



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
164 Food Science and Nutrition
1334 Eckles Avenue
St. Paul, Minnesota 55108
Telephone (612)373-3226

SENATE CONSULTATIVE COMMITTEE

Thursday, December 16, 1982
12:30 - 3:00 p.m.
Regents Room

AGENDA

- 12:30 1. SCC minutes of December 2 (enclosed).
2. Report of the chair (enclosed).
3. Report of the student chair.
- 12:40 4. Reports from Regents meetings:
Paul Quie (Educational Policy & Long Range Planning)
Burt Sundquist (Committee of the Whole).
- 1:00 5. Human Services Task Force Report
(please bring Lenander report; charge to
Task Force is enclosed).
- 1:15 6. Conversation with the President on the state
budget situation as of the meeting date;
Guests invited: Peter Robinson and Wally Hilke.
- 2:15 7. (Assembly Steering Committee business)
Assembly Committee on Intercollegiate Athletics
questions on procedures (2 memos enclosed).
Guests invited: Charles Walcott and Gary Engstrand.
- 3:00 8. Adjourn.



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MINUTES
SENATE CONSULTATIVE COMMITTEE AND
CONVERSATION WITH THE PRESIDENT

APPROVED 1/6/83

Thursday, December 16, 1982
1:00 - 2:50
Regents Room

Members present: Virginia Fredricks, Phyllis Freier, John Howe, Julie Iverson, David Lenander, Rick Linden, Marvin Mattson, Doug Pratt, Paul Quie, W. D. Spring, Burt Sundquist, Pat Swan, Chairman, John Turner, Kathy Watson.

Guests for all or part: Bill Angell, Julie Bates, Jim Borgestad, Gary Engstrand, Wally Hilke, Vice President Kegler, President Magrath, Peter Robinson, Maureen Smith, Bruce Thorpe, Charles Walcott.

1. The minutes of December 2 were approved as distributed.

2. Report of the Student SCC. Dave Lenander and Kathy Watson.

a. UMD representation. Dawn Hull has resigned and Vern Ziegelmann is no longer on the UMD campus. Duluth's Student Association seems unorganized and demoralized. Professor Swan asked the students to suggest anything the SCC might do to enable the representation UMD students are entitled to.

b. Student Course Information Project (SCIP). Mr. Lenander stated that no one at MSA objects to further discussion of SCIP and its future. However, they cannot understand why there needs to be any delay in implementing it for the present since the Regents last year approved continuation of student fees for SCIP for 1982-83. Mr. Lenander indicated he would write Vice President Wilderson on the question.

c. President's Student Behavior Advisory Panel: student members. Student SCC has appointed Rose Johnson (Law), Ann de Groot (Grad.), Bret James Chilvers (CLA freshman) and Jim Anderson (CLA junior).

3. Human Services Task Force. Mr. Lenander recommends that the Committee on Education and Community Services review the task force's report as well as SCEP, to which the first committee reports. He would like to ask the President and the Senate Finance Committee (a) Are assumptions being made about student programs which haven't been communicated to students? and (b) How were the decisions reached? Professor Swan recommended Mr. Lenander's next step be to ask Vice President Keller his plans regarding the task force report.

4. Reports from December Regents meetings.

a. Educational Policy and Long Range Planning Committee. Paul Quie reporting.

The major discussion, led by Vice Presidents Kegler and Hasselmo, was of legislative concerns, especially as related to projected declining enrollments, and the opportunity and need to improve the faculty-student ratio. Enrollment is expected to decline by 11% in 1986-87 and by 21% in 1995-96 (using 1979 as the basis of comparison) and to rise again in the late 1990's. There are modifiers which could soften the declines.

Regents' discussion included suggestions consumers will determine which institutions close, and that some urban institutions are more likely to close than rural ones where no alternative would remain. President Magrath and Regents Casey and Moore agreed that graduate and professional enrollment and quality were topics requiring serious discussion by the committee, reported Dr. Quie.

b. Committee of the Whole. Burt Sundquist reporting.

i. Personnel. New Dean of the Graduate School and new Director of University Hospitals (also holding title of Assistant Vice President for Health Sciences) were introduced.

ii. Hospital bonds. Most have been sold, and the Regents officially approved the sales. The University got a good rating and a good set of bids; bonds were sold at 9.83% average interest.

iii. University and state finances.

iv. Long-term salary improvement policy and the 1983-85 biennial budget request were presented for information. Regent Roe said he wanted more information on budget cutbacks and layoffs, and other Regents want to know about revenues for the next biennium, before settling the request for faculty salaries. Regent Casey made a strong statement that the Regents had agreed to a tight ship for the next biennium and that he felt salary increases should have highest priority.

5. Conversation with the President.

President Magrath joined the meeting at 1:30 to talk with the SCC about the effects of state budget cuts on the University. He told the SCC the University supported the bill which was passed because any other bill would have been worse, and unallotment (of tens of millions) would have brought the University a monumental crisis.

Three million dollars is cut in permanent appropriations; \$3.4 million in addition is cut from the current appropriation. The second sum is equivalent to 4% of salaries paid from 0100 funds. The state has been contributing this portion to the pension funds; for the six months January 1-June 30, 1983, the state will not make the contribution. Take-home compensation to civil service employees will be down by 2% of the gross for all of 1983 to maintain contributions to the Minnesota State Retirement System. The University has been permitted

discretion on the mechanism of taking the 2% from faculty salaries. There are legal and practical needs to resolve also because of the different sources of wage and salary funds.

The President told SCC there are decisions to be made on how to absorb the \$3 million cut and how to take the personnel contributions. Moreover, there may be further reductions within the current fiscal year. He called tuition surcharge unthinkable, and said he would not take library acquisition or equipment funds. He said we must maintain and continue the planning work and reallocate resources within the University. He anticipates a report soon from the Budget Executive, and will then schedule consultations with SCC, the Finance Committee, and the deans, in the first half of January.

Professor Swan called on Peter Robinson, faculty legislative liaison, to comment on the special session. Professor Robinson said he thinks the University came out as well as it possibly could have. He is deeply concerned about the coming several biennia. We know at the University, he said, that we cannot cut across-the-board any longer, yet to do otherwise is difficult politically.

The state wants to spread its cuts as evenly as possible, he told the meeting. It has not fully grasped the need for selectivity. Education and social welfare constitute 84% of the state budget. Robinson asked how we get the state to recognize the need to make decisions regarding higher education which pit one branch against another in the competition and imply closing institutions. He thinks the University will need to take a risk and foment that discussion. He noted there had been a short-lived bill introduced into the last legislative session mandating each higher education system to close one campus and the University to close one college. The Legislature's view, he said, is that all parts are equal and have to be treated equally.

Professor Swan asked Wally Hilke, MSA's lobbyist, for his comments. He called the worst part of the legislative action the equalization of cuts without planning. He noted there are 65 higher education campuses in Minnesota. The University's students will lobby for long-range planning and against mandating of short-term cuts without considering their implications. Mr. Hilke asked President Magrath to say more about not tapping library acquisition funds to make up the \$3 million.

President Magrath said the University had had to inform the Legislature that that money was as yet unspent, but it reported we shouldn't use it for this cut. That fund and a further tuition surcharge he called equally wrong ways to deal with the cuts.

Professor Fredricks asked if the legislature engages in long-range planning. Professor Robinson said that if there is no need for another budget-balancing bill between now and April or May, they would have some time to consider longer-range plans and the University could encourage them.

Professor Howe observed that the HECB is going to be increasingly expected to sort out the whole higher education situation and target declines, etc. The President said HECB hasn't been asked to develop a state master plan. Vice President Kegler noted that a few years ago HECB did venture to develop a master plan. There are no survivors from that foray, he added.

Real planning has to be tied to budgeting, said the President. Our University plan relates to budget decisions which relate to what we are trying to do. Meaningful planning is at the budget unit level.

Professor Matson said he had been encouraged by Governor Quie's speech which included admonitions against across-the-board style cutting. He inquired whether that message was going to have an impact. Professor Robinson could only say we'll see. The University's spokespeople also make those points, but the Legislature represents diverse interests.

Mr. Lenander asked whether in the long run we wouldn't be better off if we did know what was planned for us and the rest of the higher education system in the state. The President said a meaningful state task force would have to include representation from the systems of higher education and from the Legislature. The Legislature could ask to see the plans of all the systems and how they relate to the overall system. Community colleges' planning is heavily formulaic, commented Vice President Kegler, while planning for the state university system focuses on which areas of concentration each location will emphasize.

Professor Turner inquired whether there is any unit autonomy in disposition of tuition income within the University. The President and V. P. Kegler named the evening MBA program, Continuing Education, and one Veterinary Medicine program as the only instances; CEE gets almost no state money, they noted. Professor Howe urged keeping a close watch on the dedicated tuition practices. Professor Sundquist said the Finance Committee is trying to get a better grasp of several income-related questions. At this point SFC has raised the question of dedicated tuition only in regard to inloading.

Professor Swan told the President that SCC and SFC are very much interested in how the University will take the \$3 million cut and are opposed to across-the-board cutting.

Professor Howe urged the administration not to let two-to-four month decisions drive two-to-four year changes.

President Magrath said the real questions are for setting priorities in the context of past and of future prospects. We must think two to four years ahead and keep in mind the kind of funding we will attract to do the kind of work we ought to do.

Professor Swan urged all concerned to keep the quality issue before us in the planning process. President Magrath said the University's greatest challenge is the retention of the quality we have and its improvement where possible. The consequence of losing quality is not manifest widely until it is almost too late. Our challenge is to make people believe the decline that can happen if the University is neglected, and to give a vision of what the University can be.

Professor Turner added that another challenge is in trying to influence the legislature when we are obviously interested parties. The corporate community recognizes the University's value to them, but also holds a "cut government" attitude. We should cultivate this community and educate them to lobby for us. The administrators remarked that the University does enjoy their support.

Professor Sundquist asked about the timetable for legislative consideration of the University's 1983-85 biennial budget request. Vice President Kegler said that although committee hearings will begin in late January, conference committees will not meet until mid-May.

Professor Swan reminded the meeting that the SCC and the President next meet January 6, by which time there may be a specific proposal to consult on regarding taking the cut.

6. Assembly Steering Committee business: Intercollegiate Athletics Committee.

Professor Swan explained that ACIA is updating its policies and procedures on two matters: (a) any alleged rule infringements by athletes and (b) the scheduling of events and travel during final exam periods. She yielded the chair to SCC Associate Chair Spring for the remainder of the meeting because another commitment prevented her remaining to the end.

a. Professor Charles Walcott, ACIA Chair, explained that while ACIA was undertaking a routine review of its policies, members noted the absence of a review or appeal provision for athletes charged with infringements. They asked if the Campus Assembly did not have the right to review any ACIA action.

Gary Engstrand, ACIA's staff liaison from the Office of Administration and Planning, reported what he had discovered so far. As a possible appeals body for cases heard by ACIA, the President's Student Behavior Review Panel is not acceptable since the majority of its members are students and Big Ten rules require majority faculty governance of varsity athletics matters.

The Appeals Committee on Academic Freedom and Responsibility appears to be a possible entity to serve the purpose. Engstrand has talked to Chairwoman Miriam Seltzer.

Professor Freier agreed that that committee could logically fill the role: four students are members (in addition to seven faculty and two civil servants). Professor Spring remarked that it seemed to make great sense if that committee, within a more carefully defined University grievance system (such definition presently being undertaken by Professor Freier's Grievance and Legal Affairs Subcommittee of SCC), could provide a niche for ACIA appeals. Professor Freier pointed out the appropriateness in existing student representation in both the originating (ACIA) and the proposed appeals body. There was a consensus in the meeting for identifying the Academic Freedom and Responsibility Appeals Committee as the appeals body available for any cases which come before ACIA.

b. Scheduling of events and travel. ACIA policy protects the final exam period. ACIA members ask if the University or some other body officially holds the same policy. ACIA asks if it has power unilaterally to grant ad hoc exceptions when those seem to make sense. Assembly Steering Committee discussion included urgings from the faculty that exceptions be granted very rarely. However, no one knew any reason why that power did not rest with ACIA. Professor Swan told Professor Walcott that the Assembly should be aware of the policy and of how ACIA enforces it.

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Professor Walcott mentioned that there is a built-in exception for men's basketball because of an annual Big Ten round robin tournament schedule. Moreover, this year, because this University's calendar was changed after the basketball schedule had been established, a second exception was allowed. Otherwise, practically no exceptions are granted.

The meeting adjourned at 2:50 p.m.

Respectfully submitted,

Meredith Poppele

Meredith Poppele, SCC Executive Assistant



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Report of the Chair for SCC meeting of December 16, 1982.

1. The report of the Human Services Task Force has been reviewed by Dave Lenander. I also reviewed it for you briefly at our meeting on September 30. Please re-read the report from Dave. Please also read Vice President Keller's charge to the Task Force, which is enclosed. My sense is that we do not need to further consider this in our committee, but may want to be sure that SCEP has received it for information.

2. Our discussion with the President should include a look at the state budget problems, our experience working with the Legislature this Fall and, if we have time, a look ahead to prospects for our biennial request.

3. Gary Engstrand's memo and my response provide the background for discussion of ACIA policy and appeals from their decisions (memos enclosed). Chuck Wolcott and Gary Engstrand plan to be with us for that discussion. Members of our committee from other campuses can feel free to leave before this item, though you may wish to stay just to be informed.

Pat Swan

Report of the Student Chair for SCC mtgs. Dec. 16th

1. I contacted Dawn Hill at UMD to ask why there had been no representation at the last several SCC meetings. She has resigned. She also told me that she and Bea Anderson (last year's representative from UMD) were hoping to find a replacement by Dec. 16th, and if so, would notify Meredith. As for Vernie Ziegelman, he has not formally resigned from anything, but he vanished from the UMD campus without a word to anyone, and can probably be presumed resigned. (He could not continue to serve in any case if he were no longer a student). I asked about his review of the Task Force Report, which Dawn thought that he had completed. She imagined that it vanished along with him.
2. I would hope that in addition to the SCEP we would forward the Task Force Report to the Senate Committee on Extension and Community Programs. We might also ask to be advised when and if any of the Report conclusions are to be implemented by the formation of new study groups.
3. In discussing the state budget problems with the President, I would be interested in hearing more about planning assumptions that have budgetary impact for the future, such as a biennial request that asks for no inflationary increase for any student services. What services is the Office of Student Affairs planning to cut to accomplish an effective cut. Similarly, aside from effective cutbacks being discussed in the colleges, is SFC discussing such impacts on other support services and units not housed in colleges?
4. On the subject of SCIP, I have consulted further with Julie Bates and others who may be present as observers at our December 16th meeting. There is no objection to further discussion of SCIP, its future, or changes that might be made. MSA is interested in examining once again the Student Survival Kit proposed years ago before the evolution of the SCIP proposal, in fact. However, last year the Regents approved continued collection of student fees for the continuation of SCIP. This would imply no change that would require an interruption for further study, and in the absence of a case being made by the administration for an interruption necessitated by some sort of flaw in the old system, the SCIP ought to have been functioning at the latest by Winter Quarter. Continuation does not require further study, as V P Wilderson has asked for from SCEP, only possible further modifications. At this point I would prefer not to raise this issue with President Magrath, but I will be addressing V P Wilderson on the subject before the end of December.
5. At present, I expect that the student component of SCC-TC will approve students to sit on the President's review panel: Rose Johnson, Law; Ann DeGroot, Grad, Brett Chilvers CLA, and Jim Anderson, CLA (Jim has not firmly committed himself as I write however).

David Lenander



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December 10, 1982

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

Unless there are other matters you want to put before the SCC on Thursday, afternoon, the 16th, we would like to focus with you entirely on financial news and prospects. Please discuss the state budget situation and any decisions that have been made up to that date.

We are inviting Peter Robinson and Wally Hilke to join us and comment on their experiences in working at the Legislature. If there is time, we might look down the road at the fate of our biennial request.

Sincerely,

A handwritten signature in cursive script that reads "Pat".

Patricia B. Swan, Chair,
Senate Consultative Committee

PBS:mbp

Possible modifiers of this prediction are:

- 1) fewer high school dropouts
- 2) increased retention of students
- 3) more adult students
- 4) foreign students
- 5) higher enrollments in research-oriented institutions

Regent Moore discussed the necessity to consider effect on enrollment when changes are made in tuition.

Regent Lebedoff stated that declining enrollment was a most serious topic for discussion since resources of educational institutions throughout the country will be critically affected.

Will some of the institutions be forced to close? Regent Moore stated that consumers rather than regents will make important decisions about which institutions will close. Social issues include the essential nature of a rural institution like Waseca and Crookston to provide education for local citizens. It would be easier to close an urban education institution since geographically close institutions could absorb students. President Magrath, Regent Casey and Regent Moore agreed that discussion of graduate and professional enrollment and quality needed to be topics of serious discussion by this committee.

The proposed changes in the School of Public Health constitution was presented for information. The basis for this change was reorganization of the school into six divisions.

Good natured questioning about the medical school constitution led to a possibility that it might be an informational item in February of maybe 1983.

- Paul Quie reporting

Report of meeting of the
EDUCATION POLICY AND LONG-RANGE PLANNING COMMITTEE
OF THE BOARD OF REGENTS
December 9, 1982

After the routine resolutions and information items were passed without discussion, the meeting settled into a good discussion of Legislative concerns, especially as related to projected declining enrollment. The discussion was led by V.P.s Stan Kegler and Nils Hasselmo.

Background material was given to the Regents by Kegler, and Hasselmo gave each of the Regents a copy of a book he had participated in preparing, "Coming Enrollment Crisis: What Every Board Member Should Know".

Stan Kegler stated that the University had experienced a reduction of state appropriated income since 1978-1979 which caused a decrease of 541 full-time equivalents on the faculty. Since 1978-1979 there has been a steady increase in enrollment so there are now 5,000 more students being taught by 541 fewer faculty.

Should enrollments decline the faculty support that is presently allocated by the legislature would be appropriate and the University should be able to prevent further cuts from the legislature on the basis of declining enrollment.

Vice President Hasselmo discussed the numbers of 18-year-olds in America, outlining the effects of the baby boom, the birth dearth, and the baby boom echo. All of this added up to a projected decline in enrollment for the University of Minnesota starting very soon. By 1986-1987 an 11% enrollment decline is projected and by 1995-1996 this will increase to 21%. Starting in the late 1990s enrollments will begin to increase again as a consequence of the baby boom echo.

Memorandum

18 November 1982

To: The All-University Senate Consultative Committee
From: David Lenander *DL*
Regarding: The Report of the Task Force on Human Services Programs

My review of the Report was somewhat hampered by the lack of a copy of the Task Force charge, but the failure of the Task Force to reach any real conclusions may suggest that the charge was either too broad or indefinite, and the work of the Task Force may have proved to be most valuable in further refining the delineation of the issues that need to be studied. Essentially, the Report of the Task Force divides these issues into three subsets of questions, provides some preliminary discussion of each subset, and recommends the formation of a variety of new study groups to attempt the tasks that the Task Force was unable to accomplish--solve the problems related to these issues needing study. It seems to me that several of these issues to be further studied should be of interest to the Senate or its committees, and I attempt below to describe these. I also raise some questions that may or may not have answers known to the faculty members of the SCC, and thus grow out of my own limited experience in considering such issues. I would appreciate hearing such answers.

The first subset of questions relate to Continuing Education and Extension (CEE), where the Task Force recommends a "unit by unit review" of CEE programs offered by each of the five units General College (GC), the School of Social Work (SSW), the School of Social Development (SSD), the Family Social Science Department (FSS), and the Center for Youth Development and Research (CYD), to be undertaken under the joint authority of the CEE Dean and appropriate collegiate deans. The obvious unaddressed question is "What about CEE programs in human services offered by other units, such as Continuing Medical Education?" but this is an aspect unaddressed by the Task Force elsewhere in its Report, presumably because such programs fell outside the purview of its charge. Hopefully, the results of such study will be reviewed by the Senate Committee on Extension and Community Programs. In its preliminary discussion related to this recommendation, the Task Force restates what is almost a truism in University discussion of outreach programs: "Without wishing or needing to assign blame for it, a weakness of the University's present system is that the programs may and sometimes do evolve without sufficient input from the appropriate disciplinary faculties." There seems to be a tendency for CEE personnel to argue that they must provide programs to meet the (consumer) demands of the Minnesota citizenry, but that faculty with traditional academic habits are uninterested in "reaching out" from daytime hours or their campus home bases. The disciplinary counter must be that CEE starts programs without securing adequate levels of support from disciplinary departments. The Task Force did not wish to assign blame for this difficulty in coordination, but perhaps it is time to stop avoiding this problem by accepting it as an inevitable situation, and instead to look for blameworthy individuals, departments, procedures or structures. Clearly, this situation is not limited to human services programs, but exists in a much broader University context. It is to be hoped that the new Asst. V.P. for Academic Affairs devoted to undergraduate concerns and outreach will devote attention to the problem. Perhaps the small review committees suggested by the Task Force will provide useful models

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for resolving communication and coordination problems between disciplinary faculty and CEE, perhaps not. Either way, we may wish to see the Senate Committee on Extension and Community Programs working closely with and in support of the new Assistant Vice President for Academic Affairs to find solutions to such problems, both in the human services area and elsewhere.

A second subset of issues are those the Task Force identified as related to GC and duplications at the undergraduate level. This time only two study groups are proposed, one each for the Duluth and Twin Cities campuses. No duplications of programs were identified by the Task Force, except for one area of overlap between GC and SSW which was already scheduled to end as SSW discontinued its program. The Task Force hopes that the proposed study groups would discover "unexploited opportunities for cross-listing of courses and for efficient redeployment of faculty resources." Along the way to this recommendation, the Report indicates that the Task Force makes no recommendation about the single incidence of overlap (between GC and SSW) because to do so would be "superfluous," given that the matter is already being resolved. However the context of this abjuration of recommendation follows a strong hint that the mission of GC should be refocused away from any four year programs, while ostensibly and specifically stopping short of any such recommendation. Given that the decision of SSW to discontinue the overlapping program is partly the result of the CLA judgement that professional schools are not central to the primary CLA mission, this raises a number of issues that are not clearly limited to one or even two colleges. Who is responsible for deciding that one college should drop a program in favor of another, or that a department should be moved from one college to another? Are appropriate consultative bodies the assemblies of the affected colleges or the faculty of the affected department? If a collegiate mission be changed (as the result of recommendations from a Task Force, such as this one) so that a program no longer fits in the college, must it find a home in another college, or is it then housed "free-standing" in the Office of Academic Affairs? Can a department faculty be transferred to a coordinate campus if it is in the best interest of the University to consolidate similar programs? Must a collegiate faculty agree to a change in its mission? If such a faculty rejects such a change, the result might be adverse burdens on other colleges; can one college, or one department, block the progress of larger inclusive entities? On the other hand, how can larger units be prevented from trampling the small units? How is consultation at UMD, and especially at SSD, being handled until the contract negotiations are completed?

One of the best things about the second recommendation of the Report might easily be overlooked. The Task Force recommends the inclusion of study group "members . . . from other basic and applied social sciences programs" on each campus along with members from the five units GC, SSW, SSD, FSS and CYD. The appendices diagrammatically show overlaps between some of these programs (especially SSW and FSS) and other units not studied by the Task Force, such as the School of Public Health and Public Affairs (?the Humphrey Institute?). Changes affecting these units might also impact other programs. Perhaps there ought to be investigation of cross-listing courses with other units besides the five examined by the Task Force. Other units that may overlap with some human services programs would include the Colleges of Nursing and Education, I would expect. In any case, the Task Force apparently did not consider this possibility, following the limitations of its charge. What mechanisms exist for involving Public Affairs in a decision to move SSW to the St. Paul campus, for example? Would complaints about possible adverse effects on a Public Affairs program be directed to the Office of Academic Affairs? When would faculty in Public Affairs learn of the proposed move?

These sorts of questions are even more pertinent to discussion of third Task Force recommendation to combine SSW, SSD, FSS and CYD according to the recommendations of yet another to-be-established study committee. Such a merged entity would probably be housed either in a new College of Human Services or in a renamed College of Home Economics, the Task Force tentatively suggests. To reach this conclusion, the Task Force first ruled out the School of Public Health on practical grounds, that it presently "has a full agenda dealing with changes in its pattern of funding," and the various Duluth units on the grounds that most of the faculty would be in the Twin Cities. Neither objection is especially sound philosophically, though the latter might be permanently compelling. The former situation is presumably temporary, however, and it would seem that another alternative should, logically, be considered: an interim arrangement until merger with the School of Public Health can be pursued. (In other words, there ought to be sound philosophical reasons for rejecting the School of Public Health on a permanent basis. (Personally, I would guess that there may very well be such reasons.)) On the other hand, if the School of Public Health is so close in some aspects of its mission to the missions of these human services programs, perhaps some unit(s) in Public Health ought to be studied for possible transfer to the College of Home Economics, or a new College of Human Services. This might help reduce pressure on the School of Public Health as well while it grapples with the problems alluded to in the report. Of course the Task Force has not consulted with Public Health about its reaction to these various possibilities, while Task Force members from the College of Home Economics have indicated that the College is anxious to absorb the other human services units. Nevertheless, it seems to me that the charge to a future study committee ought not to be limited to the two possibilities favored by the Task Force, and the units/programs to be merged ought not be limited to SSW, SSD, FSS and CYD. If these units are to be combined to strengthen their programs and mission, we should be wary of submerging them in Home Economics, on the one hand. (The problem with a CLA home for SSW is that the School is peripheral to the CLA mission. Will human services programs be central to the College of Home Economics (or whatever it may be renamed), both now and in the future?) On the other hand, we should be careful of pressuring the College of Home Economics into reshaping its future directions just to accommodate these human services programs. Should the University even allow a college to grow in such a way if the growth involves some misguided motives of expanding turf, or would ultimately adversely affect other University programs, particularly the traditionally central programs of such a college? (I do not really think that this is the case here, but I do think that someone should ask such questions).

A central issue involves the nature of colleges. Compared to the disciplinary departments, colleges are administrative conveniences, in many respects, lacking the logical organizing principles that underlie the constitution of disciplinary departments. Yet if we are to see CLA unloading units that are not central to its "primary mission" (as the Task Force describes the "entry and access point . . . for ill-prepared students" function of GC), or de-emphasizing units such as the Music, Library or Social Work Schools, we need to insure that "secondary missions" (such as the GC mission to satisfy educational needs, including B.A.'s for students "for whom programs in other colleges are inappropriate or less preferred") are not overlooked by the University as a whole, or that other colleges take these missions on as "primary." This is not to suggest that the University cannot choose to abandon some secondary (or even primary) missions--but such choices should not be made by default.

The Task Force suggestion that SSW is ill-placed in CLA raises a question about the likelihood that other University units are similarly ill-placed.

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Are such circumstances common? Ought other units be shifted into other colleges before they fall victims to their own peripherality in the next budget crisis? What is the normal mechanism for accomplishing such change? How many units are currently "free-standing" outside of colleges, or reporting directly to the Office of Academic Affairs (or for Health Sciences)?

Some other questions that seem to me pertinent:

Responding to a complaint about an earlier draft of the Task Force Report from SSW, the final version contains a discussion of the potential negative impact on accreditation for SSW. Are the other units to be merged also accredited? What impact would merger have on the accreditation of other units?

SSW also complained that some undergraduates might be discouraged from electing Social Work as a major if the program were physically moved to St. Paul Campus. The final version incorporates this concern. This seems to scramble what one would expect to be priorities. If a stronger, better program can be housed on the St. Paul campus, and if this is a problem for CLA students who wish to major in Social Work, perhaps such students should be encouraged to enroll in the College of Home Economics. If some students would rather stay in CLA, and are unwilling to make the inter-campus bus trips that would be required, perhaps they should be encouraged to consider a different major, if their commitment to Social Work is so weak. In this light, it might be worth noting that the Report at no point discusses the possibility that future needs for Social Work degrees may be less than in the past, at least from the standpoint of societal demand for undergraduate degrees in Social Work in the form of employment opportunities.

When will the faculty of the units involved in this merger proposal be consulted? Will faculty of peripherally affected units also be consulted?

The Report specifically notes the failure of the Task Force to carry out in any way one aspect of its charge, a study of similar human services programs in other Minnesota and Midwest area systems of higher education. Will the three different sub-groups proposed to study further the three sub-sets of questions independantly survey such extra-University of Minnesota programs in order to consider the implications of such programs for their separate charges? Should a separate study group be established to undertake this study, reporting back to the other groups to be established?

It is worth complaining that the Report text itself fails to justify its only real proposal, that the four units SSW, SSD, CYD and FSS should merge. Fortunately the appended materials, particularly that contributed by the College of Home Economics representatives provides considerable justification. The bald statement of fact that the representatives of these four units were unanimously agreed that merger is a good idea is convincing. If some of the reasons they thought so were delineated, such explanation might be enlightening to the readers of the Report. If the faculty of these units are similarly unanimous (or nearly so) further weight might have been added to this report by the inclusion of a survey of faculty opinion, and a listing of suggestions.

ddl

April 8, 1982

TO: Professor Jerome Beker, Director, Center for Youth Development and Research
Professor John R. Borchert, Geography
Professor Neil Bracht, Director, Social Work
Professor Irl E. Carter, Dean, Social Development, UMD
Professor Daniel F. Detzner, Social and Behavioral Science, General College
Professor Eleanor S. Fenton, Associate Dean, Continuing Education and Extension
Professor Hamilton I. McCubbin, Head, Family Social Science
Professor Donald C. Rasmusson, Agronomy and Plant Genetics
Professor Roberta G. Simmons, Sociology
Professor John Wallace, Associate Dean, Graduate School
Students
Ms. Linda Burkett, Family Social Science
Ms. Valorie Lebus, Social Development, UMD
Ms. Colleen Lippie, Social Work

Dear Colleagues:

I would very much appreciate your serving as a Task Force to examine the programs of the University concerned with teaching and research in the area of human services. As in many disciplinary areas of the University, it appears that there may be some duplication in our program offerings and possible opportunities, through organizational restructuring, to carry out our activities more effectively and more efficiently.

I am particularly interested in having you examine the following programs and units: Department of Family Social Science and Center for Youth Development and Research in the College of Home Economics; School of Social Work in the College of Liberal Arts; School of Social Development at UMD; Human Services Generalist Program in the General College; Continuing Education in the Social Work. I realize that the activities of other units may have a bearing on your discussions and you should certainly take those into consideration as you believe it to be necessary.

I hope that the Task Force can accomplish the following:

- o Examine the goals and functions of the various programs to establish the ways in which they are distinguishable and the ways in which they are similar.
- o Recommend, as appropriate, reassignment of functions and organizational changes that would achieve better integration of educational and research activities and/or more effective achievement of institutional goals.

Task Force on Human Services Programs
April 8, 1982
Page Two

- o Recommend, as appropriate, reduction or elimination of activities that are unnecessarily duplicative of other activities in the University or in other institutions of higher education in the State.
- o Recommend, as appropriate, organizational and functional alterations that would allow the group of units involved in the study of human services to conduct their activities in a more cost-efficient way while preserving the quality and appropriate range of those activities.

As you know, the University has been involved in a comprehensive process of setting institutional priorities and making serious and difficult choices. The criteria we are applying to these choices (quality, connectedness, integration, demand, uniqueness, and cost-effectiveness) have been widely discussed with consultative groups and are described rather briefly in an attachment to this letter. I hope that you will consider those criteria in your discussions and recommendations. Your report will be used with other available information in further discussions aimed at establishing the institutional priority both individually and collectively of the programs you are examining. Naturally, to the extent that your recommendations provide a basis for the aggregate improvement of those programs, their relative priority will be improved. It is important for you to keep in mind that our available resources dictate that some program consolidation in these areas take place.

The task I am asking you to perform is extremely important and our need for rapid action on these matters is great. I hope that you can submit your report by the end of the 1982 Spring quarter. I have asked Professor John Wallace to chair the group and he will arrange a meeting schedule for you. My office will provide support for your efforts. If you believe it would be helpful, I would be happy to meet with you at one of your early sessions to discuss the charge or to answer related questions.

Thank you for your help.

Sincerely yours,

Kenneth H. Keller
Vice President

KHK:lme
Attachment

cc: President C. Peter Magrath
University Vice Presidents
Provost Robert L. Heller, UMD
Dean Fred E. Lukermann, College of Liberal Arts
Dean Jeanne T. Lupton, General College
Dean Keith N. McFarland, College of Home Economics
Dean Harold A. Miller, Continuing Education and Extension



UNIVERSITY OF MINNESOTA

Office of the Vice President
for Administration and Planning
200 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

December 10, 1982

MEMORANDUM

TO: Professor Miriam Seltzer

FROM: Gary Engstrand *GE*

As promised, I am enclosing my memo to Pat Swan. I am also enclosing her response as well as a copy of the procedural document of ACIA.

You might wish to look specifically at (new) Section IV (1)(b) on page five of the procedures.

As far as Pat Swan's suggestion about the President's Student Behavior Panel, I talked to Carol Pazandak about it serving as the appellate body. The problem, which I have also told Pat, is that the PSBP is composed of a majority of students, thereby not conforming to Big Ten Conference rules. Carol then suggested you; hence this note.

I understand that Carol, Pat, and Phyllis Freier will discuss this among other things next week. If you could give it some thought, and perhaps talk to Pat and Phyllis, I would appreciate it.

I might note that we profoundly hope this would add little work to your committee. ACIA does not routinely have to confront the issue of penalizing students. Frankly, I would suspect you would be involved once a decade (or even less frequently). But it seemed to ACIA better to review the policy now rather than wait until something happens.

Thanks.

tla

enclosure

cc: Professor Phyllis Freier
✓ Professor Patricia Swan
Professor Charles Walcott (note only)



UNIVERSITY OF MINNESOTA

Office of the Vice Pr
for Administration an
200 Morrill Hall
100 Church Street S.
Minneapolis, Minnes

*memo to Gary
of Prov + note
Copies to each TC Assembly
member in next committee
mailing -*

December 2, 1982

MEMORANDUM

TO: Pat Swan
FROM: Gary Engstrand *GE*
RE: ACIA policies

I am writing on behalf of the Assembly Committee on Inter-collegiate Athletics to raise a couple of procedural questions.

First: As you probably know, ACIA has a document which prescribes the procedures to be followed in the event that we receive allegations of rules violations in one of our athletic departments. One of the responsibilities incumbent on ACIA, when such investigations are completed, is to impose penalties on student-athletes when the investigation demonstrates that they are warranted. The imposition of such penalties would, of course, only result after the careful and prolonged investigation called for by the procedures.

We are in the process of amending the procedural document, and the amendments will be brought to the Campus Assembly for review and approval. The question is this: In the current version of the document, approved by the Assembly and in force until otherwise amended, there is a proviso that any decision by ACIA to impose a penalty on a student-athlete is not subject to review by any other group or individual at the University. Should that be revised to permit an appeal to the Campus Assembly? [We assume, given the language of the Big Ten Constitution that "only Universities having full and complete faculty control of athletics may hold membership," that an appeal to the President would contradict our membership obligation to the Conference. The language of the Conference Constitution, as I read it, would not preclude an appeal from a smaller body with a faculty majority to a larger one.]

Following the discussion at a meeting of ACIA today, it is my impression that ACIA is willing to abide by whatever Campus Assembly or Consultative Committee rules may govern.

Pat Swan
December 2, 1982
Page Two

Permit me a personal view: I think you can argue this either way. On the one hand, where a decision to impose a penalty must, of necessity, require lengthy review and discussion of all the facts surrounding an infraction, one can submit that the Campus Assembly should not retain the authority to review the decision unless it intends to repeat the entire investigation. Alternatively, ACIA is responsible first to its parent body, and any decisions it makes should and must be subject to review by that parent body. It really comes down, in my opinion, to a question about whether or not the Campus Assembly would be willing to oversee a decision by one of its constituent committees in the instance when that committee is acting as a judge and jury. And when, of necessity, its responsibilities include acting as judge and jury when circumstances dictate.

One analogy might be the Campus Committee on Student Behavior. Does the Campus Assembly reserve the right to review decisions it may make about penalties to be imposed upon students? (I do not know, and the answer might be illustrative, if not definitive.)

The second question is easier: Is there a general University, or campus, rule--from the Senate or elsewhere--which bans extracurricular activities during study day or finals week? That is, does ACIA have the authority to permit travel or competition by athletic teams during a finals week period?

I should point out that current ACIA policy prohibits competition, but questions have recently arisen about travel. What we need to know is whether or not, if a team has no finals during the period in question (e.g., the last day of finals week), or if one or two team members stay on campus to complete their finals but the majority of the team travels to an event, ACIA even has the authority to approve such exceptions. Or is there a general policy which prohibits ACIA from even granting such exceptions or variations?

I should also add that sometimes this can be a sticky problem; it most often arises in connection with the weather. If we face difficulties with blizzards, or other strange circumstances arise, teams must occasionally get out of the Twin Cities early if they are to get out at all.

My own view, again, is that ACIA is very conscientious of the academic responsibilities of athletes, and that it ought to be given authority to act flexibly. If there is a general policy, of course, the Committee indicated it has no wish to contravene it. But do they even have the authority?

If this gets too involved, you may wish to consult with Professor Walcott. And please excuse my grammar and diction;

I typed this myself as I thought.

UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
164 Food Science and Nutrition
1334 Eckles Avenue
St. Paul, Minnesota 55108
Telephone (612)373-3226

December 6, 1982

To: Gary Engstrand
From: Pat Swan
Re: Your memo of December 2, 1982

You have raised two questions to which I will respond personally. I will circulate your memo and my response to the Twin Cities Assembly Consultative Committee and ask for committee reaction as well.

1. Your first question probably has two dimensions:

a) Should the Assembly routinely review ACIA decisions or penalties of student athletes? My reaction is they should not. The Assembly should establish broad policy and procedural guidelines but the implementation of these guidelines should be left to ACIA. We do not review decisions from the Assembly's Student Behavior Committee but those decisions can be appealed to the President's Student Behavior Panel, which has no relationship to the Assembly.

b) Should there be some group to whom student athletes might appeal if they feel they have been unjustly penalized? This is a more difficult question. In general, right of appeal is held dearly within our system of justice. What provision is made for appeals in your current procedure?

2. Do we have a general rule banning extracurricular activities during study day or finals week?

To my knowledge we do not. (But I'm often unaware of rules and regulations.) We might inquire further about this, through Vice President Wilderson's office and special events offices. In general, I'm against this type of regulation but would rather see good sense prevail. If athletic teams are to compete during finals, or the time immediately preceding finals, they place their members' scholastic performance in jeopardy. If there is outside pressure to ignore this fact, the ACIA should protect our athletes from this pressure. However, if the ACIA finds no undue hardship would result from travel or plan, then why not? I should think that the fact that some athletes might have to "stay behind" would constitute undue pressure.

You'll hear more from us by early January. In the meantime, your response to my question in section 1.b. above would help our deliberations.

:mbp

Procedures to be Used in Conducting
Investigations of an Athletic Department

DRAFT

DEC 10 1982

Preamble

The purpose of this document is to set forth University procedures for conducting investigations of alleged institutional or conference intercollegiate athletic rules violations.

It is the responsibility of the Assembly Committee on Intercollegiate Athletics (ACIA) to develop and to implement a program which will inform staff members, students, and all others associated with the athletic program:

- (1) of the applicable institutional and organizational rules governing intercollegiate athletics, and that the University does not in any way approve or condone rule violations, and
- (2) of the variety of individual and institutional sanctions that may be imposed when violations of the rules are established.

These procedures are designed to maximize the protection of individual rights while also creating a forum for the examination of alleged violations of standards of conduct, and for an assessment of appropriate sanctions.

It is the intent of these procedures that:

- (1) Any investigation be conducted prior to the intervention or involvement of an athletic governing organization* if possible, and,
- (2) The process should be fair, diligent, and expeditious.

If an investigation follows the procedures outlined in this policy, and is conducted in the spirit of this policy, it is believed that the actions taken will withstand subsequent review or scrutiny by an athletic governing organization or other authority.

I. Response to Allegations

A. When allegations are received from a source other than an athletic governing organization, the Chair of ACIA shall convene a meeting to assess the validity, extent, nature, and importance of the problem those allegations, if any; and to determine whether or not further investigation will be required. The meeting shall include the following individuals:

- The Chair of ACIA;
- The Vice President for Administration and Planning;

*The phrase "athletic governing organization" includes the National Collegiate Athletic Association (NCAA), the Intercollegiate (Big Ten) Conference, the Western Collegiate Hockey Association (WCHA), and any other new or successor athletic governing organization which the University may join on behalf of one or both of its athletic departments.

- The Faculty Representative for the Department involved;
 - The Athletic Director of the Department involved if he or she is not named in the allegations and if such participation is deemed appropriate by the Chair of ACIA; and
 - The Chair of either the ACIA Subcommittee on Eligibility or the ACIA Subcommittee on Recruiting, depending on the nature of the allegations and at the discretion of the Chair of ACIA. (If allegations cover areas appropriate to either Subcommittee, or to neither of them, the Chair of ACIA may draw members from both invite either or both Subcommittees chairs to the meeting for the purpose of this initial problem assessment.)
- B. It is to be hoped that the problem may be resolved without formal investigation. Preferred steps would involve informal inquiries followed by resolution of the problem by either the Athletic Director or the Faculty Representative or both. Therefore:
- (1) If it is determined that further study is not necessary, the Athletic Director and the Faculty Representative shall respond to the allegations and will report to the ACIA on steps taken, but,
 - (2) If it is determined that further investigation is necessary, the protocol set forth in Sections II-VII of this document shall control.
- C. When allegations are received from an athletic governing organization in the form of an "Official Inquiry" or other formal notification, an investigation will take place in a manner consistent with University policy and as required by the athletic governing organizations' rules and regulations.
- ~~D. ---The Chair of ACIA shall annually request the Vice President to obtain shall annually request from all appropriate athletic governing organizations a report of any allegations which they may have received from any source which involved the University of Minnesota; Twin Cities campus and shall report them to the Chair of ACIA. -- Examination of these allegations shall be in accordance with this policy:~~

II. Ad Hoc Committee

- A. ~~If the Subcommittee on Eligibility or Recruiting (as involved); the Chair of ACIA; the Faculty Representative; and the Vice President; acting group convened pursuant to Section I(A) of this policy concludes that the allegations justify further inquiry, the Chair of ACIA shall appoint an ad hoc committee to conduct an investigation. The ad hoc committee shall consist of two faculty members from ACIA, one of whom shall be designated Chair of the ad hoc committee, one other faculty member not serving on ACIA, one student member of ACIA, and one student not serving on ACIA. The Vice President or his designee, the Faculty Representative, and the Athletic Director (if not charged personally in any of the allegations) shall serve as ex-officio, non-voting members of the ad hoc committee. A representative of the University Attorney's Office shall sit with the committee to provide appropriate advice and assistance. Staff assistance shall be provided by the Vice President.~~

- B. The Chair of the ad hoc committee shall convene a meeting as soon as possible in order to evaluate the allegations and to decide upon the manner in which it will pursue the investigation.
- C. The ad hoc committee may invite representatives from the appropriate athletic governing organizations to attend its meetings. The committee shall determine the terms and conditions of the participation of such representatives.

III.--Investigation

- A. The ad hoc committee may engage an investigator to take statements and otherwise gather evidence for submission to the committee and, if necessary, request funding from the Vice President for the investigation.
- B. If the ad hoc committee concludes that further review is unwarranted or unnecessary, it shall so report its recommendation to the Vice President and ACIA. ACIA may accept or reject such a recommendation.

IV.II.Procedures

- A. The ad hoc committee shall proceed expeditiously, diligently, and in a spirit of fairness.
- B. The Chair of the ad hoc committee shall consult with the Chair of the Campus Committee on Student Behavior to resolve issues involving jurisdiction.
- C. In conducting an investigation, the following principles shall govern:
 - (1) All individuals named in any allegation and any individuals making allegations shall be invited to submit statements, or to speak to the committee or to its investigator, or both.
 - (2) The ad hoc committee shall invite any individuals who wish to do so to make statements to it or to its investigator.
 - (3) Any individual who appears before the committee shall have the right to make a statement and may respond to questions from committee members after such a statement.
 - (4) All witnesses shall have the right to be accompanied by an advisor of their choosing at committee meetings or with an investigator, and shall have the right to consult with him or her at any time. Further, such individuals shall be apprised in a timely manner of their rights pursuant to this policy.
- D. Each individual alleged to have violated institutional or governing organization regulations shall be given:
 - (1) Timely notice of the hearing.
 - (2) A written statement of the charges and possible sanctions associated therewith.

- (3) A written statement of the individual's right to have an advisor of their choosing to be present and the right to consult with him or her at any time.
- (4) If in attendance at the hearing, the right to hear the evidence presented and to offer rebuttal thereto or other statements in mitigation.
- (5) A statement that failure to appear will not preclude the ad hoc committee from making a determination and recommending sanctions and penalties.

Providing a copy of these procedures shall fulfill the notice requirements of Section IV III (C)(3)-(4) and (D)(3)-(5), above.

- E. The ad hoc committee shall tape-record maintain a suitable record of its meetings. All tapes, transcripts, and records of the ad hoc committee shall be confidential and will not be released to anyone not a member of, or staff to, the ad hoc committee or a member of ACIA, except when such records are made part of the final report of the University to an athletic governing organization. All witnesses shall be informed, prior to speaking to the committee, that their remarks may become part of a final report to an athletic governing organization.
- F. The committee may permit individuals who wish to remain anonymous to speak to it: receive off-the-record testimony. Such interviews testimony will not be recorded nor shall any a part of the records be kept of the ad hoc committee. If an anonymous witness subsequently agrees to make his or her comments part of the record, the committee will take a statement in the manner prescribed in Section IV(C) of this policy. No anonymous off-the-record testimony will form the basis for a recommendation that a penalty be imposed on any individual.
- G. The ad hoc committee records and report may, at its the discretion of ACIA and upon such conditions as it ACIA may prescribe, be released its records and transcripts to one or more of the athletic governing organizations.

IV. ACIA

~~A. ---The ad hoc committee shall submit its findings and recommendations to ACIA; which will impose the appropriate sanction, if any. --- If the ad hoc committee recommends that there be no penalty, ACIA may not impose one. --- If the ad hoc committee recommends a penalty, ACIA may amend, modify, or reject the recommendation in any way it deems appropriate. --- Any recommendations for the imposition of a penalty must have (the unanimous) (a 4/5 majority) vote of the ad hoc committee. --- If the individual is adjudged to have violated applicable institutional or athletic governing organization rules or regulations, and is:~~

A. The ad hoc committee shall submit its findings and recommendations to ACIA.

If, for any individual involved in the allegations, the ad hoc committee finds that no infraction was committed, ACIA may not impose a penalty on that individual unless ACIA determines that the findings of the ad hoc committee were clearly erroneous.

(2) If, for any individual involved in the allegations, the ad hoc committee finds that an infraction was committed, and recommends a penalty, ACIA may accept, reject, or amend the recommendation in any way it deems appropriate. Any finding of an infraction and any recommendation for the imposition of a penalty must have a three-fifths vote of the ad hoc committee.

(3) For any individual who is found to have committed an infraction, the ad hoc committee may defer to ACIA the decision about the appropriate penalty to be imposed, if any.

B. If an individual is adjudged to have committed an infraction of applicable institutional or athletic governing organization rules or regulations, and is:

(1) A Student

- a. The ad hoc committee shall recommend to ACIA the appropriate sanction, in accordance with the procedures rules established by the University or athletic governing organization. Any recommendation that a student-athlete be declared ineligible or otherwise penalized must be accompanied by a citation of the rule(s) violated, a summary of the evidence or statements supporting the findings of culpable behavior, and a statement regarding any rights of appeal.
- b. The decision of ACIA shall not be subject to review or reversal by any other group or individual at the University.
- c. The student may appeal the penalty in accordance with the applicable provisions of the athletic governing organization rules and regulations.

(2) A Staff or Faculty Member, or Others

- a. The committee shall recommend to the appropriate supervisor, appointing authority, or other cognate University officer that the individual be penalized in some appropriate manner. Any recommendation that a staff or faculty member or other individual be penalized must be accompanied by a citation of the rule(s) violated and the evidence or statements supporting the finding of culpable behavior.
- b. Final authority to impose penalties on staff or faculty members shall rest with the appropriate supervisor or appointing authority or other cognate University official. Any rights of appeal from the action taken shall be governed by other University policies such as the Civil Service Rules, Regulations Concerning Faculty Tenure, or Collective Bargaining Agreements. Final authority to impose penalties on other individuals shall reside with the Vice President.

B. It is not the intent of these procedures to limit the scope of the ad hoc committee, or ACIA, in its report. It is assumed that in addition to making

decisions about individual culpability, the ad hoc committee or ACIA will make policy or procedural recommendations to the Vice President or the athletic department(s) where circumstances suggest it appropriate.

B.---Conclusions

C. Release of Report

A summary report of the ad hoc committee, or ACIA deliberations and conclusions, or both, shall be forwarded to the President, the Twin Cities Campus Assembly, and may be released to the public.

VI. Athletic Governing Organization Investigations

- A. If a student-athlete is subsequently declared ineligible by ACIA, in accordance with these procedures; as a result of findings from an investigation, the appropriate faculty representative shall immediately petition the Conference or the Association to reduce the penalty if ACIA so recommends by a majority vote.
- B. In those instances when an athletic governing organization, either as a result of its own findings or those of an ACIA ad hoc committee, imposes a penalty over which the University has not control (e.g., program or sport probation) and with which it disagrees, ACIA shall retain the authority to review that decision and, if it chooses, appeal it in whatever manner is provided by the structure of the governing organization. If such an appeal is unsuccessful, ACIA may recommend to the Vice President that an appropriate legal remedy be sought.
- C. If an athletic governing organization imposes a penalty on the University, whether or not as a result of an investigation conducted according to the procedures set forth in this document, ACIA shall have final authority to determine the response of the University.

VII. Disposition of ACIA Report

All actions and recommendations from ACIA shall be forwarded to the Vice President for Administration and Planning. It is understood that if a report to an external organization is required, the individual to whom the original official notice or letter of inquiry was made shall have the responsibility for finally responding on behalf of ACIA. The Office of the Vice President shall have the responsibility of ensuring that the final report from ACIA is forwarded to the correct individual for response to the external agency. The Office of the Vice President shall also have the responsibility for ensuring that the final report sent out is one approved by ACIA.

The original document was approved by the Assembly Committee on Intercollegiate Athletics on 11/1/79.

The original document was approved by the Twin Cities Campus Assembly on 6/5/80.

The original document was approved by Vice President Nils Hasselmo, Administration and Planning, on 6/11/80.

The first revision of the document was approved by the Assembly Committee on Ingercollegiate Athletics and by Vice President Nils Hasselmo, Administration and Planning, in the Fall of 1980.

(Date)

(Inside Address)

Dear _____:

At the direction of the Assembly Committee on Intercollegiate Athletics, which is charged with the responsibility for governing athletics on the Twin Cities campus of the University, I am serving as chair of an ad hoc committee appointed to investigate recent allegations concerning our (men's)(women's) intercollegiate athletic program. The members of the ad hoc committee serving with me are:

----- (List of names and titles) -----

Your name has been mentioned in the allegations. Specifically, it has been alleged that you have been involved in violation of ----- (cite legislation) -----.

If it is determined that the allegations are valid, the following sanctions may result:

----- (Cite possible penalties) -----

The ad hoc committee wishes to investigate and resolve the allegations as quickly and as fairly as possible. I enclose with this letter a copy of the procedures by which we are governed as we conduct our investigation; please note, in particular, Section IV of the document.

If it is possible, we would like to meet with you to discuss the allegations; we will schedule a meeting of the ad hoc committee at a time convenient for you. Should you be unable to meet with the committee, you may send me a written statement of your views and responses to the allegations. Please understand, however, that the ad hoc committee may reach a judgment about the allegations against you, and may recommend the imposition of penalties, regardless of whether or not you choose to appear or send a statement.

I want to assure you that we are proceeding in a spirit that is fair and intended to treat everyone who is involved in a courteous and even-handed manner. Because

(Sendee)
Page Two
(Date)

these allegations, if demonstrated to be accurate, can have a serious impact on our athletic program, we are being as thorough as possible. We would appreciate your cooperation and help as we attempt to resolve the matter; I will contact you shortly about the possibility of a meeting with the ad hoc committee.

Cordially,

-----, Chair
ad hoc Committee

tla

enclosure