



UNIVERSITY OF MINNESOTA  
TWIN CITIES

All University Senate Consultative Committee

220 Biological Sciences Center  
1445 Gortner Avenue  
St. Paul, Minnesota 55108

Telephone (612)373-3226

## SENATE CONSULTATIVE COMMITTEE MEETING

January 14, 1982

The meeting of the Senate Consultative Committee was convened by Chairman Douglas Pratt at 1:00 p.m., January 14, 1982 in the Regents Room of Morrill Hall. Other SCC members present were Robert Brasted, Marcia Eaton, Virginia Fredricks, John Howe, Marvin Mattson, Paul Quie, Patricia Swan, Richard Purple, Donald Spring, Nancy Brecht, Keith Jacobson, Dave Lenander, Rick Linden, Kit Wiseman. Three substitutes attended (see p. 2). Guests were Carol Pazandak, Peter Robinson, Jim Borgestad, Michael Root, Julie Bates, Maureen Smith (U. Relations) and David Taylor (Daily).

### Agenda-

#### Additions-

New Business: Issues raised by the Mark Hall case. (Howe)

Committee Reports: 1. Report to be given in conjunction with the subcommittee chaired by Professor Spring. (Eaton) 2. Student attendance at committee meetings. (Wiseman)

### Minutes of December 3-

#### Corrections-

Members present - Nancy Christmas should be changed to Nancy Przymus.

The minutes were approved as corrected.

### Report of the Chair-

Several good Senate Finance/Senate Consultative Committee meetings were held during the Christmas break in which constructive interaction took place between faculty/students and administration.

So far, seven units have submitted reports on consultation processes. Indications are that the questionnaire is being taken seriously. Some difficulties in consultation procedures are evident. The remainder of the reports are due January 15.

Raised for discussion- Since there are very few items on the Agenda for the next Assembly meeting, should a meeting be called? Or, alternatively, should a forum be called?

Discussion- Professor Brasted stated that a meeting was not necessary unless something urgent emerged from the Governor's report. Professor Fredricks moved that the Assembly meeting scheduled for January 28 be cancelled but that a Forum be called if one is necessary. Discussion then ensued as to the purpose of a Forum. Professor Swan thought that senators would like information on budget cuts, salaries, etc. and to wait until the February 18 Senate meeting would be wrong. Professor Eaton added that a time was needed to report on the consultation reports. Professor Purple agreed that a meeting would be helpful if the SCC and Senate Finance Committee were prepared to present reports on these matters. As a result of this discussion Professor Fredricks withdrew the motion and it was decided that a regular Assembly meeting would be held on January 28 to be followed by a Forum.

#### Report of the Vice-Chair-

The Board of Regents has voted to take a "capital request" to the Legislature. This request includes a list of basic building needs at the University which is separate from the salary increase request.

#### Report of Student Chair-

Kit Wiseman introduced substitute student representatives to SCC: Mike and Allen Stempfer from the Waseca campus and Shannon O'Malley from the Duluth campus.

So far, there has not been a good student response to the consultation questionnaire.

There has not been good student attendance at committee meetings of late. Ways are being sought to increase motivation to attend.

#### International Students Concerns for the Decade (Carol Pazandak and Josef Mestenhauser)

Carol Pazandak- An administrative committee has been formed to review international student concerns. It was thought that the Senate Consultative Committee would be an appropriate liaison between administration and faculty. Contributions to the discussion from the SCC and a recommendation on administration and policy to be presented by the end of the year were specifically invited. The University must develop procedures for handling an influx of foreign students. A recent report in the Chronicle of Higher Education stated that by 1990, foreign students would represent 10% of university enrollments. The University is typical of this increase. During the 1981-82 academic year, there were 4500 foreign students enrolled - two-thirds were undergraduates. It will be important to study how undergraduate degree programs will be affected by a heavy enrollment of foreign students.

Josef Mestenhauser- As international relations change, so does the makeup of foreign student populations on U.S. campuses. Policies developed in the 50's and 60's are no longer adequate. New administrative procedures and policy guidelines must be developed so that decisions are no longer made on an ad hoc basis. There is presently a great demand overseas (especially in the "third world") for a United States education. Universities within the U.S. are recruiting foreign students in order to fill empty dormitories and classes. Studies must be made concerning problems of housing, funding, relationships between foreign students

and American students and faculty, and the effect of foreign students on the communities in which they reside. Along with these challenges come many opportunities to learn from people of other cultures.

Discussion- Professor Purple asked if the committee was in touch with the SCEP. Professor Mestenhauser replied that the committee is working in coordination with the SCEP. Faculty member Vernon Cardwell serves on both committees. Dave Lenander suggested that the appropriate Student Assembly committees also be contacted. Professor Swan commented that the additional tuition produced by increased foreign student enrollments is a form of revenue for universities but that without additional funding of some kind it is difficult to sustain the support systems necessary to handle greater student populations. Professor Mestenhauser agreed and added that by studying developments in other countries where there is a large foreign student population (such as Great Britain), the committee is quite aware of these and other problems. Professor Brasted emphasized the need for handbooks which would familiarize foreign students with the programs in which they specialize. Professor Eaton asked how the committee proposes to proceed with its work. Professor Mestenhauser replied that the committee would first seek to identify all the issues involved and proceed from there. The committee will bring an interim report to the SCC.

#### Committee Reports-

Finance- (Swan) The Interim Report from the finance subcommittee summarizes the questions to be raised with the Budget Executive and will constitute the agenda of the Senate Finance Committee meeting. Items included are program priorities and the role of salary increase monies. The Senate Consultative Committee may want to join that meeting. Professor Pratt announced that SCC members are welcome but not required to attend. The meeting will be January 21 at 3:00 p.m. in the Regents Room or 300 Morrill Hall.

Donald Spring summarized the report of the subcommittee on consultation to precede any declaration of financial emergency. The report offers a definition of "financial emergency," involves the University Senate in the process, streamlines committee involvement, and suggests a procedure for canceling a financial emergency. Discussion- Kit Wiseman expressed concern that there be something in writing which requires that students be included in these procedures. Professor Fredericks suggested that since the SCC is to be involved, students would necessarily be represented. Professor Swan moved that the report (with the last paragraph deleted) be referred to the Student Consultative Committee and the Senate Faculty Affairs, Judicial and Tenure Committees asking them to report back to the Senate Consultative Committee in reasonable time and then to have these reports scheduled as agenda items of a Senate meeting.

The motion carried without dissent. It was agreed the SCC would also forward copies of the document to central administration and to the Regents for their information.

The same SCC subcommittee, now with Marcia Eaton as Chair, is embarking upon a second task: to develop policies and procedures for implementing a state of financial emergency should one be declared. Professor Eaton and Professor Purple questioned whether this task did not fall more appropriately within the charge of the Tenure Committee.

The SCC concluded its subcommittee could proceed to develop the second document because:

- a) It will be not a legal document but rather a procedural one intended to assure appropriate consultation at every stage in an emergency;
- b) The Tenure Committee needs to be able to concentrate on the sizeable job before it of reviewing and moifying the 1973 Tenure Code;
- c) At this moment the subcommittee, having studied comparable documents from other universities, is the best informed group to speedily undertake the immediate task.

The SCC directed the subcommittee to meet with the Tenure Committee next week and then proceed to develop the second document.

New Business-

Professor Purple was delegated to "orchestrate" the details of the Forum.

Mark Hall case- (Howe) Professor Howe said that the SCC should consider the general implications of a case like this - a) the relation of intercollegiate athletics to the academic mission, and b) who is empowered to admit students to the University. Professor Purple commented that, from a legal standpoint, the issue is simply one of due process. Professor Eaton observed that the issue to be considered is whether or not athletes are treated preferentially. A concensus emerged that Professor Pratt should consult with the Assembly Committee on Intercollegiate Athletics to learn the nature of ACIA's investigation into policies and procedures relevant to cases like that of Mark Hall.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted

Allen Helmstetter



UNIVERSITY OF MINNESOTA  
TWIN CITIES

Central Administrative Services

University Libraries  
Wilson Library  
309 19th Avenue South  
Minneapolis, Minnesota 55455

DEC 10 1981

Transcribed to  
12-14-81

December 9, 1981

MEMORANDUM

TO: Professor Doug Pratt, Chair of Senate Consultative Committee

FROM: Professor Audrey Grosch and Clarence S. Carter, <sup>ANG</sup> Co-Chairs, Library Council <sup>AK</sup>

SUBJECT: Budget Consulting Process - Faculty Involvement

Has the consulting process begun in other academic units? To date, the Library Council is unaware of any mandated cuts in the University Libraries' budget. Perhaps we are exempt!

Our concern is that the "informal" administrative stage of recommended cuts described by Vice President Keller, will suddenly materialize as a reality for implementation.

We do not believe that such forthcoming administrative recommendations would encompass all possible considerations, such as administrative costs.

Also, an interpretation by your committee of the term "programmatic" would be helpful to us.

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UNIVERSITY OF MINNESOTA

University Libraries, Twin Cities Campus

CONSTITUTION

*(Adopted by University Library Faculty, June 5, 1972)*

*(Approved by Board of Regents, September 8, 1972)*

PREAMBLE

The University Libraries, Twin Cities Campus, are dedicated to the service of the academic community in its pursuits of teaching and inquiry through the collection and preservation of recorded knowledge in all its forms and through the creation of an integrated research collection as a scholarly resource for the future.

The University Libraries support the role of the Library Faculty in this process, and encourage and facilitate their professional growth and advancement.

The Library Faculty, as creative members of the academic community, accept the responsibility for continued intellectual growth resulting in the highest level of librarianship; and affirm the significance of consultation and direct liaison with the teaching and research faculties to coordinate and identify the educational goals of the University.

This constitution is designed, therefore, for the governance of the University Libraries within the academic community, and is adopted by the Faculty of the University Libraries, Twin Cities Campus.

ARTICLE I. General Powers

SECTION 1. *Distribution of Powers*

All matters relating to the educational resources and services and the administrative affairs of the University Libraries, Twin Cities Campus, consistent with actions or policies of the Board of Regents of the University of Minnesota and the University Senate heretofore or hereafter taken or established, are for the purpose of effectuating the government of the University Libraries under and by the Regents, committed to the Director of Libraries, the Library Faculty, and its Library Council, as herein provided.

ARTICLE II. Director of Libraries  
and the Administrative Staff

SECTION 1. *Appointment of the Director*

The Board of Regents shall appoint the Director of Libraries on recommendation of the President of the University, following the recommendation of an ad hoc search committee appointed by the President. The Library Council

The Faculty of the University Libraries shall consist of the President of the University, the Director of Libraries, and regularly appointed professors and faculty.

**SECTION 2. Membership**

The policy making and legislative body of the Library shall be the Library Council.

**ARTICLE III. The Faculty**

Each department and its function shall be reviewed by the Director in consultation with the Library Council, at intervals of not more than five years. Such review may be initiated earlier by either the Director or the members of the department concerned. Procedures shall be adopted to provide for participation by staff members of the department in either review and subsequent appointment, or administrative positions, and subsequent review and appointment, shall be effected by the Director acting in consultation with the Library Council. The Director may recommend or advise, if the Director deems it advisable, the appointment for initial terms of five years, with the possibility of reappointment for five-year terms following a review initiated by the Director near the end of the appointment. Associate and Assistant Directors and department chairmen shall be responsible for implementing policy.

**SECTION 4. Administrative Staff**

The Director and the administrative staff, including department chairmen, shall be responsible for implementing policy.

~~As chief executive officer of the Library, the Director shall have final authority to make budgetary recommendations to the President of the University after consultation with the Library Council and the administrative staff.~~

**SECTION 3. Budget Consultation**

The Director shall have final authority to the University and the community. He shall represent the Library and their facilities, and with other educational and professional organizations and agencies. His responsibilities shall include that program in strengthening the Library and the community. He shall represent the Library in general University planning and in relations with other University units and their facilities, and in the relations of the Library to the University and the community. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University.

**SECTION 2. Duties and Authority of the Director**

The chief representative and executive officer of the Library shall be the Director. He shall have general administrative authority over Library affairs. He shall be responsible, in consultation with the President of the University, for initiating and implementing policy and for planning and development of the Library. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University. He shall make recommendations, promotions, and salary adjustments, following established procedures as provided herein and in the bylaws of the University.

ciate professors, assistant professors, instructors, research associates, and research fellows in the Library, and all other librarians and subject specialists who hold regular professional appointments in the Library. (Regular is defined as "A" or "B," three-quarters time or more, and excludes those with appointment symbols "T" and "S.") Such appointees may be voted "Associates" of the Library faculty and accorded full faculty privileges, such status to be voted on annually by the Faculty.

### SECTION 3. *Officers*

The Director shall preside at faculty meetings and at Library faculty assemblies. The faculty shall elect a vice-chairman and a secretary for one-year terms. The vice-chairman shall preside in the absence of the Director or when the Director takes the floor. The secretary shall keep minutes of meetings, circulate agenda and minutes to the entire Library staff, and perform such other functions as may be assumed by the Director or the Library Council.

### SECTION 4. *Meetings*

The meetings of the Library faculty, together with the Library Civil Service Committee and the Student Consultative Committee, which shall serve respectively as the representatives of the Library civil service staff and the student body, together with the Twin Cities campus faculty members of the Senate Library Committee, shall be designated the Library faculty assembly.

There shall be a Library faculty assembly at least once every three months. Special meetings may be called by the Director, the Library Council, or by petition of any fifteen members of the Library staff presented to the secretary of the faculty. A majority of the Library faculty shall constitute a quorum.

Any member of the Library staff shall have the right to attend Library faculty assemblies and speak on any issue. Members of the Library Civil Service Committee shall have the right to attend Library faculty assemblies, speak on any issue, and vote on all matters except those in which a specified majority of the faculty is required, or in elections.

Staff members of the Law Library, the Journalism Library, and the libraries of the coordinate campuses of the University may attend library faculty assemblies and speak on any issue.

Members of the Student Consultative Committee, as defined in Article V, Section 3, shall have the right to attend Library faculty assemblies, speak on any issue, and vote on all matters except those in which a specified majority of the faculty is required, or in elections.

The Twin Cities Campus faculty members of the Senate Library Committee shall have the right to attend Library faculty assemblies, speak on any issue, and vote on all matters except those in which a specific majority of the faculty is required, or in elections.

Meetings of the Library faculty, open only to faculty members, may be called by the Director, the Library Council, or at the request of fifteen members of the faculty.

## ARTICLE IV. Library Council

### SECTION 1. *Definition and Function*

The Library Council shall serve as an advisory body to the Director and as the representative of the faculty to which it is responsible. It shall discuss



and make recommendations to the Director upon all matters of Library policy. Recommendations of the Library faculty and Library faculty assemblies shall be transmitted to the Director through the Library Council.

#### SECTION 2. *Membership*

The Library Council shall consist of nine staff members elected at large by the Library faculty for two-year terms. A member of the Library Civil Service Committee, designated by that Committee, shall be an ex officio member with full voting rights.

#### SECTION 3. *Officers*

The Library Council shall elect a chairman, a vice-chairman, and a secretary for one-year terms.

#### SECTION 4. *Meetings*

The Library Council shall meet not less than once each month. The Council may request the Director to attend a regular meeting, and the Director may request a meeting with the Council at any time. Special meetings of the Council shall be called by the chairman at his discretion, at the request of the Director, or at the request of three Council members.

#### SECTION 5. *Agenda and Minutes*

Agenda and abstracts of Library Council minutes shall be made available to the entire Library Staff, the staff of the Law Library, the Journalism Library, and the libraries of the coordinate campuses of the University, the Student Consultative Committee, and the Senate Library Committee.

### ARTICLE V. *Committees*

#### SECTION 1. *Standing Committees*

A. There shall be four standing committees: Collections Development Committee, Service Committee, Staff Welfare and Development Committee, and Operations and Planning Committee.

1. The Collections Development Committee shall be responsible for formulating and recommending collection policies on the basis of a continuing analysis and interpretation of the Library's collections in relation to the University's instructional and research programs. It should encourage liaison programs with the academic units of the University.
2. The Service Committee shall be responsible for defining the future service goals of the Library, for evaluating the public service and technical processing programs in relation to those goals, and for formulating policies which balance present possibilities and future needs.
3. The Staff Welfare and Development Committee shall be responsible for the continuous review and evaluation of the staffing patterns of the Library in relation to the Library's resources and goals. It shall

MEMO

TO: ELDRED SMITH, DIRECTOR, UNIVERSITY LIBRARIES

FROM: BARB STELMASIK, SECRETARY, LIBRARY COUNCIL

DECEMBER 8, 1981

At its meeting of December 8, 1981, the Library Council discussed the implications of the University's current budgetary problems for the University Libraries.

The Library Council has an obligation to its constituency to evaluate the policy implications of budgetary cutbacks and to advise on such matters through the consultative process. The Library Council does not have the information necessary to evaluate or advise on this matter in a responsible manner.

Therefore, the Library Council asks that you provide us with the following information:

1. A written statement of the University Libraries' 1981-82 budget and the expenditures, to date, under that budget.
2. A statement of University central administration's requirements for budgetary cutbacks for the University Libraries.
3. A statement describing what process you will use for determining where to make necessary cuts.

We would like to have this information as soon as possible.

The Library Council also recommends that you inform all staff, via the Newsletter, of as much information as possible regarding our current budgetary situation and action to be taken on it, in order that communication channels remain open.



UNIVERSITY OF MINNESOTA

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

January 7, 1982

TO: Douglas Pratt, Chair, Senate Consultative Committee  
FROM: Carol Pazandak, President's Office  
RE: International Student Concerns

The presence of increasing numbers of international students on campus, and the projections for the decade ahead, suggest that we ought to review our practices, and procedures and clarify our thinking about international students -- who we are serving and how we are serving them, and what our objectives are as we look to the 1990's.

President Magrath intends to ask a small administrative group -- including appropriate membership from the pertinent Senate bodies -- to review our situation to recommend administrative guidelines and to highlight policy issues that need further study and/or endorsement. The report provided by this administrative team would then become the basis for further discussion, reactions, etc., by the appropriate Senate committees, and if indicated, by the Regents.

SCC suggestions relative to this task, as well as thoughts on the current and prospective issues relating to international students, are sought. To that end, I would appreciate the opportunity to talk with the SCC and would bring Professor Josef Mestenhauser along for that discussion.

CP

pln

## INTERNATIONAL STUDENTS IN THE DECADE AHEAD: ISSUES AND AREAS OF CONCERN

### External Pressures

1. There are increasing numbers of international students, with rate likely to increase in the wake of recent actions taken by several major European countries. Estimates are as high as 10% of overall enrollment in colleges nationally by 1990.
2. Changes in U.S. federal posture toward international students will add to the University's burden in reporting.
3. Possible increased limitations, imposed by the Labor Department, on post-graduate practical training or internship periods for international students would have a detrimental effect on their professional development.
4. Costs to the community, state, country of educating international students are a concern.

### University General Attitudes and Structure

5. The University lacks an adequately coordinated program of academic and support services for the increasing numbers of international students.
6. Issues arise over cultural differences and lack of understanding on the part of our faculty and domestic students, as well as for the international students studying here, and especially serving as instructors.

### Student Support

7. Do realistic expectations and organizations exist for foreign student participation in the University community while here? Is interaction between foreign and domestic students and faculty adequately developed to capitalize on their potential contributions and enhance their own development?
8. Financial aid availability and policies need review, especially in light of formal exchange agreements, distribution of countries of origin, relationship to degree progress.
9. Financial arrangements to cover costs of study here, financial problems arising from difficulties with home governments create obstacles to student progress and problems for the University.
10. Housing is an increasing problem both because of its dearth at low cost and because of competition between domestic and international students for the same pool.

### Programmatic/Curricular Issues

11. Admissions processes, particularly in the collection of adequate and accurate information, cause difficulties. There are special concerns in transfer admission.

12. The preparation, or especially the lack thereof, for University study, in competency in English and adequacy of background in academic areas related to University objectives, creates problems for students and departments. The question of special sections of regular courses, or additional tutorials in certain areas is raised.
13. Program enrollment issues include foreign student preference for a few high demand areas of study, the impact of high percentages of international students on program focus and content, and issues of program adaptation to maximize value for international students.
14. The shifting distribution of the University's foreign student population, undergraduate vs graduate, country of origin, educational objectives has important implications for curricular pressures. The question has arisen of setting program limits or quotas to maintain balance in programs, especially graduate areas.
15. Success rates, in terms of attaining educational objectives of international students is an unknown.
16. There are a range of concerns in serving international students, in special academic services, counseling and advising, supervising graduate work, support groups and activities; related costs in faculty and staff time; barriers to "mainstreaming" of services for international students while assuring their adequacy.

#### Cooperation and Followup with Foreign Countries and Institutions

17. Benefits or disadvantages of special cooperative arrangements between University departments and specific foreign countries for education and training need exploration; also, the extension of such cooperative arrangements made jointly with other American Universities.
18. There is lack of adequate contact with our international alumni and in deriving benefits from those international contacts.

#### Problem Resolution

19. There is a need to identify (establish) mechanisms and process for reviewing and resolving these issues and concerns of international students and for setting the University's policies, procedures, and services in the future.

NOTE: This is a summary of issues and concerns identified in a discussion session among selected administrators and faculty involved in international student programs and services: Leo Abbott, Admissions; Warren Ibele, Graduate School; Josef Mestenhauser, International Student Adviser Office; Michael Paige, ISAO; Phil Porter, OIP; James Sentz, Assembly Committee; Don Zander, Office of Student Affairs; Carol Pazandak, President's Office.

Notes from the November 13, 1981 meeting were prepared by Carol Pazandak.

January 18, 1982

To: Kit Wiseman, Chair, Student Consultative Committee  
Stephen Gasiorowicz, Chair, Tenure Committee  
Kim Munholland, Chair, Judicial Committee  
C. Arthur Williams, Jr., Chair, Faculty Affairs Committee

From: Doug Pratt, Chair, Senate Consultative Committee

Re: Procedures for declaring a financial emergency

The Senate Consultative Committee would appreciate the comments of your respective committees on the enclosed document, "Declaration of Financial Emergency," at the earliest possible date.

As the Senate Consultative Committee and the Senate Finance Committee consulted heavily among themselves and with Vice President Keller over the past two months concerning the University's financial situation and the most judicious approach to meeting appropriations cuts, we became aware of major areas in which the University of Minnesota was unprepared with defined criteria and established procedures to confront the prospect of a financial emergency should one arise.

A subcommittee of the Consultative Committee examined the University's traditions, studied pertinent documents from several other large public research universities, and developed the enclosed statement. This document will have to be supplemented by another document on policies and principles to guide the implementation of financial emergency.

The SCC is at this same time forwarding a copy of the document to President Magrath and Vice President Keller, and to the Faculty and Staff Affairs Committee of the Regents, to keep them abreast of our intentions.

:mbp

January 18, 1932

To: C. Peter Magrath, President  
Kenneth Keller, Vice President for Academic Affairs  
Marj Schertler, Chair, Regents Committee on Faculty  
and Staff Affairs

From: Doug Pratt, Chair, Senate Consultative Committee

Re: Document on procedures for declaring financial emergency

Enclosed for your information is a copy of a document just developed by a subcommittee of the SCC, entitled "Declaration of Financial Emergency."

As the Senate Consultative Committee and the Senate Finance Committee consulted heavily among themselves and with Vice President Keller over the past two months concerning the University's financial situation and the most judicious approach to meeting appropriations cuts, we became aware of major areas in which the University of Minnesota was unprepared with defined criteria and established procedures to confront the prospect of a financial emergency, should that situation arise. An SCC subcommittee examined the University's traditions, studied pertinent documents from several other large public research universities, and developed the enclosed statement. This document, or any final version of it, will have to be supplemented by another document on policies and principles to guide the implementation of financial emergency.

The SCC is at this same time forwarding copies of the document to the Student Consultative Committee and the Judicial, Tenure, and Faculty Affairs Committees of the Senate.

:mbp



UNIVERSITY OF MINNESOTA  
TWIN CITIES

All University Senate Consultative Committee

220 Biological Sciences Center  
1445 Gortner Avenue  
St. Paul, Minnesota 55108

Telephone (612)373-3226

Subcommittee Report

January 7, 1982

Declaration of Financial Emergency

The power to declare a financial emergency rests with the Board of Regents, upon recommendation by the President. The purpose of this document is to describe the process of faculty/student consultation which should precede such a declaration.

A declaration of financial emergency shall be made only in case of a reduction in the University's instructional budget so drastic and enduring that it threatens seriously to impair the teaching and research missions of the University, and only if such reductions are judged to require the termination or suspension of faculty with continuous tenure or any other faculty prior to the end of their specified terms of appointment. Such a judgment shall be made only after all reasonable retrenchment alternatives have been fully considered and vigorously pursued, and a determination has been made that selective program reductions and faculty terminations are necessary for the preservation of the University's teaching and research missions.

The following procedures, intended to provide opportunity for full and deliberate consultation, shall be followed in declaring a state of financial emergency:

- Upon determining that conditions likely to require a declaration of financial emergency exist, but prior to making such a recommendation to the Board of Regents, the President shall meet with the Senate Consultative Committee to discuss the University's financial situation, to present his/her budget recommendations, to examine possible alternatives to declaring financial emergency, and to consider the likely educational consequences of various courses of action.
- As soon as possible the President shall address the Senate on the University's financial situation.
- Because a declaration of financial emergency would involve "policies concerning faculty appointments and tenure" (University Senate Constitution Article III, Sec. 3.b.) as well as "educational matters concerning more than one campus or the University as a whole" (University Senate Constitution Article III, Section 2), the Faculty Consultative Committee shall prepare a written recommendation on the question of declaring a financial emergency.



This recommendation shall be submitted to the Senate Consultative Committee for its concurrence or separate recommendation.

- The recommendation, together with any separate recommendations from the Senate Consultative Committee, shall be forwarded to the Faculty Senate for debate and action. This same recommendation, together with any separate recommendations of the Senate Consultative Committee and a report of the action of the Faculty Senate, shall be submitted to the University Senate for debate and action.
- The President shall be present at both Senate discussions to comment on the Senate Consultative Committee and Faculty Consultative Committee proposals and to answer questions concerning the administration's position and the University's financial situation.
- Any recommendation concerning a state of financial emergency made by the President to the Board of Regents shall be accompanied by the recommendations of the University and Faculty Senates.
- Before taking action contrary to Senate recommendations, the Board of Regents should consult with the Senate Consultative Committee. If contrary action is taken, the Regents should submit their reasons in writing to the University and Faculty Senates.
- A condition of financial emergency shall last no longer than twelve months, unless renewed by the same consultative process.
- A condition of financial emergency may be cancelled at any time by the Board of Regents, upon the recommendation of the President, and following the same consultative process. The move to cancel, however, may be initiated by the Board of Regents, the President, the Senate Consultative Committee, or the University Senate.
- Once a financial emergency is declared, the attached document, "Policies and Principles," shall guide its implementation.

FEB 4 1982



UNIVERSITY OF MINNESOTA

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

February 3, 1982

Professor Douglas Pratt, Chair  
Senate Consultative Committee  
220 Biological Sciences Center  
St. Paul Campus

Dear Doug:

Ken Keller and I have discussed a little further the Senate Consultative Committee's proposed procedures for dealing with financial emergency. As I think you know, I find the draft statement to be very good and helpful in every respect.

Ken and I do share one strong concern, and I would assume that addressing it would not be a problem for SCC. It has to do with the step in the proposed procedure that reads as follows:


Before taking action contrary to Senate recommendations, the Board of Regents should consult with the Senate Consultative Committee. If contrary action is taken, the Regents should submit their reasons in writing to the University and Faculty Senates.

In my judgment, the primary relationship between SCC and the University is with and through the President of the University. After all, part of SCC's role and responsibility is to advise the President -- not the Regents. Although I am all for strong communication and have encouraged it between the Regents and SCC, I believe that the line of communication ought explicitly move from SCC to the President, who is of course technically also President of the Board of Regents. Put another way, I don't think that the Regents ought to be entering into direct formal negotiations with SCC on such a matter as financial emergency, but that the negotiations ought to be directly through the President with, of course, all parties involved.

There is one other relatively minor point that you and your colleagues might wish to consider. Assuming that we are at some point in financial emergency and then want to get out of it, I would not think it necessary to have quite as extensive and elaborate consultation to get out of the financial emergency bind. Obviously, there would have to be consultation and judgment and understanding from SCC and the University Senate, but getting out of financial emergency would not, as best as I can surmise, have bad consequences, and I don't think we would need quite as extraordinary a procedure to get out of it as to get into it.

Fortunately, I don't think there is any immediate urgency about these matters, but by and by I think it would be useful if you and SCC would consider this just a bit further, and then we can all review it when it fits into one of our meetings.

Cordially,

  
C. Peter Magrath  
President

CPM:kb  
cc: Vice President Kenneth Keller, Academic Affairs

February 24, 1982

President C. Peter Magrath  
202 Morrill Hall

Dear Peter:

Thank you for your letter of February 3 concerning the Senate Consultative Committee draft of proposed procedures to be followed in dealing with a financial emergency. Your point regarding the proper relationship between the Consultative Committee, the Office of the President, and the Board of Regents is well taken. Your other point concerning procedures for removing a declaration of financial emergency also seems very sensible.

Our SCC subcommittee continues to pursue the issue with a real sense of concern and purpose. I'm sure your remarks will be very helpful.

Sincerely yours,

Douglas C. Pratt, Chair,  
Senate Consultative Committee

DCPFmbp

cc: Ken Keller

FEB 25 1982



UNIVERSITY OF MINNESOTA  
TWIN CITIES

Department of History  
614 Social Sciences  
267 19th Avenue South  
Minneapolis, Minnesota 55455  
(612) 373-2705

February 24, 1982

Professor Doug Pratt, Chair  
Senate Consultative Committee  
220 Biological Sciences Center  
1445 Gortner Avenue  
St. Paul, MN 55108

Dear Professor Pratt:

This letter is in response to your letter of January 18, in which you requested that the Senate Judicial Committee comment upon your "Procedures for Declaring a Financial Emergency." The Senate Judicial Committee discussed this matter at its February 4 meeting, and the following is a summary of some points raised during the discussion.

It was not entirely clear what the role of the Senate Judicial Committee would be in any declaration of financial emergency. The responsibility of the Senate Judicial Committee is to hear complaints that involve issues of academic freedom and faculty rights, including tenure, guaranteed by the Tenure Code. Obviously, any action that would suspend the Tenure Code, or bring the dismissal of tenured faculty, would be of concern to the Senate Judicial Committee. In such instances the faculty concerned would undoubtedly seek remedy, perhaps from the Senate Judicial Committee. Hence any financial emergency, under whatever conditions or procedures, would bring an increase in the Senate Judicial Committee's case load - assuming that the Senate Judicial Committee would continue to function under such conditions.

Some members of the Senate Judicial Committee expressed concern that the establishment of procedures to be implemented in the event of a financial emergency might make it easier or more likely that such a declaration be made. There was general agreement that the basis for any cuts in faculty or programs be made with proper assurance that the basic academic mission of the University be preserved. The criteria for deciding cuts should be established with full faculty consultation and not be made in an arbitrary fashion or for the purpose of removing inconvenient faculty members. The University should be required to prove that program reductions are made for sound academic reasons in the face of budgetary constraints and do not reflect discrimination or prejudice arising from other considerations. Even under emergency conditions, the Senate Judicial Committee felt that a preservation of the rights and fairness principles embodied in the Tenure Code should be respected and preserved.

Letter of J. Kim Munholland  
February 24, 1982  
Page Two

It was not apparent from the memorandum what conditions would require a declaration of financial emergency. Presumably, criteria for making such a determination, as well as guidelines for programmatic reductions, will be included in the forthcoming "Policies and Principles." The Senate Judicial Committee looks forward to receiving a draft of this document.

Sincerely,

  
J. Kim Munholland, Chairman  
Senate Judicial Committee

JKM/kmo

cc: Members, Senate Judicial Committee

December 15, 1981

Jack Merwin, Chair,  
AAUP Committee on Planning and Governance  
~~210E~~ Burton Hall  
Minneapolis Campus

Dear Jack:

Thank you for your recent letter concerning the possible declaration of a state of financial exigency at the University and the Senate Consultative Committee's plans for consultation related to this possibility. As I understand the situation, the University President is the only person who can recommend that a state of financial exigency be declared, and the Board of Regents must then support the recommendation. Before the President reaches a decision concerning the need to declare a financial exigency, he is obliged to consult with other administrators and with the faculty.

The SCC has had preliminary discussions with President Magrath, Vice President Keller and the Board of Regents regarding the process and criteria to be used in deciding on an exigency. The matter is on the agenda for the SCC-Senate Finance Committee combined meeting on Thursday, December 17, in the Regents Room in Morrill Hall. I invite you and other members of the AAUP to attend. I concur that this is a matter of extreme importance and we welcome your views.

With best wishes.

Sincerely yours,

Douglas C. Pratt, Chair,  
Senate Consultative Committee

DCP:mbp

Enc: Agenda for Dec. 17 meeting  
P. Swan Nov. 24 letter to K.. Keller

cc: Pat Swan

# AAUP

American Association of University Professors  
University of Minnesota (Twin Cities) Chapter

DEC 9 1981

Minneapolis, Minnesota 55455

December 8, 1981

Douglas C. Pratt, Chair  
Senate Consultative Committee  
671 Bio Sci

Dear Doug:

The faculty generally is aware of the very difficult times facing the University and the importance of faculty consultation as decisions are faced by the Administration and the Board of Regents. Most are also aware of the critical role that the Senate Consultative Committee plays in this consultation. As you know, the AAUP Committee on Planning and Governance was established to assist in providing both input of faculty concerns and dissemination to faculty of topics under consideration.

At a recent meeting of our committee we discussed the possibility that the Administration and the Board of Regents may in the very near future need to consider whether or not a condition of fiscal exigency exists at the University. In the question and answer material on "1981-82 Budget Reductions" prepared by the Administration the answer to the question, "What is the process for reducing tenured faculty positions?" says, "First, the University must prove that a true financial exigency exists and that any terminations affecting tenured faculty are due to that exigency. ...nor is it clear how 'financial exigency' must be defined and proven."

A declaration of financial exigency obviously poses the potential of dire consequences for members of the faculty. Since the process by which such a condition will be established is still undetermined and the need to consider such a declaration could come about very quickly, plans for consultation both on the process and the decision of whether or not the condition exists is crucial.

In our efforts to respond to the charge given to our committee it would be helpful to know what plans SCC has for consultation on this very important matter. We would appreciate it if you would share these plans with us.

  
Jack Merwin, Chair

AAUP Committee on Planning and Governance  
210E Burton Hall



UNIVERSITY OF MINNESOTA  
TWIN CITIES

All University Senate Consultative Committee  
220 Biological Sciences Center  
1445 Gortner Avenue  
St. Paul, Minnesota 55108  
Telephone (612)373-3226

SENATE CONSULTATIVE COMMITTEE  
CONVERSATION WITH THE PRESIDENT  
January 14, 1982

The SCC's Conversation with the President began at 1:30 p.m. in the Regents Room. Vice Presidents Keller and Hasselmo also attended.

President Magrath stated that the issues to be discussed by the International Student Committee are very important ones. The University of Minnesota is, in a sense, a microcosm of the international situation.

The President made several remarks in reference to the letter he received from Professor Pratt.

1) Concerning budget cuts by the state legislature there is little more to say. A 20 million dollar base cut appears certain with 5.6 million in additional cuts likely if the present bill passes. Salary losses of 5-6 million dollars are also predicted for the second year biennium.

2) Non-academic personnel cuts- (Vice President Hasselmo) There were no retrenchment-related lay-offs before the Regents meeting. Line managers had been advised that lay-offs were likely. Loss of research funds may have caused some lay-offs. The lay-offs will take place over a period of time. There will be counseling services available for people who are laid off.

Discussion- Professor Swan asked if the distinction between programmatically-planned lay-offs and lay-offs caused by budgetary cuts is being made to those who are laid off. Vice President Keller commented that the distinction is not always clear cut because the extent of the lay-offs has been caused by budget considerations but selection of who is laid off is dovetailed with long range plans. Professor Swan replied that it would probably be more difficult for administration to say to someone that they were laid off as a result of program planning than to say the lay-off was simply the result of budget cuts. Dave Lenander wondered if CLA, by closing the library school, was setting precedents that will need attention in the light of reciprocal programs with neighboring universities. President Magrath replied that there is constant dialogue with neighboring schools, especially the University of Wisconsin.

3) Professor Pratt expressed his own gratification and that of others that President Magrath has added the Vice President for Planning and Administration to the Budget Executive. President Magrath, in response to the Turner resolution, introduced and approved at the December 3 Senate meeting, reiterated his position that the Vice President for Health Sciences should be a member of the Budget Executive since



knowledge of the budget is so necessary for administrative planning. Professor Eaton commented that there does exist the problem that the Health Science unit is looked upon with suspicion because of its financial resources and the SCC must seek ways to ameliorate the situation. Professor Eaton suggested that Vice President French be invited to attend SCC meetings. President Magrath replied that some bad feelings appear to be inevitable but that discussion would help clarify matters. He felt sure that Vice President French would be eager to attend SCC meetings.

4) Rick Linden asked how soon would the Administration take steps regarding the additional 5 to 6 million dollars likely to be cut from the University budget, what the University would do if the Governor vetoes the bill, and whether the planned tuition increases would cause enrollment to decrease significantly. President Magrath replied that some decisions would have to be made soon but that, generally speaking, the University would have a couple of months to make plans and that within that time period the consultation would continue with the SCC. He added that, hopefully, a tuition increase for spring quarter can be avoided. Professor Purple asked where the University will rank in terms of tuition cost after the increases. Vice President Keller said that the University is in third place, behind Michigan. Professor Pratt asked about the legal status of pay increases. President Magrath replied that the University does have more options than some other systems but that Civil Service increases, for example, must be implemented according to what the State has agreed upon. If the Governor vetoes the present bill, he does have the authority to withhold 11.8% of the University budget. The tuition increase to take effect summer (13%) and fall (10%) quarters to total 23% may have an effect on tuition but this is a problem affecting all universities and it is not known at what point enrollment attrition begins.

6) The Waseca students asked whether budget cuts are being distributed equally among the campuses. President Magrath replied that the cuts are not across the board but are being made proportionately after consulting with provosts at outside campuses.

7) Professor Pratt invited President Magrath and other central officers to attend the January 28 Assembly meeting at which financial update reports are to be made. President Magrath accepted the invitation.

8) Professor Howe asked for comments about the Mark Hall case. President Magrath commented only that the academic integrity of this University is the greatest asset we have. Vice President Hasselmo reported that Mr. Hall has been admitted and expressed his opinion that the matter was not one of conflict between athletics and academics but one of due process.

The conversation concluded at 2:40 p.m.



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1445 Gortner Avenue  
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Telephone (612)373-3226

January 8, 1982

President C. Peter Magrath  
202 Morrill Hall

Dear Peter:

The Senate Consultative Committee will appreciate the opportunity to discuss with you the University's prospective financial situation as of the meeting date, and the University's response so far to the impending cuts, at our meeting on January 14 at 1:15 p.m.

We would also like to ask you to comment on the administration's policy regarding non-academic personnel decisions in the implementation of immediate cuts. Apparently in some units lay-off notices were sent to employees prior to the Regents' January 8 consideration of the preliminary retrenchment plan for support units. Do those dismissal notices relate to centrally-planned retrenchment, or have they been made independently of the central process? We would also appreciate further clarification on the extent to which you and the Budget Executive foresee that soft money shifts can prevent outright layoffs and permit attrition to take care of this year's cutbacks.

On a separate topic, I wish to thank you for informing me at length by letter of your response to the Senate's December 3 advisory vote regarding the Health Sciences vice presidency. I have copied that letter to the SCC members. Perhaps you would like to take this opportunity to comment further, particularly upon the matter of the composition of the Budget Executive.

Sincerely yours,

Douglas C. Pratt, Chair,  
Senate Consultative Committee

DCP:mbp

cc: Senate Consultative Committee



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AGENDA

All-University Senate Consultative Committee

Thursday, January 28, 1982

12:30 - 3:00

Dale Shephard Room, Coffman Memorial Union

1. 12:30 p.m. Extra retrenchment in some academic units for additional salary supplement. Vice President Keller will join us for the discussion.
2. Fix Agenda.
3. Minutes of January 14 (2 sets enclosed)
4. Report of the Chair (oral), including:
  - a. Responses on unit consulting inquiry
  - b. Additional faculty nominated to augment Judicial Committee--seek interim SCC approval
5. Report of the Student Chair (oral)
6. Committee Reports
  - a. Finance (Pat Swan will distribute copies at the meeting of the Finance Committee's report to go to February 18 Senate meeting)
  - b. Subcommittee on fiscal emergency (Eaton)
7. 2:00 p.m. ACIA inquiries into policy and procedural questions raised by Mark Hall Case (Charles Walcott)
8. Old Business
9. New Business
10. Adjourn

Notes: 3:15 Assembly meeting, Law Building  
3:30 Senate Forum, Law Building

Dale Shephard Room available at 12:00 noon for lunch.  
Lunch vouchers for student SCC members are with the  
food line checker. \$3. maximum