



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

MINUTES

FACULTY CONSULTATIVE COMMITTEE and
FCC WITH THE PRESIDENT

November 5, 1981

The members convened at 11:00 a.m. and listened by radio to the governor's address on the state's financial condition. Members present: Bob Brasted, Marcia Eaton, Virginia Fredricks, John Howe, Marv Mattson, Doug Pratt, Chair, Rick Purple, Don Spring and Pat Swan. Guests: Carol Pazandak, Peter Robinson.

Chairman Douglas Pratt called the meeting to order at 11:20 a.m. and explained his request for closing the meeting to discuss certain personnel matters. Bob Brasted and Virginia Fredricks urged the members to vote to close the meeting because of the sensitivity of discussing units and possibly individuals who might be cut. Rick Purple expressed partial agreement but noted that interspersed with sensitive business would be business appropriate for press coverage. He urged that the Chair meet with the Daily reporter shortly after the meeting and explain to him as much as he could about the meeting's content. Marcia Eaton added that the minutes of the meeting should be made available as soon as possible. Virginia Fredricks moved, Pat Swan seconded, that the meeting be closed with these two caveats. The motion carried without dissent and with Rick Purple abstaining from voting.

FCC/Regents dinner meeting of November 12.

a. The faculty will describe to the Regents some examples of the service testing carried on at the University, and will stress the variety of services and the impracticability of adopting general governing rules.

b. FCC wants to devote the most time to the current state and University financial climate and particularly to the faculty's desire to see the Regents adhere to the spirit of the revised Senate-adopted but not Regentially-approved Tenure Code. (President Magrath later told the FCC he would re-read the document before that meeting. FCC is asking central administration to express its moral support for the revised code.) Marcia Eaton recommended the FCC ask the Tenure Committee to examine the revised code, now nearly nine years old, to determine whether any changes are called for. This item of business was taken up in the SCC meeting later in the day.

Financing the University. Peter Robinson stated his assessment that the big battle in the legislature will be over how much to raise taxes.

He urges the University community to promote the tax increase necessary to continue essential funding such as the University's. Speculation is rampant among reporters as to what programs are targeted for cutting.

Faculty salary increases and distribution. Doug Pratt referred the FCC to President Magrath's November 2 letter about consultation with faculty. The President requested advice concerning faculty salary increase distribution. Pratt reminded the FCC of the position Faculty Affairs had taken in May on a formula for distribution. Pat Swan suggested and the FCC concurred that the FCC should ask SCFA if it wants now to reconsider its proposed formula in light of the changed economy. The deadline for a reply from Faculty Affairs is November 19. On that date FCC will meet and, taking SCFA's recommendation into consideration, offer the President its judgment on distribution.

Cheer. Members circulated uplifting press clippings--Elmer L. Andersen's November 4 editorial in the Sun newspapers on the mission of the University, and Larry Batson's November 5 column in the Tribune on the value of education. The FCC instructed Doug Pratt to write both gentlemen expressing this body's appreciation for their writings.

President Magrath, and Vice Presidents French and Keller joined the meeting at 11:35 a.m. The President stated that it was the attitude of the senior officers and, he believed, of faculty leaders, that it is important to project confidence. We don't feel defeat, he said, and we mustn't show defeat. He then addressed the questions which had been submitted in advance.

1. There is no danger that the state will not release the funds reserved for salary increases. Acting Finance Commissioner Val Vikmanus has told the President that he will release them as soon as most collective bargaining agreements have been completed. The University will distribute this money unless a collective bargaining agent is elected at the University prior to distribution and such agent files a certificate to negotiate to determine distribution. There is no reason to think that even though an election is underway the administration cannot distribute the overdue raises in the normal way.

President Magrath reconfirmed that the University will receive the average by percentage of the settlement for the other higher educational institutions, which is understood to be 8% of the base and 8% of the fringe for 1981-82, and 9% for 1982-83.

Rick Purple asked whether people on soft money can receive the same increases, although that would mean, as always, reducing the balance in their support grants; the President and Vice President French said they can as usual get the raise in that way.

2. Should the University consider shaving the salary increase for 1982-83 if it turns out that the cuts from the state are very large? Pat Swan said the salary question will come under tremendous pressure if the University is in danger of cutting tenured faculty. President Magrath said that if next spring we find we have to make cuts, and if the consultative process favors salary cuts for 1982-83, he would consider that recommendation. Vice President

Keller pointed out the 12-fold difference between increased tuition charges to students and decreased income to faculty to raise or save the same amount of money. A \$20 tuition increase raises as much as a \$250 faculty salary cut. He asked if the University wants to give credence to a myth that the faculty have the responsibility to shoulder a greater burden than do others.

Doug Pratt forwarded a faculty question asking if there are any changes in the plan for distribution of the retrenched 2%. The President replied that there were no changes; some of the money is for civil service increases and some for faculty, and it will return to the employees of the units from which it was retrenched.

3. Humanitarian measures the University could take if a state of financial emergency were declared. President Magrath said they would try to follow the conventional AAUP notification period and be as humanitarian as possible. Vice President Keller summarized the three means under consideration to make separation from the University attractive: the early retirement plan which is available now; a phased retirement under which the University would continue its retirement contributions and insurance coverage to a professor working less than full time; and offering a year's termination pay or a prorated part of that. The latter two are expensive and would be used only for faculty in programs targeted for phasing out.

4. Consultation at the unit level. Marcia Eaton, noting that not all units have an equivalent to the CLA Assembly, asked what central administration can do to make it possible for under-consulted faculty to participate more. Doug Pratt reinforced the point that not all decisions going from the colleges to central administration come out of an adequate consulting process. Pat Swan added that some faculty are skeptical that their dean's representation to the Vice President represents the unit as a whole. The President responded that he sees no problem with the structure of the current consultative process but that there may be a problem with the nature of the information central administration gets from the deans. He said he believes in consultation at the collegiate level and that he should remind the deans to re-read their constitutions. Donald Spring added that by this stage of the unit planning process faculty want to know the prioritizing within their collegiate units.

Rick Purple said faculty seek factual information in the current crisis, such as how the figure of \$10 million as the maximum survivable cut was arrived at. He also asked that there be in place a mechanism for appeals when and if cuts are made. The President cautioned that an appeals process would become very political, with individual Regents being lobbied. He would be open to considering some appeals process within the consultative system. Marv Mattson warned that a crisis mentality may serve bad ends. ~~A Crookston committee has just decided not to rehire an instructor, and their motivation seemed to be the anticipation of cutbacks.~~ President Magrath said central administration tries to assure all administrators that the usual processes are intact and should be followed.

5. Definition of 'financial exigency' or 'emergency'. President Magrath said no clear definition has been arrived at for major research institutions. No matter what were done under the heading of 'financial emergency', he said, it would be legally challenged. He does not want to see an emergency declared. Bob Brasted emphasized that without that definition, no tenured or tenure-track faculty can be cut.

Pat Swan asked if faculty can legally be cut by cutting only parts of programs. Vice President Keller said that could only be done in a very formulaic way, by removing precisely-defined parts of programs. Swan thinks it important to disabuse the legislature of its apparent misperception that individuals can be pared away here and there as needed to save money.

John Howe expressed the hope that the Budget Executive's extensive planning process relates to the emergency process. President Magrath and Vice President Keller responded that the small, thoughtful phased changes designed to shrink the University 5% over the next few years are inapplicable to the charge to cut on short notice 20, 30 or 40 million dollars.

The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Meredith Poppele

Meredith Poppele, Secretary



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All University Senate Consultative Committee

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

October 30, 1981

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

The Faculty Consultative Committee looks forward to the opportunity to meet with you at 11:30 a.m. on November 5. Because of the sensitive nature of the questions below which we hope you will address regarding anticipated personnel practices under emergency conditions, I intend to ask the FCC to vote to close our meeting. Please call me if you regard this as an unwise move.

The questions below overlap somewhat, but indicate the kinds of possibilities the faculty want to discuss with you, while saving some time for your own announcements and questions:

1. Regarding the faculty salary increase held in reserve by the state: (a) What if the governor should refuse to release those funds? (b) Should we consider shaving 1% - 2% of the approximately 8% held if it turns out that the University's cuts have to be in the tens of millions--with a sense of spreading the sacrifice around?

2. If financial disaster hits the University sufficiently hard, many things must be considered from a strictly humanitarian standpoint to soften the blow for those faculty and other employees who might need to be dismissed. Has the University administration started to think about questions such as the following: (a) What notice in terms of time will be given to faculty who would need to be dismissed? (b) Might some faculty be laid off for a period of time rather than terminated? (c) Would assistance be provided to help faculty in finding other employment? (d) To what extent would humanitarian severance programs offset any short-term economic advantages to be gained by dismissing faculty?

C. Peter Magrath
10/30/81
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3. Exploring the meaning of "financial exigency" or "financial emergency." Who defines it? If there is an emergency, can the University cut tenured and tenure-track faculty only by cutting their entire program, since if it cut individually it might later lose in a court challenge on grounds that the dismissed faculty member had not received equal treatment, that the dismissal was discriminatory, or otherwise could not be justified? What legal opinion has central administration received on this question? If, in fact, cuts could be made only by whole programs, should not the legislature be made aware of the fact?

4. Do you know what deficit figure the governor was using as his base when he requested budgets demonstrating 8% - 12% cutbacks? Is it certain that it was a figure close to \$ 600,000,000, or might it have been a figure considerably lower?

We will appreciate everything you can tell us regarding these concerns.

Sincerely,



Douglas C. Pratt, Chair,
Faculty Consultative Committee

DCP:mbp

cc: Faculty Consultative Committee

university
of
minnesota
memo

date October 30 1981

to Faculty Consultative Committee

from Doug Pratt *WJP*

Because of the sensitive nature of the questions we want the President to address dealing with anticipated personnel practices under emergency conditions, I intend to ask the FCC to vote to close our meeting with President Magrath on the 5th. Don't hesitate to call me if you think this is unwarranted.

BA Form 507
S-92050



university
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to Faculty Consultative Committee

from Doug Pratt *WJP*

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BA Form 507
S-92050

October 28, 1981

To: Jeff Anderson Rouse Farnham
Perry Blackshear Gary Heichel
Greg Brown Rex Lovrien
Peter Chapman Paul Read
Will Craig Cletus Schertz

From: Meredith Poppele, BECO administrative assistant *mp*

Re: Proposal for Bio-Energy Research in Minnesota

Would you please submit any comments you want to make on the Minnesota Energy Agency's Interagency Peat Task Force draft proposal (discussed with Ron Visness here at the Biosciences Center on October 13) by Friday, November 6.

Feel free to telephone me if you have any questions.



UNIVERSITY OF MINNESOTA

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

NOV 18 1981

November 17, 1981

TO: Dean's Breakfast Group

Dear Colleagues:

As we continue to grapple with difficult fiscal problems, and of course the threat of State-imposed retrenchments on our operating budget, I write to ask that each of you give personal attention to the subject of providing the maximum effective consultation and communication with the faculty, staff, and student representatives of your college or academic program. My request is not intended to be critical of anyone, and I recognize that different patterns and structures of consultation exist within our diverse University.

Currently, however, we are in an unusual situation where as good and as clear communication as possible, as well as the need for intensified consultation, is more important than ever. I therefore urge you to examine your structures and procedures for consultation and communication on budgetary matters and the almost inevitably difficult decisions and judgments that you, no less than I and the Central Officers, will have to make in the months ahead. This concern is understandably shared by the All-University Senate Consultative Committee, which has reminded me of the need to have the maximum possible consultation and communication at collegiate and program levels as well as throughout the overall University. If you have questions or comments on this topic, please share them either directly with me or with Ken Keller and Lyle French, both of whom participate in my discussions with the Senate Consultative Committee.

Cordially,

C. Peter Magrath
President

CPM:kb

cc: University Vice Presidents
University Provosts
✓ Professor Douglas Pratt, Chairman, Senate Consultative Committee
Professor Pat Swan, Chairman, Senate Finance Committee