



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
614 Social Sciences
267 19th Avenue South
Minneapolis, MN 55455
Telephone (612) 373-3226

SENATE CONSULTATIVE COMMITTEE

May 3, 1984
626 Campus Club
12:30 - 3:00

AGENDA

1. Minutes of April 19 (enclosed).
2. Report of the Student Chair.
3. Report of the Chair.
4. Report of the Finance Committee.
5. Agenda for May 17 Senate meeting.
6. Statement of principles concerning University relations with foreign students. (Note: Memorandum from the International Education Committee will be sent later.)
7. Report of the Senate Committee on Faculty Affairs' Subcommittee on Sexual Harrassment Policies and Procedures.
(Note: Report, Procedures statement, and Motion to the Senate are enclosed in members' packets sent via U.S. mail, and are being sent separately to Twin Cities Campus members via campus mail.)



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
614 Social Sciences
267 19th Avenue South
Minneapolis, MN 55455
Telephone (612) 373-3226

MINUTES
SENATE CONSULTATIVE COMMITTEE
May 3, 1984
626 Coffman Memorial Union
12:45 - 2:50

APPROVED 5/17/84

Members present: Charles Farrell, Virginia Fredricks, Van Hayden, John Howe (Chair), Susan Hunstiger, Julie Iverson, Marvin Mattson, Lisa McDonell, Jack Merwin, Mitch Richter, Irwin Rubenstein, Paul Schulte, Scott Singer, W. Donald Spring, Deon Stuthman, Burt Sundquist.

Guests: Members-elect Shirley Clark and Paul Murphy; Julie Bates, Andrea Hymes (Daily), Jeann Linsley (Pioneer Press), Mary Jane Plunkett, Dave Shope, Maureen Smith.

1. The minutes of the April 19 meeting were approved as distributed.

2. Report of the Student Co-chair. Mr. Schulte.

- SSCC has approved its committee slates.

- MSA will this week elect the five Twin Cities student members of SCC for 1984-85.

- SSCC's Mitch Richter has been elected president of the UMD Student Association. Eric Ahlgren will be UMD's new student member on SCC. SCC transition will occur on May 31. SSCC has invited Professor Mattson to give the new member orientation talk.

- SSCC is identifying student members for the newly-approved advisory committee on promotions and co-sponsorships. (See below.)

- Several SSCC members will visit UMD on May 10-11 and while there attend Regents' meetings. They will report to SCC on May 17.

3. Report of the Chair. Professor Howe.

Professor Howe welcomed Professor Shirley Clark.

- Review Committee on sponsorships and promotions approved by the Assembly on April 19 calls for the two student and two faculty members to be selected by the Assembly Steering Committee. Professor Howe has asked ACSA chair Professor Kahn's opinion about transferring that responsibility to Committee on Committees, on the premise that SCC should not be expanding its number of appointing responsibilities. SCC indicated its agreement with that position. Professor Kahn had no problem with seeking that amendment.

Mr. Singer suggested that it would still be desirable for the Assembly Steering Committee to clear the nominees because the student members of ASC tend to be more aware of the backgrounds of the relevant issues.

Professor Howe will take this advice into account and confer further with Professor Kahn. If the new review committee needs to be activated right away, the Steering Committee can make the first appointments.

4. Report of the Senate Finance Committee. Professor Rubenstein.

- The University got treated pretty well by the 1984 legislature. SFC will follow implementation of the extension of state average cost funding to extension and summer school enrollments.

- SFC has discussed the programmatic and across-the-board retrenchment and reallocation, and the "mortgages." Vice President Keller told SFC he sees these changes as difficult, but he also sees the units making efforts to meet their planning goals.

- SFC discussed the merit salary increases and the \$800,000 available for '84-'85 special salary purposes. The ad hoc committee will be reconstituted to advise Vice President Keller on the latter. There is an SFC consensus on the need to use funds to buffer market impact.

Future agenda:

(1) Invite Vice President Lilly for a meeting. (The Consultative Committee would like to join that meeting.)

(2) Consider the next biennial budget request items when they are prepared, probably within the coming month. Presumably the Regents will approve the BBR sometime this summer.

(3) Retirement schedule and strategies for optimizing replacement. The faculty retirement "bulge" looks more like a slowly increasing number than a bulge, said Professor Rubenstein. SFC believes it will get a better sense of the situation by studying the retirement on a department-by-department basis. The University should look at national trends which can affect the University's success in competing for new hires. Professor Rubenstein has requested data from John Wallace. He said the next biennium is not too soon to begin to apply strategies such as hiring in anticipation of retirements.

Professor Stuthman urged an early notice to the legislature if a case can be made for anticipatory hiring so that a request in the BBR would not take them by surprise. Retention will also be a consideration should national raiding occur in the 1990's. Professor Mattson cautioned against seizing the budgetary advantage of leaving a position unfilled for a time, because that is disruptive for students and costly for program quality.

Professor Clark remarked that the Report of the Task Force on Graduate Education and Research (just released publicly) deals in some detail with the questions of anticipatory hiring and arrangements for young scholars. IT, she said, has done anticipatory hiring of five faculty members under a grant from the Northwest Area Foundation. This provision flowed from NSF's warning about a lost generation of scholars. The Foundation is now considering whether it should provide a second round.

Salary policies. Professor Rubenstein asked whether the faculty want to recommend that some 0100 salary money be retained for distribution at the discretion of central administration. Professor Howe will discuss the question with Professor Bognanno since SCFA is the committee with foremost responsibility on salary questions. Professor Stuthman pointed out that the \$800,000 for special salary purposes is roughly 10% of the faculty salary increase monies, a proportion he called significant.

5. Agenda for the May 17 Senate meeting.

A. SCFA motion to approve the revised policy and procedures for the University regarding sexual harrassment.

Professor Howe reported Mr. Schulte's inquiry to him on behalf of SSCC on whether the motion should not more appropriately come before the University Senate than the Faculty Senate because the matter is of more than faculty concern and because the original motion of three years ago was passed by the University Senate. He reported that the Faculty Consultative Committee had this same morning agreed it should be in the docket of the University Senate and had asked the Clerk of the Senate (today being the deadline for submitting that docket to the printer) to print the item in full in the University Senate docket, while still listing it by title in the Faculty Senate docket. Professor Howe will talk to Professor Bognanno as soon as possible about removing it from the Faculty Senate docket. (See #7 below for discussion of motion.)

B. SCFA motion on options for faculty to transfer at retirement their Mills I proceeds into an I.R.A. of their choosing.

Professors Sundquist and Stuthman suggested that this item be presented for information now and for action in the fall since all faculty need time to consider the implications of the proposed change (how the Mills I fund would be affected if large numbers of retirees removed their assets).

C. SCFA motion on raising the cap on which disability income will be paid.

Professor Rubenstein said that here too the faculty need to understand what the trade-offs are.

6. Principles for International Educational Exchange.

Dr. Olness, chair of the Senate Committee on International Education, alerted Professor Howe last week to the existence of these principles. The National Association for Foreign Student Affairs developed and adopted these principles and is asking all member institutions to endorse them.

Professor Howe told SCC that institutional approval appears to him to be properly an administrative task. He recommended, and the SCC approved, that he write the president suggesting that the Wallace Task Force on the International Character of the University, as expanded now to include several faculty members and several deans, might be the appropriate administrative body to advise the president on whether the University would commit itself to these principles. SCC asked that the letter also note any financial implications.

Several SSCC members called attention to the relationship between the work of the Task Force on the Student Experience and the Task Force on the International Character of the University, and commented that what applies to students generally applies to foreign students as a sub-group. Internationalization should not be approached too separately and specially, they stated.

7. University policies and procedures regarding sexual harassment.

(When the Senate in 1981 passed the original policies and procedures, it mandated 1983-84 as the year for their review.)

Materials: SCC members had copies of the SCFA motion to the Senate, the policy statement, the procedures, and the report of the SCFA subcommittee.

Professor Merwin commented that he sees a tendency to put the emphasis in the wrong place (dealing with undesirable behavior). The implication in the current approach is that if we have all these sanctions, then we won't have to think about the problem any more. But, he said, something else has to happen for us to work our way out of this problem and to have sexual harassment not occur.

Dividing the motion. Professor Merwin questioned to what extent the procedures should be set in the Senate and therefore unchangeable without a return to the Senate. Professor Spring said the Board should be able to modify procedures as they see how things actually work. He recommended asking SCFA to divide the motion.

Policy Statement. SCFA agreed to recommend that on page 3 the two documents specified ("A Statement of Standards of Student Conduct Enforceable by University Agencies," and "Civil Service Rules") be identified as the most recent version approved by the Regents instead of as the version current at the time the policy is approved.

Mr. Hayden moved the SCC endorse the Policy Statement on Sexual Harassment with the suggestion for generalizing the two titles mentioned above. The motion was carried without dissent.

SCC agreed by consensus to co-sponsor in the Senate the motion for the Senate to endorse the Policy Statement.

Procedures Statement. Mr. Schulte pointed out that the Procedures build in provision for continuous review: Section I.J., "It is also the responsibility of this Board to report periodically to the University Senate through the Senate Committee on Faculty Affairs," and Section II.H., "The Board will conduct a continuous review of the Sexual Harrassment Policy and Procedures... " Mr. Hayden spoke in favor of the necessity for the area to be before the Senate almost every year.

Other members expressed the opinion that what requires Senate approval should be general policy and of long duration; Professor Stuthman said if we agree it is important in this instance to require something close to annual Senate review, we should say explicitly that in this instance we choose to violate our normal practice.

Mr. Hayden applauded the report's call for more publicity regarding the policy so students will know where they can go. He recommended including the

notice in even more publications, both to show students what they can do should they need to, and to demonstrate what an effort the University has made to combat sexual harassment.

SCC members identified several passages in the procedures statement where they found the wording confusing, or found need for a clear rationale. They recommended changes they believed would improve the document. For example, Section I, letter I: the implied alternative needs clarification;

Section II.B. should identify a quorum and/or state whether panels may be used;

Section IV might include an item B. on making counseling available to a respondent.

SCC agreed it would inform SCFA of its concern that the procedures statement needs considerable revision before it is in suitable form to go before the University Senate, and to recommend to SCFA that a member of the University Attorney's Office review the text.

SCC will also suggest to SCFA that it move in the Senate to continue the existing procedures for six months. Were the Senate to approve such a motion, it could then vote on the new procedures at the fall Senate meeting without there having been a lapse in official procedures.

SCC members indicated they would appreciate a joint meeting with Professors Bognanno and Durham if one can be arranged, to help SCC understand some rationale that remains unclear to them.

The meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Meredith Poppele, SCC Executive Assistant

ACSA recommends the adoption of the following policy:

Recommended Policy on Advertisements Promotions and Sponsorships

The University of Minnesota is a publicly supported institution of higher education, maintained by the State to further the educational and cultural opportunities of all its citizens and to advance the general welfare through research, teaching and public service. The fundamental purpose of this University is clearly focused on education in the broad sense of the word.

In this light, it is natural that the University recognizes that the activities and purposes of non-University groups often coincide or complement those of the University itself. In such circumstances, the University has allowed non-University groups to use University facilities and/or to enter into joint sponsorship of University programs including major campus and student activities such as the University Homecoming, Campus Carnival, and some conferences and concerts.

The Regents of the University have approved policies which specify the University's interests in and the conditions under which use of University facilities is permitted for non-University groups, and the principles which govern jointly sponsored programs (see for example policy on Use of University Facilities, approved by the Board of Regents-- July 11, 1975, available from Secretary of the Board of Regents, 373-0080). Despite these policies, questions do arise about the appropriateness of certain promotions and sponsorships as well as the suitable use of revenues so generated. Traditionally, authority and responsibility for implementing the relevant Regents' policies has been vested in the specific University units or organizations involved in jointly sponsored programs. However, there appears to be a need to improve and clarify approval mechanisms currently in place to provide for appropriate review of jointly sponsored activities. Everyone agrees that constitutional guarantees (for example, the First Amendment to the Constitution) must be fully protected.

Consequently, the Assembly Committee on Student Affairs Recommends:

1. When academic units plan to enter into a jointly sponsored activity or program with non-University groups, the appropriate dean, or director, or their designee, shall be responsible for review and approval of the proposed event.
2. When non-academic units plan to enter into a jointly sponsored activity or program with non-University groups, the appropriate director shall designate a suitable officer to review and approve the proposed event. In the case of registered student organizations, the director of the Student Organization Development Center shall be responsible for ^{such} review and approval.
3. In the case of a co-sponsored activity, where the non-University co-sponsor donates funds, materials, or services in excess of \$500, approval of an agreement shall be obtained prior to entering into the agreement with a non-University co-sponsor, according to 1.) or 2.)

4. We further recommend that the University administration establish a Review Committee on Advertising, Promotions, and Sponsorships to monitor the practices of jointly sponsored activities. This committee may also serve to hear appeals, clarify procedures, and disseminate information about existing policies to the appropriate officers.

The membership in this Review Committee shall consist of:

- 2 students selected by the Assembly Steering Committee;
- 2 faculty members selected by the Assembly Steering Committee.
- 1 person designated by the office of the Vice-president for Finance and Operations.

No member of this Review Committee shall be a person responsible for review and approval of these activities at a unit level.

5. The Review Committee shall report to the administration and/or the Assembly as necessary.

Don Kahn



UNIVERSITY OF MINNESOTA
TWIN CITIES

Minnesota Student Association
240 Coffman Memorial Union
300 Washington Avenue S.E.
Minneapolis, Minnesota 55455
(612) 373-2414

May 29, 1984

Professor Don Kahn, Chairman
Assembly Committee on Student Affairs
127 Vincent Hall
East Bank Campus

Dear Professor Kahn,

The student members of the Twin Cities Campus Assembly Steering Committee have searched quite diligently and thoroughly for two extremely qualified students for the newly established Review Committee on Advertising, Promotions and Sponsorships. Not knowing all the potential time limitations and constraints expected of this Review Committee, we feel quite pleased to recommend Al Farrell and Laurel Hedges to you for the initial appointment. Mr. Farrell and Ms. Hedges are both very capable individuals, and we are confident that they will make valuable contributions to the Review Committee's work in its first year. I am enclosing a listing of their addresses and telephone numbers to aid you in contacting them.

Let me explain, if you haven't been able to figure it out by now, why I am directing this letter to you. It is rather unclear from the Assembly-approved policy to whom this letter should be directed. I trust you will forward this letter and listing to the appropriate official.

I would like to thank you for all the time that you have spent on this important matter.

Sincerely,

Paul K. Schulte, Co-Chair
Student SCC and Assembly Steering Committee

Enclosure

cc: Vice President Frank Wilderson
Scott Singer
John Howe
Dave Shope

University Review Committee On
Advertising, Promotions and Sponsorships

Student Members

Laurel Anne Hedges (CLA)
323 10th Ave. SE
Minneapolis, MN 55414
331-3331

Permanent: Miller and Stone Rds.
Box 411
R. D. 1
Dalton, PA 18414
717-586-7102

Al Farrell (UC)
1775 Lexington Parkway S.
St. Paul, MN 55118
454-0716 (Home)
376-7206 (School)



UNIVERSITY OF MINNESOTA

Office of the Clerk of the Senate
424 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455
(612) 373-2125

May 29, 1984

To: John Howe, Chair, Steering Committee
Richard Purple, Chair, Business & Rules Committee

From: Mahmood Zaidi, Chair, Committee on Committees *MZ*

Re: Review Committee on Advertising, Promotions, and Sponsorships

At the April 19 meeting of the Twin Cities Campus Assembly, a motion was approved establishing a Review Committee on Advertising, Promotions, and Sponsorships to monitor the practices of jointly sponsored activities. The Committee on Committees is concerned with how this newly formed committee fits into the Assembly structure and approved the following motion at its May 11 meeting:

That the Steering and Business & Rules Committees be asked to review the appointment and reporting processes, duties and responsibilities, and possible inclusion of the newly formed Review Committee on Advertising, Promotions, and Sponsorships to the Assembly committee structure.

If any action is needed by the Committee on Committees, please advise.

:mk

cc: Professor Donald Kahn, Chair, Student Affairs Committee

VI. STUDENT AFFAIRS COMMITTEE
SPONSORSHIPS, ADVERTISEMENTS, AND PROMOTIONS POLICY
(10 minutes)

MOTION:

That the Assembly approve the following recommended policy on advertisements, promotions, and sponsorships:

1. When academic units plan to enter into a jointly sponsored activity or program with non-University groups, the appropriate dean, or director, or their designee, shall be responsible for review and approval of the proposed event.

2. When non-academic units plan to enter into a jointly sponsored activity or program with non-University groups, the appropriate director shall designate a suitable officer to review and approve the proposed event. In the case of registered student organizations, the director of the Student Organization Development Center shall be responsible for such review and approval.

3. In the case of a co-sponsored activity, where the non-University co-sponsor donates funds, materials, or services in excess of \$500, approval of an agreement shall be obtained prior to entering into the agreement with a non-University co-sponsor, according to 1.) or 2.)

4. We further recommend that the University administration establish a Review Committee on Advertising, Promotions, and Sponsorships to monitor the the practices of jointly sponsored activities. This committee may also serve to hear appeals, clarify procedures, and disseminate information about existing policies to the appropriate officers.

The membership in this Review Committee shall consist of:

2 students selected by the Assembly Steering Committee;

2 faculty members selected by the Assembly Steering Committee.

1 person designated by the office of the Vice President for Finance and Operations.

No member of this Review Committee shall be a person responsible for review and approval of these activities at a unit level.

5. The Review Committee shall report to the administration and/or the Assembly as necessary.

INFORMATION:

The University of Minnesota is a publicly supported institution of higher education, maintained by the State to further the educational and cultural opportunities of all its citizens and to advance the general welfare through research, teaching, and public service. The fundamental purpose of this University is clearly focused on education in the broad sense of the word.

In this light, it is natural that the University recognizes that the activities and purposes of non-University groups often coincide with or complement those of the University itself. In such circumstances, the University has allowed non-University groups to use University facilities and/or to enter into joint sponsorship of University programs including major campus and student activities such as the University Homecoming, Campus Carnival, and some conferences and concerts.

The Regents of the University have approved policies which specify the University's interests in and the conditions under which use of University facilities is permitted for non-University groups, and the principles which govern jointly sponsored programs (see for example policy on Use of University Facilities, approved by the Board of Regents—July 11, 1975, available from Secretary of the Board of Regents, 373-0080). Despite these policies, questions do arise about the appropriateness of certain promotions and sponsorships as well as the suitable use of revenues so generated. Traditionally, authority and responsibility for implementing the relevant Regents' policies has been vested in the specific University units or organizations involved in jointly sponsored programs. However, there appears to be a need to improve and clarify approval mechanisms currently in place to provide for appropriate review of jointly sponsored activities. Everyone agrees that constitutional guarantees (for example, the First Amendment to the Constitution) must be fully protected.

DON KAHN
Chair

Approved

Dear Prof. Howe,
For your info.
start the process.



UNIVERSITY OF MINNESOTA

I suspect we should
sincerely
Donald Kahn

Office of the President
202 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

May 3, 1984

Professor Donald Kahn
127 Vincent Hall

Dear Professor Kahn:

Thank you for your April 24 letter drawing my attention to recent action by the Twin Cities Campus Assembly concerning the Policy on Sponsorships, Advertisements and Promotions. I have followed this issue, primarily through discussions with Vice President Wilderson. Both he and I are pleased that your proposal was adopted. In particular, I think the policy will provide a better mechanism than currently exists for insuring the University's interests are not compromised whenever we enter into jointly sponsored activities with students and other groups.

Although the Review Committee established by the Policy does not appear to be a regular Senate or Assembly Committee, I assume that notification of appointment of members, etc., can be handled by the Office of the Clerk of the Senate in the same way it assists our regular Senate and Assembly Committees.

I hope you and the Assembly Committee on Student Affairs will accept my thanks for your work in developing the Policy. If I can be of any additional assistance, please do not hesitate to contact me again.

Cordially,

C. Peter Magrath
President

CPM:pln

cc: Vice President Frank B. Wilderson, Jr., Student Affairs
Ms. Marilee Ward, Clerk of the University Senate



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
614 Social Sciences
267 19th Avenue South
Minneapolis, MN 55455
Telephone (612) 373-3226

May 10, 1984

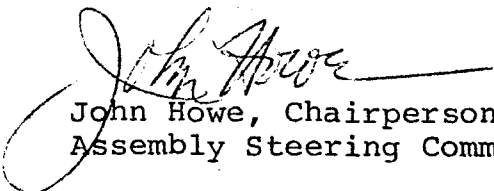
Professor Donald Kahn, Chairperson
Assembly Committee on Student Activities
Department of Mathematics
127 Vincent Hall

Dear Professor Kahn:

Let me put in writing a suggestion that I believe I made when we talked on the 'phone about the recent Assembly action in establishing a Review Committee on Advertising, Promotions, and Sponsorships. The motion, as approved by the Assembly, asks the Assembly Steering Committee to select two students and two faculty to serve on the Review Committee. The Steering Committee thinks that that job could be better done by the Assembly Committee on Committees. It regularly deals with committee memberships, has lists of faculty and students from which to draw, and so forth. The Steering Committee makes only a few committee appointments, and that number needs to be kept small.

So, we should like to propose that in the fall you or your successor ask the Assembly to amend its action to provide for selection of the two student and two faculty members of the Review Committee by the Assembly Committee on Committees. If you wish to talk about it yet this spring with the Committee on Committees, the present chairperson is Professor Mahmood Zaidi. His 'phone number is 373-3827.

Sincerely yours,


John Howe, Chairperson
Assembly Steering Committee

JH:mp

c: Mahmood Zaidi



UNIVERSITY OF MINNESOTA

Office of the Vice President for Student Affairs
Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

June 27, 1984

MEMORANDUM

TO: Marilee Ward

FROM: Bob Barnett *Bob Barnett*
Assistant to the Vice President

SUBJECT: Membership for the Review Committee on Sponsorships
and Promotions

As you know, the Assembly approved a new policy on Advertising, Promotions and Sponsorships this past Spring upon recommendation of ACSA. The policy calls for the appointment of a review committee composed of 2 students, 2 faculty and one designee of the Vice President for Finance. Because this new review committee is a creature of the Assembly, I understand your office is willing to provide it with some support, such as preparing initial appointment letters for the President's signature.

I have attached a letter from Paul Schulte recommending the appointment of two student members. (Please disregard the handwritten note on the letter.) I understand from Associate Vice President Don Zander that the Consultative Committee has agreed to nominate two faculty members, however, in subsequent years this nomination should be made by the Committee on Committees. By copy of this letter, I am confirming this understanding and asking that Professor John Howe send the names of the two faculty directly to your attention. Finally, I am preparing a letter for Vice President Wilderson who wishes to write Vice President Lilly to describe the nature of this new committee and his responsibility in naming a member to it. He will ask that Vice President Lilly send the name of his designee to the review committee to you. I strongly recommend that you wait until you have received the names of all five members to prepare the appointment letters for President Magrath's signature.

You may or may not know that this new policy resulted from ACSA actions in response to a report originally submitted to them by my office. Although our office will have no specific ongoing relationship to the review committee, we do wish to participate by providing them with background information at one of their initial meetings. For this reason, I would very much appreciate receiving notification from you, once the appointment letters have been signed and sent.

- 2 -

I very much appreciate your assistance. Please feel free to contact either myself or Dr. Zander if you have any further questions.

/djs

cc: John Howe
Don Kahn
Don Zander

Twin Cities Campus Units
UNIVERSITY OF MINNESOTA
Faculty Mandatory Retirements (Age 70)*
FY1981-FY2000

<u>Unit</u>	<u>#Fac. 82-83</u>	<u>mandatory retirements 81-89</u>	<u>%</u>	<u>mandatory retirements 90-2000</u>	<u>%</u>
Agricultural Exper. Station	35	2	6%	11	31%
Agricultural Extension Service	42	3	7%	11	26%
College of Agriculture	254	19	7%	77	30%
College of Forestry	28	0	0%	9	32%
College of Home Economics	61	2	3%	19	31%
College of Veterinary Medicine	89	4	4%	19	21%
College of Education	162	6	4%	55	34%
Graduate School (Hormel)	20	4	20%	1	5%
School of Management	85	5	6%	13	15%
College of Liberal Arts	522	32	6%	122	23%
Humphrey Institute of Public Affairs	13	2	15%	1	8%
Institute of Technology	392	24	6%	114	29%
Continuing Education and Extension	31	6	19%	9	29%
Twin Cities Libraries (Excluding Law)	79	4	5%	29	37%
College of Biological Sciences	84	10	12%	18	21%
Law School (Including Library)	39	6	15%	6	15%
General College	55	6	11%	20	36%

<u>Unit</u>	<u>#Fac. 82-83</u>	<u>mandatory retirements 81-89</u>	<u>%</u>	<u>mandatory retirements 90-2000</u>	<u>%</u>
Medical School	742	26	3%	158	21%
School of Public Health	83	1	1%	15	18%
School of Nursing	54	3	6%	16	30%
College of Pharmacy	50	1	2%	2	4%
School of Dentistry	99	5	5%	14	14%
Student Affairs	23	3	13%	10	43%
TOTAL - Twin Cities	3042	174	6%	749	25%

Percentages calculated from faculty numbers and mandatory retirement years supplied by Academic Affairs to FCC in spring, 1983. /mp



UNIVERSITY OF MINNESOTA

To John Howe
from
JET

Office of the President
202 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

March 1, 1984

The Honorable Charles H. Casey
The Honorable William B. Dosland
The Honorable Willis K. Drake
The Honorable Erwin L. Goldfine
The Honorable Wally Hilke
The Honorable Lauris Krenik
The Honorable David M. Lebedoff
The Honorable Verne E. Long
The Honorable Charles F. McGuiggan
The Honorable Wenda W. Moore
The Honorable David K. Roe
The Honorable Mary T. Schertler

Dear Ladies and Gentlemen:

I am forwarding today for your information and review and for discussion at our meetings next week a draft Budget Plan for fiscal year 1985 (1984-85) which begins on July 1, 1984. The proposed Budget Plan that is attached focuses on the State Funds portion of the University's comprehensive budget -- the General Operations and Maintenance Fund, and the package of State Specials budgets. The remainder of the University's comprehensive budget involves self-supporting operations, such as University Hospitals, and anticipated external funding for research and training. It will be available for Regents' review and approval when the final budget is submitted to the Regents in July.

The proposed Budget Plan for 1984-85 has been put forward for initial review and discussion by the Budget Executive, chaired by Vice President Keller. The Plan focuses on the year immediately ahead and is in accord with the Budget Principles approved by the Board in January. This plan, I believe, constitutes strong evidence of our progress that we continue to make in implementing our planning process.

The Budget Executive recommends a Budget Plan for 1984-85 for the General Operations and Maintenance Fund that anticipates revenues of \$381.51 million, expenditures of \$378.87 million, and reserves of \$2.64 million. The net increase in funds available to the University is \$14,370,019 or only 3.9% more than the approved O. & M. base in 1983-84. In 1983-84, the Legislature appropriated \$6.0 million for one year only to fund deficits in fuel, utilities, disposal of hazardous wastes, and for certain replacements of equipment. These appropriations are being returned in 1984-85. The net increase in funds available, adjusted for the return of these appropriations becomes \$20,378,019 or 5.6%.

The Board of Regents
Page 2
March 1, 1984

The Budget Plan for 1984-85 incorporates tuition revenue estimates that flow from the State's decision in the 1983-85 appropriations to assume that average tuition rates will be established at 32% of instructional cost for fiscal year 1984-85.

The Budget Plan also includes funds for an average increase in faculty salaries of 6% in 1984-85, which I strongly endorse, and the unanimous recommendation of the Budget Executive that individual salaries for faculty members be determined exclusively on considerations of merit. I agree with this judgment.

If there are questions on this material before we meet, Vice President Keller or I would be pleased to try to respond to your concerns.

Cordially,


C. Peter Magrath
President

Attachment

cc: University Vice Presidents and Provosts
Mr. Stephen S. Dunham, General Counsel
Mr. Duane A. Wilson, Secretary to the Board

UNIVERSITY OF MINNESOTA

The Operations and Maintenance Budget Plan for 1984-85

A Proposal for Information and Discussion

Introduction and Overview

Although it is only a fraction of the University of Minnesota's comprehensive budget, which also includes such self-supporting activities as University Hospitals, Residence Halls and other Auxiliary Services and externally-generated funds for research and public service, the Operations and Maintenance Fund Budget provides the bulk of the resources for the institution's educational mission and the central administrative and physical maintenance services that support that mission.

The University's O. & M. Fund Budget includes items funded by the public resources made available by the State of Minnesota for the conduct of the University's programs, and by the tuition and other fees paid by the men and women who enroll for the benefits of a University education. It records literally thousands of separate allocations of funds to schools, departments and offices for the conduct of the University's sweeping array of educational offerings, and for the direct and indirect services that make them possible. It reflects the settled policies and traditions of the State of Minnesota with respect to the provision of appropriated State funds and the offset of certain resources -- such as the recovery of overhead and other indirect costs through federally-sponsored research activities -- that come to the University from other quarters. As a fiscal blueprint for the immediate future, the proposed Budget Plan derives strongly from the University's planning process while, at the same time, incorporating as much as possible the University's emerging goals and opportunities, and following the Budget Principles approved by the Board in January.

The budget for 1984-85 is a document of retrenchment and reallocation. Although no funds are retrenched to fund reductions of state appropriations, the budget reflects a continuing series of hard decisions and constricting internal adjustments to fund new needs in the colleges and other units of the University.

By any measure, the broad budgetary outlook for 1984-85 and beyond is significantly improved, thanks in part to outcomes in the 1983-85 Legislative session that addressed several of the University's most significant priorities, and to continued planning efforts throughout the University that have freed up nearly \$1.9 million in resources for application to priority program and service needs not met by the state appropriations. At the same time, each collegiate unit has been allowed to reallocate some portion of its programmatic retrenchment directly to high priority needs in its own unit.

This year, the Administration recommends a total O. & M. Budget of \$381.5 million, up \$14.4 million, or 3.9% over the base budgeted in 1983-84.

This increase, adjusted for \$6.0 million of one time appropriations in 1983-84 to fund deficits in fuel and utilities and disposal of hazardous wastes; plus an adjustment in the appropriation for equipment replacement, results in a real increase of 5.6% in 1984-85.

This year the Administration presents a Budget Plan:

- That provides additional recurring funds for high-priority academic programs and support services of approximately \$2.5 million. (\$1.9 million from retrenchment and \$0.6 million from appropriations.)
- That provides \$3.6 million, or a 5% overall increase in allocation for supplies, expense and equipment budgets;
- That provides \$14.0 million for increases for faculty and staff salaries;
- That provides for an increase of \$500,000 in the Tuition Reserve for 1984-85, bringing that figure up to \$1.3 million, or approximately 1.5% of the regular session and summer session budgets;
- That anticipates increased revenues from day school tuition of \$7.0 million, 34.4% of the adjusted budget increase of \$20.4 million, and 9.1% higher than the \$77.3 million in revenues budgeted from tuition in the current year.

Major Elements of the Budget Plan

Enrollments

The Budget Plan for 1984-85 anticipates a system-wide enrollment of 56,145 students for the fall quarter, a reduction of 1,686 students from the enrollment achieved in the autumn of 1983. This projected reduction in enrollment will be taken into account in the tuition schedule which will be presented in detail in a separate communication to the Board from Vice President Keller. The projections are tentative and will change depending on the decisions made by the Board on whether and how far to move in the direction of a tuition schedule reflecting unit instructional costs.

From these assumptions, we see the head count enrollment outlook as follows:

	<u>Fall 1984 Budget Plan Projection</u>	<u>Fall 1983 Actual Enrollment</u>	<u>Anticipated Change By Campus</u>
Twin Cities	45,281	46,445	(-1,164)
Duluth	7,035	7,530	(-495)
Morris	1,595	1,603	(-8)
Crookston	1,100	1,143	(-43)
Waseca	<u>1,134</u>	<u>1,110</u>	<u>24</u>
Total	56,145	57,831	(-1,686)

Tuition Charges

The Budget Plan anticipates an increase in revenues from tuition of \$7.0 million, or a total of \$84.4 million in 1984-85, which accords with the decision of the Legislature to provide appropriations for 1984-85 that assume tuition at 32% of instructional cost. The Budget Plan projects corresponding increases in tuition collections by Continuing Education and Extension and Summer Session. At this date it is not possible to specify a total tuition revenue increase in these units. The amount of such increases will be submitted with the final budget.

This revenue objective for tuition represents a tuition income increase of 9.1%. However, since our actual tuition income this year will fall short of projections, and since we will have fewer students next year; the percentage increase in tuition for each student will have to be somewhat greater.

As will be detailed in a separate communication from Vice President Keller, the Administration favors a schedule of tuition adjustments for 1984-85 based upon the costs of individual programs rather than an across-the-board increase in tuition. This would be consistent with the 1979 Regents Policy and would minimize the negative enrollment effect likely to result from across-the-board increases in tuition.

Recovery of the Indirect Costs of Sponsored Research

The 1983 Legislature agreed to cap the State offset of the University's recovery of indirect costs from sponsored programs at \$11,924,300. While this proposal did not, in our judgment, go as far as it should to relieve the University of historic arrangements that provide no incentive to maximize recovery of indirect costs, it did clearly move in the right direction. In 1984-85, as in the present year, if the University should earn recoveries that are larger than our projections in 1984-85, we will retain all the extra dollars recovered. Correspondingly, if we fall short of our projections, we must absorb the shortfall internally.

As the Regents will remember, approximately 26% of federal reimbursement that is retained by the University is used, pursuant to standing Regents policy, to cover the direct costs of central management and support in collegiate units for the University's large, critically important, sponsored research program. The planned allocation of \$4.8 million for these activities from indirect cost recovery resources that are exempt from offset by the State is as follows:

a) Graduate School Research Center	\$ 186,960
b) Research Animal Resources	320,088
c) Research Contract Service Costs	1,754,469
d) Departmental and General Administration	2,370,800
e) Radiation Control and Hazardous Waste Disposal	<u>140,900</u>
Total	\$4,773,217

Our present estimate is that we will recover \$18,500,000 in 1984-85. Subtracting the \$4.8 million in direct costs of research and \$11.9 million of Legislatively mandated offset, we should have about \$1.8 million to distribute in support of University research activities in the following year, 1985-86.

The Board of Regents, at its August, 1983 meeting, approved a plan for distributing indirect cost recovery funds remaining after the Legislative offset.

The plan provided that at the end of each fiscal year (beginning in 1983-84) the proportion of the total indirect cost recovery generated by each collegiate unit would be calculated and the excess indirect cost recovery (the amount over \$11.9 million) would be determined. One-third of the excess indirect cost recovery would be distributed to the colleges in the proportion of total indirect cost recovery that they were responsible for generating. The remaining two-thirds would be retained centrally but used only for purposes which have the effect of stimulating research at the University. In the Budget Principles, it was stated that consideration should be given to shifting this portion of funds to distribute a greater fraction to the collegiate units.

If present trends continue, it is estimated that the sum of approximately \$2.0 million will be available as of June 30, 1984 for allocation under the formula. We believe that retention of \$1.0 million centrally will serve our contingency and central needs. Therefore, it is proposed that \$1.0 million be distributed to the collegiate units.

Other Income Changes

The budget increases for Summer Session and the Division of Continuing Education and Extension reflect only the sums which are added to general University resources as a result of income offsets required to fund state formula increases, e.g., faculty and civil service increases, and supplies,

expense and equipment. Tuition and other income increases which reflect increased tuition and other dedicated income will be included in the final budget when it is submitted in July.

In summary, income from tuition and all other income sources other than State-appropriated funds is projected to increase by \$8.4 million net to \$128.3 million in 1984-85. Most of this net increase results from increases in regular session tuition revenues of \$7.0 million, or 9.1% more than the amount projected for the current year.

New Expenditure for Programs and Services

By incorporating funds provided by the Legislature for several of the University's priority needs, as outlined in the Regents Biennial Request for 1983-85, and by freeing up \$1.9 million in funds through a wide-ranging budget review and planning process that has involved careful scrutiny of every unit of the University, the Budget Plan for 1984-85 provides and applies funds to cover most of the needs highlighted in our Biennial Request to the Legislature. A separate document summarizes in detail the new allocations that are proposed as the result of budget review and planning under the auspices of University Vice Presidents and the Budget Executive. The major new allocations are as follows:

◦ <u>New Technology Programs</u>	\$ 549,000
◦ <u>Priority Re-Allocation for Academic Programs</u>	
- College of Liberal Arts	\$100,000
- Institute of Technology	\$650,000
- Veterinary Medicine	\$206,356
- Library Acquisitions	\$329,848
- Veterinary Teaching Hospital	\$250,000
- School of Public Health	\$100,000
- Human Genetics Program	\$200,000
- Studio Arts - Revision of Course Fees	\$ 53,000
- Instructional & Research Computing	\$265,000
- Bush Foundation - Sabbatical Programs	\$100,000
- International Academic Activities (China Center)	\$ 25,000

° Priority Physical Requirements

- Increased Funding for Solid and Hazardous Waste Disposal \$124,400
- Departmental Fixed Equipment Maintenance \$100,000

° Priority Institutional Support Needs

- Staffing of the Academic Personnel Office \$100,000
- Graduate School Program Review \$ 50,000
- New Resources to Support Costs of Operating the Student Accounts Receivable and Registration Office \$ 36,000
- An Overall Increase for Supplies and Expenses Equal to the Rate of Inflation \$3,604,808
- Student Recruiting Efforts \$300,000
- Increase in Tuition Reserve \$500,000
- Increase Service to Campus Visitors \$ 26,800

° Human Needs

- Funding to Provide Faculty Salary Increases at Average of 6%, Plus Fringes* \$ 8,774,645
- Funding to Provide Staff Salary and Fringe Increases at Levels Approved for State Civil Service \$ 5,212,147
- To Increase Services for Equal Opportunity and Affirmative Action \$ 6,000

*Bargaining units at Duluth and Waseca have not completed negotiations for the 1983-84/1984-85 contract.

Academic Staff Salary Plan

The Budget Plan proposed for 1984-85 includes sufficient funds to cover the President's recommendation of a 6% average salary increase for all academic staff during the coming year. This meets the second year goal of the plan endorsed by the Regents to address the problem of the estimated 20% erosion of real income suffered by academic staff over the last decade.

On behalf of the Administration, the President will also recommend that the Regents authorize salary increases for 1984-85 based wholly upon considerations of merit. As in previous years, the Administration also recommends that the same salary guidelines adopted for faculty and staff supported by State funds be applied to faculty and staff supported in part or centrally by non-State funds.

Civil Service Staff Salary Plan

The proposed Budget Plan incorporates funds provided by the State Legislature for salary and fringe increases of 6% on the average for Civil Service staff in 1984-85.

Comparability provisions of State Law require the University to pay the same salary rates as prevail in the state classified service. Details of the proposed Civil Service Pay Plan are being presented to the Board in a separate document.

As with academic staff, the salary adjustments ultimately provided for Civil Service staff will be uniform and consistent irrespective of source of salary funding.

Special State Appropriations

Schedule IV represents the changes in the funding of Special State Appropriations. Programmatic increases in several of the funds were as follows:

a) Mineral Resources Research Center	\$100,000
b) Rural Physicians Associate Program	\$ 75,000
c) Veterinary Diagnostic Laboratory	\$100,000
d) Productivity Center	\$100,000
e) Natural Resources Research Institute	\$600,000

Other increases in the appropriations reflect provisions for academic and civil service salary and fringe costs and price level increases for supplies, expense and equipment.

Budget Reductions

The Budget Plan for 1984-85 incorporates aggregate reductions in expenditures for existing activities of \$1.9 million, as recommended to the President and the Board of Regents by the Budget Executive, and set forth in greater detail in a separate communication.

Concluding Comments

The Budget Executive recommends Regents approval of the Budget Plan proposed for 1984-85, and previewed in the preceding pages. We believe the Plan follows long-standing Regents principles for Budget Development, and recognizes the University's priority needs:

- The Plan makes the largest possible allocation of funds for faculty and staff compensation, consistent with fiscal responsibility. Adequate faculty compensation remains the University's leading institution-wide priority and challenge.
- The Plan provides funds for most of the University's priority academic and service/support needs as defined earlier in the Regents biennial request to the Legislature.
- To the maximum extent possible, the inescapable reductions in funds for academic programs reflect judgments and decisions on the University's academic priorities and opportunities for intellectual development. They are selective and comparatively protect the schools, programs and campuses coping with the difficult combination of approved growth and severe budgetary inadequacy.

The proposed Budget Plan for 1984-85 has been designed to reinforce and support the University's high priority academic and institutional objectives and needs. It stabilizes and begins to enhance an operating budget that has been in serious decline for several years prior to 1983-84. The Budget Executive believes the Plan merits the Regents approval.

SCHEDULE I

UNIVERSITY OF MINNESOTA
General Operations and Maintenance Fund
Sources and Application of Funds
1984-85 Proposed Budget

	<u>Budget</u> <u>1983-84</u>	<u>Proposed</u> <u>Budget</u> <u>1984-85</u>	<u>Increase</u> <u>or</u> <u>(Decrease)</u>
I. Sources of Funds			
A. Legislative Appropriations	\$247,291,600	\$253,232,700	\$ 5,941,100
B. Tuition and Instructional Fees			
1. Regular Session Tuition	77,319,650	84,368,590	7,048,940
2. Summer Session Tuition	5,000,602	5,250,632	250,030(2)
3. C.E.E. - Credit Instruction			
4. C.E.E. - Other Income	20,325,692	21,341,978	1,016,286(2)
5. Student Application Fee	747,500	747,500	-0-
6. Preparatory Instruction	145,000	151,563	6,563(2)
C. Indirect Cost Recoveries	11,890,100	11,924,300	34,200(1)
D. Agricultural Experiment Income	1,458,000	1,530,900	72,900(2)
E. Temporary Investment Income	1,800,000	1,800,000	-0-
F. Miscellaneous Income	1,160,743	1,160,743	-0-
Total	<u>\$367,138,887</u>	<u>\$381,508,906</u>	<u>\$ 14,370,019</u>

(1) Adjusted to ICR Policy

(2) Income Offsets

UNIVERSITY OF MINNESOTA
 General Operations and Maintenance Fund
 Proposed Budget 1984-85
 Revenue and Expenditures

SCHEDULE II

REVENUE

Appropriation		\$253,232,700
Tuition and Instructional Fees:		
Regular Tuition	\$84,368,590	
Summer Session	5,250,632	
CEE - Credit Instruction	21,341,978	
CEE - Other Income		
Student Application Fee	747,500	
Course Fees	<u>151,563</u>	
Indirect Cost Recoveries - Net		111,860,263
Temporary Investment Income		11,924,300
Agricultural Exp. Stations Income		1,800,000
Miscellaneous Income		1,530,900
		<u>1,160,743</u>
Proposed Budget		<u><u>\$381,508,906</u></u>

EXPENDITURES

Budget Base - 1983-84	\$367,138,887
A. Legislative Intent Items:	
1. Academic Salary Increases (5.96%)	8,774,645
2. Civil Service Salary Increases (5.94%)	5,212,147
3. Supplies, Expense and Equipment - Price Level	3,604,808
4. Solid and Hazardous Waste Disposal	124,400
5. Reduction of Deficit Funding for Fuel & Utilities	(-4,889,200)
6. Reduction of Deficit Funding for Solid & Haz. Waste	(518,800)
7. High Tech: IT Faculty	500,000
Reduce Equipment Replacement Budget	(600,000)
Library Acquisitions - Technology	50,000
Instructional Computing	(1,000)
UMD Engineering	600,000
Sub-Total (Legislative Intent)	\$ 12,857,000
B. Legislative Riders - Not Funded	
1. Law Library	45,000
Sub-Total (Legislative Riders)	\$ 45,000
C. Tentative Reallocations	
1. To fund Tentative Commitments	2,853,004
2. To increase Tuition Reserve to equal 1.5% of the tuition estimate (Regular and Summer Session)	<u>500,000</u>
Sub-Total (Reallocation)	\$ 3,353,004
D. Required Retrenchment (To Balance Budget)	<u><u>(-1,884,985)</u></u>
Total	<u><u>\$381,508,906</u></u>

3/1/84

SCHEDULE III

UNIVERSITY OF MINNESOTA
1984-85 Proposed Budget
Tentative Commitments

1. Graduate School - Program Review	\$ 50,000
2. Staffing Academic Personnel Office	100,000
3. C.L.A. - Upper Division Courses for Management Majors	100,000
4. I.T. - Teaching Assistants	400,000
5. I.T. - Additional Faculty Lines	250,000
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6. Veterinary Medicine	206,356
7. Veterinary Teaching Hospital	250,000
8. School of Public Health	100,000
9. Departmental Fixed Equipment Maintenance	100,000
10. Library Acquisitions	284,848
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11. Human Genetics Program	200,000
12. Bush Foundation - Sabbatical Program	100,000
13. Instructional Computing	165,000
14. Research Computing	100,000
15. International Academic Activities	25,000
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16. Office of Equal Opportunity and Affirmative Action	6,000
17. Student Accounts Receivable/Registration Office Interface	36,000
18. Student Recruiting	300,000
19. Increase Services to Campus Visitors	26,800
20. Revise Studio Arts Course Fees	53,000
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Total	<u>\$2,853,004</u>

3/1/84

SCHEDULE IV

UNIVERSITY OF MINNESOTA
Special State Appropriations
1983-85

	<u>1983-84</u> <u>Allotment</u>	<u>1984-85</u> <u>Allotment</u>
Agricultural Extension	\$10,637,700	\$11,164,600
Agricultural Research	10,417,100(1)	10,933,000(1)
Coleman Leukemia Research Center	210,000	220,500
County Reimbursements	2,000,000	2,000,000
Medical Research		
a) Health Services Research	265,994	279,294
b) Dental Research	63,547	66,727
c) Medical and Cancer Research	419,392	440,357
d) Cystic Fibrosis	56,330	59,145
e) Multiple Sclerosis	477,071	500,921
f) Psychiatry	619,866	650,856
Sub-Total Medical Research	1,902,200	1,997,300
Rural Physicians Associates Program	418,200	514,100
Special Hospitals, Service and Educational Offset	12,420,700	13,041,700
Faculty Travel	85,000	89,300
Disadvantaged Students	50,000(2)	50,000
General Research		
a) Bell Museum	145,238	152,495
b) C.U.R.A.	797,181	837,000
c) Graduate School Research	756,525	794,315
d) UMD - Business and Economics	32,285	33,900
e) Bureau of Business & Economic Research	84,471	88,690
Sub-Total General Research	1,815,700	1,906,400
Geological Survey	649,200	681,700
Hormel Institute	155,200	163,000
Industrial Relations Education	591,600	621,200
Intercollegiate Athletics		
a) Twin Cities	1,323,060	1,389,195
b) Duluth	275,145	288,900
c) Morris	31,500	33,075
d) Crookston	24,990	26,240
e) Waseca	33,705	35,390
Sub-Total Intercollegiate Athletics	1,688,400	1,772,800

3/1/84

SCHEDULE IV

-2-

	<u>1983-84</u> <u>Allotment</u>	<u>1984-85</u> <u>Allotment</u>
Lake Superior Basin Studies	\$ 127,900	\$ 134,300
Micro-Electronics & Information Science Ctr.	600,000	600,000
Mineral Resources Research Center	363,200	481,400
Plant Biomass Energy Research	126,600	132,900
Sea Grant Institute	115,900	121,700
Student Loan Matching	92,800	92,800
Summer Session & Continuing Education Supplement		
a) Continuing Education and Extension	835,125	876,925
b) Summer Session	<u>455,575</u>	<u>478,375</u>
Sub-Total S.S. & Cont. Educ.	1,290,700	1,355,300
Veterinary Diagnostic Laboratory	1,045,100	1,195,000
Productivity Center	200,000	300,000
Natural Resources Research Institute	1,650,000	2,250,000
Bio-Technology Center	500,000 ⁽²⁾	220,000
F.I.R.E. Center	100,000	100,000
	<hr/>	<hr/>
TOTAL	<u>\$49,253,400</u>	<u>\$52,139,000</u>

(1)\$100,000 allocated by Regents to F.I.R.E. Center

(2)Balance carries forward

3/1/84

Additional items for May 17 University Senate meeting:

III. FACULTY AFFAIRS COMMITTEE
SENATE CONSULTATIVE COMMITTEE

SEXUAL HARASSMENT POLICY AND PROCEDURES

- A. The Faculty Affairs Committee will move to amend the last paragraph of the POLICY STATEMENT ON SEXUAL HARASSMENT as follows (additions are underlined; deletions have line through them):

This policy on sexual harassment applies to the entire University and to the conduct of students, civil service persons, and academic staff alike. The responsibility for administering the policy, however, varies with the status of the respondent. If the respondent is a student, the procedures for dealing with complaints will be found in the current Regents' policy concerning "A Statement of Standards of Student Conduct Enforceable by University Agencies. ~~approved by the Board of Regents at its December, 1974 meeting.~~ - If the respondent is a civil service employee, the procedures are outlined in the current "Civil Service Rules." ~~as amended by the Board of Regents at its - January, 1981 meeting.~~ If the respondent is a member . . .

B. Sexual Harassment Procedures

- I. I. If this office finds reason to suspect that the respondent may have acted in violation of the University Policy on Sexual Harassment, ~~or recommends a sanction,~~ the Vice President may direct the Sexual Harassment Board to conduct a hearing. Any hearing shall be conducted in accordance with basic and traditional principles of fairness and in accordance with procedures that guarantee ~~full procedural~~ due process to complainant and respondent.
- II. B. A Board member of any class (faculty, academic professional-administrative, civil service or student) may participate in any hearing or appeal without regard to the class to which the respondent or complainant belongs.
- II. D. A primary function of the Board is to hear appeals and conduct hearings. The Board shall hear appeals from complainants whose complaints have been dismissed by the entry level office, and shall conduct hearings when directed to do so by the Academic Vice President. The Board shall also review the findings and recommendations of the office when the office has found reason to believe that a respondent acted in violation of the Policy on Sexual Harassment. It will also hear appeals by student respondents against whom complaints have been filed regarding their actions in an instructional capacity (as Teaching Assistants, Research Assistants, etc.), if administrative action has already been taken.
- III. B. ~~Respondent faculty may appeal the actions of the Vice President for Academic Affairs to the Senate Judicial Committee. The respondent~~ Respondents may appeal a ruling by the Vice President for Academic Affairs that they have acted in violation of the University Policy on Sexual Harassment or may appeal any sanction imposed in this regard by the Academic Vice President, as follows:
1. Faculty may appeal to the Senate Judicial Committee.

2. Academic Professional and Administrative Staff may appeal to the Appeals Committee of the Academic Staff Advisory Committee.
3. Students may appeal to the Campus Committee on Student Behavior.

MARIO BOGNANNO
Chair

May 17, 1984

MOTION: That the Senate endorse the Policy Statement on Sexual Harassment and the Procedures for Handling Complaints of Sexual Harassment against Academic Staff, as presented below.

Passed as amended

POLICY STATEMENT ON SEXUAL HARASSMENT

Sexual harassment in any situation is reprehensible. It subverts the mission of the University, and threatens the careers of students, faculty, and staff. It is viewed as a violation of Title VII of the 1964 Civil Rights Act. Sexual harassment will not be tolerated in this University. For purposes of this policy, sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.

As defined above, sexual harassment is a specific form of discrimination in which power inherent in a faculty member's or supervisor's relationship to his or her students or subordinates is unfairly exploited. While sexual harassment most often takes place in a situation of power differential between persons involved, this policy recognizes also that sexual harassment may occur between persons of the same University status, i.e., student-student, faculty-faculty, staff-staff.

It is the responsibility of the administration of this University to uphold the requirements of Title VII, and with

regard to sexual harassment specifically, to insure that this University's working environment be kept free of it. For that purpose, these Senate procedures and guidelines are promulgated to avoid misunderstandings by faculty, students, and staff on (1) the definitions of sexual harassment, and (2) procedures specifically defined to file and resolve complaints of sexual harassment.

Justice requires that the rights and concerns of both complainant and respondent be fully assured. The University shall make every effort to assure and protect these rights, and shall undertake no action that threatens or compromises them.

In determining whether alleged conduct constitutes sexual harassment, those entrusted with carrying out this policy will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the suitability of a particular action will be made from the facts, on a case by case basis.

Consensual Relationships

Consenting romantic and sexual relationships between faculty and student, or between supervisor and employee, while not expressly forbidden, are generally deemed very unwise. Codes of ethics for most professional associations forbid professional-client sexual relationships. In the view of the Senate, the professor-student relationship is one of professional and client. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in giving praise or blame, grades, recommendations for further study and future employment, etc., greatly diminish the student's actual freedom of choice should sexual favors be included among the professor's other, legitimate, demands. Therefore, faculty are warned against the possible costs of even an apparently consenting relationship, in regard to the academic efforts of both faculty member and student. A faculty member who enters into a sexual relationship

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with a student (or a supervisor with an employee) where a professional power differential exists, must realize that, if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to prove immunity on grounds of mutual consent.

Relationships between senior and junior faculty are subject to much the same conditions as those between professor and student. Therefore, all faculty members should carefully consider the risk to their professional careers which even consenting sexual relationships entail.

The administration and the Sexual Harassment Board involved with a charge of sexual harassment shall be expected, in general, to be unsympathetic to a defense based upon consent when the facts establish that a professional faculty-student or supervisor-employee power differential existed within the relationship.

Motion to Dismiss failed

This policy on sexual harassment applies to the entire University and to the conduct of students, civil service persons, and academic staff alike. The responsibility for administering the policy, however, varies with the status of the respondent.

If the respondent is a student, the procedures for dealing with complaints will be found in "A Statement of Standards of Student Conduct Enforceable by University Agencies," approved by the Board of Regents at its December, 1974 meeting. If the respondent is a civil service employee, the procedures are outlined in the "Civil Service Rules" as amended by the Board of Regents at its

These are the checks made in the policy

January, 1981 meeting. If the respondent is a member of the academic staff, the procedures are set forth in the document entitled "Procedures for Handling Complaints of Sexual Harassment Against Academic Staff." If the respondent is a student appointed as a graduate assistant (Teaching Assistant, Research Assistant, etc.) and was acting in that capacity when the alleged offense occurred, the same procedures will be followed as are required for academic staff, except in regard to appeals.

Procedures for Handling Complaints of Sexual Harassment
Against Academic Staff

Scope: These procedures are applicable to complaints by students, civil service persons, and academic staff against academic staff and apply to the conduct of academic staff in their capacity as members of the academic staff of the University of Minnesota. In all proceedings regarding allegations of sexual harassment the provisions of the Regulations Concerning Faculty Tenure shall be faithfully observed.

I. An Entry Level Office.

- A. The administration will provide and appropriately publicize an entry level office. This office shall have resources made available to it 1) for handling sexual harassment complaints, 2) for disseminating adequate information on the University policies and procedures for dealing with sexual harassment, and 3) for securing resource personnel who have either legal training, counseling skills, or other such skills as are necessary for the effective operation of the office in resolving complaints assisting those who may have been victimized by sexual harassment. It is expected that in cases involving academic staff, this office will maintain close liaison with the Office of the Vice President for Academic Affairs.
- B. Complaints of sexual harassment may be brought by students, civil service persons, and academic staff. It shall be a duty of this office to design forms and to maintain fair and adequate procedures to process a complaint if a complainant

wishes to formalize it.

- C. It will be a function of this office to discuss specific incidents in an informal fashion and to draw on other support and counseling services to assist complainants. Advice shall also be given concerning the details of formalizing a complaint, the safeguards of due process, and the possible sanctions and modes of relief. Counseling and informal discussion shall be an integral part of the functioning of this office.
- D. As part of the process, this office will also apprise appropriate line officers of units from which complaints arise of the nature of charges raised, and assist them in resolving the problem at the lowest appropriate level. The intent of this section is to insure that all line officers of the administration be aware of their responsibilities toward securing an academic atmosphere within their province that properly deters sexual harassment. A record of line officer involvement with each complaint will be kept by this office.
- E. If the complaint cannot be resolved informally, this office shall ask the complainant to submit a formal written complaint, including a statement of the alleged incident and the remedy desired. This office shall ask the respondent to reply to the written complaint within ten days of the receipt of the complaint. The filing of such response shall be mandatory and the person responding shall be required to indicate denial in whole or in part, or agreement with the assertions in whole or in part. Failure to respond shall be deemed a breach of academic responsibility requiring notice of such failure

to respond to be given to the Academic Vice President by this office.

F. Upon receipt of the response, this office may further investigate the complaint and may schedule a meeting of the parties. Each party may have an advisor present at this meeting. This office shall settle the formal written complaint in one of the following three ways:

1. It may dismiss the complaint as being without merit.
2. It may arrange for the parties to sign a written statement of agreement in which the parties resolve the differences between them according to terms set out in writing.

3. It may find reason to suspect that the respondent acted in violation of the University Policy Statement on Sexual Harassment; in this case, this office shall describe the nature of the alleged violation, the evidence that supports its judgment, and the sanction, if any, that it recommends that the Vice President for Academic Affairs apply. The possibility of violation and any recommendation of sanction by this office will be forwarded to the Vice President for Academic Affairs. Only the Academic Vice President can officially find a respondent in violation of the University Policy on Sexual Harassment and issue a sanction. Both parties shall be notified immediately in writing of the action of this office.

G. If this office dismisses the complaint and the complainant does not appeal the dismissal or if the parties sign a written

statement of agreement, the file shall be closed. The material retained in the file shall include a copy of the formal written complaint, a copy of the respondent's reply, a statement of the action of this office and a copy of any agreements. This file shall be kept in a secure place. The information ^{in the file} will be forwarded to the appropriate line officers.

- H. If the complainant wishes to appeal the dismissal of the complaint, he or she may do so by filing a notice of appeal with the Sexual Harassment Board within ten days of written notification of the action of this office. In the case of appeal, all materials shall be retained in the files and the files shall be forwarded to the Board.
- I. If this office finds ^{reason to suspect} that the respondent ^{may have} acted in violation of the University Policy on Sexual Harassment, or recommends a sanction, the Vice President may direct the Sexual Harassment Board to conduct a hearing. Any hearing shall be conducted in accordance with basic and traditional principles of fairness and in accordance with procedures that guarantee full procedural due process to complainant and respondent.
- J. Responsibility for reviewing the activities of the entry level office shall be assumed by the Sexual Harassment Board. This Board shall receive summaries of all dispositions of cases and shall see that the University Policy on Sexual Harassment is administered properly and fairly by this office. It is also the responsibility of this Board to report periodically to the University Senate through the Senate Committee on Faculty Affairs.

II. The Sexual Harassment Board

- A. The main body for reporting on the entry level office to the Senate and for hearing appeals of the actions of the entry level office is a nine-person Board to be appointed by the President. In order to achieve continuity, the Board members shall be appointed initially for staggered terms of service varying in length from one to three years, and thereafter for terms of three years. The membership of the Board shall consist of five faculty members, one academic professional-administrative person, one civil service person, and two students.
- B. A Board member of any class (faculty, academic professional-administrative, civil service, or student) may participate in any hearing or appeal without regard to the class to which the complainant belongs.
- C. The office of the University Attorney shall serve to advise the Board on substantive or procedural issues that arise under the University Policy on Sexual Harassment.
- D. A primary function of the Board is to hear appeals and conduct hearings. The Board shall hear appeals from complainants whose complaints have been dismissed by the entry level office, and shall conduct hearings when directed to do so by the Academic Vice President. The Board shall also review the findings and recommendations of the office when the office has found reason to believe that a respondent acted in violation of the Policy on Sexual Harassment. It will also hear appeals by student respondents against whom complaints have been filed regarding their actions

- in an instructional capacity(as Teaching Assistants,Research Assistants,etc.) .
- E. In carrying out its appeal and hearing function, the Board shall adopt hearing procedures that accord due process to every party and are consistent with the Procedures for Committees of the Senate.
 - F. Standard of Proof. A violation of this policy on sexual harassment shall be found by the Board only where there is a preponderance of evidence that a violation occurred.
 - G. In hearing appeals made by a complainant, in hearing cases referred to it by the Vice President for Academic Affairs, or in reviewing an action by the Vice President, the Board may make up to three determinations. It may determine the truth or falsity of the evidence considered. It may decide whether the factual allegation constitutes a violation of the University Policy on Sexual Harassment. Lastly, the Board may decide what if any sanction is appropriate.
 - H. The Board will conduct a continuous review of the Sexual Harassment Policy and Procedures, as described in I.J above.

III. Appeals

- A. The complainant may appeal the action of the office to dismiss his or her complaint to the Sexual Harassment Board.
- B. Respondent faculty may appeal the actions of the Vice President for Academic Affairs to the Senate Judicial Committee. The respondent may appeal a ruling by the Academic Vice President that the respondent acted in violation of the University Policy on Sexual Harassment or may appeal any sanction proposed by the Academic Vice President. The Senate Judicial Committee

shall hear the issues.

IV. Sanctions

A. Violations of the University Policy on Sexual Harassment may be met with a variety of responses. The Academic Vice President may rule that a respondent acted in violation of the University Policy on Sexual Harassment and propose no further official action. If in the opinion of the Academic Vice President, the violation is more serious and warrants more severe treatment, a variety of sanctions may be imposed. Those could include such sanctions as a reprimand, denial of merit pay, reassignment of teaching responsibilities, or suspension without compensation for a period of one quarter or longer. Acts of sexual harassment of a very serious nature may warrant a recommendation of removal for cause, or may warrant criminal action.



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
614 Social Sciences
267 19th Avenue South
Minneapolis, MN 55455
Telephone (612) 373-3226

May 4, 1984

Professor Mario Bognanno, Chairperson
Senate Committee on Faculty Affairs
Industrial Relations
537 Management and Economics

Dear Mike:

The Senate Consultative Committee, at its meeting yesterday (May 3), spent considerable time discussing the Report and proposed Senate motion concerning Sexual Harassment. We have some substantive responses that I need to get to you. Unfortunately I'm scheduled to leave town Friday morning for the weekend; thus this letter rather than a call. We have also a few comments on the Mills I option and the disability cap, but I'll come to them last.

We think first of all, that discussion of and action on the Harassment proposal should be held in the University Senate rather than the Faculty Senate. The students on SCC pointed out that the interests of people other than faculty are involved in the matter, and that action in 1981 was taken in the University and not the Faculty Senate. SCC unanimously agreed with this position. I tried to call you about it yesterday since we faced a deadline for setting and printing the Senate agenda, but was unable to reach you. So SCC has gone ahead to place the item on the University Senate agenda, while leaving it still listed on the Faculty Senate agenda as well. We didn't know whether you and your colleagues on SCFA would still want it to be considered in the Faculty Senate. Besides, we had no authority to remove it from that docket.

Second, the SCC endorses the Policy Statement on Sexual Harassment, and is pleased to co-sponsor it before the Senate. We do have one suggestion concerning it. That is that there might properly be a statement on page 3 indicating briefly where complainants are to go initially, just as there are presently comments concerning what respondents are initially to do. It might be sufficient simply to reference the Procedures statement. We would also suggest that the

Professor Mario Bognanno
May 4, 1984
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reference to specifically dated documents on page 3 be altered so that the Policy Statement needn't be altered each time those documents are changed. For example, we think it would be better to say that "the procedures for dealing with complaints will be found in the current Regents' policy concerning "A Statement of Standards of Student Conduct Enforceable by University Agencies." A similar change in phrasing could be made concerning the "Civil Service Rules" sentence.

More importantly, the SCC has major reservations about the Procedures statement in its current form. In fact, we think it's not ready for Senate action. In part, that's because we're concerned that Senate approval of such a detailed document would prove very cumbersome, and would require additional Senate action every time the procedures need modification. Better, we think that the Senate limit itself to acting on general policy and larger questions of organization and procedure.

In addition, members of SCC have a number of specific concerns about the Procedures document itself. Let me give several examples. The sentence beginning on the bottom of page three seems to leave unclarified what happens if a faculty member fails to respond to a complaint. On page four, people found the language in Section "I" unclear. Could the Board find a person not to have acted in violation of the policy and still recommend a sanction? Or find a person guilty, but not recommend a sanction? Either would seem odd. Concerning the Board and its operations, there is no mention of quorum requirements or whether panels might be used. Under Section IV, "Sanctions," the SCC found the second sentence unclear, especially the implications of the final six words. We wonder whether it really is intended that the Vice President could find someone in violation of the policy and not take any kind of "further official action?" We're concerned that that sends the wrong kind of signals to readers of the document. Finally, people wondered whether it might not be desirable to include a sub-section "B" suggesting the possibility of arranging counseling for the respondent. Some language about that, of course, might also be incorporated into the main paragraph.

The SCC then has significant reservations about the Procedures document. We're not able at this time to endorse it. In fact our recommendation would be that the SCFA motion be divided and that the two documents be separately considered. We think the best course would be to hold back the Procedures document for further attention in the fall. That would give time for some changes, for clearing its content with the

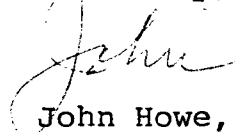
Professor Mario Bognanno
May 4, 1984
page three

University Attorney's Office, and so forth. We, of course, need some kind of action on Procedures this spring, so there's not a lapse in implementation of the Policy. We wonder if that might not be accomplished by asking the Senate to extend for six months the procedural arrangements that are presently in place?

Finally, quick observations on two other items that SCFA will be presenting on the 17th. Several people on SCC were uncertain about the implications of the proposed change in Mills I options. If significant numbers of faculty choose the IRA option, will that reduce in any way the benefits presently available under Mills I? People are concerned that the faculty have sufficient time to think the matter through. We didn't know how much information will be included in the printed docket or how extensive your presentation will be. Concerning the increase in the disability cap, several people on SCC again expressed some concern that the implications be carefully spelled out so that faculty will know what's at stake.

Well--a long set of comments, mostly in the way of raising questions, I'm afraid. The SCC wants also, and just as importantly, to say how impressed we are with the range of issues you and your colleagues on SCFA have taken on and the good work you've done on them. The pointedness of my letter is primarily a function of the shortness of time before the May 17 Senate meeting. I'll give you a call on Monday and perhaps we can talk further about all, or at least some of this.

Cordially,



John Howe, Chairperson,
Senate Consultative Committee

JH:mp

cc: SCC 5/31



UNIVERSITY OF MINNESOTA

Office of the President
202 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

May 21, 1984


Professor John Howe, Chairperson
Senate Consultative Committee
614 Social Sciences
West Bank

Dear John:

Thank you for your May 10 letter sending to me your comments and those that emerged from the Senate Committee on International Education with regard to the National Association for Foreign Student Affairs (NAFSA) Principles for International Educational Exchange.

I agree that we should endorse the Principles, and I of course also concur with the understandable caveats with regard to funding considerations. Your suggestion that John Wallace and his Task Force (which still has a "life" going) give some thought to the issues raised by the Principles document is an excellent one. I am sending John both a copy of your letter and the NAFSA Principles, so that they can be taken into account in his continuing work in this area. I won't have us "sign on" formally until after John has had a chance to look this over and give me the benefit of any advice or judgments he might have.

Cordially,


C. Peter Magrath
President

CPM:kb

- cc: Karen Olness
- Michael Root
- Stuart Schwartz
- Vice President Kenneth Keller
- Vice President Frank Wilderson
- Assistant Vice President John Wallace



UNIVERSITY OF MINNESOTA

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Call SCC 5/17
a 5/31

May 10, 1984

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

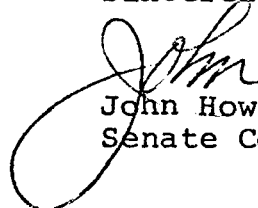
The Senate Committee on International Education recently reviewed the attached NAFSA Principles for International Educational Exchange and then, not knowing quite what to do next, sent them on to the SCC. We discussed the document at our last meeting and concluded that the question of the University's endorsement of the Principles was properly in the administration's domain. It's our understanding that a great many colleges and universities have agreed to abide by the Principles in their dealings with foreign students. The Committee on International Education recommends endorsement. It seems to us a good idea too.

We would raise the inevitable caveat, that consideration first be given to the funding implications of endorsement. Some of the Principles have to do with "better" foreign student advising, recruitment, etc. And in general they suggest more elaborate administrative oversight. We are, of course, already doing many, perhaps most, of these things satisfactorily.

In addition, the SCC suggests that the Wallace Task Force on the Undergraduate Experience give some thought to the issues raised by the Principles document. It's clear that foreign students have certain distinctive needs that must be separately addressed. On the other hand, many of their needs are not unique, and we ought to work to integrate them into the total student body.

One final suggestion might be that you ask the "Wallace" group on international education to give the proposals a more careful administrative review before the University signs on.

Sincerely yours,


John Howe, Chairperson,
Senate Consultative Committee

JH:mp

xc: Karen Olness
Michael Root
Stuart Schwartz