Academic Senate Summary  
Monday, March 29, 2004  
SCOB Room 228  
3:15 – 5:00 p.m.

Present: Adams, Allen, Allison, Anderson (Marcia), Anderson (Lisa), Armbruster, Baldini, Blumenfeld-Jones, Booth, Brock, Canary, Carroll, Chen, Cohn, Colbourn, Crozier, Danzig, DiFelice, Dumka, Dwyer, Glick, Goad, Guleserian, Gustavsson, Happel, Haynes, Humble, Hunter, Johnson, Karady, Keim, Kerr, Kopta, Koshinsky, Krus, Landers, Lattouf, Lynch (John), Lynch (David), Magana, Marchant, Mattson, Mayer, Mulvihill, Rez, Rice, Sifferd, Solis, Steadman, Stromwall, Thornton, Timothy, Tipton, Trotta, Tsakalis, Umberger, Verdini, Watson, Williams, Witt


Guests: Noel Fidel, Associate Dean for Program Development, Law College

1. Call to Order.

The meeting was called to order by Senate President-Elect Barbara Kerr at 3:20 p.m.

2. Approval of the Previous Minutes (March 1, 2004).

The minutes of the March 1, 2004 Senate meeting have been posted on the web and emailed to senators. Senator Allen made a motion to approve the minutes, seconded by senator Mattson. The minutes of March 1 were approved as written.

3. Announcements and Communications.

3.A Senate President's Report (Tony Garcia).

President-Elect Kerr: Today we will have the first reading of the promotion and tenure item (Senate Motion #14) and a number of other important items. We will skip over the Senate President's report, because Tony Garcia is out of the country and we will move to the Provost Report.


I first want to address the main item on the agenda and that is the Promotion and Tenure Report. First you should know that President Crow is energetically focused on his response to the University Design Team and on my response to the University Design Team report. Within the next three weeks he will give his recommendations; he will respond to each of the recommendations I made but in addition he will have other recommendations. As he pointed out at the last meeting, he is seriously engaged in how we look at what we have to have 10-15 years from now. If we froze decisions now and waited ten years, it would be too late to make those decisions.
Secondly, the Board voted on tuition at its last meeting as you are aware—the $50 fee for the SRC/Memorial Union was not passed in the student referendum. The Board indicated their desire not to have across the board fees, and they even increased President Crow's recommendations by $130 which would bring our recommendations closer to those of NAU and the UofA, so that undergraduate resident tuition will have a $465 increase this year; undergraduate non-resident tuition will be raised $800 and graduate tuition will increase by $1330. We will also implement many of the things we were planning to do with respect to student health--on all the campuses we will add student health opportunities including reducing co-pays and adding new services. We are also going to have 100% tuition waiver for half-time teaching assistants and research assistants, which as you know has been a top priority for our graduate students for a number of years. We are very pleased to be able to implement that, thanks to the support of our students.

We are still waiting to hear on the state budget. Right now, the Governor's recommendation is still on the table—that was $10 million in salary increments for faculty and staff at ASU and $13 million for enrollment growth at ASU. In addition, she presently has some money, about $3 million to cover increased health benefits for ASU faculty and staff. Right now she doesn't have any votes in the legislature, that is she may have some votes, but the legislature has not voted; they have been working both in the House and the Senate on their budget recommendation. My sense is that they conceptually are supportive of the Governor but they do not believe there is enough money. So, I say to those of you that have influence with representatives or senators, we think there is a good chance a budget will be made in the next two to two and one half weeks, so this is a good time to remind them of how central the universities are to the future of the state. We are trying to avoid getting in competition with all day kindergarten. Many of us also believe that all day kindergarten is critically important to the state. We don't wish to make it one or the other. We think these are the central issues facing Arizona.

We are involved in two major searches at present, a provost for ASU East and we are now engaged in off-campus interviews with a few candidates. We hope that within the next two weeks we will bring candidates to campus. As you know since our last meeting, Provost Maimon at West has stepped out of her role as provost. It is late in the year and we think that campus is at a point where continuity would be important, and we have appointed a search committee which will do an internal search (internal to all of ASU). If you have people you think would be good candidates for Provost of ASU West, please get their name in to us. You will receive a solicitation for nominations and applications by email. We are on a very tight timeline and we do not like to make announcements after classes are out, so our goal is to make an appointment by May 4 and that is a very ambitious agenda. We are going to do our best.

Finally, we are having the last of the most important presidential debates at ASU on October 13 in Gammage Auditorium. That will cause some amount of disruption to the campus; people on the planning committee are working as hard as possible to minimize those disruptions. Gammage will be out for an entire week. There will be parking lots that are out for a week, or even more as they set up reporters' facilities and other facilities. We are trying to limit closure of classrooms near Gammage--people are working very hard on this but you need to understand we are at the beck and call of the Secret Service and we are pressing them not just to limit the impact, but also to give us as much advance notice as possible, but we understand that up to the date of the event the secret service will be making decisions and we understand why they have to do that. Certainly the safety of the campus and of the leadership of the country is of prime importance to us. We are going to ask you as you may start to hear rumors (like the one I heard that the entire campus was closed for a week which is not true,) please feed those rumors to us and we will try to track them down because as usual there are a few scare-mongers out there. As I told you, we are dealing with the secret service and the first word in their name is SECRET. We don't quite know what that means.

Let me move on to the promotion and tenure report. Do you have questions on this issue?
Senator Rice: When is this debate going to occur? (October 13.)

Past President Watson: Milt, who is heading up the planning committee from the academic side? I have had a couple of faculty members ask about that.

Provost Glick: Ruth Jones is representing our office and there is a faculty member on the planning committee. Tony Garcia is the faculty representative on that committee. The debate will be on October 13. It is a Wednesday, which means they will probably not have an episode of "West Wing" that night. Neil Giuliano is the key person out of Public Affairs along with Colleen Jennings-Roggensack and Bob Wills because the College of Fine Arts is going to be most affected because they have a number of classrooms in Gammage plus the Music Building right across the street from the Gammage Auditorium and those buildings will be directly impacted. One of the concerns we have is how do students even get their instruments to the building, if they have to park far away. We are trying to figure out ways to minimize negative impact on the campus but it is a day by day adventure. Are there other questions or comments?

Let me briefly go through the recommendations for changes to promotion and tenure policy and procedures. This will be on your agenda today for a first reading, which means today should be largely clarification questions, and when I finish my report I will turn it over to Susan Mattson who is chair of the Personnel Committee. The charge to the special task force we set up was to develop a model which increases the expertise involved in promotion and tenure, which gave us more flexibility to get additional items into the mix, ability to check with people, some flexibility to check with people on timelines, and third to move from a campus-based faculty process to a university based faculty process. We asked that committee to give us a report, which they did and we then put that report on the web and received comments and input from faculty across the three campuses. Gail Hackett from our office has been the lead on this so, I will tell you more than I know, and then if you have questions, Gail can clarify what I said.

You have in your folders my recommendations and behind that a matrix showing the present status of the committee recommendations. My recommendations deviate from the committee based on the input received from a variety of faculty. If you look under general recommendations, we have already extended the deadline for notification to 5/14, but we think in the long run we need to have much more flexible timelines. We would like people--the university committee that we want to establish--to get a start with recommendations from the smaller colleges, earlier rather than having them all come in with the same deadline. Secondly, the departments and units are asked to have clearly stated, approved criteria benchmarking their appropriate peer comparisons, and reflecting unit goals/directions. We have increased the number of external letters from 6 to 10. That has already been done. We also are changing the rules for external reviewers so that at least 1/3 will be from the candidates' lists rather than 1/2. Generally this will make no difference in whose is chosen, because in many cases the chair and the faculty member have the same list but nonetheless it does give more flexibility. We also want to reinforce the idea that the dean has the final responsibility for making sure that there is a good set of reviewers. For schools and colleges, the major change is that up until now the college committee could not ask for additional information. The task force recommended that the committee may ask for additional recommendations and they also consult external scholars if there is not sufficient expertise within the college. Campus/University--all p&t recommendations will come to my office but the president would make the final decision as he did last year, and as he will do this year. That has always been the policy but the last president chose to delegate that policy to the campus programs. The president feels that this is the single most important thing he does and he does not wish to delegate that job, although he has a great deal of interaction with our office and we try to come to mutually acceptable decisions. We also want an all-university promotion and tenure process; the committee recommended an ad hoc committee for every single case, including two external evaluators. We became
convinced of this partly based on the feedback we got from faculty on the campuses. Having an external person on every committee would just bring the university to a halt! So, instead we have said that we will have ad hoc committees with greater expertise to bring greater expertise to the case and that ad hoc committee may consult with external authorities as may the president. We haven't really decided how the ad hoc committees are to be developed and that would be an implementation issue, but one possibility is that we would find 6, or 5, or 7 broad areas, where we appoint a three person committee and then we would add two people to that committee, so that the three-person committee may have a half dozen cases, but there would be two people who are closer to a particular subfield filling out the committee. That would give greater focused expertise but at the same time, some consistency across the campus and the university, and the intent is that there be a Senate representative on every one of those committees so that would be another validation of our process. The committee's recommendation would also allow the president and the provost to consult externally where it would be helpful. Presently, it is not forbidden but historically that option was not being utilized. Finally, for each of those ad hoc committees, a provost would charge that committee as to what was expected for that unit to give it a context. There would also be an advocate presenting the case, which generally would be the chair of the department—in specific cases, especially in those cases where the chair either disagreed with the committee recommendation or felt that he or she did not have sufficient expertise, there might be an alternate advocate in place of the chair, and that person in many cases could be very brief in their presentation of the case because the record speaks for itself, the important thing being a chance to ask questions and interact with the ad hoc committee. Finally, our goal would be to have this policy passed by the Senate (all three senates) this year, and in the fall we will create an implementation task force to design an implementation plan that would be ready for fall of 2005. That completes my comments on the report and unless there are some particular questions for me, I will turn it over to Susan Mattson and I will be available for questions.

President-Elect Kerr: Thank you Provost Glick. I wanted to mention that much of the work of responding to this proposal of the task force for the Academic Senate has fallen upon Sue Mattson and her Personnel Committee and they worked all year long examining every sentence in order to weigh the value of each aspect of this for the faculty. So, I just want to thank you for the hard work that you have done, Susan, and we want to have a first reading of this now.

3.B.1 Senate Motion #14 (2003-2004) (First Reading).

Senator Mattson read the motion: "The Academic Senate Personnel Committee recommends Academic Senate approval of the Executive Vice President and Provost's recommendations on the Promotion and Tenure Task Force Summary (March 2004)." All related documents are posted on the Provost Web page at: http://www.asu.edu/provost/personnel/pt (4th, 5th, and 6th bullet points under P&T Task Force heading).

Senator Mattson: Provost Glick has identified where the changes are; you were notified a week ago that these documents were available on the web and you have a copy in front of you. There is a brief executive summary that Dr. Hackett put together to summarize the changes, which Dr. Glick went over with us and you do have his letter of recommendation and the matrix that he spoke of. These were what we used in looking at this within our Personnel Committee discussions to help us know what is going on now and what may be happening in the future. When the committee looked at this, it really did seem that the recommendations that came in the official report from the Provost's office were an attempt at a compromise with the original recommendations of the task force, what some of the faculty and the other members of the academic community turned in as recommendations or comments on the report, and what the Personnel Committee turned in, and I really applaud him for being able to sort through all that and come up with something that sounds even half workable and sensible. As he said, there will be an implementation task force established over the summer and the fall to work out some of the specifics on these processes, because
we had a lot of questions to answer such as how we will get these people and what does it mean, and a lot of our concern was with the procedure part that the implementation task force will be working on. They will be working from this guideline, from the outline you have today, to develop protocol. We can take some questions now. Gail is here. Milt will be glad to answer some. It is not necessarily designed to be a big discussion, but for clarification purposes at this meeting. Next month's meeting will be the one where we vote on it and when you might be able to bring back comments from your faculty who have not had a chance to discuss this yet.

President-Elect Kerr: So I understand that these questions that we have at this point should be clarification questions, and that we ask you to come back to the next meeting prepared to give us the opinion and responses of your faculty. Please make those clarifications now which you will need in order to present this to your faculty.

Senator Haynes: I have the task of trying to explain this to my faculty. Obviously we have some very nervous junior faculty. My question concerns the ad hoc committee, and it is portrayed here as being one possibility. Then it was discussed later that the implementation team will develop protocol for this policy. Is there any potential for us discussing more structure of the actual form of that ad hoc committee before we act upon this in April, or is that pretty much the way you intend to leave it?

Senator Mattson: Gail Hackett articulated very well the Personnel Committee debate on this--these are proposals and ideas of how we might pull them together. Did you want to give them your idea Gail--that Milt alluded to--about these broad disciplinary areas that will be composed of three people somehow elected or appointed? This is the question that we have not answered. One senate representative to each broad disciplinary area and then two more people appointed jointly by the candidate, the dean, whoever will do that, from as close as possible to the candidate's field in either research or teaching or interest, to be the best expert in the area to review it. Does that capture what your original thoughts are, Gail?

Vice Provost Hackett: That was the general idea. The notion is that we are trying to bring more expertise to bear so that the decisions can be substantive, but we are also trying to avoid having to create a new ad hoc committee for every single case, so that there will be some continuity across the campus and assurance of consistency and fairness running through the cases. It is really a compromise because we have a standing committee that is in the general disciplinary field, and then two individuals who will be chosen specifically. The issue about exactly how the committees will be formed we feel will take some discussion, and these are just ideas about where we are going and the idea about the implementation task force will come later, that we approve the general direction now, then we put together an implementation group of faculty and administrators who would go through a process similar to what we did when we implemented the post tenure review process. It would be an iterative process. The implementation group would come up with some ideas, come back to the Senate and the administration, get feedback and direction, and get told what will work and what will not work, then go back and do some more work, come back again and that this would be the implementation process when completed.

President-Elect Kerr: Senator Haynes, I understand that the short answer to your question is that yes, the period in which the general shape of the proposal was open to feedback is now closed. However, the period that would be opening now is for the ways in which the actual plan will be implemented, the details of the proposal, which will be open to feedback at the time the implementation team is making their recommendations.

Senator Mattson: Milt has something to add.
Provost Glick: I was just going to say that we do intend to bring the implementation task force report back, but first let's get the policy approved and then we will go through and work out how to do it.

Senator Rez: Does any other university with the diverse range of activities that ASU has, or comparable to what ASU does, have a system such as this? That is my first question. My second question is what happens to the implementation task force, if this body were to actually turn this proposal down?

Provost Glick: The first question Gail may know more than I know on this one, but yes there are other institutions with very complex disciplinary distributions that have ad hoc committees, so the answer there is yes. Second, this Senate is advisory to the university president, so, obviously if this body said "no" he could still implement such a policy. We would not like to implement it that way, that is, we would like to believe that if you don't want to approve this, you would have good reasons for it and you will give us alternatives that allow us to keep our goal. I would be unhappy if we ended up with "no" and we have no better ideas, but if there are better ideas, we think that we want the best possible resolution.

Senator Blumenfeld-Jones: I want to ask a question about the origin of this whole process that has been undergone. I took an opportunity to watch President Crow talk to our junior faculty. I listened to that, and a basic concern I have heard from President Crow was that he was receiving uneven files from various candidates and sort of inadequate evidence in some cases, and good evidence in others. He was unhappy with that kind of unevenness, and I think I appreciate that difficulty in having to make decisions about people's lives. However, I am wondering if it was considered (and I have some questions I want to ask so that I can talk to my faculty about why we are doing this at all) whether or not we could simply go back to the college to give better instructions to the junior faculty who are submitting papers and better instruction to the mentors in our colleges about how to put together a file so that it is accurate, rather than these recommendations, which I feel are rather huge changes in the process.

Provost Glick: I can answer that. We think that is half of the problem and this process does the bottom half. The second half though is that we believe there should be really serious substantive review at the university level and that having a committee of 10 generalists doesn't really give that committee as much expertise, so that we would like to make recommendations. We believe that there should be serious university wide review and by having ad hoc committees to enhance the ability of those committees to make such a review possible.

Senator Mattson: Some of the onus is also on the department and division chairs to help the candidate as best as possible, and there are some professional development workshops, opportunities, that Nancy Gutierrez is working on, primarily to help chairs. Gail held workshops last year too to look at what are the best ways to select reviewers and how to best present a good case, if this is true. If you want this person promoted this is the best way to promote the case. It is a combination of education for us all, the candidates as well as chairs and deans as the way to put together a best packet and a way to facilitate bringing as much particular expertise in an area to review the documentation that is there. It is a combination of both your questions Senator Blumenfeld-Jones, as to why we just don't work with the candidates more and the college and units on the development of a file--the idea is to have a university level review that is more substantive; we must have a really clear idea of the work of the candidate. That is my understanding.

Senator Danzig: I have a question about the next meeting. If we come to the April meeting with information that says we support some things, and there are other points that we don't support--how that will be taken up at the next meeting? Will we support bullet by bullet, or will we support amendments or alternate wording? I would like to hear that process explained.
Senator Mattson: I don't know that we will do it bullet by bullet necessarily. Can we make amendments to the report saying that this is approved?

Provost Glick: We definitely have the freedom to agree with parts and disagree with others. I believe that your officers will decide what is the best process to make that happen, whether we go bullet by bullet or just amendments from the floor. We need to choreograph a process though that allows a systematic vetting of the entire thing.

Senator Blumenfeld-Jones: May I suggest that the way it should work is that once the motion is made, according to *Roberts Rules of Order*, the motion is no longer owned by the motion maker once it is read into the record. It is owned by us (the Senate). It has to be read word for word and if you make any changes before discussion starts (simple word changes can be made for clarification)--once the first person has begun to speak to the motion, it is no longer owned by the maker of the motion, it is owned by the Senate--and every change in it must come as an amendment to the motion, not one that is a friendly amendment by the motion maker--rather the amendment must be voted on, and we then must agree to that change.

Senator Mattson: That is what I was going to say. In the past that is the way it has been done. You can make amendments and the body can choose to accept those amendments, or not. That is all part of the discussion period and then the final vote is on the amended motion. That is what we will do next month. It could get lengthy unless we get together and do what we can do as efficiently as possible. That is the point of the next reading.

President-Elect Kerr: Thank you for that clarification, and also we will at the next meeting, while we do the discussion, observe *Roberts Rules of Order* so that one person cannot speak a second time until all who want to speak the first time have spoken, and that each person will need to be recognized by the chair, who will be Tony Garcia.

Senator Colbourn: I had a question about the role of the advocate--that the dean appoints the advocate. Maybe this is an implementation question, but I was interested in knowing whether the chair or the dean doing the evaluation knows whether in fact they are or are not the advocate of the candidate?

Senator Mattson: I don't know if that has been determined. The candidate and the dean consult on who the advocate would be and that ordinarily would be the chair. I don't know exactly when in the process that occurs, whether it is before the chair writes a letter or not.

Provost Glick: I would say the chair acts as the chair when evaluating--the issue of who is the advocate comes later. We do not want chairs to prejudge whether they are for or against--we want them to judge the quality of the candidate. Once they have made that judgment, then it can be determined if someone else should be an advocate.

Senator Colbourn: Would the same thing be true about the dean then, that if the dean is going to select the advocate that it would be done after the time that the dean writes a report?

Provost Glick: Yes.

Senator Mattson: That is one final step before it goes out of the college.
Senator Stromwall: I would like to ask a point of clarification of the motion that is going to be made. As you read the motion that referred us to the web site--the paper that we have with bullets, and the letter from the Provost, and a matrix, can you clarify what exactly we have in our folders.

Senator Mattson: You have the executive summary. The second item is the official recommendation from the Provost. The matrix is just additional information that provides an ease in seeing where some of the changes have occurred. There also is a copy of the feedback from the web that was given during the comment period on the P&T II task force report. The official Senate Motion #14 is that we accept this set of recommendations on the P&T Task Force Report (Provost's letter of March 5, 2004). We will look forward to more discussion next month.

3.C Senate President-Elect’s Report (Barb Kerr).

For the President-Elect's report I will simply tell you that our Assembly election process has begun. We have two excellent candidates for President-Elect and many other excellent candidates for our other positions. Please vote and make sure that people in your department vote this year. This Senate will be considering some of the most important changes next year that ever have occurred in the university's history, and the people who will truly be engaged in the leadership of the Senate--So please vote and encourage your colleagues to vote. Our candidates for President-Elect are with us today--Susan Mattson, Nursing, and George Karady, Electrical Engineering.

3.D USG President’s Report (Brandon Goad). No report.

3.E Past Senate President’s Report (George Watson).

I want to remind you, if you have not done so already, talk with your chair or director and make sure that at some departmental meeting before the end of the semester that you talk about PLUS MINUS GRADES and that you have that discussion within your faculty over the summer. A one-page report is up on the Senate web page under issues that describes the process. There are decisions to be made, as we have talked to you about at previous meetings, and I will remind Tony to send you a memo outlining a couple of the major things that we want to make sure that the departments have discussed. One of them being, for example, multiple sections of the same course, and whether or not faculty are going to agree or perhaps agree not to agree, on whether or not they are going to implement plus minus grading in their classes, and how they will use pluses and minuses in the grading of multiple sections of the same course. It would be nice if we all could have that discussion before the end of the semester, and make sure questions that your faculty have are answered.

Senator Mattson: Something came up in our college. We have a standards committee that is considering this issue, or how they are going to implement it. They wanted to know if the college as a whole can choose not to do it. It is ok for individual faculty to choose how they do their grades, but could the college as a whole vote to use plus minus grading or not use plus minus grading, or the undergraduate program versus the graduate program or something like that?

Past President Watson: My sense of that--and others can tell us their view--is that we have defined now what ASU's grading system is. I don't think you can tell an individual faculty member, or as a college decide to say that you can't use the university's grading system. My answer to that would be no. That would be a violation of academic freedom of individual faculty members to be able to use the grading system that has been officially set forth by the university.
Senator Mattson: Ok. Thank you.

Past President Watson: You can recommend something and you might suggest that faculty members may want to consider something, but I don’t think you can say no.

President-Elect Kerr: Senator Mayer has asked to interrupt you George, to deal with an item of business further on the agenda because his guest just arrived to speak to Senate Motion #13. We are going to go slightly out of order now and we will take up action item 5.C.2 on the agenda. Please turn your attention to that now and then we will return to our regular agenda.

(5.C.2) Senate Motion #13 (2003-2004) (First Reading).

Senator Mayer: I have asked Noel Fidel to answer any questions you may have on this item. Noel, what is your position in the Law College?

Noel Fidel: I am the Associate Dean of Program Development at the College of Law.

Senator Mayer read the motion: "The Curriculum and Academic Programs Committee recommends Academic Senate approval of a proposal submitted by the College of Law for the Planning/ Implementation of a Degree Program, Masters of Laws (LL.M.) in Biotechnology and Genomics.

Rationale: In proposing an LL.M. in Biotechnology and Genomics the College of Law proposes a program that is unique. Although other law schools offer more courses in biotechnology and genomics with each passing year and several law schools include courses in biotechnology and/or genomics in certificate programs for their J.D. students, no current LL.M. degree program focuses exclusively on issues of biotechnology and genomics. This advanced degree program will enhance the academic mission of the College of Law, advance the President’s vision of serving the community, and respond to a present and quickly growing community need. For several reasons, an LL.M. degree program in biotechnology and genomics will be a valuable addition to the College of Law, both as a logical extension of its current strengths and as an important contributor to the future economic viability of Phoenix and Arizona.

Do you have any questions on this motion?

A Senator: What sort of changes will this mean in hiring or in teaching or personnel and costs?

Noel Fidel: This will require no changes in personnel or in hiring at this point. We have the faculty on hand to operate the program and to provide the courses and from the existing administrative staff on hand, we will have the personnel to administer the program. We may need some support staff as the program grows but we don't really anticipate substantial hiring.

Senator Canary: I wonder if you can help clarify the community need that you site in the rationale of the motion--do you have an example or two of what that is about?

Noel Fidel: One example is that Arizona has an enormous agribusiness industry and people that we have talked with from that industry are facing a regulatory structure, and they think it would be very helpful to have people coming out of this program with the expertise to help them operate, and they suggested to us that they would send us some people from the industry to take the program. Our construction industry generates, I understand, something like 70% of the business of local law firms, and if you are operating in the housing and construction industry, you are operating in a regulatory framework with all kinds of...
scientific and environmental issues that you must confront. This program, in at least some of its courses, provides that kind of expertise and assistance for that industry.

Senator Rez: What in this program is not already covered by general intellectual property law?

Noel Fidel: I can turn to one of your members, Senator Gary Marchant, who is the head of our Center for Law, Science and Technology to answer that.

Senator Marchant: There are a lot of things—one of the focuses of this program will be regulatory approval of various products. Privacy and confidentiality issues are also a key issue with respect to genomic technologies. Clinic research ethics and laws relating to informed consent and related issues are another category of issues. International regulatory issues associated with genetically modified foods and products will also be covered. So, intellectual property issues will be an important part of this program, but there are many other components as well.

Provost Glick: Would this program be a post JD program?

Noel Fidel: Yes. This is a post JD program; all people who come into this program have already received their law degree that enables them to practice law.

Senator Johnson: Would there be a requirement for prior study in genomics?

Noel Fidel: It would not be.

Senator Schaeffer: Is there a thesis or is it an option.

Noel Fidel: This is not a program which would require that.

Susan Mattson: It is a master's degree, so, do you have a capstone project?

Noel Fidel: It is a master's degree and we describe the requirements in the proposal before you and they are comparable to requirements in other LLM programs around the country. There are a few such programs that require a thesis but the majority of them do not have that requirement and I suspect that the reason is that it is unusual for somebody to contemplate a master's degree program that comes after something like a J.D., but people who come into this program already have completed three years of post-undergraduate education, so the focus here would be on deepening their course work in the field of biotechnology and genomics. If we were to add a thesis requirement we would be adding something that most LLM programs do not have.

Senator Brock: Is there a biotechnology or genomics requirement for entering the program?

Noel Fidel: No, it is not required for entrance into the program.

Senator Mayer: Are there other questions? There were no further questions.

President-Elect Kerr: We will now go back to George's report.

George Watson: That is all I had to report on, the plus minus grades, and I am encouraging you all to have your discussion in your department as soon as possible. Are there any other questions?
President-Elect Kerr: Fran Bernat is not here today nor is Ernie Hirata, so we will go on to unfinished business. (George you are coming around the bend again.)

4. Unfinished Business.

4.B University Affairs Committee (George Watson).


"The University Affairs Committee recommends Academic Senate approval of 30 proposed amendments to ACD112-01, the Academic Constitution and Bylaws. The most significant changes are: #4-changing the position of the University ombudsperson from an elected to an appointed position; #16-empowering the Academic Senate President to appoint the chairs of Senate committees rather than having the committee membership select its own chair; and #22-redrafts and adds to the responsibilities of the Senate's University Affairs Committee. Senate approval by a majority vote moves the amendments to a vote of the Academic Assembly, where a two-thirds approval of those voting is required. Assembly-approved amendments are forwarded to the University President for his final approval/incorporation into the ACD Manual.

The Constitution with the proposed changes placed in the text
http://www.asu.edu/provost/asenate/acad112-01.html

Summary of Changes to the Constitution and Bylaws of the Academic Assembly

Analysis of Changes to the Constitution and Bylaws of the Academic Assembly

Senator Watson: Senate Motion #12 from the University Affairs Committee reports 30 changes in the Senate Constitution and Bylaws (ACD 112-01) and we went through much of this in discussion last time. You were given some paper handouts last month, you also then received word that we would be talking about this today, and I hope you have had the opportunity to review those documents. What we have is the summary of changes to the Constitution and Bylaws and you saw that last month at the Senate meeting. There are 30 such changes and we talked about those. In addition to that, there was an analysis of changes handout distributed where we talked about three major substantive changes--namely, one that changes the ombudsperson from an elected to an appointed position; a second one that allows the president of the Senate to appoint chairs in the major Senate committees; and a third, which changes some of the responsibilities of the University Affairs Committee and also the Personnel Committee to make certain that all of the items for which the Senate has responsibility are represented in the different committees. In addition to that, we talked about three other relative minor substantive changes in wording in the order of business, making sure that we have an "open forum" listed as a possibility--which has been traditional, but was not listed in the constitution. This year we did use that tradition, but we have that opportunity anyway, and then the idea of moving to an electronic ballot rather than a printed ballot.

The other changes the committee viewed as largely procedural, and once again I hope you have had an opportunity to look through this material, where members are added to committees that have already been members of committees. For example, the immediate past president of the Academic Assembly is added as a member the Arizona Faculties Council, which has already been the case for some time but it is not
mentioned as one of the responsibilities of the immediate past president. In fact the immediate past president has not been listed as having any responsibilities or appointments in the bylaws, but the committee thought that there should be some. There are a number of other small changes: changing and recognizing that student government is no longer a simply unified ASASU per say, but there is an undergraduate student government (USG) and there is the graduate and professional students association (GPSA), and we made changes such as that. Those are various changes, and I am happy to proceed in any way that you wish in terms of talking about all 30 of the changes if that is your pleasure. We can go over them one by one, we can come back and focus on anything that you have questions on, we can focus on the substantive issues, or we can do whatever it is that you want to do. This is a committee recommendation to be addressed today as a second reading on March 29.

**Senator Guleserian:** I have a question--If this passes, when will it go into effect?

**George Watson:** It has to be approved by the Academic Assembly, and so the next question is when we would get it to a vote of the Academic Assembly. I don't think we are going to be able to make it by the election that is coming up in April. So, it will be announced to the Assembly at the fall breakfast, and then two weeks later a vote will be taken.

**Senator Guleserian:** Then would it apply for the following year?

**Past President Watson:** Yes, that's correct. Are there other questions? Are you ready to move to a vote then?

**President-Elect Kerr:** The question has been called. On Senate Motion #12, proposed bylaws changes to the *Academic Constitution and Bylaws*--all those in favor signify by saying Aye. All those opposed? It has been moved, seconded and passed that Senate Motion #12 be incorporated into the bylaws.

Thank you George for the onerous work of reviewing our bylaws and making that happen. We will have no new business under 5.A Executive Committee or 5.B Committee on Committees because the work for the most part is already done. Senator Mayer does have one information item from CAPC.

5.C  **Curriculum and Academic Programs Committee** (Michael Mayer).

5.C.1 **Information Item.**

On February 25, 2004 the Curriculum and Academic Programs Committee recommended approval of the following item:

- College of Architecture & Environmental Design
- School of Planning & Landscape Architecture
- **Disestablishment of 3 Graduate Concentrations**
- Master of Environmental Planning
  - Landscape Ecological Planning
  - Urban & Regional Development
  - Urban Design
5.D **Student-Faculty Policy Committee** (Craig Allen).

Our committee is considering the possibility of having students sign some sort of contract to alleviate or reduce cheating problems in classrooms. We are still discussing that, but that has come up as a possibility. Also today at our meeting we had a report from representatives of Residential Life commenting on an article that appeared in the *State Press* that was sort of inaccurate. It raised concerns that we got into today. They (Residential Life) told us that they are going to address those concerns.

5.E **Personnel Committee** (Susan Mattson).

5.E.1 **Information Item.** ACD Policy Changes Resulting from ABOR 6-201 Policy Changes (from Dr. Glick).

We have an information item today--in your folder, along with the P&T issues--on the new ACD Manual pages that reflect the policy changes voted on earlier in the year, which look at the faculty titles and the multi-year appointments. This was all discussed and approved and went to ABOR and was approved. Now the pages are there in the policy manual on the web, so if you can use them for hiring, you can do it now.

**Senator Danzig:** Does this mean it has been implemented and new hires in the college may use this?

**Senator Mattson:** Well, the issue about the multi-year appointments is still an individual decision at the department and college level. This just spells out who is eligible for them and the titles are now available. You can hire people under those titles--professor of practice, research and clinical.

**Senator Danzig:** But the three-year item--the Senate asked to implement a three-year rolling appointment.

**Senator Mattson:** Yes, but that was not available. We have a lot in our college that we are going to be wrestling with--they are deciding how to implement this, and I think we are going to be writing new contracts very soon.

**Senator Danzig:** How is that implemented at the college level, does each college have them?

**Senator Mattson:** It is university-wide title, so the appointment can come from the department, the college or the university--it is actually in a letter from the president that spells that out.

**Senator Johnson:** Would this impact the next contract that people receive?

**Senator Mattson:** I would think so, because it has been in effect since the policy was approved. This is just now the proper wording for the *ACD Manual*, so the titles are available to use in any new contracts that are continuing or renewed.

**President-Elect Kerr:** We don't have any further reports; therefore we can entertain a motion to adjourn.

6. **Adjournment.** There being no further business, the meeting adjourned at 4:25 p.m.

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