a structural deficit or none of us are. The shift from RCM to AIB has artificially created deficits for the colleges.

Under AIB, every college except SBS, requires a Strategic Budget Allocation (SBA) to make up the difference between the cost of running a college and what central admin allows colleges to retain their revenue. The SBAs are Central Administration’s acknowledgement that the taxes under AIB are too steep to allow any college to cover its costs. Under AIB, my college gets \$18 million, or 35% less revenue than it did in the last year of RCM. College of Science has 20% less revenue than it did last year, which amounts to \$23 million. College of Law is down \$9 million, College of Engineering is down \$5 million, College of Fine Arts is down \$4.5 million, the list goes on. In the short term, SBAs fill this gap, but SBAs will shrink each year by 5%, forcing colleges to grow revenue just to stay even. If the need for an ongoing SBA is the reason Rulney claims my college has a structural deficit, in using Central Administration’s own budgeting logic, every administrative support unit is always in a structural deficit as all of them are almost entirely funded by SBAs. The Office of the President spends \$2.5 million more a year than it takes in.

Without recalibration of AIB, nearly every college will have to cut programs and lay off faculty and staff. The public message from Robbins and Rulney that the current budgetary situation is caused by structural deficits at certain colleges is both disingenuous and deceptive. A review of the budget models and data on expenditures leads one to conclude that the budgetary issues at the colleges and the University are due to decisions and mistakes made by Robbins, Rulney, and Perry. It’s cowardly leadership to make others pay for your mistake.

Senator Lucy Ziurys [00:14:18]

Hello. Lucy Ziurys, Regents Professor of Chemistry and Astronomy. We’ve heard some comments about the budgets,

and perhaps it's not surprising that we have an apparent financial crisis, given the size of our administrative bureaucracy. With a large majority of employees in our administration that have little academic background and knowledge of how a university really functions. Our new Provost, for example, inherited 1,600 employees in the Provost's Office, and the Interim Senior Vice President for Research inherited 800 administrative employees in RII.

There are so many administrators, they appear to be falling over each other such that nothing gets done, such as balancing the budget, and they're really overburdening the faculty, not helping them. Some administrators think of always blaming some government agency for these sorts of things. Furthermore, some of these administrators seem to think to shrink from accountability. For example, one of our deans expressed deep concern about singling out units with regard to the apparent financial crisis, but how can a financial crisis be addressed without singling out those units that are overspending? We've heard some comments on that, well, perhaps, the truth hurts. But it's truly difficult to run any organization based on famed politeness as opposed to hard facts and recognizing reality.

We need to review our administrative structure and really cut out what is not an essential and non-performing if we are to survive as a top-notch University. Thank you.

5. Secretary Tessa Dysart [00:16:13]

Thank you, and I'm sorry I can't be there, I wasn't feeling well. I want to speak today on behalf of several of College of Law faculty who reached out to me about the Chair's state of the faculty email. I want to clarify to this body that I had nothing to do with this email or its content. So, I'm going to read two statements that were sent to me and then summarize the other comments I received.

First statement:

- "UA has failed to combat antisemitism, knowing that antisemitism has been on the rise in the United States and on U.S. campuses for many years. Antisemitism has is an ancient phenomenon. It is older than Christianity in Islam. These days, individuals who define themselves as anti-Zionists argue that they should define what constitutes antisemitism. In the context of any other form of hate, we ask the victims, not the offenders, to identify the characteristics of hate. Proud anti-Zionists and individuals who have no meaningful understanding of antisemitism do not represent the victims of antisemitism and should not be trusted with the power to shape policies related to antisemitism. The agenda for this Faculty Senate Meeting represents an alarming attitude, while talking about freedom of speech and academic freedoms, it argues that Jews should not have the right to criticize antisemitism. It is the duty of the Faculty Senate to recognize that antisemitism on campus is a problem that must be addressed urgently and adequately."

Second statement:

- "I was very disappointed in the recent Faculty Senate letter which I had to read twice to find its brief reference to antisemitism as a problem on campus. The letter included an irresponsible and unlawful attempt to chill free speech. The Faculty Senate wrote that it was potentially defamatory to criticize speech regarding pro-Palestinian sentiments, calls for a ceasefire as antisemitic genocidal or pro-Hamas. The Faculty Senate may feel that certain speech is not antisemitic or otherwise objectionable, as is their right. But the Faculty Senate has no grounds to raise defamation which refers to civil action for damages in court, in response to speech about antisemitism, the Faculty Senate authors do not personally agree with. The Faculty Senate's point in the letter is to protect free speech, except when the speech addressed statements about the Israel Hamas conflict, or antisemitic, or terroristic. Ironically, the Faculty Senate states that it takes this position in order to safeguard free speech. This double standard for free speech is itself, antisemitic. The view of Defamation Law expressed in the letter is also misleading in light of the higher protection according to speech addressing matters of public concern. The Faculty Senate letter reveals the depth of antisemitism on our campus and calls into question whether this Faculty Senate is too biased and feckless to be taken seriously by Faculty or Administration. I request the Faculty Senate issue a correction."

I received other comments about the legal analysis in the letter as being inaccurate, and Law faculty also expressed concerns that with our expanding programs, that we don't have a DEI program focused on antisemitism. Thank you.

- Vice Chair Hymel stated Secretary Dysart went over the two-minute time limit because her and the secretary had a conversation prior to the meeting where an extra minute was requested.

6. Statement from Chair Hudson [00:19:58]

Thank you and welcome everybody. Before I begin, just in response to the previous comment, let me clarify that the letter which I sent out was from me, in my capacity as Chair of the Faculty, and was not a Statement of the Faculty Senate. I look forward to ongoing and continuing discussions about how we can combat hate, violence, hate speech of every variety on our campus as we move forward.

The Administration has a narrowing window to regain the confidence of the faculty. Although I am asked multiple

times, every single day about whether today the day for a vote of no confidence is, I want to see how the administration plans to turn our ship around with the report that the Arizona Board of Regents has asked President Robbins for by December 15th. It is time for all of us to pull together to come up with the best plan possible. Unfortunately through discussion with the President and CFO in SPBAC and C11 it has become apparent that the President does not intend to engage shared governance in the formulation of that report. Unless he has brought a written draft for us to look at today - I am concerned that he is depending on the same team that created the management crisis to try to come up with a solution.

I hope the Senate will endorse the request from the Department of Hydrology for an independent external audit in principle. I bring just one example from the NOV 15-17 ABOR meeting consent agenda. We purchased a residential property at 1115 E Helen for 1.875M dollars. If you look up that address right now on Zillow you will see its estimated value at 610k. Why would we pay 3x the price for this building? Who is responsible for this? Where is the oversight?

That of course is not enough. Shared governance bodies need to compare different versions of the AIB budget model and projections from it, specifically, a version of AIB which has as its primary directive to adequately fund academic operations, grow them steadily and predictably over the next decade, account for inflation and only then fund a central reserve for strategic initiatives.

Speaking of strategic initiatives, as I mentioned in my state of the faculty message, we need detailed inventory and review of the strategic initiatives in the MckInsey plan and outside of it that have drained our resources at the expense of academic operations. Athletics is the most pressing because it accounts for 87M in unrepaid internal loans since 2019 and according to President Robbins 31M in the last fiscal year alone. If our annual shortfall - what President Robbins calls our "structural deficit" has been about 45M a year. Internal - unrepaid and unrepayable athletic loans account for two thirds of that. As he has told us the problem is nationwide. That is no excuse. Shared governance needs to be at the table as we explore options to cleave off athletics so that the "loans" can be structured for repayment and can appear as an asset rather than a mystery drain on our books. I am thinking of convening an ad hoc committee on athletics. Contact me if you are interested in serving on such a committee,

Capping and monitoring our extension of merit aid to non-Arizona residents is a project already underway by our dean and Vice President of Admissions and Enrollment - Kasey Urquidez. This may save 10-12M dollars a year. Shared governance needs to be in that discussion as well to make sure we are not comprising our services to students and composition of incoming classes.

Units will need to discipline their spending and budgeting. Before they can do this, we need a budget model that works. A recalibration of AIB as I've discussed already prioritizes healthy academic operations and growth. The recent article about CALES - echoed here today in our open session echoed here today in our speaker's comment - suggests that politics and undisciplined centralization of funds has played a devastating role in scapegoating particular colleges that ran a surplus. We have just learned today that not only was CALES ordered to spend down its reserves, it was taxed on those reserves, and actually lent 3M money of its abundant surplus, prior to this year, to central administration which was only grudgingly returned over two years.

UAGC integration has drained resources from our support units, while competing with and undermining our academic operations using our brand. The financial cost of this project is still unknown although I have requested estimates from HR about how much labor time and wages it cost. The legal exposure and penalties include the 72M that the US Department of Education has declared it wants to recoup from us in student loan relief. In slightly better news I reiterate what I've learned from the ABOR board book explanation and CFO Rulney that the bookkeeping required by the integration has affected the metric of days cash on hand quite substantially. This metric that the regents were so concerned with in November. UAGC integration has reduced our metric of our days of cash on hand by approximately 10 days. That is an accounting rather than a revenue shortfall.

The replacement of UAGC's former leader with Dean Packard of CAST is likely a step in the right direction but as I've told the president it still requires urgent shared governance oversight. UAGC's contribution to our revenue involves several important steps that I don't have time to discuss here, but there must be shared governance oversight for that to happen. With a universal online platform management system that serves our academic programs and our faculty, I believe that UAGC can go from the trainwreck it has been to the revenue generator we hope it will become, but only with serious faculty oversight that has been lacking so far. Let's not jump out of the frying pan into the fire.

Finally, we have assets that we could liquidate and debt restructuring options that could be part of the solution. Frankly, managers who no longer inspire confidence need to be replaced. The time frame for these changes and for rebuilding operating reserves and solving our artificial austerity and cash drainage problem should be one of years, probably 3-5 - certainly not weeks.

In other news, I would like to commend the students, faculty and administration of the College of Education for turning disagreements into teachable moments of care, healing and humbleness. AS I mentioned in my state of the faculty message – faculty, students, staff, and admin are working together under Jenna Hatchers leadership for a Campus climate intervention team that can help facilitate contentious and hurtful disagreements. Celina Ramirez is working, very quickly I hope, on a policy that would prevent the non-consensual sharing of recorded educational materials, especially doxing the harm it brings to everyone. I'll conclude my remarks there, I will bring my motion later for endorsement of the HAS Resolution. Thank you all very much.

7. **Report from the President, Q&A for the President regarding progress on Financial Plans – President Robert Robbins, Interim Provost Ron Marx, & CFO Rulney [00:29:16]**

Vice Chair Hymel stated there has been thirty minutes allocated for questions and answers regarding the financial plan of the University. Vice Chair Hymel stated she is going to use her authority to add time to the discussion, if necessary, up to thirty minutes.

Chair Gary Rhoades, Ad Hoc Faculty Committee on Financial Recalibration - [Handout](#) [00:29:47]

Good afternoon, I am Gary Rhoades and remarkably already in this meeting, I've heard a word repeated several times that when I came up with the name of the Financial Recalibration Committee, I never would have thought it would get used so often. I am doing a brief report and passing around PDFs with graphs and graphics. There will be a fuller report later this week. I wanted to give my colleagues on the committee a chance to finetune it a bit beyond our conversations up to this point. So, I just wanted to touch on a few points and cannot cover everything that we have been working on.

The situation that we're in calls for recalibrating strategy to our missions with better management. We go through costly strategies that have been pursued and the three that we focus on were identified by President Robbins and CFO Rulney in the November ABOR meeting and then at the Faculty Senate. We walked through the stabbing patterns which has been discussed before, and data was added beyond head counts to personnel expenditure. For decades, predating the current administration, there has been discussion of change and who is staffing the institution, and the compromised ability to serve visions. Also discussed were management issues surrounding administrative growth, expenditure controls, AIB, and centralized control of resources.

The issue that Chair Hudson spoke to is being approached as a college. It is good to keep in mind that the day's cash on hand will not be replaced in ten days and will take a plan of a period. This is being done in my college and the committee is using a solution-focused approach. On the recommendations page, the committee has used their solution-focused approach to discuss pertinent actions focusing on the strategic best (the President's term). Also discussed in the recommendations are athletics, and tuition over discounting, the same is done with recalibrating the growth of administration, expenditure in central expenditures, and to the mission.

Regarding tuition over discounting, there have been good exchanges with Kasey Urquidez, her team, and other individuals. Chair Hudson stated Kasey Urquidez is proposing pullbacks on the extent of tuition discounting. The committee is suggesting a reallocation of a portion of the savings caused by pulling back merit-based aid to leverage ongoing projects and activities that have been piloted or that are beginning and are underway to counteract the effect of scaling back merit-based aid. This should maintain and stimulate more honors, Latinx, and transfer applications. About 10% of the Honors College are transfer students. The committee met with the Interim Dean of the Honor's College, John Pollard, and they are discussing ways to attract more transfer students into the Honors College without draining reserves. The committee would suggest dropping the tuition discount from 41% to 43% and reallocating those internal savings to a few pilots and ongoing activities to counteract the loss. Kasey Urquidez estimated roughly 650 to 700 students lost in an entering class.

The second recommendation regards the AIB model, and the strategic choices made. The committee focuses on the need to establish expenditure controls. As the President and CFO have reported to ABOR, the days cash on hand has been dropping steadily, but there was also a net surplus, which has been constant. The problem is described as having a savings account which has been tapped into for initiatives. The committee speaks to those initiatives, not to play a bling game, but to understand how the University got to this point, and to offer alternatives for recapturing some of those monies. A system of expenditure control is required and has been either insufficient or non-existent. The committee has

examples of how to create such a system, the questions to ask, and would suggest that there be an executive group of the Dean's Council or shared governance to be a sounding board for potential investments. Questions for such executive group should be "Why?" "Do we have a budget for it?" and "What's the return on investment?". The committee's report goes through each of those questions and was able to find predictable problems with the three strategic bets that were made.

The committee would like to thank Shyam Sunder, the Director of the School of Accounting, for providing the committee with useful verbiage. Regarding gainshare, i.e., taxing the reserves over 25%, allows central administration to gain a share of academic colleges' reserves. This is framed as hoarding when the college has more than 25% of its operating expenses in reserves. ABOR requires the university to have a certain number of days cash on hand. A lot of colleges have been prudent, but they are getting taxed, and being encouraged to spend or get taxed and lose monies, an example of this is CALES. The taxation of college reserves should be reduced or paused because colleges use their monies prudently to invest in the future, and do not spend them on events. Secondly, the first guiding principle for AIB should not be what it currently is, to optimize some funds centrally to meet institutional strategic opportunities. Instead, the primary goal of AIB should be to incentivize the University's basic academic production units, and in President Robbin's words, to protect the University's research and teaching mission.

The system puts academic units in the position of generating more revenue and getting less allocations. It is embedded in a variety of taxes which is mapped out by the committee and is an embedded deficit. This does not mean units cannot be more productive, efficient, or think of more ways to generate revenue and restrain costs. Within the current AIB system, there aren't structural deficits so much as there are structured deficits. 3% is taken every year, then 2% is added because cash on hand is running low, and there is a tax at 15% for anything over 25% of reserves, there is a reduction of 18% or more for the payback per student credit hour, and the strategic budget allocation is reduced overtime. That is decremental budgeting. There is a need to recalibrate the system in a way that prioritizes the production units, protecting the teaching and research missions as the President has stated, worry less about further accumulating monies to the center, and ensuring there are expenditure controls for the center (third bullet of the handout).

There is a lot more information in the handout, and there will be a full report circulated later in the week.

President Robert Robbins [00:41:51]

President Robbins thanked everyone for attending the meeting. President Robbins stated he agrees with almost everything mentioned in Chair Gary Rhoades's statement.

- President Robbins stated he does believe the University has a revenue expenditure issue which the root cause needs to be identified, and the aggressive discounting of Merit Based, out-of-state tuition, is a major contributor. The University has never stated need-based aid would be changed. President Robbins stated his appreciation for Chair Rhoades's working with Vice President Urquidez's team.
- President Robbins stated he does not think it is true that budgeting is set up for every college to be in deficit. Fundamentally, if there is more spending than earning, there is an issue.
- President Robbins stated he does not have a report to give to the Senate, over the past month he has been trying to come up with a plan and has two weeks remaining. President Robbins stated he and others, including Gary Rhoades, are trying to figure out how the University got to this point and which direction it should go. President Robbins stated he would suggest working with Rhoades's committee to go over plans that should be considered. President Robbins stated he has also spoken to Vice Chair Hymel who is an attorney and a CPA, and invited anyone else who would like to help move forward a plan.
- President Robbins stated he there will be fundamental topics to address as this is the second or third faculty senate meeting and is thankful that Vice Chair Hymel has expanded the time allotment because it will be helpful in exchanging ideas about the plan moving forward. He has met with SPBAC for about three meetings solely to cover this topic and a lot of topics and good ideas have been gathered. Additionally, he has met with the Committee of Eleven, the Regents and distinguished professors a couple of times in addition to the ongoing meeting which occurs about once a month.
- President Robbins stated he is optimistic that everyone pulling together, will create a common ground. President Robbins stated he urges everyone to use the same nomenclature, actuals versus budgets as it gets very confusing, very quickly.
- President Robbins stated there can be more detail about how issues play a role in the issue of spending more than bringing in revenue including how much the tuition discounting plays a role, and how investments in athletics plays a part in this. The loans given to athletics equate roughly \$87 million in the last several years. The first loan was \$8 million to pay out one of the fired coach's contracts which is close to getting paid off as there is a \$500,000 payment made each year. President Robbins stated the most recent loans have not been paid back but athletics is paying \$12 million on the previous bonding for five projects that have been done in athletics.
- President Robbins stated athletics is one of the most vexing plans to come up with. There have been several discussions regarding taking athletics off UA's books. All options are being explored including separate foundations, investment private equity money. There have been concerns within certain bodies regarding whether control is being given up on managing or preventing scandals which there have been a lot of in athletics, even with oversight. While

- looking at other foundations, there has been oversight from Senior leadership.
- President Robbins stated over the past ten years, Central Administration has grown by 69% and the colleges have grown by 31%. While looking at absolute numbers, there are double the number of administrators. It is important to avoid duplication of services including HR, IT, development, fundraising, and financial management in marketing and communications.
- President Robbins stated that with everyone working together, he is confident the University will thrive.
 - Chair Hudson asked why there was spending of \$1.87 million to buy a property worth \$610,000 on Helen St. Chair Hudson asked what the process is and how there were two appraisals at over \$1 million when there is information suggested otherwise.
 - President Robbins stated he does not believe Zillow considers appraisal value.
 - CFO Rulney stated there is a property in escrow, with almost a year to close, and is a net-income producing property. CFO Rulney stated she does not believe Zillow considers that there are approximately ten units within that property. The UA is required by ABOR to get two appraisals for purchases, and there will not be payment over appraisal value.
 - Senator Ziurys stated President Robbins requested that the GFFRC Committee assist him as well as other bodies. Senator Ziurys asked President Robbins how he plans to get everyone together for concrete recommendations within two weeks.
 - President Robbins stated he has been working 10-16 hours a day to gain a better understanding while running parallel processes. President Robbins stated Gary Rhoades and his committee began work in the Summer, and once the issue with the number days cash on hand was recognized, processes were intensified. The days cash on hand is a ratio calculation which happens once per year which is a helpful liquidity measure. NAU has roughly 150 days cash on hand at one time which represents roughly \$250 million. The UA has a higher burn rate which is why the days cash on hand is lower. Remedies include hiring freezes and budget cuts. The administration is willing to take a disproportionated share of its cut. There will be no furloughs, no decrease in investment and contribution of retirement plans, and need-based aid will not be affected. There will be a lot to report to ABOR and there have been a lot of items agreed upon. GFFRC, as well as Faculty within the UA have assisted, and more individuals with financial expertise are welcome to join the discussion. It would be useful to have a common discussion and common narrative as there has been a lot of misinformation circulated.
 - Vice Chair Hymel asked if the \$265 million figure comes from \$1 plus assuming the debt of Zovio.
 - President Robbins stated the UA did not assume \$265 million of debt.
 - CFO Rulney stated UAGC's expenditures will be included in the days cash on hand ratio in fiscal year 2024 and going forward. There was probably a note about how this impacted the days cash on hand forecast of 97 days for June 30, 2024, when their cash and expenditures will be included. Zovio did not cost UA \$265 million.
 - President Robbins stated at ABOR, he discussed that the UA is still making \$70 million. President Robbins asked CFO Rulney to elaborate.
 - CFO Rulney stated everyone on her team agrees with the GFFRC report that there should be better expenditure control, and she looks forward to working with his committee. The financial statements are available online.
 - CFO Rulney stated President Robbins is correct when he stated the net position increased \$79 million. CFO Rulney stated Chair Hudson shared her report, she shared that net position has been positive for the last number of years. There are a lot of numbers that can be looked at which are indicators of financial health within the financial statements, and she points everyone to page 78 on the annual comprehensive financial report to help explain the \$45 million loss. On that page, there is a row: income or loss before capital endowments and special items. For fiscal year 23, the number is listed as negative \$45,837,000. This shows a negative number for five years in a row which indicates that there is a trend for spending more than what is being made.
 - CFO Rulney stated this has been an issue managed since before the pandemic. There were budget cuts passed in Fall 2019 for this same issue. These budget cuts were made disproportionately: 3.5% was passed to support units and 1.5% was passed to colleges. The UA will look at administrative and overhead functions to take disproportionate cuts to move through the crisis.
 - President Robbins asked CFO Rulney to clarify why the \$79 million would not be placed into reserves.
 - CFO Rulney stated after the row previously discussed in the financial report, is capital. This includes grants, gifts, capital conveyances, capital appropriations, capital commitments, and endowments. There are other items that go into non-cash transactions which fall into the net position which is shown in the financial statements. There can be a positive net position with spending more than revenue.
 - Chair of the GFFRC, Gary Rhoades stated the UA has heard several times that there is too much spending. No Faculty member made the decision to affiliate with Ashford (now UAGC). Ten days cash on hand is \$80 million. No Faculty member nor Dean in the Senate decided to bail out Athletics. Whether the figure is \$86 million or \$120 million, it is a lot of money. No one in the room decided to over discount tuition which was

- reported at \$26 million lost to net tuition revenue. Since the time of that report, the tuition discount rate has increased from 33% to 43%.
- GFFRC Chair Rhoades stated the word “we” is problematic and shows that there is a need for expenditure controls on these central decisions. These decisions were not made collectively or with any enthusiasm. The decision about Ashford was made very much against the views of the faculty and some Deans.
 - GFFRC Chair Rhoades stated “we” did not spend the money over the five to six years which led to the loss of \$45 million.
 - President Robbins stated he believes there was an allocation to every unit, and certainly every college that assumed a revenue from the number of students. There are 7,000 more students and the institution is working harder. The amount of revenue allocated is about \$34 million. Although the decision was not made by everyone, they took the money, and in some cases, also spent reserves in addition to the \$34 million.
 - President Robbins stated the cost per student has increased over the last five years and discounting has decreased the revenue. When those two items are put together, and it is allocated out, the figure comes out to about \$34 million per year.
 - Senator Russell stated she is thrilled about the discussion and is concerned about what is said to the regents. Senator Russell stated it was worrisome to watch them use their “outside” voices and not be very polite or thoughtful. Senator Russell stated if there was a hiring freeze for two years and no raises for two years, this would be doable as there would be no layoffs. The Regents are calling for things that are immediately hitting the entire community, two weeks before Christmas. Senator Russell stated the Regents are asking for an immediate writing as opposed to gradual and is concerned that the regents will push hard for more abrupt things. Senator Russell stated she does not want them to come after her college, teaching, and research and is concerned that the current research cannot be contained given the hiring issue. The UA is incredibly important to Southern Arizona and any abruptness such as changing the Athletics program can cause “injury that will not heal.” Senator Russell asked President Robbins how the UA can talk to the regents in a way that allows the University more time for repairs rather than abrupt changes.
 - President Robbins stated he has spoken to the Regents as much as he has to CFO Rulney with solutions such as putting money in the reserves. The Regents stated reserves do not need to be replaced but the year-to-year deficit spending needs to be corrected.
 - President Robbins stated if land was sold for \$100 million, and there is a \$50 million deficit spending, land that can be held into perpetuity could have funded the deficit spending for two years. It has been funded out of reserves.
 - Senator Russell asked if \$20 million of the deficit is for Athletics.
 - President Robbins stated yes. President Robbins stated he would like to hear a plan regarding Athletics rather than just closing it.
 - Senator Rafelski stated there can be upfront funding from a lease.
 - Senator Russell stated she has heard there is overspending and has also heard in a SPBAC meeting and article that colleges were told to spend down its reserves. Senator Russell asked if this has been an issue for the last five years, why hasn’t anything been done. Senator Russell asked who would benefit from the sale of the land and who is currently benefiting if austerity groups are developed by request of the regents.
 - President Robbins stated regarding spending of reserves, every unit manager, including Deans, has the fiduciary role doing what is best for their college. President Robbins stated he believes it is a bad idea to take reserves, hire faculty positions, and there is money spent but no money to support the faculty moving forward. President Robbins stated if this is being done as a startup, and it is known that students and revenue will be coming in, money can be paid back or there can be confirmation that there is no deficit.
 - President Robbins stated he would encourage all colleges and units to have healthy reserves because about half of all reserves are held out into colleges. The Central Administration should know the intention to spend the reserves and there should be a conversation, this is where there can be some controls.
 - CFO Rulney stated there is a requirement that all units submit plans that do not go into deficit. Plans are not approved unless the budget is break-even or positive. Budget memos are sent out that explain that units are expected to be thoughtful and strategic with their funds. CFO Rulney stated her team does explain that a unit can complete budget request through all funds process, if the requests are not funded, instructions are given, and the unit is informed they can fund through reserves. There has never been a suggestion for reckless spending of budget, or plan to spend into deficit.
 - Senator Zeiders stated she believes the spending of CALES has been approved by CFO Rulney and is confused by the term used, “reckless spending”. Senator Zeiders asked if CFO Rulney gave specific guidelines on spending. Senator Zeiders stated she finds it interesting that Senate is coming together ten days out from a report that is supposed to be given to ABOR with President Robbins having no plan. Senator Zeiders asked if President Robbins is proposing that the GFFRC committee is now a part of the plan.
 - President Robbins stated he has invited GFFRC Chair Rhoades to assist with the plan. President Robbins stated he has laid out parts of the plan and has done so at SPBAC, the Senate, and C11

- several times. President Robbins stated he has ideas of what to do but would like to welcome everyone's input and comments.
- Senator Zeiders stated in the current Faculty Senate meeting, President Robbins has no written form or plan that has gone through any shared governance process, and it is being done now.
 - President Robbins stated he has been working with other shared governance bodies as well as Faculty Senate prior to this meeting. President Robbins stated the question is what will be told to ABOR and believes a hiring pause, better controls, and cuts will be likely. President Robbins stated he has focused on several things that won't be done. There needs to be a focus on discounting and out-of-state merit.
 - President Robbins stated Vice President Kasey Urquidez presented options that can be cut at the last SPBAC meeting and stated it would be a bad maneuver to cut national Native scholars, national Black scholars, and national Hispanic scholars. President Robbins stated he believes National Merit Scholars writ large should be kept within the plan. Out-of-state students with a high GPA will see cuts in merit aid.
 - Senator Zeiders stated coming to the meeting and throwing out ideas nor does inviting people to join a committee seem like a plan.
 - Senator Zeiders stated a question from an anonymous staff in the chat: "We are hearing that there will not be furloughs for staff. There's no reassurance that there will not be layoffs. What is being done to protect our staff and faculty to ensure that they don't lose their jobs."
 - President Robbins stated this is a similar conversation as the one in the pandemic and then, there was a decision to go with the furlough program instead of layoffs. President Robbins stated it will be up to each of the unit managers to decide how to manage their budget. President Robbins stated he does not foresee a percentage of layoffs of all employees.
 - Senator Zeiders stated there should be no layoffs of staff and this is a manufactured problem that was created.
 - President Robbins asked what the manufactured problem is if there is X amount of revenue and X number of expenditures.
 - Senator Rafelski stated it was manufactured by the administration because they spend too much on themselves.
 - Senator Zeiders stated back to CFO Rulney's point, by focusing on the figure on page 78 which excludes many other sources of revenue such as state appropriation, it seems that there is an attempt to shift the blame to operating units and away from poor decision making of strategic initiatives. Senator Zeiders asked if there is a list of strategic initiatives and the amount that has been spent.
- Senator Downing stated his thanks for President Robbins attending the meeting and helping the Senate to understand his position. Senator Downing stated similar to Senators Russell, Ziurys, and Zeiders, he is concerned as to what will be said to the Regents as the President will be speaking on behalf of the University. Senator Downing stated what he believes everyone was waiting to hear, is a process where the elected faculty members could be involved in the preparation to get to the plan. Such engagement is the only way to address shared faculty responsibility.
 - Senator Downing stated he does not know what the plan involves, and any academic, educational, faculty, and personnel matters fall under State Law and not the Regents. The State of Arizona, including the Governor and Legislature, is telling the University how they would like to see the crisis managed.
 - Senator Downing stated he would like to make a motion, but there is a question for the CFO. Senator Downing stated the same question is coming for CFO Rulney from parents, students, business leaders including a Senior Vice President from Bank of America, Chief Medical Officers, and politicians. Senator Downing asked CFO Rulney, with all this occurring, why did she not offer to resign as any other CFO of a major organization would have done so.
 - CFO Rulney stated she has worked at the institution for 22.5 years and she loves it. Her family attended school at the UA, and it is where she completed Graduate school. CFO Rulney stated she would like to help work through this challenge, and there have been bigger challenges before, such as going through a global pandemic where everyone worked together. CFO Rulney stated she takes responsibility for overestimating the days cash on hand ratio, and Board of Regents learning about it in November. CFO Rulney stated she will continue to work on this challenge until the President asks her not to because she is excited about the UA's future.
 - Senator Downing stated Chair Hudson requested that Senator Witte speak.
 - Vice Chair Hymel stated there will be comments after the motion is made.
 - Senator Downing moved **[Motion 2023/24-20]**:

The Faculty Senate of the University of Arizona herewith informs the Arizona Board of Regents (ABOT) that the elected faculty representatives in their constitutionally designated faculty bodies have not been asked to contribute to, engage with, review, or approve the proposed December 15 plan to restore days of cash on hand requested by ABOR. The Faculty Senate draws ABOR's attention to ARS-15-1601b that mandates that:

“Subject to the responsibilities and powers of the board and the university presidents, the faculty members of the universities, through their elected faculty representatives, shall share responsibility for academic and educational activities and matters related to faculty personnel.”

In addition, without the “subject to” clause, the law mandates that:

“The faculty members of each university, through their elected faculty representatives, shall participate in the governance of their respective universities and shall actively participate in the development of university policy.”

Anticipating challenges, we urge ABOR not to approve any plan that *was not prepared in compliance with State Law.*

- Motion was seconded.
- Vice Chair Hymel stated the motion will be voted on by secret ballot.
- Senator Ziurys asked if comments will be made on the previous discussion or the motion.
 - Senator M. Witte stated there should be discussion on the motion.
 - Senator Ziurys stated she had a comment on the previous debate.
 - Vice Chair Hymel stated she attempted to give everyone a chance to speak prior to the motion.
 - Senator R. Witte raised a point of order and stated there is a motion on the floor.
 - Vice Chair Hymel stated comments must be related to the motion.
 - Parliamentarian Stegeman stated the motion and discussion are sufficiently related in an artificial way and does not find reason to restrict the discussion.
- Senator Ziurys stated in the state of the financial crisis, it is important to move forward to solve the issue. Senator Ziurys stated President Robbins has put forward solutions, athletics has been a large issue and continue to be.
- Senator Ziurys stated she believes some of the colleges overspent, CALES is a different situation, but it seems that there are new programs in every Senate meeting which typically includes unanimous approval.
- Senator Ziurys stated every new program cost money, and it is important to be financially responsible when approving programs which are a group effort including faculty, not only the administration’s effort. Senator Ziurys stated many of the new programs are great, but the overall picture needs to be looked at including what must be closed as new initiatives are presented. Senator Ziurys stated this goes beyond athletics and the administration.
- Senator M. Witte stated “From the third medical opinion, if you will, you said stop the hemorrhage, but it looks like that could lead to the loss of the life’s blood in the University, clotting it, or death, which stops the hemorrhage. We had another suggestion from one of the physicians and that was to excite some organs that aren’t functioning well. I suggest a third opinion and that is liposuction and a lower fat diet. Liposuction and a low-fat diet refer to not just the administrative bloat but to all of the discretionary funding of every type, whether it be athletics, bringing in out-of-state students with a 4.0 GPA and on and on. I consider all that fat, so liposuction and a low-fat diet is my recommendation.”
 - President Robbins stated he likes the analogy.
- Senator R. Witte stated in the November 2, 2023 minutes, it states “CFO Rulney stated I think it is important for us to set a framework to remember for the last five years we have significantly invested in our strategic plan. Those plans various goals were always designed to focus primarily on the mission to get us to the fourth industrial revolution. They were not necessarily focused on revenue generation. So, from a mission perspective, we have been wildly successful. President Robbins will say if there’s no money, there’s no mission.”
- Senator R. Witte stated he noticed on UAccess Analytics, that in the last five years, there has been a 27% increase in the number of administrators at the University and a 6% decrease in the number of tenure, and tenure-track Faculty. There has also been an increase in total liability of 58% with assets only going up to 15%. Senator R. Witte asked if this is part of the fourth industrial revolution of a strategic plan or if this is more of a side effect on intended consequences. Senator R. Witte asked if this is the former, can “administrative bloat” be corrected in this short-term crisis.
 - President Robbins stated GFFRC Rhoades has laid out the differences in central administrative bloat, central administration head count and FTEs versus in the colleges. There are several colleges who have a lot of administrators and students.
 - President Robbins stated he believes there should be examination unit-by-unit to see the “right” size of the administration versus the college’s needs. The last time there were cuts, Central Administration took three times the cuts in the colleges. It is fair to bring every point to the table when working on the plan submitted to ABOR.
- Senator Stegeman stated the November 2, 2023, meeting was more than a month ago at ABOR and the deadline for submitting a plan to them is eleven days away. Senator Stegeman stated this is up to GFFRC

- Chair Rhoades, but he is not sure that engaging in the formulation of the plan in the last eleven days is productive. It is more productive to start a plan, than engagement after.
- Senator Stegeman stated he is concerned about the language of the motion that the Senate has not been asked to contribute when in fact, the President just asked them to. Senator Stegeman this discussion could not be anticipated by Senator Downing, but the phrasing is concerning.
 - Senator Stegeman stated the UA has the constitutional responsibility to provide education to Arizona students at the lowest cost. Senator Stegeman stated need-based aid is critical for in-state students, but he has heard no discussion of cutting need-based aid for out-of-state students and wonders if/why this is not on the table.
 - President Robbins stated he believes the students will receive Pell grants no matter their residency status.
 - Vice President Urquidez stated out-of-students receive very little need-based aid. There is an application that students can go through to receive a small amount of need-based aid (\$3,000) added to their merit package. There is a very small cost for need-based aid that goes to non-residents and there is a larger cost on the merit side.
 - Senator Schwartz stated regarding Senator Downing's resolution, he is also angry but sending a message to the Arizona Board of Regents that Faculty and the President/Administration will exacerbate the problem and convince the Regents that Faculty do not want to work for a solution. Senator Schwartz stated he suggests turning down the motion.
 - Senator Rafelski stated he agrees with Senator Schwartz. Senator Rafelski stated there is an issue and asked President Robbins if he knows which unit of the University has been over-spending most rapidly. Senator Rafelski asked if President has ever looked at these numbers.
 - President Robbins stated The Office of the President has overspent by 128% over the last five years.
 - Senator Rafelski stated revenues are decreasing by 20% and the Office of the President is increasing spending by 50%. Senator Rafelski stated there is no other unit which is comparable in spending. Senator Rafelski stated he would like President Robbins to recognize there is an issue in terms of growth of expenditure and drop in revenue and is a problem of the administration which is well-hidden.
 - Senator Rafelski stated athletics is not an academic unit, and President Robbins has stated something must happen with athletics, but there must be a concrete proposal. This can perhaps include finding a group of people, including at the University of Arizona, to lease it because the University needs money today.
 - President Robbins stated there have been changes internally, the Office of the President includes Jon Dudas's division which includes IT. There are three positions, Senior Vice President for Native Affairs, Vice President for Hispanic Initiatives and Vice President for Black Affairs which have been created. President Robbins stated this is a fair thing to consider.
 - President Robbins stated athletics are cutting and laying off individuals to increase revenue. Season tickets will cost 25% more, when looking at peers, the UA is about thirty years behind in increasing prices.
 - Secretary Dysart stated she has concerns about the motion, as an officer, she interacts with ABOR often and ABOR is aware of what occurs at faculty meetings.
 - Secretary Dysart stated that the shared governance law exists, but it is being overused. Senate and Faculty Governance participates, it does not mean the faculty dictates the answer. Secretary Dysart stated she sees President Robbins seeking more participation from the faculty with Senate, SBPAC, and C11.
 - President Robbins stated there are experts on Faculty that have also assisted and are not elected faculty including Individuals from Eller who have assisted with beginning discussion regarding plans.
 - Senator Hammer stated he agrees with Senator Schwartz and Secretary Dysart's comments.
 - Senator Simmons stated he believes this motion needs to be seriously considered before approving it as he recalls President Robbins asking for recommendations several times, on several Shared Governance bodies.
 - Senator Simmons stated he is not sure that time was used productively by offering criticisms in retrospect as opposed to solutions moving forward.
 - Senator Simmons stated SPBAC has had this on their agenda several times where President Robbins has asked for feedback. The Faculty Senate is not the only Shared Governance spaced spelled out in the Memorandum of Understanding, therefore, the wording of the motion is not completely accurate.
 - Senator Simmons stated the turnaround time was fast, and Faculty should be supportive of leadership for taking time to take feedback rather than coming up with a hasty draft. It is important to ensure that Shared Governance is engaged in the implementation of the plan and trust that the overarching plan is something that will result in change.
 - Senator Downing stated there is no plan, and people are asking questions. Senator Downing stated everyone has been asked for their opinion, the law explicitly states that it involved the elected faculty representatives. Traditionally, ever since the faculty governance laws passed, the Senate and C11 has been involved in deliberations in voting. Picking two to three individuals that are elected is not governance,

- o participation means the faculty decides what part of the plan they like/dislike.
- o Senator Downing stated ABOR is an unelected body with eight-year terms, appointed by one political party. ABOR understands there is a problem with the faculty, and they should understand the law passed by the people of Arizona and the Governor in the Legislature.
- o Senator Downing stated the motion stands strong and is a statement that if the faculty do not believe in the law in governance, then no one should be serving constituents, and they are not served.
- o Senator Slepian stated faculty have been asked to contribute, and the motion is inaccurate and anticipatory as there are eleven days until the final plan is presented. Senator Slepian stated it is important that President Robbins execute a draft that the Faculty can see to so that individuals can feel that they have buy-in and purchase.
- o Vice Chair Hymel stated the vote has been sent out via email in OpaVote, and paper ballot is accepted if in-person.
 - Secretary Dysart raised a point of order and stated paper ballots cannot be used because there is no way of knowing if an individual also voted online which would result in an improper vote.
 - Senator Guzman stated he agrees.
 - Vice Chair Hymel stated she is certain the individual does not have computers or phones to vote on.
 - Secretary Dysart stated she raised a point of order because that is against how the Senate adopted voting resolutions and paper ballots are not allowed.
 - Senator M. Witte stated this is an alternative by the rules heard in the room.
 - Parliamentarian Stegeman stated he agrees, and Robert's Rules allows the Senate to adopt a procedure that requires electronic voting. Parliamentarian Stegeman stated if the presiding officer would like to name the individuals voting by paper, she can ask for unanimous consent.
 - Senator M. Witte stated she requests that the presiding officer accept paper ballots for several senators who do not have computers or a phone to vote so they may have a voice in the Senate.
 - Vice Chair Hymel stated Senator M. Witte and Senator Rafelski are the individuals who will be voting by paper vote.
- o President Robbins stated his thanks for everyone attending the Senate meeting and appreciates everyone's comments and feedback.
- o Senator Fink raised a point of order and asked for the cut-off time for OpaVote.
- o Vice Chair Hymel stated the cut-off time is 5:00 PM.

8. Report from Interim Vice President and Chief Safety Officer, Steve Patterson [01:54:30]

Interim Vice President and Chief Safety Officer, Steve Patterson stated his thanks to Chair Hudson and Senator Fink for inviting him to address the Senate.

- There is additional information on the Provost website regarding safety support for Faculty and Staff.
- Dr. Jessica Semmann, Director of Threat Assessment and Management has completed videos regarding the definition of a threat, and what is concerning behavior. She has been doing several presentations to departments, colleges, and units on conflict resolution.
- Interim Vice President and Chief Safety Officer, Steve Patterson stated he would like to present to the Senate once a semester to share ideas. When it comes to safety and security, some items do cost money.
- Interim Vice President and Chief Safety Officer, Steve Patterson asked Faculty to continue taking five to ten minutes to speak about safety at the start of each semester. This includes where emergency exits, and Automated External Defibrillators (AEDs) are. The UA has received one-hundred AEDs and will be receiving sixty more. The American Heart Institute asks that AEDs are available within three minutes for an individual whose heart stops.
- There are alarms going off because people are propping doors open. It is important to kick the prop and shut the door. UAPD is having to respond to alarms, taking them away from responding more quickly to potential items of concern.
- There needs to be consideration to have evacuation drills for all buildings. It is required in dorms and clinics, but there have been no drills in classroom buildings for quite some time. Interim Vice President and Chief Safety Officer, Steve Patterson stated he welcomes an opportunity to work with everyone so that is not disruptive to the class and students. Individuals who are working in labs are concerned due to safety.

Vice Chair Hymel stated **[Motion 2023/24-20]** was defeated.

9. 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 2023/24-18] to approve the agenda as amended. Motion passed by unanimous consent.

[Motion 2023-24/19] to approve the November 6, 2023 Faculty Senate Minutes with Senator Fink's amendment. Motion passed by unanimous consent.

[Motion 2023/24-20]

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Anticipating challenges, we urge ABOR not to approve any plan that *was not prepared in compliance with State Law.*

Motion was defeated with 16 in favor and 39 opposed.

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 [November 6, 2023](#) Faculty Senate Meeting
3. Page 4, Item 7: Chair Gary Rhoades, *Ad Hoc* Faculty Committee on Financial Recalibration - [Handout](#)

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