Academic Senate Summary

Monday, May 1, 2006
3:15 – 5:00 p.m.
COOR L-20

Present:

Madelaine Adelman         Sarah Duerden         Susan Mattson
Craig Allen               John Fowler            Bob McPhee
Maria Allison             Tony Garcia            John Mitchell
Ron Alvarado              Milton Glick           Ken Mossman
Marcia Anderson           Edwin Gonzalez-Santin  Helene Ossipov
Brenda Baker              Sandeep Gopalan        Kurt Pany
Denise Bodman             Sharon Harlan          Peter Rez
John Brock                Ron Hofmeister         Duane Roen
Tannah Broman             Jane Humble            J. Duncan Shaeffer
Karen Bruhn               Paul Johnson           Robert Stahl
Richard Burg              Doug Johnson           Dan Stanton
David Burstein           Bob Keim                Layne Stromwall
Jeff Bush                 Mary Kihl              Dallen Timothy
Charles Colbourn          Jerry Kingston         Philip Vandermeer
Richard Creath            Pauline Komnenich       Bill Verdi
Peter Crozier             Anne Kpta              Brent Vernon
Stephanie DeLusé          Deborah Koshinsky       George Watson
Roxanne Doty              Mike Kwasnoski         Hollie White

Guests: John Fink, Vice President for Research and Economic Affairs, Marjorie Zatz, Vice Provost for Academic Personnel, Ig Tsong, Professor, Physics & Astronomy

1. CALL TO ORDER (Susan Mattson).

2. APPROVAL OF PREVIOUS MINUTES

A. The Senate Summary of April 10, 2006 was approved as circulated. Please notify darby.shaw@asu.edu of any corrections and copy anne.kopta@asu.edu.

3. ANNOUNCEMENTS AND COMMUNICATIONS

A. Senate President's Report (Susan Mattson)

Interviews with Provost Candidates

Interviews with the three provost candidates and the Senate's leadership have been scheduled for Thursday, May 4, with candidate Ilene Busch-Vishniac; Monday, May 8, with candidate Linda Sheryl Greene; and Tuesday, May 9, with candidate Elizabeth Capaldi. The meetings on Thursday and Monday will be in MU 223 LaPaz and the meeting on Tuesday has since been updated to MU 222 Mojave, the time for each is 1:30-2:30 p.m. The members of Executive Committee and our Senators-at-Large will attend these meetings. There will be town halls for the candidates for faculty and other members of campus and the schedule for those meetings was published in ASU Insight. Information on these candidates may be read on the Provost Web page at http://www.asu.edu/provost (click on Provost Search icon). There will be meetings at the West and at Poly for faculty and campus leaders. I encourage you all to attend these meetings as your schedule will allow.
University Academic Council - Shared Governance Document (04-09-06)

This document has been posted on the Senate's Web page and it was sent out as a link in the agenda. It is the agreement that all three campuses have worked out between the senate leadership along with the Provost and the President, regarding shared governance at A.S.U. It will come back to you in the fall if you go for ratification, it will be a transition year in that it establishes and provides for senates on each campus as needed when the critical mass of faculty is located there. The senate leadership from each campus, which will include downtown, meets as the University Academic Council to resolve differences between the campuses on issues, or to address issues that are university-wide. Please read this document thoroughly, it is a way to have a governance structure that enables each campus to keep its unique culture and somewhat independence as far as campus matters are concerned, but it has a mechanism for drawing them together on issues that are university-wide, such as promotion and tenure, IRB research, strategic planning, budgeting, and issues of academic freedom and tenure (the CAFT committee). We are introducing this document, which delineates what we feel the principles of shared governance are for one university in many places, and how we are going to implement them in the near future. In the fall we vote on this and ratify it. We will make any appropriate changes during the next year and it will be put into the ACD manual--along with our own constitution and bylaws, which will be affected by this new structure and then we will fold in the Downtown governance structure as it develops.

Q: Will the Academic Senate remain the same size?

There will probably not be senators from Polytechnic as they are building their own senate. Next year, we will be reviewing our own constitution and bylaws to determine how our senators are elected, not the process, but what constitutes a unit and a college, and how many from where we will elect, because with all the changes that have taken place this year we have to look at the mechanism that is described in the constitution currently and see how we can adapt that to what is happening now where faculty are housed at the campus.

B. University President's Report (Michael Crow) No report.

C. University Provost’s Report (Milton Glick)

First, let me thank the Senate for their good work this year on creating a university-wide governance structure, as well in developing a university-wide promotion and tenure process. They have done a terrific job and hopefully we now have a model system.

I wanted to let you know that I received an email from the Higher Learning Commission (formerly known as the North Central Accreditation body) and that we are now a single university accredited under one accreditation. The West campus accreditation will now be folded into the overall accreditation. That is a very important element in creating the seamless university with many campuses, and I think if you talk to people at Poly they will tell you that they feel very comfortable in that environment and it also reduces the workload because any accreditation takes a great deal of work. On Friday, the commission passed that item. They will make a site visit within a year their rules say, but it was an exception that they made for us to get this done now, before the site visit was to occur.

In the next two weeks, we will be having candidates for Provost visiting the campus. They are meeting with the Academic Senate leaders and then a faculty campus forum will follow. I encourage all of you to attend the faculty forums, not just because you will learn a lot, but because the candidate will be very influenced by whether you care enough to attend.

I would also like to comment a little bit on a discussion at the Board meeting. As a consequence of an incident about reading material at Maricopa Community College, there has been a strong push in the legislature to pass a law which says that if any student objects to material in any course, an alternative assignment must be made. I think that would have a really chilling affect on the campus and on academic freedom. This item has been defeated, but it is very likely that there will be a striker amendment to put it
back on the agenda. At the board meeting on Friday, one of the Regents proposed a motion that said that in every course, the instructor must inform at the beginning of the course whether there is any potentially offensive material in the course. I was fearful this would pass, but several of the Regents spoke up and said, we do not understand this language, we do not think it is a good idea. The UA said it was fine with them because they already have that rule in place and the faculty are ok with it. The Regents did table the motion in the end, and we were able to craft a different motion, which they now have as a substitute for the prior motion, and it will be given two readings because it is a significant policy issue. We have until next month to do a little wordsmithing on this--but it is well worth considering. It says that the presidents will work with the academic senates to develop a policy which says, all courses should have syllabi that identify the contents of the course and the materials to be used. I think that is a good policy, although I think it is a faculty policy, but it is a good policy because students should know about what they must do in a class--but it doesn't have each individual faculty member saying--my course has offensive material or this particular material is offensive that will be covered--it simply says, we will read the following books and we are going to cover the following topics, and it is hard to argue against that. Assuming that the Regents pass this at their next meeting, it will then be on the agenda of the Senate for next year here, to decide if they want to do that, and if so, how should they do it. That is an important issue and I appreciate those Regents that spoke up and said we are walking into very dangerous territory. Someone suggested that we should begin the motion by saying that "we believe in academic freedom." Somehow that almost highlights the issue too much, so, I appreciate that the Regents did try to refine it, and I am sure they will want to know at their next meeting the view of this Senate and your leadership will be asked to make sure that the faculty representative to the board expresses that this is agreed to by the three AFC Senate leaders.

Finally, I want to thank the Senate, Susan Mattson, especially for doing yeoman's work in a very complex year. For this year, as well as for the last fifteen years, I have been blessed to have the best Provostship in the country and I am grateful to the faculty in the Senate and outside the Senate, and to the staff who have been so supportive. They are the reason why this has been such a great job. Thanks very much.

Senate President Mattson: To those of you that could not come to the reception that we had for Milt, he received a plaque and we just sat around and talked, and that was a really nice time because we got to reminisce with Mort Munk and Provost Glick about the times when they were both assistant professors. We also expressed our appreciation to him for his work with the Senate over his 15 years as Provost with a plaque. It had an embossed copy of his hat on the plaque.

Q: How does the UA policy define offensive materials?

I have a copy of that policy but I cannot quote it. What they do have are two pages of lists of what has to be in a syllabus. It goes through the types of notices--one of them says that the faculty must have a statement in their syllabus if they think there might be some material that is offensive. They did not define that. That was a big issue because they said--I do not know what might offend someone. I think that the idea of just listing content, more so than what you get in a catalog description, but we as faculty always have a topical outline, and the assignments are included. It is not just "go read a book, it says this is what you are assigned to do, and I believe that is the direction that we would like to go in with this. We can look at the one from UA just to see what they have.

Provost Glick: I think it would be appropriate for a course on World War II to have the students view The Watch, or read Schindler's List. I do not think that is offensive material. There is a student who did find this offensive--however, my concern is that such personal judgments are not established in policy.

Q - My only comment on this is, that I am chagrined because after three years of the Board steering away from micromanagement, it seems like a slippery slope--because no matter what they do pass, concerning what is "offensive"--if you start defining things to that degree, that is micromanagement.
Provost Glick: In fairness to the Board, who came down in the right place in my opinion, the Government Affairs Representatives and the UA lobbyist were at the table making their report and they said this was likely to come back. One of the Regents was very concerned about not having that type of legislative action happen. It was a case of a Regent trying to keep the legislature from making a mistake and keeping us from doing the same thing. The point is they did not, and they were quite articulate on that.

Senate President Mattson: Our president has had a discussion with the legislature and told them we have an informal policy, and that we would look at formalizing it and articulate what we do.

Provost Glick: I agreed but I do not think we want to have it grow out of proportion. It was an on the spot effort to do something good, but I think we now need to take a hold of it and do the right thing.

Q - Why isn't the strategy to try and defeat it at the next Board meeting?

Provost Glick: If the motion is passed as it was introduced, with some wordsmith, I think there is nothing wrong with it. I do believe it is appropriate in that all courses will describe what material they will cover, and the course content. That is my personal opinion, not a university position on this matter.

Q - I am wondering if the University Counsel can tell us if we must put everything in our syllabus.

Provost Glick: Courses change over time as to content and materials, especially in courses in the social sciences, which evolve around real time events, and yes, I would hope that the Senate leadership and our office would work with our counsel to make sure that we get something that doesn't put us in that type of box. We do not want someone to sue us or you personally because you decided to talk about the newly elected president of Iraq-- and you had not put that in your syllabus. We have not distributed this yet, but we did insert (in this year's graduating senior survey) some questions of the graduating students, as to whether they were allowed to express themselves freely with faculty, whether they were able to disagree with faculty, did they feel constrained on expressing their opinion, and the results came back that in all but a few programs they were very positive responses, in the 75% range. That is pretty good. We also know if we figured out what programs that they were negative about, usually they were negative on everything else about the program too, and to some extent this reflects a broader issue. I was pleased that we did not have a lot of students saying that they could not express their opinions.

D. Senate President-Elect’s Report (Duane Roen). No report.

E. USG President’s Report (Corrine Widmer). No report.

F. GPSA President’s Report (Jess Koldoff). No report.

G. Past-Past Senate President’s Report (Tony Garcia). No report.

H. ASU Polytechnic Assembly Report (John Brock for Paul Patterson).

We are moving to an Academic Senate on the Polytechnic Campus and we are doing some reconfiguration; we are redoing our bylaws to accommodate that. The new President-Elect of the Academic Senate on Polytechnic campus is Linda Vaughn, a nutritionist, and the Secretary is Robert Grondin, from Engineering and Technology. These are our officers for next year, and we are looking forward to working on the bridge between the academic senates and the University Academic Council.


4. ADOPTION OF ALL CONSENT ACTION ITEMS, INFORMATION ITEMS, AND REPORTS

A. Curriculum and Academic Programs Committee (Mary Kihl)
Senate President Mattson: The CAPC motions 32-44 are listed on the agenda and posted on the Senate Web site along with the complete proposals. Does anyone wish to have any of these motions removed for further discussion? Hearing no requests, I entertain a motion to approve the consent agenda. It was moved and seconded. Is there further discussion? Hearing none, all in favor of approving the items on the consent agenda please say aye? Opposed nay? Are there abstentions? The motion to approve the items on the consent agenda was passed unanimously by a voice vote of those present.

Senate Motion #32 (2005-2006) (Second Reading): Proposal for New Academic Organizational Unit - the School of Sustainability;
Senate Motion #33 (2005-2006) (Second Reading): Implementation of a New Doctorate Program - Ph.D. in Sustainability;
Senate Motion #34 (2005-2006) (Second Reading): Implementation of New Graduate Degree Program - M.A. In Sustainability;
Senate Motion #35 (2005-2006) (Second Reading): Implementation of New Graduate Degree Program - M.S. in Sustainability;
Senate Motion #36 (2005-2006) (Second Reading): Implementation of New Undergraduate Degree Program - B.A. in Sustainability;
Senate Motion #37 (2005-2006) (Second Reading): Implementation of New Undergraduate Degree Program - B.S. in Sustainability;
Senate Motion #38 (2005-2006) (Second Reading): Establishment of a Graduate Certificate - Sustainability Technology and Management;
Senate Motion #39 (2005-2006) (Second Reading): Name change of an Institute - From: International Institute of Sustainability To: Global Institute of Sustainability;
Senate Motion #40 (2005-2006) (Second Reading): Implementation of a New Graduate Degree Program - M.S. in Real Estate Development (RED) from the College of Design in Collaboration with College of Law, W.P. Carey School of Business, and the Ira A. Fulton School of Engineering;
Senate Motion #41 (2005-2006) (Second Reading): Implementation of a New Graduate Degree Program - M.S. in Biochemistry College of Liberal Arts & Sciences, Department of Chemistry & Biochemistry;
Senate Motion #42 (2005-2006) (Second Reading): Degree Name Change of Doctoral Program - from Family Science, to Family and Human Development, College of Liberal Arts & Sciences, Department of Family & Human Development;
Senate Motion #43 (2005-2006) (Second Reading): Implementation of a New Graduate Degree Program - Master of Nonprofit Studies College of Public Programs, School of Community Resources & Development;
Senate Motion #44 (2005-2006) (Second Reading): Implementation of a New Graduate Degree Program - M.S. in Biomedical Informatics, Ira A. Fulton School of Engineering, Department of Biomedical Informatics/School of Computing & Informatics;

5. UNFINISHED BUSINESS.

A. Executive Committee (Susan Mattson).

Senate Resolution #31 (2005-2006) (Second Reading): Faculty Governance Related to Faculty Hiring.

We have a second reading of Senate Motion #31 to consider; it was introduced at our April 10 meeting. It is attached to the agenda and posted on the Senate Web page. The resolution was read into the record.

This is coming to you as a statement of strong support for faculty and Senate participation in the hiring process at all levels of the university. The last three parts are the only items which are not already in policy: We would like to have members of the Academic Senate report to the President of the Senate any lapse in their respective academic units to implement fully this portion of the ACD Manual (111-01), and that the Senate President will report these to the University Provost. We have brought this subject to the Provost Office that there are perhaps some reported lapses, and I am sure they will be looked into.

It is before you as a resolution and it is a second reading. Is there any more discussion of this resolution?
Q - Since the policy is applied right now, I would like to note that my department faculty have never voted on our chair search.

To clarify, department bylaws define faculty participation as to who votes. It may be indicated as the personnel committee and in some places it is the faculty. The policy as far as faculty participation is in place, as you say, but the last three items of this motion we ask you to approve puts into place a formal mechanism for reporting lapses (ref: ACD 111-01, items 1 & 2 of the resolution).

If there is no further discussion, all in favor of this resolution please say aye. Opposed say nay. Are there abstentions? The resolution was unanimously passed by a voice vote of those present.

(See Appendix A)

6. NEW BUSINESS (Reports and new motions from Senate committees)

A. Executive Committee (Susan Mattson).

There is a proposed Academic Senate Resolution for first reading that was brought to the Executive Committee, and it was signed by a sufficient number of members of the Academic Assembly who wish this resolution to be brought to the floor of the Senate for consideration. It is attachment B in your Senate agenda. Our discussion will center on clarification of this resolution, and I have also invited Vice President Jonathan Fink and Associate Vice President Paul Johnson who would update you on some of the work that has already been done since this very same resolution was brought to the Executive Committee earlier in the fall. It was at that time handled directly with some of the faculty involved in the department, but this is a wider discussion of this issue. The motion was read into the record (See Appendix B).

I received input from Professor Ray Carpenter who offered his opinion that the extraordinary national emergency must be declared by the government, and how off-campus is defined also needs to be specified. One of the considerations that he raised in addition to that regards international students working on these projects who might not be able to obtain clearances. Also, if this is for dissertation or thesis work that work needs to be published, and although classified research as such is prohibited from being published, it gets into the discussion, or at least it will in the future, on how we either word what constitutes thesis or dissertation research, or how it is considered published when it is done. I asked Dr. Fink to talk about the committee that has been established at this point.

Associate VP Johnson: Jon Fink and I met with the Physics faculty a few months ago to discuss the motion. As a result of that meeting, we formed an ad hoc committee. This was done in consultation with the chair of the Physics Department and the Deans of Engineering and CLAS. We wanted to keep it small, there are six people on it, their charter was to go out and look at what other schools are doing, look at what their rules are for doing classified research, and then to make recommendations back to our office on how they might see us making changes to our policy. I can answer questions now, if you wish.

Q - The committee that you now have established--do you see that committee as being consistent with the one that is being proposed here today, regarding what you have done and what you plan to do?

The committee we have formed is a committee that is making recommendations about our policy, so it is not the same committee in the context of the resolution you are considering.

Q - Is the outcome of whatever your committee is going to do be made available to the Senate to help us deal with this motion in the fall?

Yes, we would provide that. Our committee is supposed to give us a report by the end of June or July, and we would make their discussion and recommendations available to the Senate.

Senate President Mattson: The resolution asks for a specific faculty advisory committee that approves, or not, the research itself, the acceptance of the contract, or the research grant, not necessarily the research policy--I believe that is what was being asked.
Associate VP Johnson: I want to make it clear that the committee that we formed is not the committee discussed in your resolution.

Senate President Mattson: So, what this is asking is that there be provision in the established policy such that there will be a committee that oversees and gives input on the contracts or the grants being considered.

Q - I would like the Academic Senate to be aware that the original policy on classified research actually came out of this body; that policy was approved in 1984, it was RSP 108. The policy was changed without reference to this body last year. The committee that John refers to has met once mainly to discuss something entirely different; one of the members expressed that they were too busy to meet. So, there is a lot of work to do before this is considered by the Senate in the fall.

I need to remind you that we may entertain questions of clarification today but this is not a debate as to the pros and cons on why we should do one versus the other.

Q - This resolution indicates that all personnel cannot do classified research. Will that affect faculty who are on campus but who do classified research at national labs?

It is not saying it cannot be done; what this is trying to do is clarify a policy that would remove some ambiguities that are currently operating, as we know or believe they are being done, and it would be a faculty advisory committee that would be created for approval of the actual research that might be requested outside of the regular IRP.

Q - But that is not covered anywhere in the resolution.

That is one of the reasons I want to introduce the resolution in its present form and give everybody who has interest in this important matter some time over the summer to re-write, suggest amendments to make, think about what the implications of the resolution are, before we bring back in the fall. We want people to think about how to best phrase whatever policy they may want to have in place. I think that was the intent of the resolution.

Q - We should be very clear on what the MIT policy actually says if we are going to reference it in the resolution.

Q - Is it appropriate to ask the administration what their concerns are? The reason why I say that is probably because everyone probably knows there was a brief article in the Arizona Republic about the classified research, and that this body would be discussing this resolution, and V.P. Fink, correct me if I am wrong on this, was quoted as labeling this as an "arbitrary policy." That bothers me because anything that has to do with classified research, it being many things, one thing it is not, is arbitrary.

VP Fink: I must comment that the article in the Republic had several inaccuracies and it seemed to be aimed at a specific agenda.

Q - If we are going to be discussing this, looking at other sample policies from other institutions, I would find it extremely helpful if this material could be put on a web site or some other central location. There is no reason for us to reinvent the wheel every year, just every few years. So, if samples from other institutions could be provided we should consider posting those materials.

Senator Rez has said he has this on a memory stick, and if he can give that to us, I will send it out.

Senator Rez: The actual MIT policy says that the Provost himself shall appoint a faculty committee for approving classified research, and it strongly recommends that they not allow classified research to take place on campus.
Q - Just a minor comment about the wording of RSP 404, it says in terms that it "indefinitely prohibits the disclosure of research results" -- I feel that a lot of industrial proprietary contracts never say "indefinitely." There is usually a timeline involved for disclosure. For classified research it is normally disclosed after 25 or 50 years, so you may want to reconsider that. I do not think there anything we would do that could never be disclosed.

Past President Garcia: I am concerned about the idea that we have a first read today and that somehow all of this information is disseminated to the Senate, and we are all informed so that in August sometime we could actually have a second reading. I would like to make a motion to table this resolution for the time being, until we get more information on it and then possibly after that we can figure out what kind of resolution should be proposed as a motion.

Senate President Mattson: We have a motion to table (not debatable) and a second.

Parliamentarian Watson: Perhaps a better motion that you may want to reconsider, is to refer this resolution to a committee where that information can be gathered and made available, and that might be better than to table the motion because it would help us achieve what we are after. I move to refer this resolution to a committee and that they receive the instruction that they report back to the Senate in the fall.

Past President Garcia: The maker of the first motion to table agrees to this. I would like to change my motion to refer to a committee, but I am not sure which committee that should be.

Senate President Mattson: You can refer it back to the Executive Committee because that is where it came from and that will allow everyone to have more input. We will distribute some of the samples of some of the other policies; we will enter on it some of the comments that I have received from other senators, so that we can come back and discuss more fully a proposal that will lead us to the objectives this resolution proposes.

Parliamentarian Watson: The seconder of that motion needs to agree as well. (Seconder agreed.)

Senate President Mattson: Is there further discussion. Hearing none, those in favor of this motion to refer to the Executive Committee for further study, input from the Senate, and dissemination of materials to the Senate, and further reworking of the resolution for discussion at a fall meeting, please say aye. Those opposed say nay. Are there abstentions?

Q - Excuse me, is this motion to be revised and brought back at the first Senate meeting in the fall for a new first reading? Or can this have a second reading? If enough information is satisfactory to the people that are considering it, it can come back for a second reading, but if they decide otherwise, they can delay it.

Q - Will this need to be disseminated to all the campus senates to consider?

This has not been raised as an issue on the other campuses. The new UAC structure that we are putting into place may discuss this in the future though, because research is an all-campus process, obviously and this would apply to all campuses, but I think that each senate will have to take this up on their own campus and the UAC works as a conference committee to find a resolution if there are differences.

Those in favor of referring Senate Resolution #50 to the Executive Committee for further consideration and reporting back for a second reading at a meeting in the fall, please say aye. Opposed say nay. Are there any abstentions? Hearing none, the motion to refer SR #50 to Executive Committee was unanimously passed by a voice vote of those present.

B. Committee on Committees (Pauline Komnenich).

The report on election results for vacancies on Senate Standing Committees are posted on Senate Web page. Please review them.
C. Curriculum and Academic Programs Committee (Mary Kihl).

There is a group of information items that are attached to the Senate agenda as attachment C, and they are also posted individually on the web page. Moving along, we have a couple of new action items to introduce. I would like to propose at this time that we suspend the rules to have a second reading on Senate Motion #45. (This motion and proposal are posted on the Senate Web page). This is a request to implement a new degree, the Master of Healthcare Innovation, proposed by the College of Nursing in collaboration with the School of Health Management and Policy in the W.P. Carey School of Business. Is there someone present who can answer questions on this motion? (Senator Komnenich and President Mattson were present). Are there any questions?

Q - Can we have an explanation as to why we are being asked to suspend the rules?

The reason is that this is the last Senate meeting of the academic year, and there is only one more Board of Regents meeting in June. The request is that we might be able to move the program forward.

Q - Would students be entering this program in the fall of 2006?

Yes that was the intent--it is an online program and they have already developed it and would like to admit students in the fall.

Are there other questions? Hearing none, those in favor of suspending the rules to vote on this motion please say aye. Opposed say nay. Are there any abstentions? Hearing none, we will now move to a second reading.

Q - Are we suspending the rules to vote on both S.M. #45 and #46?

No, we are considering them separately. Are there other questions? Hearing none, those in favor of this motion please say aye. Those opposed say nay (1 nay vote was duly noted). Are there abstentions? Senate Motion #45 was passed by voice vote of those present (Motion and proposal are posted on the Senate Web page).

Senator Kihl: I would like to move on to Senate Motion #46 at this time (Motion and proposal are posted on the Senate Web page). This is a request to establish a new undergraduate certificate in Arabic Studies, and it being proposed by the College of Liberal Arts and Sciences. Is there a guest that can answer questions on this motion? (No guest was present). Let me clarify that this motion also requests that there be a suspension of the rules to allow expedited consideration of this certificate.

Q: Is this a certificate in the study of Arabic language or a certificate for the Arab peoples, and if so, why Arabic versus Arab?

It is in the full sense of cultural terms, not just language.

Q - I wonder if Arabic 331, 341, and 351 are taught in Arabic, or are they English language courses, because if they are not then this allows 9 credit hours above the 300 level. I would like some clarification on that, and to know how culturally orientated this certificate is.

We asked this question in the CAPC committee ourselves, and the students who would initially apply to this program would have to come in with intermediate proficiency in Arabic before starting this program.

Senate President Mattson: I think for a certificate it will be ok. I worked with other some people from the department that was then Anthropology, on what would have been a cultural competency certificate at the undergraduate level. One of the discussion items was language proficiency and the people from linguistics felt that anyone should be proficient, and that they would need to come in either with a proficiency at a 300 level in order to take the language courses, or they would have to get there before they would actually be admitted. I think that provides a view of culture and how to interact with a culture and other facets of communication in a culture that are not only language, in a culture that is different from our own. That is what we did in working on the Anthropology certificate program in cultural competency. The language was
a piece of it but not the only piece, and if this indicates that students cannot come into the program unless they have at least upper level course proficiency in the Arabic language, I don't know what that would mean.

Senator Kihl: Is there another member of the CAPC committee present who could clarify that question for us? It seems that there is a language base and a cultural overlay for this certificate.

Q - The certificate programs throughout the university differ a great deal, and it is not as though there is some university wide standard (There is one--15 hours), so, for us to hurry unduly--it is not that we being asked to make the kind of judgment as we made on the previous motion--certificate programs are somewhat more flexible than degrees.

Q - As no guest showed up to answer questions on this motion, why don't we just wait for the second reading to occur in the fall.

Senate President Mattson: That is one option we can take up. At this time we either need to make a motion to waive the rules, which the CAPC chair already did, and that was seconded, so we need to vote on that motion first. All in favor of suspension of the rules and moving to a second reading of S.M. #46 please raise your hands (Seven votes were in favor). All opposed raise your hand (many more than seven were against). The motion to suspend the rules failed, therefore this motion will receive a second reading at the first fall Senate meeting, on August 28.

D. Personnel Committee (Doug Johnson).
We have three items of business from the Personnel Committee to present. These are largely housekeeping issues that tidy up the ACD Manual, and they try to codify things we have talked about this semester previously.

**Senate Motion #47 (2005-2006) (First Reading): ACD 505-02: Faculty Membership, Ranks, Titles, Appointment Categories, and Honored Positions** (posted on the Senate Web page). This policy is before you as a first reading, and there is a last minute request from one of our senators to make some slight editorial changes that would clarify that non-tenure accruing faculty members are assumed to be members of the Academic Assembly, with the exception of adjuncts, visiting professors, and others that have not been approved for that same membership. You will recall that there was an amendment to the bylaws to clarify membership by larger groups of non-tenure track faculty. There is some urgency in clarifying this issue now, and I have been asked to waive the rules to allow these revisions to ACD 505-02 to be implemented. The Personnel Committee moves this motion and it requires no second.

Senate President Mattson: It has been moved and seconded that we waive the rules to consider this item. Is there other discussion?

Q - I hate to sound like a broken record but I think if we have a procedure for a first and second reading on items, so why don't we wait for a second reading of this item?

I would say this not a consequential issue, that it is an issue that we have dealt with already and it is more of an editorial revision of our manual and could be expedited if we agree.

Q - Why is this considered for both readings now, if it is a change in policy?

It is convenient for the University to have a current document available for the university community, and this would accomplish that. It codifies what we have already done.

Senate President Mattson: It is not a change in policy, it is a change in the manual that needs to come back to the Senate.

Those in favor of waiving the rules and having a second reading on S.M. #47 please say aye. Opposed say nay. Are there any abstentions? (Two abstentions were duly noted.)
Senator Johnson: The motion before you then is to approve Senate Motion #47 as it has been read to clarify/revise the language of ACD 502-02, faculty membership, ranks, titles, appointment categories and honorary positions.

Parliamentarian Watson: Is the language "The right to vote in college or school faculties shall rest upon the same qualifications as the right to vote in the Academic Assembly" old language? The assumption being that this refers to college level and school, but not necessarily department level. That is correct because the bylaws of the unit would govern voting requirements.

Senate President Mattson: This motion was brought by a committee and does not require a second. Is there further discussion? Hearing none, all in favor of implementing Senate Motion #47 please say aye. Opposed say nay. Are there any abstentions? (Four abstentions were duly noted.). Senate Motion #47 was passed by voice vote of those present.

*Senate Motion #48 (2005-2006) (First Reading): ACD 506-06A: Expedited Review for Tenure and/or Promotion and Faculty Hires with Tenure* (posted on the Senate Web page). This again is clarification of a policy that we have already been following. These practices would assure that there is faculty input into the granting of tenure to new hires. The policy indicates that if the faculty member has tenure at a peer institution that would be honored, and in other cases, a university review committee would be constituted to provide a review of those tenured appointments.

Vice Provost Zatz: We have been using the expedited reviews for the past year and they are not in ACD Manual so we want to put it there. We have been using expedited reviews to the benefit of faculty, and we have been able to retain a lot of faculty who we would not want to lose. We have been doing that for over a year now but it has never made it into ACD, so this would get the expedited review process in the ACD Manual.

Senator Johnson: So, to clarify, this applies both to current faculty and faculty new hires.

Q - Are there triggers for expedited reviews, and is this going to be clearly stated? Yes, that is the intent. The expedited review is used in extraordinary circumstances. The university reserves the right to conduct an expedited review for awarding tenure and promotion to a faculty member when such action will serve the best interests of ASU. The decision to conduct an expedited tenure and or promotion review is an exception to the regular tenure and promotion review process described in ACD 506-03 and ACD 506-06, and will be approved only in extraordinary circumstances, which could include, but are not limited to, the decision of the university to respond to an offer of employment given to a current employee whom ASU desires to retain. The other case would be receipt of an extraordinary honor or award by a faculty member, which is likely to generate offers of employment bringing distinction to the individual and the institution, and three other circumstances which the dean and the provost may determine that would warrant expedited review. ASU has no obligation to consider or approve an expedited review at the request of the faculty member for any other circumstances, including any of the circumstances above.

Q - It is problematic that the triggers are not very clearly specified here in the policy. The intent is to provide a flexible framework for which we can respond quickly, in unusual circumstances.

Vice Provost Zatz: It does go through the regular P&T process.

Senate President Mattson: It is just out of cycle, and the Dean is the one that makes the request to the Provost.
Senator Johnson: This is a policy which could benefit the university if we approve it today, and I would ask you to waive the rules to consider this motion for a second reading and a vote during this session.

Q - Does this still require a vote of the faculty through the personnel committee? (Yes it still has that consideration.)

Q - I don't know how realistic this is, but it is conceivable that there could be someone who is hired as a senior administrator, and they could also be a candidate for expedited review for tenure, then later perhaps that person may decide within one or two years that they do not want to be a part of the administration anymore, or that faculty unit. That could have definite implications for faculty.

Vice Provost Zatz: There are two issues 1) There are faculty that we risk losing, and we don't want to do that. It a question of can we move quickly through a review that goes through all those same levels, and that is the expedited review process. 2) The thing that is newer here is that we used to be able to just bring someone in and give them tenure, without there being any faculty input. That is what has changed from last month's meeting and today's--we now have a process with faculty review. So, I think that we have strengthened the faculty part of it. What you are suggesting could still happen, but it is less likely to happen than it would have been two months ago.

Q - I would like to speak in support of this motion because it subjects these expedited hires to the same criteria as the rest of us are subjected to, and that means there is a level playing field.

Parliamentarian Watson: That was actually slightly out of order, because we have not moved to the second read yet.

Senator Johnson: May I move then to waive the rules to vote on S.M. #48? The motion to suspend was Seconded.

Senate President Mattson: Is there any more discussion on the motion for second reading. Hearing none, those in favor of waiving the rules to have a second reading please say aye. Those opposed say nay. Are there any abstentions? The motion to suspend the rules passed unanimously, therefore, the motion before you is Senate Motion #48 now, and it does not require a second. Is there further discussion before we vote?

Senator Johnson: We are trying to remedy the situation where we have lost faculty, because we were not able to give a timely review to people that had recent offers. We have a policy now that indicates the calendar for a review process and that is essentially the annual review.

Q - I would very much to recommend that rather than having different policies, it would be much better to have the language in the existing promotion and tenure policy.

It is not a different policy, it is an expedited process, it is the same as the P&T process but faster. This is a modification of the ACD Manual that describes the regular review process, and it is the exception that allows a quicker clock.

Senate President Mattson: This is ACD 506-06A. ACD 506-06 is the number for the P&T policy and as Vice Provost Zatz indicated this is part of that policy. I don't know that that there another policy stated in the ACD manual which says that if one part of it gets changed something else automatically gets changed--is that what you are asking? It is part of the standing promotion and tenure policy. It is something that has gone on, or could continue to go on because there was nothing in the policy manual to say it could not or that it could. I think we are trying to make more transparent the process that is going on, with the approval of this body so that it can become part of the promotion and tenure process.

Q - Shouldn't there be similar language developed for academic professionals?
Vice Provost Zatz: That would only be for considering continuing status for librarians. No, that has not been discussed. That could be a next stage of this process. We brought this forward because we have been doing this for a year and one half and it needs to be in ACD Manual. It is in the faculty interest and if the Academic Professionals want to consider this also, we are not opposed.

Senate President Mattson: All in favor of approving Senate Motion #48 please say aye. Those opposed please say nay. Are there any abstentions? (Three abstentions were duly noted). Senate Motion #48 was passed by voice vote of those present.

Senate Motion #49 (2005-2006) (First Reading): ACD 506-09: Joint and Affiliated Faculty Appointments along with the form, "Joint Appointment Memorandum of Understanding" (both are posted on the Senate Web page). The intent of this motion is to provide more flexibility for those who will seek joint appointments, to allow joint appointments to occur when there is no financial support but significant involvement of a faculty, in more than one area. We are again trying to make the policy more flexible, make it a little bit more faculty friendly, and to codify it so everybody understands what the rules are. Again, I am asking to waive the rules on this so that we can accomplish this.

Senate President Mattson: We will move to have a second reading and then vote. Those in favor of moving to a second reading please say aye. Those opposed say nay. Are there abstentions? (Two abstentions were duly noted). Senate Motion #49 was passed by voice vote of those present.

Senator Johnson: ACD 506-09 is before you as a second reading. Is there further discussion?

Q - You had said something about a 50 percent split between two departments but only one would have the pay line? Why would you pay for one line, and not the other?

There would be a template that would link in--where you would lay out and everyone would sign off on it--indicating here is the agreement in terms of personnel matters and what the input of both units would be at to FTE agreement, and the grant agreement. It would be clearly stated as to the involvement and what the rights and responsibilities of the faculty member are but it is explicitly designed to be able to facilitate interdisciplinary connections. If one department wants to say no, because they are paying salary, they do not have to sign off on it. It does separate out the involvement of the faculty member in two units, an alliance of two units occurs without being tied to a fiscal split. Again, it is something that we viewed as faculty friendly to facilitate things that faculty are trying to do, in reducing one of the barriers to doing interdisciplinary work across departments and across institutes in departments.

Q - Are you saying then that departments could opt out of the evaluation component?

No, there will be a template put together that will clarify what the involvements are going to be, whether one is giving comment to the other, or it is a joint committee, or what the personnel package will look like, and if there is more formalized input from the secondary unit.

Q - I am supportive of this motion because it provides flexibility that is a choice, and is not ordered.

Senate President Mattson: Each department acknowledges in writing what the expectation is, and that is what we are talking about with the template. Each unit acknowledges in writing the faculty, chairs, deans as to how much this faculty member will contribute to each unit and it is spelled out. In the past, I understand that the only way you could do this is was if there was a financial split as well, and this just opens up the possibilities if units are willing to do interdisciplinary work and may have some of their faculty teaching a few classes in another department. This lends their expertise to that institute, or that center, or that program of courses that is facilitating interdisciplinary work.
Q - Having been directly involved in hires like this, I am happy to see that we plan to spell things out clearly at the beginning.

Q - Do you see this policy having application to faculty at ASU who will be participating in the Medical School at Downtown, where there might be a possibility of joint relationships with the departments down there? Is the plan to have something in place that could later be massaged, and become the basis for joint appointments with departments not necessarily at ASU?

    I think as we start talking about appointments outside of ASU, we tend to get into memorandums of understanding that the lawyers draw up, but it is the same idea.

Senator Johnson: This is consistent with contract terminology.

Senate President Mattson: All those in favor of approving Senate Motion #49 please say aye. Opposed say nay. Are there abstentions? (One abstention was duly noted).

Q - Is there any update (to Senator Johnson) on the proposal that would allow faculty to make a one-time switch from optional plans into the State Retirement System?

    We have had a discussion with the State Retirement System, and in House Bill 2163, they have asked for a clarification of amendments. After receiving assurances from ASRS that they would embrace and facilitate our bill next year, we have decided not to move ahead and amend theirs. What we have is a commitment from the ASRS to evaluate the specific data of our faculty to determine whether or not there really is a benefit there. It is an empirical question. And it is even more complicated, if you consider the political nature of some of the assumptions in the bill.

E. Student-Faculty Policy Committee (Bill Verdini). No report. I just want to thank the Provost Office for convening the Academic Integrity Council.

F. University Affairs Committee (David Burstein). There will be an Academic Assembly vote on including the Emeritus College members as full voting members of the Academic Assembly and that will be done in the early fall.

7. PASSING OF THE GAVEL & ADJOURNMENT

Senate President Mattson: It has been a very interesting year and it has been a challenging year. I have enjoyed broadening my horizons at the university and getting to know a lot of people that I probably would not have gotten to know, if I had not been in this position. I would like to thank all of the people that made the job as it was--the Executive Committee, the committee chairs, and all of you, who very thoughtfully considered the resolutions that we brought to you--some more than what we would have wanted--but that is the nature of the body and what we need to do as true citizens of the university. The Provost Office has been wonderful--Milt and Marjorie has played an advisory role with all our personnel issues, on the Promotion and Tenure Process, and in moving forward with the University Academic Council governance structure. I think we have actually achieved a few things this year (as well as helping ourselves go around in circles sometimes.) At this point, I would like to hand the gavel over to Duane Roen and let him take over the meeting.

Senate President-Elect Roen: To help Susan remember this year, which she probably does not need any help remembering, and a year that I hope she looks back on very fondly, we are very fond of you, Susan, and very appreciative for all that you have done for us this year. I assume that most people in this room know how much Susan has done behind the scenes, but as an observer who has seen her in all sorts of meetings that some of you were not able to attend, it is just incredible what she has done for us this year, and we should all be very grateful and to show that gratitude we have two things to present to Susan. One is a plaque that is inscribed, "In appreciation to Susan D. Mattson, President of the Academic Assembly and Senate, 2005-
2006; Thank you for being a tireless advocate of P&T proposals and of a University-wide Governance Structure, at One University in Many Places; One Of, If Not The Most, Avid ASU sports fan; the College of Nursing's Best Kept Secret Promoter of New Health Programs; We know that you will continue to be an advocate of shared collegial governance "Downtown" with Mernoy."

Senate President Mattson: Thank you all very much and this plaque will have a place of prominence on whatever wall I find, wherever my office is, Downtown. Thank you.

Senate President-Elect Roen: And also, we want to give you a gavel that is inscribed, "Susan D. Mattson, President of the ASU Academic Assembly and Senate, 2005-2006"--Remember us all. If there is no further business to consider, we are now officially adjourned. The meeting was adjourned at 4:50 p.m.

Respectfully submitted by:

Anne Kopta, Secretary of the Senate
Darby Shaw, Executive Assistant
Appendix A

Academic Senate                    Second Reading --Passed 5/1/06
Spring 2006 Session

Senate Resolution #31 (2005-2006)

Introduced by: Executive Committee (Susan Mattson, President; George Watson, Parliamentarian)

Date of First Reading: April 10, 2006

Date of Second Reading: May 1, 2006 (Passed)

Title: Faculty Governance Related to Hiring of Faculty

This resolution is being presented in order to review and re-affirm existing policies related to faculty participation in the hiring processes that are contained in ACD 111-01. It is intended to empower and inform faculty of these policies and comes as a statement of strong support for faculty and Senate participation in the hiring processes at the university and unit levels.

Whereas the Arizona Board of Regents (ABOR) Policy Manual mandates that "Each university president shall establish written procedures through which faculty, heads of academic units, and deans shall have opportunity for effective participation in deliberations leading to recommendations for appointment of faculty members;"

Whereas in pursuant to this and other policies established by ABOR, the Academic Affairs Policies and Procedures Manual (ACD) “provides information for ASU faculty and academic professionals and their administrators on academic organizations, governance, personnel, and programs;”

Whereas ACD 111-01 (see attached) specifies the roles and rights of faculty in the hiring of academic personnel and the promotion and tenuring of faculty;

Whereas faculty is defined in ACD 502 as "all employees of the Arizona Board of Regents in teaching, research, or service whose Notice of Appointment is as lecturer, senior lecturer, instructor, assistant professor, associate professor, professor, clinical faculty, professor of practice, research faculty, or persons who are otherwise designated as faculty on the Notice of Appointment;"

Whereas it is appropriate from time to time to review, clarify, and reaffirm these policies and procedures so that all academic personnel may be familiar with them;

Be it hereby resolved that:

1. ACD 111-01 governs the establishment of search committees and provides for faculty recommendations in the hiring of faculty, chairs, deans, and vice presidents and the promotion and tenuring of faculty.

2. ACD111-01 applies to the hiring of all faculty as defined by ACD 502.

3. Members of the Academic Senate be instructed to report to the president of the Academic Senate any lapse in their respective academic units to implement fully ACD 111-01.
4. The president of the Academic Senate report to the university provost any failure in the full implementation of ACD 111-01.

5. A copy of this resolution be provided to all faculty, chairs and directors of academic personnel hiring units, deans, provosts, vice-presidents, and the president of the university.

ACD 111-01
Purpose
To implement the principle of shared faculty/administration governance at Arizona State University

Sources
Academic Senate
Office of the President

Applicability
Faculty

Policy
Faculty and Chair Search Committees

The administrator responsible for the hiring decision will be responsible for constituting a search committee. At least half of the members of the search committee shall be elected by the members of the academic unit; remaining members of the search committee may be appointed by the hiring officer. Alternatively, the search committee may be constituted by other democratic processes defined by the unit’s or the college’s bylaws. Search committees must include trained unit or college affirmative action faculty representatives.

Dean and Vice President Search Committees
Every search committee formed to evaluate applicants for an administrative appointment to the position of dean or vice president shall include an academic senator appointed on the recommendation of the president of the Academic Senate. In the cases of searches for deans, the appointee must be from outside the unit conducting the search.

Faculty Recommendations
In searches for unit chairs and/or heads, all tenure-track faculty within the unit will have the opportunity to participate by vote, such as by the vote of an elected personnel committee, or by other democratic processes as specified by the individual unit’s bylaws. The voting results will be available to voting members, and the faculty’s vote will be transmitted to the appointing authority along with evaluative reports providing a full assessment of strengths and weaknesses that have been prepared by faculty representatives.

In decisions to appoint, retain, grant tenure to, or promote faculty, tenure-track faculty within the unit will have the right to participate by vote, such as by the vote of an elected personnel committee, or by other democratic processes as specified by the individual unit’s bylaws. In these kinds of personnel decisions, individuals should not vote on the same action at more than one level.

Also, unit policies and bylaws should be developed to ensure the confidentiality of the vote and to minimize the negative consequences on candidates and the individual ultimately selected. For example, it is better for votes to revolve around the acceptability of individual candidates rather than around comparing and ranking two or more candidates.
Appendix B

Senate Resolution #50 (2005-2006) (First Reading)(Successful motion to refer to Executive Committee for further study and report at a fall Senate meeting)

PROPOSED ACADEMIC SENATE RESOLUTION

Whereas according to RSP-404, Arizona State University "will not accept a grant or enter into a contract with terms that indefinitely prohibit the disclosure of research results," this document indicates two exceptions:

a) the project represents a critical public service or serves to protect national security, and
b) the university is uniquely qualified to provide the required services because of personnel, facilities, location, or other special consideration.

The rapid expansion at Arizona State University of the infrastructure and personnel that could be used for classified research requires a clarification of the above exceptions to prevent their misuse and remove all ambiguities. Accordingly, the Senate resolves, in the spirit of similar policies at other institutions, such as the resolution passed in MIT*:

1. Exception a) will only apply under an extraordinary national emergency. It will require the permission of the provost, in consultation with a new faculty advisory committee created for this purpose.
2. Exception b) should be interpreted as requiring an explicit request to Arizona State University from federal, state or local authorities. Such activities should be short-term.
3. All classified research activities under the two exceptions in the RSP manual should be carried out off-campus. No current campus area will be designated "off-campus" for the purpose of carrying out classified research.

*use web link below