

UNIVERSITY OF MINNESOTA
Graduate School

Minutes of the Executive Committee Meeting
Thursday, March 11, 1982
11:30 a.m. 331 Johnston Hall

Members present: Faculty representatives--Professors Dale Lange, Edward Sucoff, David Thompson; Duluth representative--Professor Neil Storch; Mayo representative--Mr. Donald Weggen for Professor Franklyn Knox; administrative representatives--Deans Warren Ibele (chair), Kenneth Zimmerman; student representatives--Mr. David Pogoff, Mr. Roy St. Laurent; Civil Service representative--Suzanne Zorn; staff--Andrew Hein, Klaus Jankofsky, Myrna Smith; secretary--Beverly Miller

I. FOR ACTION

A. Approval of Executive Committee Minutes, Meeting of March 11, 1982

The minutes were approved with written amendments submitted by Dean Jankofsky.

B. Discontinuation of the Ph.D. Program in Radiology

Dean Ibele reported that discontinuation of the doctoral program in Radiology was being recommended as a part of the conclusion of the review of the graduate program. A master's degree will be continued. He said that this move would not affect the Mayo program. Mr. Weggen said that Mayo planned to continue to offer the Ph.D. option in Radiology. (Copy of memorandum from Prof. Loken, of 1/8/82, attached.)

Discontinuation was approved unanimously.

C. Discontinuation of the Graduate Program in Educational Administration, UMD

Dean Jankofsky reported that this recommendation was a consequence of a concerted review by administrators and faculty at Duluth and the Twin Cities. The national accrediting organization was involved as well. Dean Hein said that he did not understand the recommendation to abolish the M.A. in Educational Administration but not the Specialist Certificate which is based on it. He asked whether the expectation was that students for the Specialist Certificate would be recruited among those holding the master's degree from other institutions. Dean Ibele pointed out that a moratorium was being placed on the Specialist Certificate program and that no new students would be admitted during the period of the moratorium. Dean Jankofsky responded that the review found weaknesses in the M.A.

program rather than the Specialist Certificate program. The expectation for the former is more academic than for the Specialist Certificate which is a practice oriented program. Because of current issues concerning resources, a moratorium is being declared.

It was clarified that action called for was with respect to the M.A. program only and Dean Ibele indicated that the issues surrounding the Specialist Certificate could be discussed at a later time.

Discontinuation of the M.A. program was recommended. (Copy of letter from Dean Jankofsky, of 3/9/82, attached.)

II. FOR DISCUSSION

Discontinuation of Graduate Programs, Policies and Procedures

The discussion focussed on the procedures to be followed in disestablishing programs, and on the appropriate role for the Graduate Dean who does not have the budgetary responsibilities. It was suggested that disestablishment may be a consequence of three different sets of circumstances--economic necessity; declining relevance of the program to current needs; and a critical decline in quality. It was pointed out that the first of these seems at the moment of overpowering importance, money is the driving force. Several individuals expressed concern that in some instances collegiate bodies and program faculty were not appropriately consulted as discussions which led to discontinuance of programs were conducted. In some instances faculty learned of these decisions in the newspapers.

Dean Jankofsky was concerned that questions which went beyond the department or college, those which had an all-campus impact were not considered. There was, he felt, no discussion of the philosophical issues. Professor Thompson pointed out that issues which were important in the establishment of programs seemed to have reverse effects when disestablishment was the focus. Uniqueness was an example of an attribute important to developing a new program, but seemed to have a negative impact operating against a program being considered for discontinuation.

Dean Hein pointed out that in the case of Library Science, the criteria of the Minnesota Higher Education Coordinating Board concerning program demand, degree productivity and the availability of similar programs in the state were met, but that this did not seem of importance to those recommending discontinuation.

Professor Storch said that there was a human factor as well--the manner in which some decisions were made would have a long term negative impact.

He said that discussion would have helped to relieve these consequences even if the decision did not change.

In discussing the appropriate role for the graduate dean, it was pointed out that information coming out of Vice President Keller's office indicated that considerations were non-budgetary, that they involved a shifting of priorities, and resources and, therefore, of programs. For such a discussion it was agreed appropriate that the graduate dean be involved, both in developing the criteria to be used in this decision-making process and in gathering information which would provide a part of the background essential to those decisions, including information about educational impacts on a University-wide basis when programs with a heavy service function are involved.

It was agreed that a formal resolution should be drafted for submission to central administration which should include the recommendation that formal involvement of the Graduate School perspective, and the data it can provide, be included in formulating plans for the establishment, disestablishment, and/or major changes in the graduate programs.

Professor Lange agreed to draft the formal resolution. Concern was expressed by several members that clarification of these matters was of utmost urgency in light of the fact that a search for a new dean was about to begin.

III. FOR INFORMATION

A. Report on Directors of Graduate Studies Advisory Committee Activities

Dean Ibele reported that the committee was making four recommendations concerned with foreign students. It was recommended that the Graduate School minimum on the TOEFL be raised; that TOEFL scores be required of all applicants (present practice exempts foreign students who have pursued a year of study at another institution where English is the language of instruction; and since a decision of admissibility is made before the TOEFL is received in many cases, scores for students who are rejected will not be received); that the test of spoken English (which is not a part of the regular TOEFL) be required of students being considered for assistantships; and that the committee undertake a study of data on English proficiency, academic background and performance in the Graduate School for a selected group of foreign students.

Dean Ibele said that he is serving on an all-University committee which is to make recommendations on more general policies governing the enrollment of foreign students at the University.

Professor Sucoff asked why larger foreign enrollment is anticipated. Dean Ibele explained that third world countries up to this time have put their emphasis on elementary and secondary education. They do not yet have the higher education facilities necessary to serve the population whose expectations have been raised. For example, Nigeria, he pointed out, has traditionally sent such students to the United Kingdom but that country is greatly increasing costs for such students and it is expected that many of them will undertake study in the United States instead. The oil rich countries, he added, have both the money and the desire to send their students abroad.

B. Report on the Fellowship Competition

Ms. Myrna Smith, Director of the Fellowship Office, distributed reports on the results of this year's competition. She said that the Fellowship Committee thought there had been a decline this year in the general quality of the nominations.

Dean Ibele said that the Graduate School was attempting to obtain resident tuition rates for the fellows which would permit stretching the resources further.

Professor Sucoff asked whether an evaluation of the effects of the fellowship program had been done. Ms. Smith replied that this is being pursued; that there is a follow-up on enrolled students, and that students who turn down offers are surveyed to determine the factors important to their decisions. A full scale evaluation is not yet possible as the program has not been in existence long enough.

C. Report from the Council of Graduate Students

Mr. Pogoff reported that the Council had recently amended its constitution to meet the Internal Revenue Service requirements for classification as a nonprofit organization. Mr. St. Laurent pointed out that this will reduce the Council's costs for employees as taxes will be eliminated. He also said that the group had been active in protesting the proposal to eliminate graduate student eligibility for the federal student loan program.

D. Clarification of Outside Field Requirements for the Doctor of Musical Arts

Dean Hein said that this item was on the agenda solely for the purpose of clarifying for the official record a requirement of the Doctor of Musical Arts program, which was not clear at the time of

approval of the original proposal. The D.M.A. requires a supporting program of 12 credits which must be outside the field of Music.

E. Executive Committee Meeting Dates, Spring Quarter, 1982

It was agreed that spring quarter meetings would be held at 1:30 p.m. in room 331 Johnston Hall on Tuesday, April 13; Tuesday, May 18; and Thursday, June 10.

The meeting was adjourned.

Respectfully submitted,

Beverly D. Miller
Assistant to the Dean

JAN 11 1982

UNIVERSITY OF MINNESOTA
TWIN CITIES

Department of Radiology
Division of Nuclear Medicine
University Hospitals
Box 382, Mayo Memorial Building
420 Delaware Street S.E.
Minneapolis, Minnesota 55455

MEMORANDUM

DATE: January 8, 1982
TO: Kenneth Zimmerman, Associate Dean
FROM: Merle K. Loken, M.D., Director of Graduate Studies in Radiology
SUBJECT: RESPONSE TO REPORTS OF THE INTERNAL AND EXTERNAL REVIEW COMMITTEES

Since reviewing your memorandum some months ago which included reports from an External Review Committee dated June 7, 1979 and a subsequent report from an Internal Review Committee dated June 20, 1980, the Education Committee of the Department of Radiology has met on several occasions to consider its response to these documents. Our response is as follows:

- ⇒
- 1) The Ph.D. program in Radiology is no longer offered.
 - 2) The graduate program leading to a Master of Science in Radiology will no longer be offered as an integral part of the regular residency training program in Radiology. However, under special circumstances, an entering resident in Radiology may be considered for graduate training with the understanding that the residency program will cover four as opposed to the usual training period of three years.
 - 3) Individuals applying for post residency training in a particular subspecialty of Radiology will be invited to enroll as candidates for a Master of Science degree in Radiology. Candidates for the M.S. degree will be required to be enrolled for a minimum training period of two years. Normally courses to satisfy requirements for the major in Radiology will be selected from listings in Radiology as shown in attached Appendix A. Courses for minor requirement will be selected from one of the basic medical sciences also listed in Appendix A.
 - 4) All candidates for the Master of Science degree in Radiology will be required to complete an acceptable thesis project.

If there are questions concerning this report please let me know.

MKL/jt

Attachment



UNIVERSITY OF MINNESOTA
DULUTH

Graduate School
431 Administration Building
Duluth, Minnesota 55812

March 9, 1982

Dean Warren E. Ibele
Graduate School
University of Minnesota
322 Johnston Hall
101 Pleasant St. SE
Minneapolis, MN 55455

Dear Dean Ibele:

In compliance with the Koffer-French memorandum of September 1978 concerning "University Procedures for Review and Approval of Academic Program Proposals" item IIB, I am herewith formally notifying you of the decision to discontinue the Master of Arts program in Educational Administration on the Duluth campus and ask you to bring this action to the attention of the appropriate review and decision bodies.

As you know from your personal participation in the various internal and external review processes over the past two years and from consultation with program faculty and administrators on this campus, the decision to terminate the program is based on the following: the dwindling state-wide need for this type of program at this time; the decline in applications and the small number of students currently enrolled in the program; the budgetary college's evaluation of its source allocation and priorities; the composition and professional interests of the program faculty and their involvement in other curricular obligations.

At our meeting of February 23, 1982, the parties involved reached the mutual agreement that my office will notify the students currently pursuing their degree work that they are encouraged to complete by the end of Spring term 1984; that no new applications will be accepted as of Spring 1982; and that the Specialist Certificate will enter a three year moratorium phase after which a final decision will be made as to termination or significant modification.

The graduate faculty were involved in the various processes of evaluation and decision making and are essentially in agreement with this action.

Should there be any questions, I'll be glad to be of help.

Sincerely,

Klaus P. Jankofsky
Assistant Dean

cc: Provost Heller, Vice Provost Junk, Dean Bright, Professor Vander Horck, DGS
Professor Storch, Graduate Faculty Committee

Graduate School Executive Committee Resolution Regarding Discontinuation
of Graduate Programs

In reaction to Dean Ibele's memorandum of 11 March, 1982 to Vice President Keller, the Executive Committee of the Graduate School urges consideration of the following statement:

In the light of the responsibility granted the Graduate School through the Office of the Dean in consultation with the Executive Committee and the Policy and Review Councils for the establishment, alteration, and discontinuance of degree programs, for consultation on the collaboration of the Graduate School with schools, colleges, and departments in offering degree programs, and for periodic review of such programs (Graduate School Constitution, Article I, 1.a. and Article II, 4.e., i., and k.), it is imperative that Graduate School information, expertise, and perspectives be drawn upon in the deliberations concerning program discontinuance and consolidation by the task forces whose work is about to begin centrally. It is also urged that, in the impending search for a new Graduate School dean, there be a resolution of the role of the Graduate School in the alteration of programs that is commensurate with its involvement and responsibilities in the approval and maintenance of such programs (see Koffler and French memorandum of September, 1978).



UNIVERSITY OF MINNESOTA

Office of the Vice President for Academic Affairs
213 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455
(612) 373-2033

March 30, 1982

TO: Graduate School Executive Committee

FROM: Kenneth H. Keller, Vice President

SUBJECT: Executive Committee Resolution of 11 March 1982

Dean Warren E. Ibele forwarded to me on March 15, 1982, the text of the resolution passed by the Executive Committee on March 11 stating, in part, that "... it is imperative that Graduate School information, expertise, and perspectives be drawn upon in the collegiate and central deliberations concerning program discontinuance and consolidation..." That is certainly a position with which I agree and I thought that I would take this opportunity to explore with you both ways in which I think that has happened and ways in which I believe improvement can be made.

It is a bit difficult to assess the extent to which the program priorities developed by each collegiate unit in the current planning process have reflected explicit consideration of information provided by the Graduate School, but it is not difficult to state the extent to which that information has been of importance in my own review. An obvious source of information has been the Graduate School program reviews, which I believe to have been carried out with generally excellent results over the past several years. In almost every instance where such a program review was available for an area that was being considered for reduction in scope, I read and found useful external committee reports, internal committee reports, program responses, and the minutes of the closure meetings held with the units following the review process. More recently, I have requested and obtained from the Graduate School records of the number of master's degree and Ph.D degree recipients over the last two years in every budgeted unit of the University. We have also obtained and examined records of the number of Graduate School fellowships granted to each unit as a measure of the quality of their graduate students. Taken as a whole, they have provided a useful summary of the quality of our graduate programs.

A major question, of course, is what further role the Graduate School should have in reaching judgments on the appropriateness of our graduate programs. In this respect, I must point out that while your resolution describes the responsibility of the Graduate School for the establishment, alteration, and discontinuance of degree programs, I do not believe that the Graduate School has met its responsibility in that last respect since the adoption of its constitution. Thus, although I am aware of programs that have had no graduates in the last ten or fifteen years and programs which have been judged marginal by both external and internal review committees, I am not aware of any action by the Graduate School to recommend to my office that a program be discontinued. Moreover, while I have read the reports of dozens of program reviews, many of which raise substantial criticisms of program quality and appropriateness, I am aware of no

Graduate School Executive Committee
March 30, 1982
Page Two

formal judgment by the Policy and Review Councils of the Graduate School or the Executive Committee of the Graduate School on the quality of its programs.

It is clear that in the current round of budget cuts, we have been forced to a schedule of action which has made a process of extensive consultation very difficult. In view of that, we have counted on the planning process within each of the line units of the University to convert general rhetoric into specific program priorities. However, I believe this is simply the beginning of a new era in higher education in which it will be necessary for us to make choices, to phase out certain programs in order to develop others. I believe that we can no longer avoid the difficult process of judgment, subjective but informed judgment. In this respect, I believe that as the Graduate School points out its authority to make recommendations with respect to programs, it must also undertake its responsibility to do so; to do so in a forthright and timely way.

I believe that this is a very important issue and, far from opposing your involvement, I welcome and encourage it. Indeed, as you suggest, I believe that we should deal with this question in the immediate future as we begin our search for a new Graduate School Dean. This is certainly something we ought to discuss in our meeting of March 30, 1982.

:lme

cc: Dr. Lyle A. French, Vice President for Health Sciences
Dr. Nils Hasselmo, Vice President for Administration and Planning

UNIVERSITY OF MINNESOTA

Office of the Vice President for Academic Affairs
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Minneapolis, Minnesota 55455
(612) 373-2033

March 31, 1982

GRADUATE SCHOOL
W.L.
APR 2 1982
4/5/82
OFFICE OF THE DEAN

Dr. Warren E. Ibele, Dean
Graduate School
321 Johnston Hall
East Bank Campus

Dear Warren:

I am responding to your letter of March 11, 1982, raising a number of questions with respect to the reduction or termination of graduate programs. I know that we dealt with many of those issues at our meeting on March 16, but I thought it useful to record some of our discussion in a letter.

The points that you raised concerned our treatment of applicants to programs, our provision for students in progress in programs that may be disestablished, and the general process by which programs are marked for drastic change or termination. While these concerns are general for all programs, it appears that those in Library Science have a particular immediacy which is not affecting the others.

With the Library Science programs in particular, it appears to me unwise to continue to accept students for the fall quarter. Our plans for next year are uncertain, but it appears that in any event it would be valuable to free up faculty time for any development efforts that might be useful in restructuring the Library Science Program. Alternatively, if the decision is made to move forward with phasing out the program, the efforts of faculty members could be used to provide opportunities for speeding up the progress of those students in the program so that they could finish in less than the maximum time. As I understand it, the Graduate School, in conjunction with the School of Library Science, will present a proposal in the very near future for how to treat applicants applying for summer and fall.

In reviewing Bonita Sindelir's memorandum on student rights in the event of program elimination, I have come to the conclusion that further legal definition at this point will not serve our purpose. It appears that what is needed is a plan by the University for helping students to meet their goals. This should be based on an analysis of the present status of each student in the program, the feasibility of providing opportunities for those students to finish here at Minnesota in a reasonable amount of time (perhaps with scholarship aid) and the mechanisms for providing them with such opportunities. It seems evident that the law does not provide an absolute guideline, but does provide a context in which the good faith efforts on the part of the University to meet its obligations can be judged. On this issue as well, I hope that the Graduate School and the School of Library Science can be helpful.

Dr. Warren E. Ibele
March 30, 1982
Page Two

The general issue of the disestablishment of programs by the Graduate School is one on which there is still much to be done. In most instances, collegiate deans and the faculty of the colleges are establishing their program priorities on the basis of all information available to them, including measures of the quality of their graduate programs which rely on Graduate School reviews, graduate degree productivity, success in attracting Graduate School fellowships and other data. These priorities lead to decisions by those units and by the central administration on the distribution of resources. The Graduate School, whose information has certainly been used in setting those priorities, has the further responsibility and authority to determine whether or not the programs, with their revised funding and staffing, are worthy of continuation. In this respect, I believe that the Graduate School and its advisory committees have an obligation which it has not yet met viz., to assess explicitly the quality of its programs on the basis of all of the data it has gathered over the years and to recommend the disestablishment of those programs which are weak. That explicit assessment of quality, carried on on a continuing basis, would be most helpful as we make our resource allocation decisions. Even aside from that process, however, it appears to me that the Graduate School has an obligation to recommend disestablishment of weak programs. I would certainly welcome your help in establishing a process for carrying out this important responsibility.

I agree with you that this topic is a good one to raise at one of our Deans' breakfasts. Why don't we plan on doing so at the April meeting?

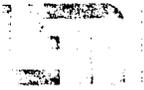
28 APRIL

Sincerely yours,



Kenneth H. Keller
Vice President

KHK:lme



UNIVERSITY OF MINNESOTA
TWIN CITIES

Graduate School
Johnston Hall
101 Pleasant Street S.E.
Minneapolis, Minnesota 55455

March 11, 1982

Dr. Kenneth H. Keller
Vice President, Academic Affairs
213 Morrill Hall
East Bank Campus

Dear Ken:

As the time approaches for making the decision on those programs to be consolidated, reduced, or disestablished a number of questions arise. An immediate concern is for students who have applied for admission fall 1982, some of whom have been admitted to programs that are being considered for disestablishment. For those students already admitted, the point has been reached where fairness suggests that they be informed about the current status of the program. Hence, an early meeting is required regarding this and the issues discussed below.

Certain students are non-residents with fine academic records and they need to be informed as soon as there is definite word in order that they can make other arrangements. The situation is delicate, for in being forthcoming with applicants to the programs whose continuance is uncertain, we should not sound an alarm which would contribute to a decline in enrollment. The Graduate School must know the recommendations that the central administration will make to the Regents regarding the disestablishment of programs and the timing of their implementation. I recognize that such information must be held in confidence, but nonetheless, the Graduate School must know. How well we manage matters with regard to programs being terminated will protect those to be continued from indirect adverse effects.

A second concern is for students presently enrolled in programs identified for disestablishment. Ms. Sindelir responded to an earlier inquiry of mine about University obligations to students currently enrolled in such graduate programs and made a number of helpful suggestions (Exhibit A). The Graduate School proceeds in accord with some of these suggestions. It is my belief, however, that the general, tentative advice which Ms. Sindelir provides needs to be developed further in order that the rights of enrolled students and responsibilities of the University are spelled out in sufficient detail that students can prepare study plans, and the programs can determine faculty and program needs for the phasing down process.

Dr. Kenneth H. Keller
March 11, 1982
Page 2

The program in Library Science illustrates some dimensions of the problem (Exhibit B). By a recent count, there are 506 students who have registered within the seven year period (1975-1982, winter quarter) set by the Graduate School Bulletin as the time during which a master's degree must be completed. Of these, 300 are active as indicated by registration for at least one quarter during the past two years. (The numbers are large since the program in Library Science is the third largest program in the Graduate School.) I appreciate that the seven year period may be an upper bound on the time available to students in the event the program were to be disestablished, but if not this time, what other? Alternately, what factors should be considered in arriving at an equitable interval for phasing down a program? By one path or another there is a need to fix the period over which students may complete their work. Until then, uncertainty and anxiety will disturb the students in threatened programs, no less than the faculty.

Since these matters are strange to most, and the times contentious, it is imperative to have the major legal aspects of program disestablishment fixed as soon as possible and perhaps discussed at one of the Deans' breakfasts or in the Council of Academic Officers. In the instance of applying and enrolled students, the University's reputation as a desirable place to pursue graduate study is at stake, so we must determine the legal obligations with precision and carry these out in good form.

A third concern is with the process by which certain programs are marked for drastic change or termination. I understand how the planning process, with its focus on the colleges as the fundamental planning unit, and the desire to have the program priorities reflect the planning outcomes combined to channel the decision process from budgetary colleges to the vice presidents' offices. Because one can understand the process, a process which failed to take full advantage of the Graduate School's perspective, it does not follow that it has been the most effective process. The Graduate School should be involved in the deliberations of the colleges at an early stage. This is the case when programs are launched, it should be so when they are decommissioned. With this early involvement, the Graduate School's view of proposed program change or termination could reach the vice presidents' offices in a timely and effective manner.

I look forward to our meeting on Tuesday, March 16 to discuss these issues.

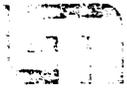
Cordially,



Warren E. Ibele
Dean

WEI:mt

cc: Members, Graduate School Executive Committee



UNIVERSITY OF MINNESOTA
TWIN CITIES

Office of the University Attorney
330 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455
(612) 373-3446

GRADUATE SCHOOL

FEB 5 1982

OFFICE OF THE DEAN

February 3, 1982

TO: Warren E. Ibele

FROM: Bonita F. Sindelir *Bonita*

SUBJECT: Student Rights in the Event of Program Elimination
or Faculty Terminations

You have asked what rights a student might have in the event that a graduate program was eliminated from the University of Minnesota curriculum. The University does have certain legal obligations to students who have enrolled as graduate students in an academic program. There is no unqualified legal obligation to allow them to complete their degree if the University is in some sort of financial emergency situation, however that obligation might be increased in the event of program elimination not arising from an emergency. In certain circumstances the University might have to retain some faculty in a program for sufficient time to allow students seeking degrees in those programs to complete them.

The legal obligation between the student and the University is contractual in nature. A student agrees to pay all the required fees, maintain a prescribed level of academic achievement, and observe the University's regulations, in return for which the University agrees to allow the student to pursue his course of studies and be granted a diploma upon the successful completion thereof. Although there is no formal written contract between a student and the University, courts will ordinarily find such a contract implied and will determine the terms of that contract from University publications. Behrend vs. State, 55 Ohio app. 2nd 135, 379 N.E. 2nd 617 (1977). Statements made in the general University bulletin or in the graduate school bulletin would be the major basis for the contract between the University and its students for any academic year or biennium covered by the bulletins. It would be prudent to state in the bulletins that announcements are subject to change without notice and do not constitute an agreement between the University and the student or that the University reserves the right to withdraw courses at any time. If this sort of statement appears in our bulletin, it would be arguable that programs may be subject to elimination and are part of the conditions accepted by the student enrolling in the University. Absent a financial emergency or notices such as

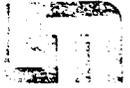
those I have described in the catalogue, the University will have a stronger obligation to the student.

Courts recognize that a Board of Regents has the jurisdiction to make policy determinations regarding the continued existence of the various departments within the University. Behrend vs. State, cited supra. Generally such programs to be eliminated must be continued long enough so that enrolled students can obtain their degrees; that is part of the University's contractual obligation to them. However, the limited case law in this area indicates that in a financial emergency the contract becomes impossible to perform and that particular right of the students is terminated, except in a few limited circumstances, if the University can prove that the programs to be eliminated will in fact save money. Eden vs. Board of Trustees, 49 A.D. 277, 374 N.Y.S. 2nd 686 (1975); Galton vs. College of Pharmaceutical Sciences, Columbia University, 70 Misc. 2nd 12, 332 N.E. 2nd 909 (Sup. Ct. 1972).

Case law dealing with schools in fiscal crisis indicates that the University would have to retain some faculty in a program to be eliminated for a sufficient time to allow enrolled students therein to complete their degrees, if sufficient notice could not be given to them of the program's elimination in time for them to transfer to other similar programs or schools to complete their degrees, or if the credits earned in the program to be eliminated were not transferrable, or if no comparable program exists, or if other University courses could not be substituted for requirements for a degree in a program to be eliminated. Behrend vs. State, cited supra. In addition, if a program is cut back, but not eliminated, and that program was accredited prior to the cutback, it should be sufficiently staffed to retain its accreditation until it is terminated. Peretti vs. Montana, 464 F. Sup. 784(D.C. Mont. 1979).

In conclusion, based on very limited law and on general principles, in a time of financial cutbacks every effort should be made to allow students enrolled in programs to be eliminated to transfer their credits from those programs or, in the cases where that cannot be done, complete the courses for the degrees in those programs in some way.

Since the University is not planning, at this time, to declare a financial emergency, but rather, to plan for long term program elimination, it should be possible with prudent planning to safeguard the rights of students. If you have further legal questions with which I can help you, please let me know.



UNIVERSITY OF MINNESOTA
TWIN CITIES

Library School
419 Walter Library
117 Pleasant Street S.E.
Minneapolis, Minnesota 55455

GRADUATE SCHOOL
W.I.
MAR 2 1982
3/4/82
OFFICE OF THE DEAN

March 1, 1982

Warren Ibele, Dean
Graduate School
321 Johnston Hall

Dear Dean Ibele,

I know that Professor Leigh has already had some preliminary discussion with you about the involvement of the Graduate School in the present budgetary considerations under way currently in the University.

It is, however, becoming increasingly urgent, that I, together with Professors Leigh and Rohde (director of graduate studies) meet with you this week to review some of the issues involved in the phase out of a graduate program - whether it be the program in library science or any other.

Although the University Attorney's office has indicated that the University recognises a certain contractual responsibility to students to enable them to complete their degrees, our students in the Library School are deeply concerned about the quality of the opportunity to be available to them and the time frame for degree completion. They are concerned enough to be on the verge of seeking legal advice themselves. Our figures suggest some five hundred students, 75% of them female, may be involved in the seven year period, 1975 - 1982, at the M.A. and Ph.D. levels.

We probably should also review with you and your assistant dean for admissions the whole question of acting on current and forthcoming applications. The Graduate School's reputation is at stake here nearly as much as it is in terms of program completion.

In the midst of the great retrenchment debate it is vital that we do not lose our concern for students. So far there has been no clarity with regard to the implications of program reduction for current students.

We can meet early in the morning or late in the day if necessary in order to address these critical issues.

Sincerely,

Wesley Simonton

Wesley Simonton
Director