



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University Senate Consultative Committee

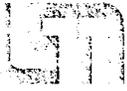
383 Ford Hall
Minneapolis, Minnesota 55455

Telephone (612)373-3226

AGENDA

All-University Senate Consultative Committee
Thursday, April 30, 1981
12:30 - 3:00 p.m.
Room 626 Coffman Memorial Union

1. Fix Agenda.
2. Minutes of April 16 (enclosed).
3. Report of Chair (enclosed).
4. Report of Student Chair.
5. Committee Reports.
6. Meeting with Civil Service Committee (1:00 - 1:45).
7. Daily resolution from ACSA (please bring).
8. Nominations for Sexual Harrassment Board.
9. Committee Assignments.
10. Resolution to Regents concerning Constitution (enclosed).
11. Assembly Constitution (please bring).
12. Adjourn.



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383 Ford Hall
Minneapolis, Minnesota 55455
Telephone (612)373-3226

MINUTES

APPROVED 5/14/81

All-University Senate Consultative Committee
April 30, 1981

The regular meeting of the Senate Consultative Committee was convened by Chairperson Marcia Eaton at 12:30 p.m. in Room 626 of Coffman Memorial Union. Other SCC members present were Orhan Arkan, Julie Bates, Robert Brasted, Russ Hobbie, Judy Nord, Douglas Pratt, Sue Pribyl, Vera Schletzer, Skip Scriven, Patricia Swan, and Bruce Thorpe. Guests were Mary Jane Plunkett, Carol Pazandak, Maureen Smith (University Relations), Liz Fuller (Daily) and Kathy Olson.

Announcement: May 28 SCC meeting will be held in #626 CMU instead of at the Earl Brown Center in St. Paul.

1. Agenda. Drop item 10. Add item on SCC '81-'82 budget. Remainder of agenda fixed.
2. Minutes of April 16 were approved as written.
3. Report of the Chair.

a. Proposed dates for 1981-82 Senate and Assembly meetings, recommended by the Clerk of the Senate, were approved by the SCC as follows:

<u>Senate</u>	<u>Assembly</u>
December 3	November 19
February 18	January 28
April 15	April 29.
May 20	

b. Consent decree implementation. The special masters have called Vice President Hasselmo to a hearing at which they will consider objections of the Faculty Women's Advisory Committee to the complaint procedures; the special masters have invited the SCC to also participate. Professor Schletzer will attend; if possible Julie Bates, Sue Pribyl and one or two other faculty members will also attend, to explain what the SCC has done regarding implementation of the consent decree. Hearing is Wednesday, May 6, at 1:00 p.m. at the courthouse. The special masters will hear testimony from the Faculty Women's Advisory Committee, hear testimony alleging harrassment arising out of implementation of the decree, and hear challenges to the consent decree claims handling from Professors Faunce and Woodward.

Professor Eaton circulated a letter from Professor Faunce containing a number of requests concerning consent decree implementation. Several of the requests appear to be acceptable to all parties. Of the 38 complaints filed against the University under the decree, the University has recommended settlements for some claims and has forwarded others to the special masters

with the University opinion that the complainant has no case. Only one or two cases require an internal tribunal.

4. Report of the Student Chair.

a. The Student SCC wants to discuss with Business and Rules Chairperson Connie Sullivan incorporating into the revised Assembly constitution an allocation of power similar to that in the new Senate constitution, reserving certain areas to the Faculty Senate or Assembly and others to the Student Senate or Assembly. (See item 11.)

b. Dr. Pazandak has requested student nominations to the Sexual Harrassment Board. The committee has good prospects for those appointments.

c. Committee is recruiting students to serve on four Senate committees and hopes to name them at the May 14 Senate meeting.

d. Committee voted unanimously to support ACSA's Assembly motion on restoring the Daily fee to the mandatory fee structure.

e. Student government is at odds with the administration over its student representatives to the Board of Regents. Student government assumes it should have the right to remove a representative who is not in fact representing the position of student government to the Regents. The Regents will not remove student representatives other than by previously established criteria.

5. Committee Reports.

a. UCBRBR. Professor Swan reminded the SCC that UCBRRB's May meeting is with Finance Vice President Bohlen, and invited members to forward through Bruce Thorpe, Professor Brasted or herself, their comments on the University's support services for that discussion.

b. Budget committee.

(i) Professor Hobbie reported the request of the Senate Research Committee for \$3,000 from the Senate budget to purchase notebook covers for 1500 copies of the Handbook of Research Facilities the committee has prepared. While the budget subcommittee applauded the project, it decided it could not fund the request.

(ii) SCC discussed its proposed '81-'82 budget. Some members wished to retain box lunches for the FCC when 4½ hours of meetings fill the middle of the day. The budget will request money to fly to Morris, and the actual choice between flying and driving will be made in the fall.

6. Civil Service Committee. At 1:00, Vice President Hasselmo and four members of the Civil Service Committee joined the meeting. Jerome Larson, CSC Chair, introduced Shirley Raines, Irene Kraft, and Barbara Kalvik. Professor Eaton introduced the SCC members.

Mr. Larson described the committee's two-fold responsibility. CSC is to see that the Civil Service rules are carried out, as well as to shepherd proposed rule changes through to the President. It is also to be aware of the views of Civil Service personnel and represent those to the administration.

The committee oversees the Civil Service grievance system and can initiate inquiries into work conditions. The committee meets monthly. Today's meeting was arranged by Vice President Hasselmo at the suggestion of President Magrath when the CSC meeting with him last month raised questions of faculty-staff relations.

a. Overlapping concerns of Civil Service staff with students and with faculty regarding Senate committee activity. Civil Service has representatives on some Senate committees. Mr. Larson asked if a process exists for monitoring Senate committees to determine whether a committee is addressing all the concerns brought to it. He cited Parking and Transportation as an example in which reportedly none of the issues raised by the students and Civil Service members have been addressed. Professor Eaton explained that the only formal requirement is the annual report to the Senate and to the Assembly of each of their committees. She added that an individual Senator, however, dissatisfied with inaction on an issue, may take an item to the floor of the Senate and request referral to a committee and a report back.

Sue Pribyl said that students have often felt the same dissatisfaction. This year student members fill out for MSA their evaluation of their committee. MSA also urges students to contact the chair of a sluggish committee and push for action. Mr. Larson said the CSC is considering telephoning committee members to ask their assessment of their committee's work, but does not wish to be subversive. Judy Nord recommended a newsletter, such as MSA uses internally, as helpful inter-committee communication.

Mr. Larson asked if the SCC would be willing to consider suggestions about committees where the CSC thinks Civil Service representation would be appropriate, and he cited the Calendar Committee. Professor Eaton said the CSC could make such a request to either the SCC or to Business and Rules. She suggested the CSC regard the SCC as the steering committee of the Senate, which would forward their suggestions to the appropriate committee(s).

Sue Pribyl pointed out that, under the new Senate rules, some committees are not closed to ex officio membership, which could include Civil Service personnel. Professor Pratt added that people can certainly be invited to sit in on some committees and take part in discussion, without waiting for any Constitutional amendment.

b. Grievance mechanisms, jurisdictions.

(i) Sexual harrassment. Mr. Larson referred to the newly adopted University policy on sexual harrassment grievances. The new Board is to include one Civil Service employee. The existing Civil Service grievance mechanism provides for handling sexual harrassment cases. SCC members pointed out that Civil Service would need a broader body to have clout against an offender outside Civil Service, although they clearly would prefer to use their own structure for cases in which both parties are civil service employees.

(ii) Resolution of conflicts within a department. Professor Hobbie said faculty members often lack the training to settle disputes between Civil Service workers and their supervisors, and he thought the Personnel department might well have the expertise to assist. Vice President Hasselmo said one deliberate aspect of the personnel structure is that Personnel does not intervene between a civil service employee and the employee's supervisor, unless a legalistic process is sought. The Human Resources Office of the Personnel department, however, as CSC and some SCC members testified, stands ready to assist in resolving differences. Unit administrators are aware of

those services. There was general acknowledgement of the lack of broad awareness of many procedures and services in existence.

Dr. Pazandak said that the questions raised in this meeting are relevant to the preparations now underway to compile a "Guide to Grievance Mechanisms Within the University."

c. Publications and policies. Mr. Larson noted that the booklet, "Introduction to the University," says nothing about the Civil Service structure. Professor Eaton recommended Civil Service send a specific proposal for inclusion to the officer which publishes the bulletin (University Relations).

Mr. Larson pointed out that the new policy proposal on nepotism as related to staff review, which happens to be more broadly inclusive than the Civil Service rules, is silent on whether it is applicable only to faculty, or to other categories of employees too. He stressed the need for explicitness on applicability in such writings. Professor Eaton advised the CSC to address questions of this sort directly to the originating office--in this case, Academic Affairs.

d. Work assignments and job classification. Mr. Larson stated that a common occurrence is for a Civil Service employee to come to handle a good deal of administrative work but not get credit for it in a request for reclassification because the assigning faculty member describes it as really his or her own work and responsibility. Professors Brasted and Schletzer added that it also happens frequently that a faculty member tries hard to upgrade the job classification of a valuable employee to make it reflect more accurately the responsibilities, and can't win the reclassification. Dr. Hasselmo and Dr. Pazandak spoke of the real constraints in the classification system--relating to budgetary limitations, requirements of numbers of people to be supervised, and so on.

e. Civil Service access to appropriate functions. Mr. Larson cited an example in the libraries as one among many. Many highly trained Civil Service employees wanted to hear some speakers at a dinner function which was designed for faculty only. Their request was denied, although the library administration offered to arrange separate meetings for them. Mr. Larson expressed the hope that such employees could be permitted to take part when they were prepared to benefit from the offering.

In response to Professor Brasted's summing up question, Mr. Larson said the CSC could see the SCC as a route by which it could request changes, a body which could offer advice and assistance. Dr. Hasselmo urged the CSC to establish close contacts with the Civil Service personnel serving on committees now, to collect their concerns. Sue Pribyl suggested the CSC study the Assembly constitution, currently undergoing revision, and apply to Business and Rules for specific inclusions in that structure. SCC office will get a copy of the constitution to Mr. Larson.

7. Daily Funding--Refundable Fee Experiment. Judy Nord moved the Assembly Steering Committee support the ACSA's resolution to the Regents to return funding for the Daily to the mandatory, non-refundable student fee structure. Motion passed unanimously. Resolution will go before the Assembly this afternoon.

8. Nominations for the Sexual Harrassment Board. Dr. Pazandak has requested that SCC, Judicial, Tenure and SCFA each recommend at least one or two faculty members to serve on the new board. The SCC will forward these names: Dorothy Loeffler, Margaret Davis, Phyllis Frier, Michael Root, and Donald Rasmussen.

9. Committee Assignments. Professor Eaton has written to all the faculty members the FCC nominated for the committees on All-University Honors, Business and Rules, Finance, and Planning. No one has declined to serve. However, since Wayland Noland was prevailed upon to become Chair of the Library Committee, the SCC must name a replacement to Business and Rules. The following were proposed, and Professor Eaton will ask them in this order: Stuart Fenton, Rutherford Aris, Skip Scriven. The Senate Consultative Committee gave its approval to the entire roster of nominees from the FCC.

10. Resolution to the Regents concerning the new Senate constitution. The President has decided simply to recommend that the Regents endorse the new constitution, with no accompanying resolution.

11. Assembly Constitution. The Assembly Consultative Committee is in possession of the current draft of the revised constitution.

a. Recreational Sports. The major change recommended is moving Recreational Sports from Campus committee status to that of an Assembly committee, in acknowledgement of the size of its responsibility and the widespread faculty and student interest in the area. Professor Schletzer said that committee should have direct access to the Assembly, as they feel a lot of pressure and have many items to take to the Assembly. Dr. Pazandak raised the question of the relationship between Intercollegiate Athletics and Recreational Sports, since there is sharing of facilities and equipment, and considerable cross-charging. Prof. Schletzer said coordination of all four units--mens and women's intercollegiate athletics, physical education, and recreational sports, comes through the facilities coordinator and facilities committee, and through equipment management.

b. ACIA composition. Professor Eaton reported that Gary Engstrand of the Office of Administration and Planning will request of Business and Rules that the women's equivalent of the 'M' club alumni representative be added to ACIA. Present membership allows for two alumni representatives, one of whom has been from the 'M' club. Change would mean 3 alumni members on ACIA.

c. University-ROTC Relations Committee, formerly a committee of the Senate, becomes a committee of the Assembly.

d. Faculty Assembly / Student Assembly delegation of power. Orhan Arkan reported that the Student SCC hopes to see a provision in the Assembly constitution parallel to that in the new Senate constitution, allocating SCFA, Tenure, Judicial, and All-University Honors to the faculty portion of the body (Faculty Senate or Faculty Assembly) and student government, student organizations and student publications to the student portion.

Professor Hobbie explained that the differentiation had been dropped from the new Senate constitution because there are no University-wide areas of

purely student concern within the Senate. The writing subcommittee did not disapprove the concept of such separation and did not notice that the Assembly constitution had no parallel provision for it.

Sue Pribyl added that students would also want a mechanism to get items of theirs (such as the fee for the Daily) before the entire Assembly when students see them as issues of campus-wide concern.

Professor Swan described the separation clauses in the documents as having been intended to safeguard the integrity of each of the two bodies-- the Faculty Senate and the Student Senate. The Faculty Senate is the faculty's sole mechanism for system-wide governance. In fact, however, the faculty has used its separate Senate very little, except for consideration of the new Tenure Code in 1973-74. She remarked that the steering committees can and probably should steer some items to the separate bodies.

The meeting adjourned at 2:55 p.m.

Respectfully submitted,

Meredith B. Poppele

Meredith B. Poppele,
Secretary



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All University Senate Consultative Committee

383 Ford Hall
Minneapolis, Minnesota 55455

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Report of the Chair for April 30 meeting.

1. The Faculty Consultative Committee wishes to make the following nominations of faculty members to serve on Senate committees next year:

All-University Honors (no more than 6)

George Blake, Soil Science, new
Wayland Noland, Chemistry, new
Caroline Czarnecki, Veterinary Biology, continuing, chair
Seymour Geisser, Statistics, continuing
Gayle Yates, Women's Studies, continuing
Joseph Resch, Neurology, continuing

Business and Rules (4) (all continuing)

Bright Dornblaser, Health Services Administration
David Giese, General College, chair
Bruce Nord, UMM
David Weissbrodt, Law

Donald Spring will be asked to serve as consultant for fall quarter

Finance (2 at-large)

Walter Johnson, Physics & Astronomy (served this year on UCBRRB)
(second to be named in the fall)

Planning (at least 4) (all served on SCRAP this year)

Bernadine Feldman, Nursing
John Helmberger, Agriculture and Applied Economics, chair
Richard Ilkka, UMM
Van Mueller, Educational Administration
Irwin Rubenstein, Genetics and Cell Biology
Frank Sorauf, Political Science

2. A letter from the Faculty Advisory Committee criticizing some aspects of the Ragender Consent Decree Claims Procedures was sent to the Special Masters. I will bring a copy of that letter to the meeting for information.

3. Meredith Poppele has been summarizing the work of various Senate and University committees this year. Sometime we should discuss again SCC's responsibility for acting as a communications link between these committees and the University. Do we need a newsletter? I'll put this on an agenda for one of our remaining meetings.

Marcia Eaton

Faculty Advisory Committee for Women University of Minnesota

9 Clarence Avenue S.E.
Minneapolis, Minnesota 55414
(612) 373-2263

April 8, 1981

TO: Shirley Moore, Chair, University Committee on Equal Opportunity
for Women
Dorothy Loeffler, Chair, Senate Social Concerns Subcommittee on
Equal Opportunity for Women
Marcia Eaton, Chair, Senate Consultative Committee

FROM: Patricia S. Faunce, Chair, Faculty Advisory Committee for Women

RE: Implementation of the Consent Decree URGENT

I write to you to ask that you and your respective committees act immediately on issues regarding the implementation of the Consent Decree.

I recently received a copy of an April 2, 1981 letter from the Special Masters to Nils Hasselmo in which they indicate their concerns about the delay in developing the internal tribunal procedures required under Section II, D of the Consent Decree, and set an April 15 deadline for a University internal grievance procedure for handling class claims. I quote directly from their letter:

We are concerned about the delay in developing the internal tribunal procedures required under Section II, D of the Consent Decree. Claimants may be prejudiced by the lack of internal procedures which should have resulted in appropriate determinations before the end of the current academic year; by hasty assessments required because of the necessity of handling these claims by June 16; and by the manner in which the University intends to proceed.

For these reasons, we believe that it is necessary to require that the University's internal grievance procedure for handling class claims be decided upon by April 15, 1981, or we may be required to determine under Section II, D, 5 that the University is not making a good faith effort to refer matters to an appropriate internal tribunal, with the consequence of shortening the deferral period allowed under the Decree.

The delay in/lack of procedures and the resulting prejudice for the claimant are grave concerns.

Furthermore, an extremely crucial concern is what is ultimately developed as the internal mechanism for handling class claims. I cannot stress enough the seriousness and urgency of this matter.

Overtime, members of the Faculty Advisory Committee have reviewed, in-depth and at length, various drafts of the proposed procedures and find them lacking in many ways. The issues include, but are not limited to, burden of proof; open hearings; the combining of respondent, judge, and jury all in one person; selection of members to sit on the internal tribunal panel; and the like. Some of these issues are addressed in the "Lack of Good Faith" statement (March 16, 1981) prepared by Laura Cooper, and the Advisory Committee Memo (March 12, 1981) to C. Peter Magrath, Nils Hasselmo, and Joel Tierney regarding the February 13 draft of the proposed procedures by University Attorney, Joel Tierney.

While these internal tribunal procedure issues were presented on March 17, 1981 before the University Committee on Equal Employment Opportunity for Women and before the Senate Consultative Committee on March 19, 1981 at which Tierney was present, we are legitimately concerned that these issues will not be addressed in the next draft (and perhaps final draft, given the April 15 deadline) of the procedures.

I cannot stress too much the significance of the problem. Unless these issues are addressed, the internal procedures will become a farce, with far-reaching implications for the Special Master' review of claims and for the purpose and intent of the Consent Decree itself. Thus, it becomes crucial that the next draft of internal tribunal procedures be reviewed in-depth and changes made wherever necessary.

Since the April 15 deadline is imminent, something needs to be done now to monitor, review and address issues in the forthcoming (and/or final) draft of the internal tribunal procedures. I ask you and your committee members to confer and proceed with immediate action.

Thank you.

cc: Viola Kanatz
Leonard Lindquist
Edward Parker
Paul Sprenger
Robert Shutes
Clare Woodward
Laura Cooper
Charlotte Striebel
Lillian Williams
Patricia Mullen
Nils Hasselmo
Members, Faculty Advisory Committee
Members, Consultative Committee
Members, Social Concerns Subcommittee

Senate Committees: Estimated Expenses for Academic Year 1981-82

Name of Committee: All University Senate Consultative Committee

Chairperson: Marcia M. Eaton (80-81)

Categories

Comments and explanations of estimates can be made on the reverse side of this form. (Please specify which category is being discussed.) Round to nearest dollar.

- \$ 9,200 1. Secretarial: Please estimate the number of hours of secretarial help required per month by your committee for which you will require reimbursement: 125 hours/month
- \$ 120 2. Supplies: Include costs of stationery, typewriter supplies, notebooks, folders, etc.
- \$ 750 3. Duplication: Include Xeroxing, mimeographing, printing, etc. (requires using cheaper methods, e.g., ditto, where acceptable)
- \$ 170 4. Mailing: Postage
- \$ ~~400~~ 560 5. Refreshments: Include meals for students, coffee, and similar + FCC expenses incurred during regularly scheduled meetings. ~~box~~ lunches)
- \$ 1,000 or ~~175~~ *6. Travel: Include travel costs, accommodations, meals. (Travel expenses for coordinate campus committee members are paid for by in-state travel funds managed by the Offices of the Provosts and should not be included here.)
- \$ 70 7. Equipment Maintenance: Includes such items as a service contract for a typewriter or other maintenance costs related to office equipment, etc.
- \$ 430 8. Other: Please specify telephone \$280, moving \$50,
display ads in Daily \$100

12,300
~~12,140~~ or * TOTAL Estimated Committee Expenses for 1981-82
~~11,315~~

* 1,000 - travel to Morris campus by air
(175 - travel to Morris campus by three cars @ 19¢ per mile)

4/16/80

Senate Committees: Estimated Expenses for Academic Year 1980-81

Name of Committee: All University Senate Consultative Committee

Chairperson: Richard L. Purple ('79-'80)

Categories

Total
Est.
Spent

Budgeted
80-81

Comments and explanations of estimates can be made on the reverse side of this form. (Please specify which category is being discussed.) Round to nearest dollar.

1905 \$ 8400.

1. Secretarial: Please estimate the number of hours of secretarial help required per month by your committee for which you will require reimbursement:

125 hours/month

100 \$ 110.

2. Supplies: Include costs of stationery, typewriter supplies, notebooks, folders, etc.

700 \$ 1200.

3. Duplication: Include Xeroxing, mimeographing, printing, etc.

100 \$ 150.

4. Mailing: Postage

500 \$ 400.

5. Refreshments: Include meals for students, coffee, and similar expenses incurred during regularly scheduled meetings. + box lunches

360 \$ 1100.

Estimate from

6. Travel: Include travel costs, accommodations, meals. (Travel expenses for coordinate campus committee members are paid for by in-state travel funds managed by the Offices of the Provosts and should not be included here.)

65 \$ 100.

7. Equipment Maintenance: Includes such items as a service contract for a typewriter or other maintenance costs related to office equipment, etc.

380 \$ 280.

8. Other: Please specify Telephone

Chronicle Subscriptions
Daily ads for team; UMS statesman ad; moving office

\$11,740. TOTAL Estimated Committee Expenses for 1980-81

11,110

Note: about \$40 for refreshments and \$35 for duplication is paid by the SCC for the Facilitative Committee. Included in figures above.



UNIVERSITY OF MINNESOTA

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

May 4, 1981

Mr. Jerome Larson
University Computer Center
227 Experimental Engineering

Dear Jerry:

I thought that your presentation to the Senate Consultative Committee was excellent. You focused on the kinds of issues that I think the Civil Service Committee ought to discuss with the Senate Consultative Committee at least annually.

Although it is often difficult to get concrete results out of such a discussion, it seems to me that there were at least a couple of suggestions that are worth following up at this time.

One suggestion is that you and/or members of your committee contact the Committee on Committees concerning the appointment of committees that have civil service representation. I'm sure that the chair and the members of that committee would be receptive to any suggestions you may have.

Another suggestion that seemed interesting to me was the one that your committee (and perhaps the SCC) take a look at the kinds of information that is given to new civil service appointees and new faculty appointees. It strikes me that there may even be a possibility of including some information about the "other group" in the materials distributed to the two types of appointees. Maybe your committee could make some suggestions concerning the kind of information about faculty that you would like to see included in materials for civil service employees, and vice versa. Maybe the Senate Consultative Committee would then be willing to consider looking at this issue from the other point of view, so to speak.

If you wish help in putting together the kinds of information that is distributed to new faculty, Alaine, in my office, will be glad to help you. If you would want to pursue that matter in greater depth, obviously you should also establish contact with Academic Affairs, especially with Assistant Vice President Betty Robinett.

Cordially,


Nils Hasselmo
Vice President for
Administration & Planning

pw

cc: Marcia M. Eaton, Chair, Senate Consultative Committee
William C. Thomas, Assistant Vice President and Director of Personnel
Betty W. Robinett, Assistant Vice President, Academic Affairs



UNIVERSITY OF MINNESOTA

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

April 21, 1981

TO: ✓ Professor Marcia Eaton, Chair, Senate Consultative Committee
Professor Edward Rippie, Chair, Senate Judicial Committee
Professor Charles Wolfram, Chair, University Committee on Tenure
Professor C. Arthur Williams, Chair, Senate Committee on Faculty Affairs

FROM: Carol Pazandak, Assistant to the President

RE: Sexual Harassment Board

With the adoption by the University Senate on April 16 of the Sexual Harassment Policy and Procedures, we move now to set up both the office and entry services and the Sexual Harassment Board.

The membership of the Board includes five faculty members. The President is to make the appointments to the Board, and I am writing to ask each of you to suggest one or two faculty members whom you would recommend for his consideration. Suggestions for the Academic Staff representative, the Civil Service member, and the student members will be solicited from their respective groups. We, of course, hope this Board will be called upon for service very infrequently but think it important to get the procedures in place.

I would appreciate receiving your suggestions by early May. Please drop me a note or call (373-2025). Thanks.


Carol H. Pazandak

CHP:gr



UNIVERSITY OF MINNESOTA

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

April 24, 1981

TO: Carl R. Adams, Ex Officio, College of Business Administration
Elizabeth S. Blake, University of Minnesota, Morris
Mario F. Bognanno, Senate Committee on Faculty Affairs and
College of Business Administration
Richard S. Caldecott, Ex Officio, College of Biological Sciences
Edward L. Cussler, Institute of Technology
Jack C. Merwin, College of Education, Chair
Anne D. Pick, College of Education
Richard E. Poppele, Medical School
Donald C. Rasmusson, College of Agriculture
Betty W. Robinett, Ex Officio, Academic Affairs
John E. Turner, College of Liberal Arts
John R. Wallace, College of Liberal Arts/Graduate School

FROM: C. Peter Magrath, President
Professor Marcia Eaton, Chair, Senate Consultative Committee

SUBJECT: "Facilitating the Scholarly Activities of the Faculty": A Joint
Senate/Administration Policy Study

It is clear that as the University faces the 1980s, it will encounter a number of major questions. None of the questions are more important than the ones that concern the development of the University's faculty. In a very real sense, the University is the faculty. One of the primary goals of any planning within the University must be to ensure the best possible working conditions for the faculty. To this end, it has been proposed that the administration and the University Senate should jointly undertake a project with the working title "Facilitating the Scholarly Activities of the Faculty".

Over the past months, a number of preliminary discussions of such a project have taken place. The idea originated with the President's Planning Council, which also proposed the joint Senate/Administration approach to this important policy study. After discussion in the Senate Consultative Committee, we agreed that the study should be undertaken. A committee consisting of representatives of various Senate committees and representatives of the administration met and developed the attached plan for handling the policy study.

We are writing now to ask those named above to serve as a steering committee for the project under the chairmanship of Professor Jack Merwin. The task of the committee is to determine what specific studies should be undertaken as part of the broader policy project and to direct specific studies. As you structure the topic and organize the committee's work, you will want to consider the following topics recommended by the Carr Committee whose report is enclosed:

1. Assessing the Demography - Currently, the University does not know if it is facing a potential problem with regard to the future decline in the proportion of young scholars. An important first step in investigating this topic is a thorough understanding of the current composition of the University's faculty (e.g., age, tenure status, etc.). Thus, an initial piece of work should analyze the "demography" of the current University faculty.
2. Utilizing Sabbaticals - A key contributor to individual scholarly vitality can be sabbatical furloughs. However, the task force is aware that many faculty are not choosing to take sabbaticals. One aspect of this investigation might examine the variety of practices across the University and the barriers to utilizing sabbatical opportunities.
3. Supporting Faculty Productivity - Frequently bureaucratic and organizational impediments prevent faculty members from accomplishing their personal goals for scholarly activities. Another aspect of this investigation might identify these impediments and propose methods for removing them.

Obviously, the structuring of the topic is the first task that has to be performed. We would hope that this could be accomplished in a couple of meetings to be held during the next month or so. The gathering of data that is subsumed under the first task, "Assessing the Demography", can be started while these discussions are going on. Tasks two and three would then, we hope, follow as specific policy studies to be undertaken during the fall quarter of 1981.

Administrative support will be provided by the offices of the Vice President for Academic Affairs and the Vice President for Administration and Planning.

Since the general topic recommended for study is one that normally falls within the purview of the Senate Committee on Faculty Affairs (SCFA), we request that the Steering Committee consult with this committee and that the final reports be transmitted concurrently to the President and to the SCFA. Our understanding is that the SCFA would then be charged with responsibility for formulating issues requiring actions or approval by the Senate. One member of the Steering Committee, Professor Bognanno, is from the SCFA which will facilitate relations with that committee.

As part of his special responsibilities in planning, we are asking Vice President Nils Hasselmo to serve as liaison between us and the Steering Committee.

If we do not hear from you to the contrary, we will assume that you are willing to take on this important assignment. We appreciate your cooperation.

CPM/ME:alw

Encl.

CC: University Vice Presidents
Members of the Ad Hoc Committee on
"Facilitating Individual Faculty
Activities"
C. Arthur Williams, Chair, SCFA



UNIVERSITY OF MINNESOTA
TWIN CITIES

Assembly Committee on Student Affairs
107 Temporary North of Appleby
122 Pleasant Street S.E.
Minneapolis, Minnesota 55455
(612) 373-5965

April 2, 1981

TO: Marcia Eaton, Chair, Senate Consultative Committee

FR: David M. Lawson, Chair, Assembly Committee on Student Affairs

Enclosed is the report from the ACSA concerning the mandatory fees structure in regard to the DAILY refund experiment. The report consists of two parts: an eloquent expression of the principles and philosophy supporting a mandatory fees structure, and a resolution which urges discontinuation of the refund "experiment."

The report was passed unanimously at our last meeting, and it is hoped you will give it due attention in the course of your consideration of the matter.

This report has also been sent to the Board of Regents for their examination prior to the swiftly approaching fees approval procedure.

DML:dij
cc: Board of Regents
Encs.-2

Statement Concerning Mandatory Fees
Assembly Committee on Student Affairs
March 12, 1981

WHEREAS the Student Services Fee is a mandatory fee on each University campus that is collected for all students who register for six or more credits in an academic quarter;

WHEREAS the Student Services Fee supports student activities and services which are an integral part of a University education and "to the common good" and which would not otherwise be available or affordable;

WHEREAS the procedure for determining student services fees is an open and representative process that includes students, faculty, and administrators;
and

WHEREAS the Assembly Committee on Student Affairs is charged by the Board of Regents with supervision of Student Publications;

BE it resolved that the Assembly Committee on Student Affairs reaffirms its commitment to the representative process of fee-setting currently in operation and the resulting mandatory assessment of these fees, and

Strongly urges the Board of Regents, upon review of the Minnesota Daily refund "experiment," to discontinue the current refund option and to reinstate the Board of Publications fee as a regular part of the mandatory student services fee structure and assessment.

Mandatory Student Services Fees:

A Statement of Philosophy

Much has been written of late regarding inflation's effect on rising tuition costs in higher education. Mandatory student services fees, a cost also experiencing the deleterious effects of rampant inflation, have frequently come under fire in such discussions. Yet little has been stated, at least in solid philosophical terms, regarding the rationale underlying the concept of mandatory fees. A major premise of this paper is that mandatory student services fees, a taxation derived through representation, serve a unique and vital purpose in enhancing the quality and diversity of campus life. In supporting this rationale for a mandatory student services fee system, this paper looks to both the origins and purposes of the fee system and to the method by which the fee is assessed and distributed. Both philosophic and pragmatic dimensions of this rationale will be explored using the University of Minnesota as a case study illustration.

The University of Minnesota Task Force on Student Services Fees (1976) affirmed the principle of mandatory student fees, citing voluntary funding as "unworkable." The Task Force argument was that a voluntary fee system would lead to incompatible ends--avoidance of the fee, but continued demand and need for the services. As further support of its position, the Task Force cited the Student Life Studies report (Matross and DeGidio, 1976), which indicated a majority of students supporting the mandatory fee concept and structure.

The issue of mandatory fees has again been questioned by students and others at the University of Minnesota in response to the publication of a controversial, so-called "humor" edition of the Minnesota Daily, a fee-supported student newspaper. These parties argue that students have been forced, through a mandatory fee, to support a program to which they object and with which they philosophically disagree. They argue that this "forced" payment to an "objectionable" entity through a University-sanctioned system of fees constitutes a violation of their individual rights as students and as citizens.

While this issue is particularly visible at this time, a similar argument could be and undoubtedly has been made by other constituents from time to time. Student government support for unpopular causes, health center practices on abortion referral and birth control, Minnesota Union sponsorship of controversial social, educational, and cultural programs--all of these might be perceived by those who oppose the program in question as an unfair compromise of individual rights. In effect, some students have been compelled, through a mandatory fee system, to financially support a program or cause with which they disagree.

Such controversy based on the premise of individual rights seems inherent in a mandatory fee system. As long as this system is maintained and the organizations which it supports provide programs containing something more than "Pabulum," some resultant dissonance or student objection to the fee on grounds of unfair taxation is inevitable.

The University's task, therefore, must be to provide sufficient rationale for a mandatory fee system, which outweighs this inherent compromise of individual rights. In so doing, the University must look to both the origins and purposes of the fee system and to the methods by which the fee is assessed and distributed. The University's argument, it would seem, has essentially two dimensions--philosophic and pragmatic.

The philosophical position principally revolves around the issue of the locus of determination for the student activity fee and the University's involvement in its mandatory nature. The concept of mandatory versus voluntary fees is, to a large degree, "a straw man" created by proponents of an individual rights position in order to enhance their argument. The fact is that the mandatory fee is only mandatory once it has been voluntarily recommended by a supposedly representative group of students and faculty, after considerable deliberation in an open setting. The real difference, therefore, between mandatory and voluntary fees is the method of voting for them--the former uses a representative or group system, the latter a poll of individual students at each registration. In effect, the fee represents, and traditionally has represented, a decision by students, through their representative body, to tax themselves for the common and community good. The fee, then, represents at its inception, a voluntary commitment to assess the general population for services which enhance and enrich the student community.

This interpretation finds support both in historical and current perspective. The Task Force on Student Services Fees Report (1976) indicates that: "From the earliest fees charged for the Union, the Daily, and the Band, the records show that the fees have been instituted on the basis of recommendations from the student body" (n.p.).

In the early days of the fee, new fees were added on the basis of petition, since no formal fee committee then existed. A recent example of a student request for additional services provided through increased taxation is the University Student Legal Services program, for which students requested and received permission to add a quarterly fee in order to provide a pre-paid legal service to the student body.

This system is grounded in the best tradition of taxation by representation, by vote of representative bodies chosen by those being represented. At their inception, student services fees are not mandatory at all. If students disagree with the fee, one presumes they must attack the fee at its voluntary point--in essence, seek a political solution. If the argument can be proven, by those opposed to certain fee-funded entities, that those systems which provide protection for individual rights (i.e., a representative decision-making system) are not accessible or are unfairly biased and therefore render the fee involuntary, then the University must be obligated to intervene.

Until that time, however, the University's response to charges of unfair taxation must be to direct those complaints or complainants to the source of the decision regarding which

organizations are to be included in the fee structure. It would seem that political solutions must be sought to answer essentially political problems.

Obviously this process does not completely absolve the University of responsibility to monitor the entities funded by student fees. It would seem, however, that the institution's principal responsibility rests in safeguarding the system from wanton use of funds to support organizations which fundamentally violate clearly held principles of the University and the State. Funding of patently racist or sexist organizations would seem to fit into this category. In these cases, however, the decision has to do with inclusion or exclusion from the fee, not the method of assessment.

These philosophical principles, to be sure, do not by themselves argue for the mandatory fee. Even if one accepts the basic volunteerism of the present fee system, the question of its efficacy compared to a check-off system (i.e., students check off, and thus, financially support only activities of which they approve) still remains. In other words, what is it about the mandatory fee system which gives it inherent advantages over the check-off system?

The answer to this question is principally pragmatic. The Task Force on Student Fees expressed legitimate concern over the hypothesized circumstance of demand for student services unsupported by "voluntary" check-offs.

The basic principle behind the fee system is to spread the cost of expensive services to all students, in order to keep the cost from being prohibitive to individual users. In some cases, student fee payers bank their money (i.e., take out "insurance") against the time when they might need a specific service.

Clearly, Student Legal Services and the Health Center are such entities. Other services are in the form of community fees--programs such as the Daily, student union, and recreational sports. These services represent, then, the collective assumption of cost, based on the principles:

- 1) That the provision of such services is an asset to the health and vitality of the community as a whole.
- 2) That the cost spread over all students is manageable; paid only by users, such cost is prohibitive, and therefore, exclusive.
- 3) That the collection of individual fees for individual services and determination of eligibility for such services is unmanageable on a large campus.

This is not to imply that voluntary funds are inappropriate. Indeed, they are collected continually on the campus by various student organizations in the form of dues, program event fees, admission charges, etc. On a micro-level, students routinely tax themselves for services and programs on a voluntary basis as they participate in events and in organizations. That process is duplicated on a macro-level via the student services fee for programs and organizations which have community-wide impact and for which the cost only to users would be unfeasible. For that reason, fee-funded activities more closely resemble a public golf course than a country club, a public swimming pool than a health spa. This distinction seems important for several reasons:

- 1) Elimination of institutional discrimination based on financial considerations in the University community.

- 2) Availability of opportunity for social, recreational, and educational development for all students, in keeping with the consistent application of educational principles. If one subscribes to the notion that the University environment is constructed as an arena for testing new talents, making new contacts in a heterogeneous community, and developing life-long interests, it seems impossible to justify those opportunities only for those who can or will pay fees. Furthermore, such fees would undoubtedly increase substantially, both in number and in potential dollar amount, under any voluntary check-off system.
- 3) Provision of services which may be necessary, but not immediately so, for all students, so that emergency care is not contingent upon ability to pay.

Another very pragmatic argument for maintaining mandatory student fees stems from the University's liability for the activities supported through this system; such liability is based on the institution's role in assessing and collecting the fee. The mandatory fee system presents both a burden and a tool for the University, since it inevitably strengthens the University's hand in controlling the activities and programs included under fee support. A check-off system quite likely does little to absolve the University of this liability for the behavior of organizations, since it still is an active participant in the fee collection, but quite clearly diminishes the University's ability to affect the direction of the services funded in this way. If anything, the mandatory system provides an effective accountability tool for those

opposed to a particular organization's behavior, one which would be far less effective in any check-off or voluntary system.

Implicit in all of these arguments is the long-held principle of student development through participation, both in the programs funded by fee-receiving organizations and in the fee-setting decision process per se. The reduction or elimination of substantial opportunities for student participation due to establishment of alternative funding methods clearly compromises this important educational tenet of the University.

It seems clear, then, that a system of mandatory fees inevitably submerges some student individual freedom for the good of the collective community. Students do not have a free will in their contribution to particular entities; the assumption, therefore, has to be that these entities are instruments of a broad-based community good--either necessary or desirable services for the potential welfare of all students.

The conclusion to remain with a mandatory fee system, therefore, implies that the University and its students have generally accepted the principle that certain community advantages outweigh the rights of individual students. This position appears to be justified by the following principles which have been cited throughout this paper:

- Mandatory fees spread costs for services over a large population, making available services which would otherwise be unattainable under a "fee for usage" funding system.

- Mandatory fees assure equality of opportunity for student involvement, a basic tenet of an egalitarian educational community.
- Mandatory fees avoid the seemingly impossible task of sorting out student eligibility for services based on an individual fee system.
- Mandatory fees assure a core program of non-curricular educational opportunities for student development by meaningful involvement.
- Mandatory fees provide prepaid group insurance, primarily legal and medical, for a population unlikely to be able to fund such services individually.
- Mandatory fees are established through an open representative system and represent, in both present and historical perspective, a conscious decision by students to tax themselves for the common good.
- Mandatory fees provide the University with control over programs and organizations thusly funded, which would not be available in alternative funding systems.



UNIVERSITY OF MINNESOTA

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Apr. 10, 1981

To: *Morrill Hall* Chairs of (Proposed) Assembly and Standing Committees

From: Constance Sullivan, Chr., Business & Rules Committee

This is the complete third draft of the proposed revision of the Twin Cities Assembly Constitution, Bylaws, and Rules. We have attempted generally to parallel the revised University Senate Constitution, Bylaws, and Rules, the only major change being to move the Campus Committee on Recreational Sports to the status of Assembly Committee.

The Business and Rules Committee asks that you share the draft with your committee if you can but, in any event, would like your comments. Please call (3-9769) or send them to me at 4 Folwell Hall, Minneapolis campus.

encl.

cc: Business & Rules Committee (with enclosure)
Russell Hobbie, Vice Chr., Assembly

Note: text of revision is filed in SCC office under Twin Cities Campus Assembly.