

MEETING OF THE UNIVERSITY SENATE

Thursday May 17, 1979

3:30 p.m.

25 Law School Building — Twin Cities Campus
520 Administration Building — Duluth Campus
Behmler Hall Conference Rm — Morris Campus
305 Selvig Hall — Crookston Campus
Learning Resources Center — Waseca Campus

The voting membership of the University Senate totals 228, including the President, 164 members of the faculty (including the Faculty Consultative Committee), 63 students (including the Student Consultative Committee). For a quorum, a majority of the voting membership (115) must be present. Amendments to the Constitution require advance notice and 152 affirmative votes at one meeting or 115 affirmative votes at each of two meetings, the second of which must be the next regular meeting. Amendments to the Bylaws require advance publication and 115 affirmative votes. Other actions require only a simple majority of the members present and voting. The members of the Council of Academic Officers are ex officio non-voting members of the University Senate.

Any member of the faculty and any student eligible to vote for senators may be admitted to meetings of the University Senate and shall be entitled to speak at the discretion of the University Senate. Only elected members of the University Senate, the members of the Senate Consultative Committee, and, in case of a tie, the chairman, shall be entitled to vote.

Representatives may designate eligible alternates from their college, school, or student constituency as the alternate to serve in their place and stand by written notice to the clerk of the Senate prior to the commencement of any meeting of the University Senate. Each college or school may either elect a pool of alternate representatives or define the pool to be those eligible to vote for senators.

ATTENDANCE RECORDS

A role of elected and ex officio members will be available at each door of the auditorium. Members, please check your name to indicate your presence.

A summary of the attendance of members elected for the current academic year will be included in the minutes for the last meeting of the year.

RULES GOVERNING THE UNIVERSITY SENATE

Rules are available at each door of the auditorium. Please leave rules at the door after the meeting for future use.

I. MINUTES FOR MARCH 29, 1979 Action (5 minutes)

II. SENATE AND UNIVERSITY COMMITTEES 1978-80 Action (10 minutes)

SENATE COMMITTEE ON ACADEMIC STANDING AND RELATIONS: Isabel Harris (Chr.), Bill Andrews (UMW), Frank Braun, Adele Donchenko, Robert Evans (UMD), Richard Ilkka (UMM), A. Thomas Kraabel, James Preus (ex officio), Charles Sigmund, Frank Ungar, James Wernitz (ex officio), Keith Wharton.

UNIVERSITY COMMITTEE ON ALL-UNIVERSITY HONORS: Samuel Kirkwood (Chr.), David Berninghausen, Steve Roszell (ex officio), Seymour Geisser, Edward Cowles (UMD), Edward Fletcher, Eloise Jaeger, Al Linck (ex officio), Russell Tall (ex officio), Robert Odegard (ex officio).

UNIVERSITY COMMITTEE ON BUSINESS AND RULES: Josef Altholz (Chr.), James Connolly (ex officio), Evelyn Hansen, Wayne Jesswein (UMD), Constance Sullivan, Marilee Ward (ex officio), David Weissbrodt. Two faculty members to be named.

UNIVERSITY COMMITTEE ON EXTENSION AND COMMUNITY PROGRAMS: William Ranz (Chr.), Roland Abraham (ex officio), Geraldine Gage, Paul Hagen, William Hodapp, Harold Miller (ex officio), Arthur Naftalin, Elaine Schwarz (UMW), Mary Young. Three faculty members to be named.

UNIVERSITY COMMITTEE ON SUMMER SESSIONS: David Bjorkquist (Chr.), Frank Benson, Richard Graves (UMD), Richard Ilkka (UMM), Dale Lange, Al Linck (ex officio), Paul Weiblen, Willard Thompson (ex officio). One faculty member to be named.

UNIVERSITY COMMITTEE ON UNIVERSITY-ROTC RELATIONSHIPS: Daniel Bryan (Chr.), Edward Baxter (ex officio), Robert Binish (ex officio), Matthew Huber, Al Linck (ex officio), Robert Mowerson, Kenneth Risdon (UMD), Ludwig Spolyar, George Stenhjem (ex officio), Frank Topley (ex officio), William Wright. One faculty member to be named.

UNIVERSITY COMMITTEE ON INTERNATIONAL EDUCATION: Gary Wynia (Chr.), Frank Braun, Vernon Cardwell, Maurice Kreevoy, Josef Mestenhauser (ex officio), Homer Venters. One faculty member to be named.

UNIVERSITY COMMITTEE ON EDUCATIONAL DEVELOPMENT: Tom Noonan (Chr.), Kenneth Howey, Lewis Levang (UMD), Ileana Rodriguez, Michael Till, James Wernitz (ex officio). Two faculty members to be named.

SENATE COMMITTEE ON FACULTY AFFAIRS: Arthur Williams (Chr.), Roberta Armstrong, Joanne Eicher, Frank Enfield, Kathryn Hoelmer (UMW), Ruth Hovde, Leonid Hurwicz, Henry Koffler (ex officio), Louis Safer, George Sell, Robinson Abbott (UMM), Robert Uhlstrom. Two faculty members to be named.

UNIVERSITY COMMITTEE ON TENURE: John Cound (Chr.), Rutherford Aris, Robert Carlson (UMD), Shirley Clark (ex officio), Charles Green, Joseph Latterell (UMM), Gloria Leon, Verna Rausch.

UNIVERSITY APPEALS COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY: Gerhard Weiss (Chr.), Marion Brooks-Wallace, Russell Hobbie, Donald Ireland (UMD), Barbara McGinnis (UMM), Michael Root, Robert Tapp.

SENATE LIBRARY COMMITTEE: Clarke Chambers (Chr.), Keith Armes, Mark Brenner, Sun Kahng (UMM), Joseph Duncan (UMD), Peter Roll (ex officio), Irwin Rubenstein, Eldred Smith (ex officio), John Turner, John Van Pilsun, Hoyt Wheeler. Three faculty members to be named.

SENATE COMMITTEE ON RESEARCH: Robert Hexter (Chr.), Stanley Erlandsen, Lyle French (ex officio), Robert Gorlin, Edmund Graham, Robert Holt, Keith Huston (ex officio), Warren Ibele (ex officio), Clinton Johnson (ex officio), Stanley Kegler (ex officio), Ernest Kemble (UMM), Henry Koffler (ex officio), John Leppi (UMD), Kenneth Reid (ex officio), James Rest.

UNIVERSITY COMMITTEE ON ANIMAL CARE: Grace Gray (Chr.), Larry Anderson (UMD), Alan Hunter, Walter Jopke, Patrick Manning (ex officio), Toni Mariani, Robert McKinnell, Ellen Ordway (UMM), Warren Roberts. One faculty member to be named.

SENATE COMMITTEE ON RESOURCES AND PLANNING: Paul Grambsch (Chr.), Dean Crawford (UMD), Nancy Crewe, Eugenia Davis, Chester Grygar (ex officio), John Helmberger, David Hoppe, Robert Lambert, Al Linck (ex officio), Van Mueller, Harvey Sarles, Robert Stein (ex officio).

SENATE COMMITTEE ON SOCIAL CONCERNS: Frank Wood (Chr.), Perry Blackshear, Laura Cooper, V. Lois Erickson, Philip Raup, Terrie Shannon (UMD), Lillian Williams (ex officio). One faculty member to be named.

UNIVERSITY COMMITTEE ON COMPUTING FACILITIES: Larry Kinney (Chr.), Douglas Anderson, David Berg (ex officio), Joseph Cornell, Roy Grohs (UMM), Audrey Grosch, Mark Luker (UMD), Peter Roll (ex officio), Frank Verbrugge (ex officio). One faculty member to be named.

SENATE COMMITTEE ON EDUCATIONAL POLICY: James Terwilliger (Chr.), Wilbert Ahern (UMM), Dwight Brown, Robert Carr, Margaret Davis, Evelyn Hansen, James Jensen, Henry Koffler (ex officio), Stanford Lehmsberg, Richard Ojakangas (UMD), Robert Stein (ex officio). One faculty member to be named.

UNIVERSITY COMMITTEE ON INSTRUCTIONAL MATERIALS & MEDIA: David Schuelke (Chr.), George Fosgate, Judith Gaston (ex officio), Lael Gatewood, Sheldon Goldstein (ex officio), James Holte, Donald Pearce, Peter Roll (ex officio), Harold Young. One faculty member to be named.

INFORMATION

In the recent election to fill 1979-82 faculty vacancies on the Senate Consultative Committee, Robert Brasted and Marcia Eaton were elected from the Twin Cities campus. Continuing members on the committee are George Blake (1977-80), Wendell Glick (1977-80), Fred Morrison (1977-80), Richard Purple (1977-80), Vera Schletzer (1978-81), Don Spring (1978-81), and L. E. Scriven.

In the recent election to fill 1979-82 faculty vacancies on the Senate Committee on Committees, Mary Corcoran and John Howe were elected; for one 1979-80 vacancy, Benjamin Bayman was elected. All are from the Twin Cities campus. Continuing members on the committee are Paula Berry (1978-81), Phillip Coffman (1977-80), Virginia Fredricks (1977-80), Mariam Frenier (1978-81), and Pearl Rosenberg (1978-81).

III. ELECTION OF VICE CHAIRMAN Action (10 minutes)

The Constitution provides that a vice chairman shall be elected by the Senate at its first meeting (this is the second) in the Spring of the academic year from among its members for a term of one year, starting July 1, 1979.

IV. MOTION BY INDIVIDUAL SENATOR COLLEGE CONSTITUTIONS (15 minutes)

MOTION:

That the Senate ask the President to establish a committee to review college and department constitutions, to recommend optimum levels of faculty participation in governance, and to recommend procedures to guarantee all faculty certain minimum rights in participatory governance at the college and department level.

COMMENT:

Having gathered several constitutions from colleges and departments, I find a large variation in the governance procedures in different units of the University. For example, the Law School has no constitution. Neither does Family Practice. The College of Agriculture has a constitution which appears to vest most power in the Dean as there is no elected assembly. In CLA there is a college constitution and many department constitutions which appear to contradict each other. As an illustration, the college constitution says that the Dean may consult with the faculty and then choose a department chairperson, while the History Department's constitution says that the faculty vote on a chairperson and then submit one name to the Dean for approval. CLA also appears to have a bewildering array of elected committees which have more authority than chairpersons. Several CLA departments even engage in an amusing practice of publicly discussing each other's salaries. In IT such matters are more sanely treated by discussions between department heads and the Dean. IT's new constitution calls for an elected assembly, which until recently forgot to meet. Most departments in IT follow the lead of the Law School in having no constitution.

Surrounded by this confusing variety of constitutions, non-constitutions, and traditions, I wish to declare an "environmental alert." Many faculty members with long years of service have few opportunities for meaningful participation in governance at their college or department level, whereas others have enjoyed these privileges for at least fifteen years.

LOUIS TOTH
IT Senator

V. SENATE COMMITTEE ON EDUCATIONAL POLICY UNIVERSITY WITHOUT WALLS (10 minutes)

MOTION:

That the Senate approve full program status for the University Without Walls Program (UWW) within the University College.

COMMENT:

University Without Walls has been in existence since fall quarter 1971-72, always as an experimental program within University College. During the 1977-78 academic year, UWW was carefully reviewed by the Senate Committee on Educational Policy (SCEP) and several other groups. SCEP's recommendation at the completion of these reviews was that UWW be continued as an experimental program for one more year, during which time it would be possible to determine whether several changes which had been instituted by UWW during 1977-78 were effective in tightening the academic standards of the program. Accordingly, SCEP undertook another review of UWW during this academic year, and, as a result of that review, wishes to recommend to the Senate that UWW be granted full program status.

DONALD R. BROWNE
Chairman

VI. SENATE COMMITTEE ON EDUCATIONAL POLICY

OUTREACH REPORT (15 minutes)

INFORMATION:

The following is the section of the Report of the Study Group on University Outreach that outlines the overview of the Study Group's recommendations on basic policy and issues. The Report (121 pages in length) also contains sections on its scope and limitations, the Study Group's interpretation of its charge, a description of outreach and its place in the University's mission, instruction and University outreach, interactive research and University outreach, related service and University outreach, coordination of University outreach with other Minnesota institutions, and six appendices of data.

BASIC POLICY AND ISSUES: OVERVIEW OF THE STUDY GROUP'S RECOMMENDATIONS

The Study Group's basic policy concerning outreach is that outreach functions are an integral part of the faculty's professional responsibility in the University. This is to say that since the responsibility for all of the academic programs of the University — both instruction and research — is vested in the faculty, the faculty is, therefore, responsible for the academic aspects of the University's outreach activities. Or to put the matter another way, the Study Group rejects the idea that there is a part of the University's academic enterprise, namely outreach instruction and research, for which the faculty is not responsible. Consequently, over time, faculty activity and the faculty reward structure should be modified as necessary to reflect this responsibility. University organization should provide focus and leadership, and funding should support outreach.

With regard to the policy just stated, the Study Group makes note of the considerable variation across the University in the extent to which faculty exercise their responsibility for outreach activities. The range is from departments and colleges in which faculty, as a matter of course and as a part of regular workload, plan, offer, and evaluate their outreach activities to departments and colleges in which the outreach activities have no place in the academic planning or regular workload of the faculty.

Moreover, with regard to faculty responsibility for outreach, the Study Group emphasizes that the responsibility is a corporate rather than an individual responsibility. The Study Group does not expect each and every faculty member to engage in outreach instruction or interactive research. What is being asserted, however, is that just as the departmental faculty as a body exercises responsibility for both its traditional graduate and undergraduate instruction and for its total research effort so it must likewise exercise responsibility for the outreach activities that take place in its name.

This orientation has provided the frame of reference within which to discuss four basic issues raised by the Study Group's charge. These issues are:

- 1) How should outreach relate to the instruction, research, and service aspects of the University's mission?
- 2) How should outreach be organized and administered?
- 3) How should outreach activities be funded?
- 4) How should the University's outreach activities relate to other systems of higher education in Minnesota?

Before reporting the Study Group's thinking on these issues, however, attention is called to two matters that are essential to bear in mind — and of which the Study Group has frequently reminded itself.

First, it should be emphasized that these recommendations are made in the context of long-range planning. It must be clearly recognized that much of what is proposed herein will require some departure from current practice and that these departures necessitate thoughtful consideration and intensive planning over a long period of time.

Second, the variety and complexity of the University's activities must be emphasized so that both within and outside the University it is remembered that although instruction is a basic and central responsibility of the faculty, it is not their only basic responsibility. Research, scholarship, and creative effort remain the foundation upon which both instruction and public services are built in a university.

In the sections that follow, the Study Group reports its recommendations and their rationale regarding the following aspects of University outreach: instruction, interactive research, related service, organization, funding, and inter-institutional relations. In brief overview, the Study Group has concluded that:

- 1) outreach instruction is the academic responsibility of the University faculty;
- 2) although academic responsibility for all instruction is vested in the faculty as they are organized into colleges, responsibility for the support and management of outreach instruction should not rest exclusively with the colleges. There will continue to be a need for central support, assistance, coordination, and leadership such as is provided, for example, by Continuing Education and Extension and the Agricultural Extension Service;
- 3) the University should integrate and, over time, inload instruction because such steps can result in:
 - more uniform high quality university level of instruction;
 - more effective accommodation to a wider variety of students, and
 - more efficient use of University resources by both faculty and students;
- 4) without interfering with the necessary freedom of faculty to pursue their chosen research interests, the Study Group recommends that interactive community-oriented research be encouraged and expanded because:
 - this area of research activity has been undernourished in the past,
 - it is an integral aspect of the University's responsibility to the State,
 - it can foster and further develop a sensitivity and responsiveness to community needs among the faculty, and
 - the University has unique resources to bring to community concerns and problems;
- 5) the delivery of services that are related to research and instruction or that extend unusual University resources to assist in the solution of problems is a major dimension of the University's mission;
- 6) existing University organization and administrative structures may not be fully adequate to meet anticipated needs because:
 - they neither foster nor provide for effective overall planning and all-University management of the institution's multifarious outreach activities, and
 - they were not designed with a view to building outreach activities into the fabric of the colleges and the departments;
- 7) the funding of outreach will present difficult problems — both in the University System and in the State — but there are guidelines and a process that the University can employ in making decisions about the funding of its outreach activities;
- 8) the University and other Minnesota institutions and agencies should press for a plan that will encourage assiduous voluntary coordination of outreach activities;
- 9) moving the outreach functions from the margin to the core of the University's mission and activities will require:
 - that outreach is clearly defined into and understood as an integral part of the University's mission,
 - acceptance of outreach by faculty (as a corporate body) as a part of their teaching, research, and service obligation,
 - modification of the faculty reward structure as necessary to recognize contributions to outreach,
 - an appropriate organizational framework,
 - adequate and equitable funding, and
 - clear understanding and acceptance of a plan and process for implementing the changes that are necessary.

INFORMATION:

We commend the Outreach Committee for its work in examining future directions for the [outreach effort] of the University, and for providing the University with a

clear cut recommendation as to the particular direction seen as most favorable by the Committee. This has made SCEP's task of analysis and reaction much easier, and we presume that other University committees will be similarly grateful.

The basic policy recommended by the Outreach Committee — to include most Summer Session and Extension Division course offerings as an integral part of the current 'regular' course offerings of the University of Minnesota — strikes us as a very positive move. As one member of SCEP has commented, the University of Minnesota's academic resources should be made as fully and unconditionally available to all qualified students as possible, regardless of the time of day or evening at which students are able to pursue their coursework.

If this policy recommendation is followed, it will also, in the view of the Outreach Committee, help the University to overcome some of the more severe effects of the anticipated decline in enrollment in the 1980's. The Outreach Committee also seems to suggest that it will improve the overall quality of instruction in extension classes, because academic departments will feel a greater sense of responsibility for the quality of their overall programs, of which these courses will now be an integral part.

While these potential benefits are important — and we shall further consider them below — we feel that the recommendation of the Outreach Committee must be judged in the light of practical application of the Committee's recommendations, as well as philosophical justification. It will do little good to agree that the recommendations deserve to be implemented if we do not also consider the manner in which they can be implemented. In this respect, the report of the Outreach Committee is adequate in terms of suggesting some of the structural and procedural changes that would have to occur, but inadequate in terms of suggesting some of the problems that these changes would necessarily give rise to.

To acknowledge the existence of problems does not, in our view, weaken the essence of the recommendation at all. If the University of Minnesota is firmly convinced that it should extend the availability of its resources in the manner suggested by the Committee, and if the University is in turn able to convince the Legislature and other concerned organizations that this plan of action deserves their support, these problems can be overcome. But it is absolutely necessary to take them into account as we decide how to proceed with this recommendation. SCEP itself identified a number of these problems in the course of its discussions of the first draft of the Outreach Report in Winter Quarter, 1978. We communicated our reactions to the Outreach Committee in a memorandum dated March 31, 1978. The final draft of the Outreach Report appears to have incorporated or acknowledged very few of these reactions. Many of these same reactions have been reiterated as SCEP has discussed the final draft of the report this winter. Professor Tom Benson and Associate Vice President Al Linck were present for a SCEP meeting on January 23, 1979, and had seen a memo circulated to the members of SCEP by Professor Donald Browne; Professors Benson and Linck readily agreed that the problems noted in this memo were for the most part serious, and needed to be addressed. At present, we feel that our role is limited to calling attention to them; if the fundamental recommendation of the Committee receives widespread support within the University, it would then be necessary to deal with these problems in a detailed way.

The other missing element in the report, in our view, is the absence of specific evidence to support the contention that there is a widespread desire on the part of students and potential students for a fully integrated academic program. It would be very surprising if at least some students and potential students were not in favor of such a program; there are some obvious advantages to it, ranging from better access to parking to the possibility of holding down a full-time daytime job and still being able to complete one's degree requirements (as is already possible in a few departments of the University). But we do not know in even very general terms how many students and potential students might be attracted to enroll, nor do we appear to have any idea of which fields of study they would be likely to pursue. We have long since acknowledged that the University of Minnesota cannot be all things to all people, and that it must at times place limits on how much it can offer to how many. It would therefore seem essential to attempt to discover more about the likely levels and types of demands this 'new' student body would make on our system.

Such a discovery could best be made, it seems to us, by developing a survey questionnaire, to be administered to samples of the following groups: students currently enrolled in 'day school' at the University; students (non-degree and degree candidates) currently enrolled in 'evening school'; adults living in the seven-county Twin Cities Metropolitan Area; and the University of Minnesota faculty. The questionnaire could raise the matters noted in the previous paragraph, and could deal with the problems noted by SCEP and other bodies in previous and present communication with the Outreach Committee. We see this as essential if the University is to justify, both internally and externally, the tremendous expenditure of money and effort that implementation of the Report would require.

The questionnaire might also be employed to address the matters of a possible enrollment drop and the quality of teaching in extension classes, both mentioned in the Outreach Report and noted by us earlier in this memo. Both matters are assumptions at present, and lack firm documentation. While an enrollment drop is widely predicted, it is possible that it will affect some institutions of higher education more severely than others, and it may be that respondents to a questionnaire could be asked to state whether they *think* they'll be enrolling in individual courses, degree program, etc. at this University or any other institution of higher education in the 1980's. As for quality of instruction, it would be possible to ask all sample audiences their opinions on this issue, and to treat it in a more detailed fashion with those who have actually attended Extension Division classes.

In sum, we think the Outreach Committee has done a good job of preparing the way for a serious consideration of a vital educational issue. If other committees within the University agree with our positive assessment of the basic recommendation of the Committee, it would be necessary, in our view, to both undertake a survey of the sort mentioned above, and to appoint a committee (or request an existing committee) to consider the problems of implementing the basic recommendation. The sheer scope and impact of the Outreach Committee's proposal on the life of this University and the State demand such a thorough and careful approach.

DONALD R. BROWNE
Chairman

VII. SENATE COMMITTEE ON RESEARCH

PATENT POLICY

Action by Faculty Senate (15 minutes)

MOTION:

That the Senate approve the following Patent Policy.

1. PREAMBLE

The patent policy of the University of Minnesota rests on the underlying premise that it is the duty of the Board of Regents to receive, hold, and manage University inventions in a manner which reflects the highest ideals and purposes of the University and gives due consideration to the interests of the University, the inventors, sponsoring organizations, and the public. Patents are ancillary when viewed in relation to the three basic purposes of the University: education, research, and public service. They are valuable and important as they contribute to the University's basic purposes, something to be striven for but not at the expense of its primary objectives.

2. UNIVERSITY OBJECTIVES IN PATENTS

The objectives of the University of Minnesota in seeking patent protection are to provide a vehicle for bringing certain University discoveries into public use, to develop royalty income, and to provide recognition to the inventor and to the University.

3. PUBLICATION AND PATENTING

The intent of this policy is to permit staff members maximum freedom to publish or otherwise divulge their findings consistent with their obligations to the University. Any staff member who, in the course of his/her University research makes a discovery, retains the ultimate right to decide how it shall be made public, i.e., by publication, by patenting, or by both. (The right to make such a decision may be limited by stipulations imposed by the funding source, e.g., Federal agencies and nonprofit foundations in grants or contracts.)

4. WHO IS COVERED BY THE UNIVERSITY PATENT POLICY

This policy covers any individual holding a University appointment when engaged in any University-funded or externally sponsored research activity related to that appointment which may result or does result in an invention.

5. INVENTOR COMMITMENT

Any individual described in Section 4, above, shall be required to file or have previously filed an invention agreement with the University (Attachment A).

6. UNIVERSITY RIGHTS IN INVENTIONS

Where an individual covered by this policy has elected to patent an invention, under Section 2, above, the University reserves the following rights:

- a. A right-of-first-refusal option giving it the opportunity to review the development for patenting on behalf of the University.
- b. The right to receive an assignment of title from the inventor(s).
- c. The University may assign responsibility for the management of patent rights in conformity with the policy to an appropriate organization(s) approved by the Board of Regents.

7. UNIVERSITY OBLIGATIONS IN INVENTIONS

- a. The University shall complete its evaluation of an invention within a reasonable time, i.e., ordinarily not more than 90 days from the receipt by the University of full and complete disclosure describing the invention.
- b. In the event the University elects to file a patent application on the invention, it shall be obliged to:
 - (1) Use its best efforts to obtain a patent, market the invention, and defend the patent.
 - (2) Pay an inventor's royalty share as outlined in Section 10, below, to the inventor(s), or his/her heirs or assigns, unless precluded by the provisions of Section 11, below.
- c. In the event the University declines to file a patent application, or in the event, in the University's best judgment, discontinuance of the activities set forth in Section b.(1), above, becomes advisable, the University shall, upon request of the inventor(s) but subject to any prior commitments to a sponsor, pass title to its rights in the invention to the inventor(s).

8. INVENTOR'S RIGHTS IN INVENTIONS

- a. In return for the assignment of an invention to the University, an inventor shall be entitled to receive a contract from the University (except when precluded by the provisions of Section 11). The contract shall specify the inventor's right to a share of the net income, as defined herein, payable by the University to the inventor or to such individuals or organizations as may be designated in writing by the inventor.
- b. Upon request, an inventor shall have the right to be informed of the status of all matters relative to the establishment, licensing, or enforcement of any patent assigned by him to the University.
- c. Inventors retain any residual rights in inventions which the University has not opted to receive under this policy nor pledged to a third party as a result of a sponsored or other research agreement.

9. INVENTOR OBLIGATIONS IN INVENTIONS

Where required by research agreements, or where there is an election to patent under Section 3 of this policy, the individual shall promptly furnish to the University a full and complete disclosure of any discovery, innovation, or invention related to his/her University research activities. Individuals whose inventions are approved for University patenting shall be obliged to cooperate in a timely and professional manner with the University or with patent or other counsel in any proceedings before the U.S. or foreign patent offices, or the courts. From time to time the University may require a reasonable amount of technical advice and assistance from inventors in the development and licensing of their inventions. However, the costs incident to the conduct of these activities shall be without monetary expense to inventor(s) but shall be recoverable by the University as a first charge against income under Section 10a, below.

10. FINANCIAL CONSIDERATIONS

- a. Where the University has title to an invention and patent income results, it shall be shared, except where specified otherwise by the funding source, on the following basis:
 - (1) Net income shall be shared in accordance with Table I, attached. Net income is defined as gross royalties and/or other receipts minus deductible costs (out-of-pocket costs for the patent application, interferences, development, licensing, and patent enforcement).
 - (2) The college* share shall be administered by the dean of the college (or other designated unit administrator*) in support of its research programs with the advice and counsel of an established committee of the collegiate or unit* faculty.
 - (3) After the defrayment of costs of University patent-related activities not otherwise covered and the maintenance of a patent development fund, the balance of the University's share shall be used to establish a trust fund, the income from which shall be used to further the University's research mission. The Trust Fund shall be administered by the Vice Presidents for Academic Affairs and Finance and the Dean of the Graduate School with the advice of the General Research Advisory Committee.
- b. Inventions and patent rights thereon in which there was no prior University involvement may also be accepted by the University. In such cases, the inventor's share shall be negotiated by Patent Administration and shall be paid from net income as defined above. If there is to be a college or unit share (see Section 10a2), that shall likewise be negotiated. The balance of the income shall normally be handled in the same manner as income from any invention of University origin.
- c. Co-inventors share the inventor's portion in proportions agreeable among themselves.

11. ALLOCATION OF PATENT RIGHTS

- a. Externally Sponsored Research
 - (1) Patent rights under research sponsored by federal or other governmental agencies or other not-for-profit entities are determined by the contractual or grant agreements which are arranged with the agency.
 - (2) Allocation of patent rights under research contracts sponsored by industry or other for-profit entities may take the following forms:
 - (i) Normally no patent rights will be allocated to the sponsor when the sponsor has paid less than the full costs for the research which resulted in the patent.
 - (ii) A first right-of-refusal to a limited-term exclusive royalty-bearing license to the sponsor shall be granted when the sponsor has supported the research by paying all costs associated with the research which resulted in the patent. In the event the sponsor declines the proffered exclusive license, the sponsor shall receive no further licensing preference.
 - (iii) Any agreement to transfer title to a potential patent may be entered into with a sponsor where it is determined that the holding of title to such a patent will confer no substantial benefit to the University. Such an agreement shall provide that the sponsor pay the full costs of the research plus a consideration to be negotiated by the Office of Research Administration. Where this option is to be employed, the proposed research agreement will be reviewed with the University patent administration to establish that the proposed assignment of title will not impinge upon either the University's commitments under other sponsored research programs or its own equities in technology under development. Where a patent application results from the research covered by the agreement, the negotiated consideration shall be distributed in accordance with the provisions of Table I.
- b. Other Special Conditions

Rights in patents arising from research funded by special state appropriations shall be handled in accordance with the terms of the appropriation.

12. LICENSING OF INVENTIONS

It shall be the policy of the University of Minnesota to license its patents on a nonexclusive basis whenever possible. Patents may be licensed on an exclusive

basis for limited periods of time when necessary to provide the incentives required to bring the invention into commercial use.

13. ADMINISTRATION

The administration of University patent matters shall be under the University Patent Administrator, who shall be responsible to the Vice President for Finance. A Patent Committee consisting of eight faculty members appointed for two-year staggered terms representing the several University research areas that are known contributors of inventions shall be appointed by the President and be advisory to the Vice President for Finance. The Patent Administrator and such other persons appointed by the President may be ex officio non-voting members of the Patent Committee. The activities of the Patent Committee shall be as follows:

- a. Review University patent policy when required and formulate recommendations for changes thereto.
- b. Assist the University patent administration in the review of invention disclosures submitted to the University for patenting consideration and, with the assistance from time to time of ad hoc technical subcommittees, make evaluations of the technical feasibility of inventions and their relationship to the prior art.
- c. Act in an advisory capacity in matters of dispute relating to patents.
- d. Assist the University patent administration in developing programs or mechanisms for increasing patent awareness among research personnel.
- e. Provide scientific and technical collaboration with approved organization(s) under Section 6c to achieve the realization of full benefits of University research discoveries that have commercial potential.
- f. Make recommendations regarding allocation of University funds for patent development research and for transfers between the patent development fund and the trust fund.

14. POLICY REVIEW

The Senate Committee on Research may request periodic review of the Patent Policy.

15. ENACTMENT

This policy shall become effective when adopted by the Board of Regents upon recommendation of the University Senate. Amendments shall be handled in like manner. In the event that there is a signed Memorandum of Agreement relating to a current funding of research that results in an invention, and where there has been a change in policy between the effective date of the current funding and the date of the disclosure of the invention to the University, the inventor(s) shall have the option of choosing between the provisions of the two policy statements.

*In some instances the Regents have assigned to a unit, other than the college, administrative responsibility for the funding of departments, faculty and/or their research. In such instances, the college share shall be allocated to that unit.

Table I
PATENT INCOME SHARING PLAN

Net Income**	Inventor's Share	College* Share	University's Share
First \$10,000	75% 75***	15% 15	10% 10
Next 40,000	40% 47	30% 27	30% 26
Next 50,000	25% 36	40% 33.5	35% 30.5
Next 200,000	20% 25.3	35% 34.5	45% 40.2
Next 700,000	15% 18.1	30% 31.4	55% 50.5
Over \$1,000,000	15%	25%	60%

**or other administrative unit responsible for funding departments, faculty and/or their research [See Section 10, a.(2)].

***In instances where deductible costs are incurred (patent application, interference, development, licensing, or patent enforcement) subsequent to distributions of inventor or collegiate shares, no assessment requiring a refund of those shares shall be levied. However, the University reserves the right to suspend income distribution on any inventions where there is reason to believe that substantial deductible costs are imminent, which costs would not be recoverable from royalties in the near term.

***# Cumulative Percentage.

ATTACHMENT A

UNIVERSITY OF MINNESOTA
INVENTION AGREEMENT

I have read and understand the patent policy of the University of Minnesota as stated above. Therefore, in consideration of the provisions of that policy and of the mutual requirements and benefits therein contained, and as a condition of the support of my research by the University of Minnesota, I agree to abide by said policy with respect to University-supported or externally sponsored discoveries, innovations, or inventions (hereinafter "inventions").

I am aware that under sponsored research projects I may not be free, because of the requirements of the granting instrument, to make a choice not to patent as is possible under Section 3 of the policy. Where required under sponsored research agreements, I will promptly communicate to the University a full and complete disclosure of all such inventions conceived or made by me in connection with the activity on which I am employed by the University.

If I elect to patent, or if I am required to patent, I, or my executors or administrators, will, under the direction of the University, do whatever is necessary to enable the University, a sponsor, or the University's assignee to make application for patents on these inventions in any and all countries as and when requested, before or after leave its employment, and I will assign the inventions and all patents and applications relating thereto to the Regents of the University of Minnesota, a sponsor, or the University's assignee as and when requested before or after I leave its employment.

I understand that the transfer by me of information on and title to such inventions to the Regents of the University of Minnesota so that the University can satisfy its obligations is an important aspect of the research in which I and other employees of the University are engaged. I further understand that the University may and will rely upon this agreement in making research contracts with others in which the University may undertake obligations with respect to discoveries made by its employees. I accept the responsibilities stated herein and agree to abide by these undertakings.

This agreement shall not apply to any invention for which no University equipment, supplies, facility, or trade secret information was used and which was developed entirely on the employee's own time, and (1) does not relate (a) directly to the activities of the University or (b) to the University's actual or demonstrably anticipated research or development, or (2) which does not result from any work performed by an employee for the University. The notice contained in this paragraph is provided in compliance with Minnesota Statutes, 1977 Supplement, Section 181.78, subdivision 3.

Name (print) _____

Signature _____

Date _____

COMMENT:

The Senate Committee on Research reviewed and approved the revised Patent Policy at its meeting on April 12, 1979.

ROBERT HEXTER
Chairman

VIII. UNIVERSITY COMMITTEE ON TENURE

OPEN HEARINGS

Action by Faculty Senate (15 minutes)

MOTION:

That the Senate suggest to the Senate Judicial Committee that it amend its rules to allow a trial period of two years during which time hearings before panels of the Committee may be open to the public if both parties and the hearing officer agree that they may be.

COMMENT:

An open hearing shall be defined as in Professor Goodman's motion as follows:

"Observers are admitted to the seating capacity of a suitable portion of the hearing room. Observers must maintain decorum. There must be no noise-making or display of placards. No cameras, tape recorders, microphones, or television apparatus may be brought into the hearing room by observers. The chairman of the hearing panel shall have full authority to declare the hearings closed if in her or his opinion there has been any breach of decorum. This decision shall not be subject to delay, appeal, or discussion."

When either of the two parties to the grievance, or the hearing officer, wishes the hearings to be closed, then they will be closed as at present. The Chairman of the Senate Judicial Committee shall be requested to report to the Senate at the end of the two-year trial period on the following points:

1. The number of closed and the number of open hearings held during the trial period.
2. The opinions of the Judicial Committee as to the success of the experiment.

INFORMATION:

The University Committee on Tenure has studied the motion of University Senator Professor Lawrence Goodman concerning open hearings of the panels of the Senate Judicial Committee. The main part of the motion reads:

"In the interest of insuring that justice is seen to be done, all grievance hearings, other than the preliminary meeting to define the issues, conducted under the authority of the Senate Judicial Committee shall be open hearings unless both parties to the grievance agree that the hearings should be closed hearings."

Professor Mahmood Zaidi, chairman of the Senate Consultative Committee, moved that the resolution be referred to the University Committee on Tenure for implementation. The University Senate approved that motion.

The Committee on Tenure held a meeting to which were invited members of the Judicial Committee, Interested Parties (AAUP, MEA, MFT, Faculty Governance Caucus, etc.) and Professor Gerhard Weiss, Chairman of the University Appeals Committee for Academic Freedom and Responsibility. Some surprise was expressed that the matter had been referred to the Tenure Committee, since the Judicial Committee writes its own rules of procedure.

It appears that the hearings of the panels of the Judicial Committee are in fact fairly open. Representatives from Interested Parties are routinely invited to attend, and some do so and report back to their organizations. Furthermore, such observers, while not taking any direct part in the proceedings, are invited to send in written commentary during the course of hearings, and have the opportunity to express their concerns to the Judicial Committee and subsequently to the President of the University.

With respect to the opening of hearings to the public, members of the Judicial Committee were generally opposed, although a small minority was in favor. It was reported that the Administration was not generally opposed to open meetings.

F. R. P. AKEHURST
Chairperson

IX. SENATE CONSULTATIVE COMMITTEE

ANNUAL REPORT

The Senate Consultative Committee serves three primary functions: it is the Executive Committee and steering body of the University Senate; it serves as a consultative body to the President by providing a channel for student and faculty concerns; and it serves as a coordinating committee between administrative offices and the University Senate. Under this charge, the Consultative Committee convened one summer meeting and twenty meetings during the academic year of the Committee as a whole, and nine meetings with the President and other administrative officials to discuss matters of policy relating to educational interests of the University, legislative relations, personnel, service functions, research activities, the budget and the general financial condition of the University, and additional issues of concern to faculty and students.

I. THE STEERING ROLE OF THE COMMITTEE

- 1) The Committee chairman served as a liaison to the chairman of the University Committee on Business and Rules and to the Clerk of the Senate to advise when needed regarding establishment of the Senate calendar, gathering of materials for Senate dockets, and setting the order of Senate business.

II. CONSULTATIVE AND EXECUTIVE ROLE OF THE COMMITTEE

- 1) The Committee discussed a number of major policy issues having University-wide importance during the academic year. These included merit equalization, retrenchment and reallocation, and biennial request review. Discussion of these issues was carried out with members of central administration as well as with faculty members from other appropriate committees; i.e., SCRAP, SCEP, and UCBRR.

Because the Committee is interested in continuing to develop its consultative relationship with the University community, three newsletters were issued (SCC Reports) which detailed SCC Committee work as well as that by other University and Senate Committees. These newsletters represented SCC's effort to assure improved communication between Committees and the University community.

- 2) SCC met regularly with President Magrath to discuss with him issues of concern to faculty and students. Topics discussed included University budget, retrenchment/reallocation procedures, University planning, capital request, merit equalization, and legislative relations. In all discussions, SCC

stressed that academic affairs be central to all discussions of the planning and/or budget process.

- 3) The faculty and student members of the SCC were both invited by the Board of Regents to participate in the evaluation of the President, and each group met separately with the Board's consultant who conducted the review.
- 4) SCC considered the Senate Select Committee Report (the Watson Report) and appointed a subcommittee to prepare specific recommendations for implementing the Select Committee recommendations. SCC is concerned that the Senate structure be improved so as to deal more expeditiously with University policy issues.
- 5) The Faculty Consultative Committee continued to have regular quarterly meetings with the Regents at which matters of general interest to the faculty were discussed. The FCC also accepted, on an interim basis, the Regents' invitation to have faculty present at the monthly meetings of the Faculty and Staff Affairs Committee of the Regents. SCC feels that these opportunities to meet with the Regents have resulted in constructive discussion of issues.

III. INTERCAMPUS ACTIVITIES

The Committee held regular meetings on the Waseca and Morris campuses. These meetings underscore the SCC charge to deal with issues of University-wide concern.

Members of the University community at Morris and Waseca were invited to observe a regular session of SCC. There was an occasion for informal conversation at a luncheon, and an open forum was held to permit discussion between committee members and campus constituencies.

IV. EXTRA-UNIVERSITY RELATIONS

The Legislative Relations Advisory Committee (LRAC) which was established last year continued to meet informally during the year with legislative representatives. LRAC members and other SCC members also attended legislative hearings dealing with the University budget. Professor Keller, ex-officio member of SCC, also served as a special legislative representative.

V. UNIVERSITY COMMITTEE ON BIENNIAL REQUEST & BUDGET REVIEW

The UCBRR reported on the following issues to SCC which reinforce the importance of the consultation process in preparation of the budget and academic planning at the University:

1. Review of interim guidelines and criteria for 1979-1980 retrenchment and reallocation
 2. Deficits in 1978-79 budget
 3. Priorities for 1979-81 biennial request
 4. Equipment replacement
 5. Review of retrenchment
 6. Review of the Planning Council draft submitted by the central administration
- SCC transmitted to the President material pertaining to these items with additional comments.

VI. ISSUES OF SPECIAL CONCERN

Among the issues of most pressing concern to the SCC was the Select Committee Report (the Watson Report). SCC appointed a subcommittee to discuss the recommendations of the Select Committee Report and sent a memo to all University/Senate chairmen to elicit responses on the Select Committee Report. The SCC devoted one meeting to discussion of recommendations for implementation of the Select Committee plans. A second meeting will be held after responses from University/Senate Committee chairmen have been received and assessed by the subcommittee. A report from SCC will be included in the docket for the May 31, 1979, Senate meeting. This report and any action thereon will be included as an addendum to this annual report.

Of particular concern to students and faculty were the special reports which were issued and discussed during the academic year. Among these were reports from the Task Force on Athletics, the Outreach Report, and the *Ad Hoc* Committee on Grievance Report. SCC discussed these reports and made recommendations concerning each one for purposes of Senate action or discussion with the President.

As part of SCC's continuing concern for better understanding of University programs, representatives from the College of Agriculture, the Graduate School, and CLA gave presentations to the Committee at a regularly scheduled meeting. SCC plans to continue this policy in an effort to improve understanding of the problems and successes of various academic units.

VII. ISSUES OF CONTINUING CONCERN

The Consultative Committee will continue active consultation with the Central Administration on matters which significantly affect the well-being of the University in general and academic planning in particular. The Committee is especially concerned with matters relating to budget and planning, and the long-range impact of these on the University academic programs.

In its role as Steering Committee for the University Senate, the Committee will continue to examine the Senate structure and the functioning of Senate committees to ensure the orderly flow of Senate business.

MAHMOOD A. ZAIDI
Chairperson

X. UNIVERSITY COMMITTEE ON BIENNIAL REQUEST & BUDGET REVIEW

Second Interim Report

Reported for Information

The University Committee on Biennial Request and Budget Review is continuing to participate in the reallocation process. We believe it would be most appropriate to delay our final report until the entire budget cycle for this year has been completed. Accordingly, we shall report to the Senate at its fall meeting.

As you know, retrenchment has been essentially completed. Reallocation must wait until the adjournment of the Legislature, approximately May 21. After that time, President Magrath will make preliminary reallocation classifications and will conduct hearings with regard to them. We understand the hearings to be scheduled for May 24. Thereafter, UCBRR will meet to review these classifications and pass its recommendations on to the Senate Consultative Committee. We anticipate that this process can be completed by May 31. Thereafter, the President and Board of Regents will make final budgetary allocations.

We recognize the serious problems which the delay of the reallocation process has created. We have made recommendations to alleviate those problems in future years.

We wish to alert the University community to another serious fiscal problem. There will apparently be little or no money provided in the 1979-81 biennial appropriation for cost-of-living increases in supply and expense items. In real terms, our supply and expense allocations will fall by the cost-of-living rate during that period. That means that there may be an implicit retrenchment of 6% to 10% (or perhaps more) per year in the purchasing power of all supply and expense budgets over the next two-year period, unless there is internal reallocation to cover this. The shortfall will amount to \$10 to \$12 million over the biennium.

FRED MORRISON
Chairman

XI. SENATE COMMITTEE ON RESEARCH ANNUAL REPORT

I. MANUAL ON INDIRECT COSTS OF SPONSORED RESEARCH AT THE UNIVERSITY OF MINNESOTA

At the request of the Senate Committee on Research, the Office of Research Administration has prepared a report addressing the subject of indirect costs. This report explains the factors involved in the determination of the indirect cost rate and answers a number of questions that have been raised by faculty and others. Equally important, the report explains how indirect cost recoveries are distributed at the University of Minnesota. The report has been reviewed and approved by the members of the Senate Committee on Research at their meeting of March 1, 1979, is presently in the process of being printed, and will be distributed to deans, directors, department heads, and principal investigators in May 1979.

II. ADMINISTRATIVE DEVELOPMENT COMMITTEE PROCEDURES

The Senate Committee on Research reviewed and approved procedures to be followed when submitting proposals to private foundations at its meeting of April 12, 1979. Henry Koffler, Vice President for Academic Affairs, disseminated a copy of the procedures to deans, directors, and department heads, in a memorandum dated April 12, 1979. The memorandum will be reproduced in the June, 1979, ORA Newsletter.

ROBERT M. HEXTER
Chairman

XII. SENATE COMMITTEE ON ACADEMIC STANDING AND RELATIONS ANNUAL REPORT

The Committee met five times during the 1978-79 academic year. Members of the committee during this year were: Frank Braun, Adele Donchenko, Robert Evans, Robert Eyestone, Richard Ilkka, Sander Latts, James Preus (ex. off.), Charles Sigmond, Frank Ungar, James H. Werntz (ex. off.), Keith Wharton, and Isabel Harris (Chairperson). Students — Mike Christian, John Kottke, Debra Swofford.

The major item of business this year has been examination of needs for changes in the course numbering system, University-wide. All colleges and schools were surveyed for their interest and needs, and representatives from interested units have met with the Committee to discuss their needs. The use of the 5000 series for post-baccalaureate professional courses for programs not in the Graduate School appears to be the major problem identified to date, and possible need to utilize the 6000, 7000, or 9000 series for this kind of course. The Committee hopes to reach a recommendation in Fall 1979 so that any change in course numbering could be effected prior to initiation of computerized registration in 1980-81. The Committee would appreciate hearing from individuals or groups concerned.

Other items considered included: 1) Approval of a University grade point average (reported to Twin Cities Campus Assembly), 2) a proposal to make high school chemistry a prerequisite to University chemistry courses, 3) new developments in high school testing, 4) the Public Universities Information Center, 5) survey of University graduates, 6) prospective student activities and materials, 7) progress of the Transfer Task Force, Higher Education Coordinating Board, and 8) request of the Medical School for a change in the grading system.

XIII. SENATE COMMITTEE ON SOCIAL CONCERNS ANNUAL REPORT

The Committee on Social Concerns has met seven times during 1978-79 and an eighth meeting is scheduled.

During the year, the Committee has received reports from two subcommittees, the Subcommittee on Social Responsibility in Investments and the Subcommittee on Equality of Opportunity for Women, regarding matters under their consideration.

A continuing concern of this Committee is matters related to the representativeness of the University community relative to the larger society. We have received and discussed reports from various offices dealing with affirmative action to increase participation by presently underrepresented groups in the faculty, civil service staff, and student body. Among these have been reports from the offices of the Vice President for Student Affairs and the Director of Equal Opportunity and Affirmative Action. A progress report was also received from the office of the Handicapped Resources Coordinator. In this, the first year following the Bakke decision, the Committee has been seeking to monitor any impact on University programs promoting equality of opportunity and student access. Such reports have been helpful to us in that task.

Several matters have been brought to the attention of the full committee by the Subcommittee on Equality of Opportunity for Women. We recognize that the economic aspects of any plan changing the University's present retirement program from the current one of equal contributions/lesser annual benefits for women to one of equal contributions/equal benefits are being considered, as appropriate, by the Senate Committee on Faculty Affairs, but a majority of the Committee supported a resolution calling attention to the important equity issues involved that was forwarded to the Vice President for Administrative Operations. This is a complex matter, but one in which we have continuing interest. The Committee also discussed the issue of sexual harassment. As part of that discussion, we called attention to the Guidelines on Equal Opportunity for Students, passed by the Committee in April 1973 and accepted by the Board of Regents as a clarification of basic University policy. The Guidelines deal with a number of students' rights issues as well as sexual harassment. This is another matter we will be following in the future.

The Committee has been asked to consider the matter of minority student representation in University governance and is currently beginning its consideration. No action has been taken at present. Consideration is also being given to the linkage with the Subcommittee on Social Responsibility in Investments.

FRANK H. WOOD
Chairperson

XIV. UNIVERSITY COMMITTEE ON UNIVERSITY-ROTC RELATIONSHIPS ANNUAL REPORT

1. The committee has taken counsel with the University Adviser on ROTC, who currently represents the University in the Association of NROTC Colleges and Universities, about supporting the efforts of the Association to bring about modification of recently prevailing policies of the Chief of Naval Education and Training which, in the view of this committee and of the Association, put excessive stress on scientific and technical training for Naval Reserve officers. The committee reviewed and approved a "core curriculum" proposal for NROTC students at Minnesota, designed on CNET guidelines to encourage the participation of students with non-technical majors, and endorsed a request that Minnesota be included in a possible pilot program to test such a curriculum. Report has been received that the proposals of the Association were discussed in an accommodating spirit at a meeting of its representatives with representatives of CNET in January. Work is proceeding toward implementation. Minnesota's delegate is now a member of the executive committee of the Association.

2. At the beginning of the academic year, the Vice President for Academic Affairs referred to the committee a request from the Chief of Naval Education and Training to formalize the establishment of the NROTC Program by a written contract. The proposed memorandum of agreement was discussed in the meeting of 5 October 1978; Associate Vice President A. J. Linck reported that University Attorney Joel

Tierney had been consulted and found no legal impediment. A number of provisions in the memorandum were questioned as to clarity and advisability. Dr. Linck undertook to make revisions, in consultation with the Naval Science faculty. In December, a revised draft was returned to the committee and submitted at about the same time for review in the offices of CNET.

With assurance in hand that it was acceptable to the Navy, the revised draft was taken up by the committee on 12 January 1979. A motion was adopted to advise the Vice President for Academic Affairs as follows: In the judgment of the committee, (a) there is no objection to the contract in its present form, (b) establishing a contract is consistent with present policy on University-ROTC relationships, and (c) the contract would place NROTC on a basis consistent with those of the other ROTC programs. Referral to the Regents is expected in the spring.

3. A proposal in the College of Liberal Arts was brought to the attention of the committee because of the effects it might have on graduation requirements for students in ROTC programs. In preliminary form, the proposal called for discontinuation of review in the College of courses proposed for CLA credit by units not functionally included in the College; courses previously approved would no longer carry CLA credit, and would be removed from the CLA catalog; students would be allowed to present 16 "outside" credits for degrees. Students in ROTC, after using their entire 16-credit allowances, would have been obliged to go beyond the 180-credit graduation requirement by 7 to 19 credits in order to complete their programs. Those awarded scholarships usable at schools of their choice would assuredly not have been attracted to Minnesota.

Representations were made to the committee in which the proposal originated as to its effects in relation to the University's legal and contractual relationships with the military services, to the policies of the Regents on ROTC, and to student enrollment and support. When the proposal was taken up in the CLA Council on Curriculum, Instruction, and Advising, it was amended so that ROTC programs would not entail an overload beyond the normal graduation requirement. In that form, the proposal was recommended to the CLA Assembly, and adopted.

The policy change in CLA has another effect on University-ROTC relationships, however. The procedure formerly followed in approving ROTC courses for CLA credit included scrutiny and appraisal of their academic merits. Discontinuance of that review is a step backwards in respect to the charge from the Regents that military and academic instruction are to be integrated as far as may be, not separated. In consequence, the Vice President for Academic Affairs has given notice to this committee and to the administration of CLA that the function of academic review of ROTC courses will devolve on this committee. In order best to discharge that function, the committee finds it advisable to be able to augment its appointed membership, as need may be, by inviting representatives of appropriate curricular reviewing bodies to take full part in its considerations of course proposals. For that purpose, a proposal will be submitted separately to the Senate for action.

4. The current status of the ROTC programs is satisfactory.

(a) In July, the function of Tri-Service Coordinator was rotated from Col. Frank Topley, NROTC, to Col. Thomas Madigan, AFROTC, and then passed to his replacement, Col. Robert Binish.

(b) The credentials of Major Eric D. Estergren, nominated to AROTC, were reviewed.

(c) Efforts to improve communication of information about opportunities in ROTC programs to prospective and incoming students continue, favored by a congenial climate of opinion.

(d) Enrollments are stable or increasing, up by 30% at Duluth.

(e) Possibilities for joint civilian and military course planning and instruction are continually being explored, with concern for the availability and usefulness of ROTC courses to non-ROTC students.

(f) The Tri-Service Coordinator has invited participation by a representative of the academic faculty in the periodic military reviews of the ROTC Programs.

D. V. BRYAN
Chairman

XV. UNIVERSITY COMMITTEE ON ALL-UNIVERSITY HONORS ANNUAL REPORT

The All-University Honors Committee met on November 20, 1978, and on February 26, 1979. It will meet again in mid-May.

At its first two meetings, the Committee made five recommendations for Outstanding Achievement Awards, one for an honorary degree, and two for Alumni Service Awards. The Committee also recommended the naming of the following building and facilities: Amundson Hall (Chemical Engineering); John E. Harris Research Laboratories in Ophthalmology (Building B/C, Health Sciences); Herb L. Huffington Conference Rooms (Rooms 6-246 and 6-248, Building B/C, Health Sciences); Jesse F. McClendon Reading Room (Biochemistry, Health Sciences); and Katherine E. Nash Gallery (lower level of Willey Hall).

The Committee is currently studying a report from the committee appointed by the President and chaired by William G. Shepherd to study all of the honors conferred by the University.

Thus far the agenda for the May meeting includes two recommendations for Outstanding Achievement Awards and two for honorary degrees, as well as a discussion of the Shepherd Committee report.

JOHN E. TURNER
Chair

XVI. UNIVERSITY COMMITTEE ON EXTENSION & COMMUNITY PROGRAMS ANNUAL REPORT

The University Committee on Extension and Community Programs for 1978-79 met on November 16, 1978, February 14, and April 19, 1979. In addition to assuming the role of local advisory committee for the University of Mid-America, the committee devoted its deliberations to two subjects: a) information on the nature and continued growth of extension and community programs and b) discussion of the November 1978 Report of the Study Group on University Outreach, which supersedes this report.

WILLIAM E. RANZ
Chairman

XVII. UNIVERSITY COMMITTEE ON ANIMAL CARE ANNUAL REPORT

By May 1, 1979, the Committee had met five times. There have been two main thrusts of the Committee's activities this year: 1) implementation of Regents' policy on animal care and use, and 2) preparation for complying with new federal regulations.

1. IMPLEMENTATION OF THE "REGENTS' POLICY AND PROCEDURES FOR ANIMAL CARE AND USAGE AT THE UNIVERSITY OF MINNESOTA"

Work on revision of this policy was completed by the 1976-77 and 1977-78 Committees. The revised policy was approved by the University Senate (November 17, 1977) and by the Board of Regents (January 13, 1978). The Committee has worked in close collaboration with the Director of Research Animal Resources to implement this policy, using several general approaches:

a. EDUCATION OF UNIVERSITY FACULTY AND STAFF

A primary objective of both Regents' policy and the University Committee on Animal Care is to encourage the advancement of scientific research and education. It should be recognized, however, that there are powerful forces at

work to restrict or prohibit the experimental use of animals. Deficiencies in animal care and treatment at the University can only harm the cause of animal availability for research and education in the future. Thus, University faculty and staff should familiarize themselves with acceptable and humane standards of animal housing, care, and treatment. The Director of Research Animal Resources provides this information in the form of a course on the care and use of laboratory animals offered annually to University faculty and staff, and in the form of an information manual distributed to principal investigators and other interested faculty members. Another excellent source of information is the NIH Guide for the Care and Use of Laboratory Animals, distributed with federal grant application packets.

The University community should be aware that primary legal (as well as ethical) responsibility rests with principal investigators to provide acceptable care and treatment of experimental animals, or else to refrain from using animals in research. For animals used in teaching or service functions, the same responsibility rests with department chairmen. This responsibility is not relieved by arguments of ignorance; of inadequate time, funds, facilities, or animal care services; or of pressures to be productive in research and education.

b. IDENTIFICATION OF POTENTIAL ANIMAL CARE AND USE PROBLEMS BY MEANS OF B.A. FORM 22 (ANIMAL USAGE FORM)

B.A. Form 22 is filled out by the principal investigator at the time of a research grant or contract application to an external funding agency, when the proposed project involves the use of animals. Review of information submitted on this form has enabled the Director of Research Animal Resources to anticipate potential problems of inadequate animal housing and care, inappropriate experimental procedures, or inadequate use of anesthetic or analgesic drugs in connection with procedures involving pain or significant discomfort to experimental animals. Consultation with the investigator has usually resulted in corrective measures to prevent the problem from arising.

The use of B.A. Form 22 has the limitation that the completed form is received and reviewed only after the grant application has been mailed, and too late for suggested changes in the proposed budget relevant to adequate animal care. Another limitation is that only a fraction of laboratory animal use at the University is supported by external funding agencies and identified via B.A. Form 22.

c. IDENTIFICATION OF EXISTING ANIMAL CARE AND USE PROBLEMS BY MEANS OF PERIODIC INSPECTIONS OF ANIMAL FACILITIES

Regents' policy authorizes an ongoing program of unannounced inspection visits to animal facilities by the Director and staff of Research Animal Resources. Facilities of eight departments in four collegiate units were visited this year, and several cases of chronic non-compliance with University standards of animal care have been documented. The Committee was directly involved in evaluating and dealing with some of these cases. In one instance, the Committee unanimously recommended closure of the animal facility by June 30, 1979, and has received assurance that this recommendation will be implemented.

The internally conducted inspection program supplements surveillance by external governmental agencies. For example, the State Livestock Sanitary Board inspects facilities housing animals acquired by the University under public law (dogs and cats from local pounds). The Veterinary Division of the U.S. Department of Agriculture (USDA) inspects facilities housing most warm-blooded animal species, to evaluate compliance with the federal Animal Welfare Act. There has been a recent increase in the number of unfavorable reports and citations resulting from these external inspection programs, and a disturbing failure of units receiving citations to take prompt action to correct the reported deficiencies.

2. PREPARATION FOR DOCUMENTING THE STATUS OF UNIVERSITY COMPLIANCE WITH THE NEW NATIONAL INSTITUTES OF HEALTH (NIH) POLICY ON HUMANE CARE AND USE OF ANIMALS

New NIH regulations require that all institutions receiving NIH support must comply with: a) the NIH statement of Principles concerning care and experimental use of all live vertebrate animal species, b) the standards of animal housing, care, and treatment embodied in the NIH Guide for the Care and Use of Laboratory Animals, and c) the requirements of the Animal Welfare Act. Each institution must have a Committee on Animal Care whose duties include annual review of all animal facilities and animal care programs at the institution, to provide the data base for an institutional assurance of compliance statement to the NIH. (The call for the assurance statement from the University of Minnesota was received in mid-April.) One of the three types of statements paraphrased below must be submitted:

- 1) The animal facilities of the institution are accredited by the American Association for Accreditation of Laboratory Animal Care (AAALAC) and are therefore in compliance.
- 2) The institutional Animal Care Committee has inspected and reviewed the institution's animal facilities and care programs and finds them to be in compliance.
- 3) The institutional Animal Care Committee has inspected and reviewed all animal facilities and care programs, and has recommended the following improvements: . . .

It appears that the University of Minnesota will submit the third type of assurance statement this year, and an annual report will be required from the University of progress toward full compliance. Once full compliance status has been achieved, the assurance statement will be required only once every five years. Full compliance status (or evidence of satisfactory progress toward compliance) is required for the institution to be placed on the NIH list of approved institutions eligible to receive NIH support.

Other mechanisms of enforcement of the new NIH regulations include NIH review of all grant applications with respect to evidence of adequate provision for humane animal housing, care and treatment. In questionable cases, the application may be referred back to the Animal Care Committee of the institution of origin for review and negotiation. In addition, NIH site visitors may inspect animal facilities at the applicant institution, and NIH staff will have access to adverse reports and citations resulting from past and current USDA inspection visits. No NIH awards will be made to institutions that have failed to submit an acceptable assurance document. Existing NIH support may also be terminated at such institutions.

To assess the magnitude of the task of providing the necessary data base for the University's assurance of compliance statement, the Committee has been compiling an inventory of animal facilities throughout the University system. To date, the inventory reveals that there are 380 laboratory animal holding rooms and farm animal housing buildings totalling 313,663 square feet of animal housing space.

These facilities house at least 12 species of laboratory animals and 7 species of farm animals, for an estimated total population of 90,175 animals. (The inventory does not yet include figures from the Hormel Institute or the Agricultural Experiment Station branches at Crookston, Grand Rapids, Morris, and Waseca.)

The Committee estimates that 20 to 30 days of on-site inspection time will be required annually to review these facilities. This time estimate does not include travel, preparation of inspection reports, communications with principal investigators, department chairmen and deans, follow-up inspection visits to non-compliant facilities, or grievance hearings that may be requested.

In preparation for complying with the new regulations, University faculty and staff should be aware of the more comprehensive evaluation of animal care and use programs required by the NIH than by the USDA, as mandated by the substantial differences between the standards of the NIH Guide for the Care and Use of Laboratory Animals and the Animal Welfare Act. The Committee has been working on policy and procedures to be used in accomplishing the new inspection program, and these will be publicized in advance. The program will be initiated this summer to provide data for the University's 1980 assurance of compliance statement to the NIH. For the 1979 statement (due now), the Committee will be forced to rely in large part on results of recent inspections by Research Animal Resources staff and by USDA inspectors.

It is apparent that the inexorable force of federal regulation has mandated a new quasi-administrative and regulatory role for the Committee. One may question whether this new role is appropriate (or even humanly possible!) for a University faculty committee. While that question is being resolved, the Committee will do its best to meet its obligations as it sees them, and will appreciate all the cooperation and understanding that the University community can give it.

GRACE GRAY
Chairwoman

XVIII. UNIVERSITY COMMITTEE ON SUMMER SESSIONS

ANNUAL REPORT

Throughout the 1978-79 academic year, the University Committee on Summer Session has focused its discussions on problems of the Summer Session which relate in large measure to funding. At the same time, careful study has been given to both the interim and the final report of the Study Group on University Outreach.

In its response to the final report of the Study Group, the Committee has suggested that "in major measure 'integration' has been achieved for the Summer Session," with "decisions with respect to course offerings and appointment of faculty . . . reserved to academic departments."

The members of the Committee have repeated their suggestion, and that of previous Committee members, that a first step toward "inloading" is to achieve full funding for Summer Session instruction. Steps toward this as advanced by the Committee in each of the past five biennia have been:

- (1) Elimination of the maximum on instructional salaries paid in the Summer Session;
- (2) Payment of contributions toward retirement on instructional salaries paid in the Summer Session;
- (3) Funding of administrative costs at departmental levels;
- (4) Full funding of supplies, expense, and equipment;
- (5) Equalizing teaching loads with those of the academic year.

It is the hope of Committee members that, in the long-range planning for the University, these recommendations will receive high priority.

DAVID BJORKQUIST
Chairman

XIX. SENATE COMMITTEE ON FACULTY AFFAIRS

ANNUAL REPORT

I. MEMBERSHIP AND MEETINGS. The committee has held ten meetings between July 5, 1978 and April 20, 1979; at least one more meeting is planned in May. The members were C. Eugene Allen, John W. Boyer, Jr. (UMD), Joanne Eicher, Kathryn Hoelmer (UMW), Ruth Hovde, Leonid Hurwicz, Henry Koffler (ex officio), Thomas J. Moore, Richard Poppele, Louis Safer, Dennis Templeman (UMM), C. Arthur Williams, and Karen Hawley (student member). The committee is much indebted to Marilee Ward for the excellent minutes.

Four subcommittees were constituted: (1) a Subcommittee on Mandatory Retirement, chaired by Thomas J. Moore; (2) a Subcommittee on Pre-Retirement Seminars, chaired by Paul A. Cartwright; (3) a Subcommittee on Sex Differentials in Periodic Retirement Benefits, chaired by Thomas J. Moore; and (4) a Subcommittee on Faculty Salaries, chaired by Douglas Pratt. The activities of these subcommittees are included in the activities reported on below.

II. MANDATORY RETIREMENT. Federal and state legislation raising the earliest permissible mandatory retirement age to 70, with an exception for tenured faculty members effective until July 1, 1982, in the case of the federal and until June 1, 1980, in the case of the state legislation, made it necessary to consider whether the University should move to raise the mandatory retirement age from 68 to 70 effective June 30, 1979, given that those who reached the age of 68 after that date would be covered by the state legislation. The Subcommittee on Mandatory Retirement, chaired by Thomas J. Moore, held weekly meetings and made five recommendations which were approved by the Committee on November 2 and by the Senate on November 30 (Minutes, pp. 11-13). These recommendations were transmitted by the President to the Board of Regents. The Board of Regents turned them down at its meeting of November 10, 1978. However, new state legislation signed by Governor Quie on April 24, 1979, raised the mandatory retirement age to 70 effective April 25, without a stipulated exception for tenured faculty at the University. Nevertheless, reference in the legislation to the federal law made it a little uncertain as of May 3 whether the new legislation definitely applies to University faculty. It is anticipated that the University will have clarified its position by the time this Report is published.

III. PRE-RETIREMENT SEMINARS. The Subcommittee on Pre-Retirement Seminars consisted of Paul A. Cartwright (chairman), Harold Bernard, Victor Bloomfield, Shirley Clark, Joanne Eicher, Natalie Gallagher, Ralph Hopp, Sidney Larson, and Andrew Whitman, and received the active cooperation in the seminars of Financial Vice President Don Brown and his staff of Professor Whitman, and of Mr. Bernard and the staff of the Department of Employee Benefits. It was decided to hold a pilot seminar on the St. Paul campus, aimed at but not restricted to faculty members in the 44-55 age group and their spouses. Three meetings were held, on February 1, February 8, and February 15, the first covering the faculty retirement plan, taxes, insurance, and social security, the second, investments and the "Mills II" tax-sheltered annuity plan, and the third, estate planning and wills. The seminars drew 133, 80, and 40 to 45 people respectively. A subsequent survey indicated a very positive response.

The Subcommittee made four recommendations:

1. That pre-retirement planning seminars for faculty be continued;
2. That the sponsoring agency be the Employee Benefits Department;
3. That some form of liaison be maintained in future planning with the SCFA; and
4. That the responsibility for program-planning no longer be placed in the hands of a subcommittee but rather be the responsibility of the Director of the Employee Benefits Department.

These recommendations were approved by the SCFA. It was also agreed that another series of seminars might be initiated in the future, aimed at a higher age group and not limited to financial planning.

IV. FACULTY RETIREMENT PLAN. The Committee has been kept informed of the plans being developed by Vice President Stein's Task Force on the Faculty Retirement Plan, chaired by C. Arthur Williams, and expects to devote considerable energy to discussing its proposals when they are presented. The major issue will be whether to move from a defined-contribution to a defined-benefit plan; early-retirement provisions and cost-of-living adjustments will also be significant issues.

V. SOCIAL SECURITY FOR PART-TIME (NON-STUDENT) ACADEMIC EMPLOYEES. The SCFA's recommendations for the biennial request (Senate Minutes, May 25, 1978, p. 104, Item IV.B) were placed in sharper form, at the request of the University administration, at its meeting of July 5, 1978. It was at that time estimated by the administration that the cost over the biennium of extending coverage to all part-time (non-student) academic employees would be approximately \$700,000, and that it might be approximately half that amount if coverage was limited to half-time academic employees working at least 50% time. On the assumption that most faculty working less than 50% time might be expected to have other sources of income covered by social security, and that the group working 50% time or more could be expected to include most of those who depend entirely on such income for support, the Committee unanimously adopted the following motion: that persons employed 50% to 99% time be extended social security coverage, provided it be ascertained that extension of this coverage now would not rule out a further extension in the future to persons

employed less than 50% time. This recommendation was forwarded by the administration to the Board of Regents. The Board of Regents turned it down.

The Committee has been advised by Vice President Stein that the Board of Regents was not persuaded that there was sufficiently strong sentiment on the part of affected faculty in favor of social security coverage. Accordingly, the SCFA has requested relevant data from the administration, in order to assess the need for coverage, and plans to investigate the matter further by means of questionnaires, once these data have been obtained. It is hoped that the relevant data will be forthcoming in time to allow for a more fully documented presentation for the next biennial request.

- VI. **SEX DIFFERENTIALS IN PERIODIC RETIREMENT BENEFITS.** The SCFA's previous activities on this subject have been reported in the Senate Minutes of May 25, 1978 (pp. 104-106, Item VI) and November 30, 1978 (pp. 14-16, Item C). Since recent court cases indicate that the existing faculty retirement plan may not be in compliance with federal statutes, a subcommittee was constituted to make recommendations concerning alternatives to the current plan. The subcommittee consists of Thomas J. Moore (chairman), Harold Bernard, John S. Chipman, Mary Corcoran, Joanne Eicher, Robert Kennedy, N. J. Simler, Franklin Smith, and Constance Sullivan. It is currently engaged in preparing a document containing background information to be submitted to the SCFA for approval. Once approved, it is planned that the document will be printed and distributed to faculty members as a background paper in preparation for open meetings. The subcommittee's recommendations will be based in part on the results of consultations with interested faculty members at the open meetings.
- VII. **ACTIVITIES OF THE FEASIBILITY COMMITTEE** (see Senate Minutes for May 25, 1978, p. 106, Item VIII). Owing to the issues arising in connection with Item VI, above, the various options under consideration by the Feasibility Committee may no longer be possible. The activities of this committee have therefore been suspended pending the outcome of the issues discussed in Items IV and VI above.
- VIII. **REPRESENTATION OF RETIREES ON THE SCFA.** The Committee approved a motion at its meeting of May 2, 1979, that approval be sought to have a retired faculty member added to the SCFA to serve as an ex officio member of the Committee. The motion has been forwarded to the Committee on Committees.
- IX. **VOLUNTEER-STAFFED CHEMICAL DEPENDENCY COUNSELING SERVICE.** Resolution of differences with the University Committee on Tenure was achieved and reported in the Senate Minutes of February 15, 1979, p. 70.
- X. **HEALTH INSURANCE LIAISON.** Since it has not been possible to keep abreast of developments relating to health and life insurance provided by the state plan by means of communication with the State Commissioner of Personnel (see the Senate Minutes for May 25, 1978, pp. 107-8, Item XI.A), the Committee took the initiative to open lines of communication with Council 6, the union representing state employees. A meeting took place between the Chairman of the SCFA and Bernard Brommer, Executive Director of Council 6, on February 15. Mr. Brommer was receptive to the SCFA's suggestion that he maintain contact so as to allow the SCFA to be informed of issues under negotiation, and was equally receptive to being kept informed of the concerns of the University faculty. The SCFA plans to continue such informal contacts in the future.
- XI. **FACULTY SALARIES.** The Committee engaged in a number of activities relating to policies governing faculty salaries:
- Recommendations were forwarded on August 1, 1978, to the Senate Consultative Committee concerning criteria for the allocation of equity/equalization funds.
 - A study was forwarded at its request to the SCC on August 3, 1978, responding to an article in the July 11, 1978, Minneapolis Tribune listing faculty members with salaries of \$40,000 and higher. The study showed that only slightly more than 50% of these salaries were financed by out of state funds, and that for each dollar of state funds expended on faculty salaries in this group, the faculty members on the average generated \$4.50 in outside research grants.
 - At the request of Vice President Stein, the SCFA furnished its position concerning President Carter's wage-price guidelines. This was reported in the Senate Minutes for November 30, 1978, pp. 13-14, Item B.
 - Comments were forwarded to the State Department of Finance on a preliminary draft of a document to be issued by that department on "Comparison of Teachers' Pay Levels."
 - At the request of President Magrath, the SCFA on March 26, 1979, prepared recommendations on the salary distribution for 1979-80. Since the amounts to be allocated are not yet known, the recommendations had to be stated in hypothetical form. They were as follows:
 - That the allocation should be in the ratio of at least 2 to 1 in favor of salary adjustments based on individual merit and, in some cases, unit merit/equity; and that the across-the-board component should not exceed 2½ percentage points.
 - That the committee understands that there will be a maximum allocation of \$500,000 for unit merit/equity.
 - That the allocation for across-the-board increases should be made as a fixed dollar amount based on a percent of the all-University mean salary.
 These recommendations reflected a balance between a concern for the general erosion of salaries through inflation and a concern for the potential erosion of quality through inability to withstand outside competition for highly qualified faculty members.
 - The Committee informed Vice President Koffler that it wished to go on record as favoring notification of a faculty member by the administration as soon as his or her salary had been set for the following academic year.
 - A Subcommittee on Faculty Salaries was constituted, chaired by Douglas Pratt. Other members are C. Eugene Allen, Barbara Banoff, William Becker, Donald A. Geffen, Eville Gorham, Kathryn Hoelmer, Richard Poppele, and Dennis Templeman. The Senate Consultative Committee is being asked to name a representative on this subcommittee. The subcommittee will make recommendations concerning development of relevant data on salaries and concerning criteria and procedures for salary determination.
- XII. **OTHER ACTIVITIES.** The Committee discussed and made recommendations and suggestions with respect to the following:
- A draft recommended by the Deans and Directors Subgroup on Defense and Indemnification of Faculty Members and Other Employees (recommendations forwarded to Vice President Koffler on July 27, 1978).
 - Criteria for allocation of equity/equalization funds (recommendations sent to the Senate Consultative Committee August 1, 1978).
 - Draft of reallocation and consultation proposal issued by President Magrath, September 8, 1978.
 - Interim guidelines and decision-making criteria for the 1979-80 annual budget, UCRRBR, November 20, 1978.
 - Recommended patent policy of the Regents of the University of Minnesota (recommendations conveyed to the Patent Committee at the meeting of December 7, 1978).
 - Report of the *ad hoc* Committee on Grievances (recommendations sent to the Senate Consultative Committee on May 2, 1979).
 - Report of the Select Committee on Planning, Decision-Making and Consultation at the University of Minnesota ("Watson Report"). Discussion is continuing.
 - Proposed conversion to a bi-weekly payroll (discussion in process).

JOHN S. CHIPMAN
Chairman

XX. SENATE COMMITTEE ON COMMITTEES

ANNUAL REPORT

The Senate Committee on Committees and its sections held 6 meetings during fall and winter quarters and will hold at least one during spring quarter. The Committee approved drafts of the new University College constitution and also a revised statement of duties and responsibilities of the Library Committee.

A Faculty Interest Survey of interest in committee membership was conducted with a 25% response of nearly 3700 faculty members.

The major effort of the Committee was to prepare double slates for Senate and University Committees. These slates have been presented to the President and action for confirmation of committee appointments is anticipated at a spring quarter Senate meeting. The slates included the following: women — professors, 6; associate professors, 7; assistant professors, 7; instructors, 1. Men — professors, 59; associate professors, 29; assistant professors, 16; instructors, 1. The proportions are given in the following table:

	Women		Men	
	Slates	All-University	Slates	All-University
Professor	9%	5%	91%	95%
Associate Professor	19%	15%	81%	85%
Assistant Professor	30%	26%	70%	74%
Instructor	50%	45%	50%	55%

Two concerns surfaced during the slate-filling process: 1) unusual time commitment of members of some committees, most notably Judicial, and 2) large number of unfilled student positions on many committees.

D. D. STUTHMAN
Chairman

XXI. UNIVERSITY COMMITTEE ON TENURE

ANNUAL REPORT

The University Committee on Tenure has met three times in 1978-79. At the first meeting, on November 17, the Committee met with the Senate Committee on Faculty Affairs and listened to a presentation on the proposed Faculty Alcoholism and Drug Abuse Center. The Committee found that the proposed service would not present a threat to tenure of faculty using it and went on record as having no objection to the Center and as believing it to be a good idea. The Committee then discussed the report of the Ad Hoc Study Group on Grievance Procedures, prepared the year before. The Committee returned the Report to the Ad Hoc Committee with no objections and one clarificational amendment.

On March 9 the Committee met again to discuss the Report of the Select Committee on Planning, Decision Making, and Consultation (the Watson Report). The Committee expressed general satisfaction with the report while noting that as far as tenure is concerned, no special comment seemed necessary. The awarding of tenure in this University indeed seems to be a model procedure: decisions are made at the department and college levels and the final decision before submission to the Regents is largely that of the Vice President for Academic Affairs, while the President does, nevertheless, retain the power of final approval.

The Committee met for a third time on April 12 to discuss the matter of open hearings of the Judicial Committee as referred to the Committee by the Senate on a motion of Professor Lawrence Goodman, February 15, 1979. Also present at the meeting were several members of the Senate Judicial Committee and Professor Gerhard Weiss, Chairman of the University Appeals Committee on Academic Freedom and Responsibility. It appears that the hearings of the panels of the Judicial Committee are, in fact, fairly open: representatives of interested parties (AAUP, MEA, FGC, etc.) are routinely invited to attend and some do so and report back to their organizations. Furthermore, such observers, while not taking any direct part in the proceedings, are invited to send in written commentary during the course of the hearings and have the opportunity to express their concerns to the Judicial Committee and subsequently to the President of the University. With respect to the opening of hearings to the public, members of the Judicial Committee were generally opposed, although a small minority was in favor. It was reported that the administration was not generally opposed to open hearings. A report for action appears elsewhere on the agenda of this Senate meeting.

Another meeting of the Committee on Tenure will be called in spring quarter to discuss the proposal of the Task Group to Develop Personnel System Recommendations for Non-Faculty Administrative and Professional Appointments (the E-Task Report).

F.R.P. AKEHURST
Chairperson

XXII. SENATE JUDICIAL COMMITTEE

ANNUAL REPORT

Last year it was reported that appearances suggested the flood of litigation before the Judicial Committee was subsiding and that we might look forward to a less burdensome year in 1978-79. Unfortunately this not only proved incorrect but incorrect to such an extent that the entire judicial system has threatened to collapse. The Committee has had the busiest time in its history. Some 23 complaints have been registered to date. By June 15, fully 19 of them will have been dealt with, 8 through full hearings.

Such a load was impossible to carry with a fifteen person committee. In order to meet the extraordinary pressures, former members of the Judicial Committee agreed to serve on one panel. All of us in the University community owe deep gratitude to those individuals who, knowing full well the psychic and physical toll hearings take, agreed to serve. These colleagues are: Professors Paula Berry, Nancy Crewe, Phyllis Freier, Stephen Gasiorowicz, Madelon Gohlke, Paul Meehl, John O'Leary and Clarice Olien. They have done service far beyond what we could normally expect.

In addition, it appears that there may be an increase in what is the longest and most complex kind of litigation—termination for cause of a tenured faculty member. Between 1945 and 1977 there has been only one such case. In 1978-79 one case has been heard and another is scheduled for 1979-80.

The worst effect of such a case load is that in some instances our colleagues' right to a timely hearing has been severely compromised or not met at all. This year the Judicial Committee has been forced to postpone all hearings not having to do with termination, non-renewal, or non-reappointment. This has meant that four complaints filed in 1977-78 have not yet been heard and will not be so until 1979-80 at the earliest. Such a situation is difficult to accept as an isolated occurrence. It now threatens to become the norm and as such is unacceptable. We must explore ways both of lowering the total number of cases and of expediting matters before the Committee. To this end the following actions have been taken:

- Potential complainants are strongly counselled to have their grievance heard first at a more local level. This is required of all complaints concerning salary.
- Appeals from such lower hearings are not automatically heard. If, in the judgment of the Committee, the complainant has received just treatment and a settlement at least equal to what might reasonably be expected from a panel, we decline to accept the appeal.
- Potential complainants are informed of their chances of success. They are made quite aware that their chances are not high. The burden of proof lies ordinarily with the complainant and is a difficult one to sustain. When similar complaints have been settled by the Judicial Committee, potential complainants are informed of the outcome.

4. The period of discovery has been lowered by Senate action from 90 to 60 days. We should experiment with an even further reduction and should move directly when both parties agree to waive the period.

5. We have encouraged mediation at all times.

Partly because of all of the above, only 8 of the 19 complaints disposed of this year have gone to full hearing. A number of other actions should be considered. We may well have to increase committee membership, difficult as that is to do. Such an increase would change the nature of the Committee's deliberations. The Senate might wish to create some other means of adjudicating salary grievances. The Judicial Committee finds itself ill-equipped to make such judgments, as it does not in other instances decide substantive matters such as merit. These are properly decided by peers usually in the discipline. Some experimentation with a summer calendar may become necessary.

The Senate has recently inquired about the Judicial Committee's rule of confidentiality. You should know that the question of open hearings has been discussed for a number of years. The main arguments in favor of public hearings are that such hearings allow full faculty awareness of procedures and findings; that they would allow for precedents to be established and known to the community; that public hearings somehow seem more fair. Among the arguments for keeping hearings closed are that the psychic toll on colleagues in a hearing is less great in private sessions; the temptation for "revenge" is less pressing; potential witnesses are less reluctant to testify; somewhat less rigorous rules of evidence can be in effect, allowing more direct access to the truth. This year the Committee has experienced difficulty in some instances in persuading colleagues to testify. Other witnesses were afraid of possible reprisals. Some hearings were so charged that the panel felt it would have been exceedingly difficult to bring them to a successful conclusion had they been public. For these and other reasons the Committee overwhelmingly opposes opening all hearings. It is willing, however, to experiment with open hearings in those instances in which the complainant, the respondent, and the panel all agree the hearing can be open.

There is little doubt that the judicial structure of the University is in a crisis. As the Judicial Committee develops more wisdom, it will report back to the Senate.

PETER ROBINSON
Chairman

XXIII. QUESTIONS TO THE PRESIDENT

(20 minutes)

XXIV. OLD BUSINESS

XXV. NEW BUSINESS

(15 minutes)

Please feel free to use this agenda item to comment on a topic you believe is of general interest to the Senate.

The Senate is reminded that this entry in the agenda (not to be confused with the Senate's "Questions to the President") may be used to raise specific issues, concerns and/or ideas of general interest. A motion is not required. As much as anything, the Business & Rules Committee wishes to remind the Senate that all ideas presented to the body need not flow from a committee.

XXVI. ADJOURNMENT

II. REPORT OF AD HOC COMMITTEE, INTERCOLLEGIATE ATHLETICS

(15 minutes)

MOTION:

That the Assembly Committee on Intercollegiate Athletics establish procedures for conducting investigations of alleged improprieties on the part of athletes or staff members.

INFORMATION:

The undersigned were appointed by President Magrath as members of an *ad hoc* committee to consider the following motion presented to the Twin Cities Campus Assembly on 1 February:

"That it shall be the policy of the Twin Cities Campus Assembly that, where student violations of National Collegiate Athletic Association (NCAA) Rules are alleged, the Assembly Committee on Intercollegiate Athletics shall not conduct investigations or take any action, nor shall reports concerning the allegations be disseminated to Big Ten or NCAA officials or the public, until guilt or non-guilt has been established by the Campus Committee on Student Behavior."

It is our opinion that this proposal would not be effective in facing the very vexing problems which arise with the National Collegiate Athletic Association (NCAA) and the Intercollegiate (Big Ten) Conference when our athletes and coaching staff are accused of violations of their rules. Because of the highly public nature of allegations of misbehavior directed at the athletic departments, because of the organizational relationship of the University to the Conference and the Association, and because of the philosophy and complexity of the Conference and Association rules governing enforcement procedures, it is our recommendation that the Campus Committee on Student Behavior (CCSB) not be involved in proceedings, the sole purpose of which is to evaluate and decide the eligibility of athletes for future intercollegiate competition. It is the judgment of the *ad hoc* Committee that the philosophical perspective governing the relationship of the athlete to the institution, the Conference, and the Association, as well as the procedural mechanisms and penalty structure of those organizations, are wholly incompatible with the philosophy and practice of CCSB.

The Campus Committee on Student Behavior views its role as an educational one and has no prescribed penalties for misconduct while the Conference and Association are quite rigid in their approach. Moreover, what might be a "crime" to the Conference or the Association might be considered a normal act of human civility for any other student or staff member. As Professor Martin Snoke, Chairman of the Campus Committee on Student Behavior, and Mr. Neil Bakkenist of the Special Counseling Office have pointed out, very real differences exist between the approaches taken by the Conference and Association and by CCSB in handling infractions of their respective behavioral codes, differences in disciplinary approaches grounded in divergent goals and philosophies.

The Assembly Committee on Intercollegiate Athletics (ACIA) is charged with conducting our relations with the Conference and the Association. This now involves determining eligibility and has been understood to include examination of alleged violations of the athletic code; it should continue to include both duties. There is need for ACIA to establish procedures for conducting investigations of alleged improprieties on the part of the athletes and the staff. The Assembly Committee on Intercollegiate Athletics should set forth in documentary form the procedures to be used in conducting investigations of such allegations. That document should include provisions for the appointment of an *ad hoc* subcommittee of ACIA to oversee the investigation, the use of trained professional staff, and such guarantees of fairness and procedural "due process" as accord with the philosophy of the University and the rules of the Conference and the Association. The safeguards for the individuals must be clearly established; however, the *ad hoc* Committee was impressed by the limited extent to which the University can provide protection to students or staff under the terms of the membership obligations of the Conference and the Association and is concerned that all students and staff be fully informed of these limitations so that no false expectations of protection be entertained.

We are assured that the Special Counseling Office and CCSB will be available to help with the establishment of the procedures. The document when drafted should be submitted to the Twin Cities Campus Assembly for consideration and approval.

STUART FENTON, Chairman
GARY ENGSTRAND
MARION FREEMAN
THOMAS FULTON
JAMES OESTERLE
AUKE TELLEGEN

III. ADJOURNMENT

UNIVERSITY SENATE - ITEM IV

Following is revised wording of the Motion for Item IV:

MOTION: (underscored words are additions to the printed motion in the agenda)

That the Senate ask the President to establish a committee to review existing college and department constitutions, to recommend optimum levels of faculty participation in governance, and to recommend procedures to guarantee all faculty certain minimum rights in participatory governance at the college and department level, where those rights are not properly guaranteed by existing constitutions.

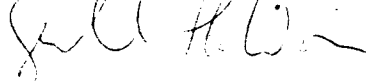
LOUIS TOTH
IT Senator

University Appeals Committee - Annual Report
Academic Year 1978/79

The University Appeals Committee devoted much of its activity this year to a review of the report prepared by the Ad hoc Committee on Grievances. The Committee welcomes the proposals for a simplification of the University grievance process and hopes that the new guidelines, once adopted, will remove many of the ambiguities presently connected with the Academic Freedom and Responsibility process.

The Committee continues to be called upon to interpret grievance procedures and to advise unit grievance review officers. Two appeals have come before the Committee and are presently under review.

For the Committee



Gerhard H. Weiss