

Minutes\*

**Faculty Consultative Committee**  
**Monday, September 19, 2011**  
**1:00 – 3:00**  
**238A Morrill Hall**

Present: Chris Cramer (chair), Avner Ben-Ner, Peter Bitterman, Elizabeth Boyle, Carol Chomsky, Nancy Ehlke, Janet Ericksen, Caroline Hayes, Walt Jacobs, Russell Luepker, Elaine Tyler May, Jan McCulloch, James Pacala, Kathryn VandenBosch

Absent: Linda Bearinger, Thomas Brothen, Colin Campbell, George Sheets, Richard Ziegler

Guests: Provost E. Thomas Sullivan; Associate Vice President Donna Peterson (Federal Relations), General Counsel Mark Rotenberg

Other: Associate Vice President Sharon Reich Paulsen; Brian Steeves (Office of the Board of Regents); Sean Corvin (Academic Health Center Student Consultative Committee)

[In these minutes: (1) discussion with Provost Sullivan; (2) committee business; (3) the University's constitutional autonomy; (4) Faculty Senate docket]

**1. Discussion with Provost Sullivan**

Professor Cramer convened the meeting at 1:00 and welcomed the Provost, who reported on several matters.

-- He will be glad to discuss the gender-equity report at the October 6 Faculty Senate meeting.

-- On the idea of a symposium on research ethics and clinical trials with human subjects, he and Vice President Mulcahy would be pleased to co-sponsor it, so the names of the offices would be used and they will provide financial support. He asked what involvement the Committee would want from their offices. Committee members discussed with the Provost how to move forward on the proposal and how broad the scope of the discussions might be. It was agreed that the Committee would take up the matter at its next meeting, after people have had time to think about how to proceed.

-- With respect to metrics for evaluating graduate-education programs, Provost Sullivan reported that Vice Provost Henning Schroeder is working on them. The discussions about quality metrics are phase one; phase two will come from the part of the Size, Scope, and Mission report that deals with graduate education. That report with final recommendations is available this week. It will have a substantial piece that includes the evaluation of programs.

Professor Cramer noted that the Committee had heard from Dr. Schroeder at its retreat and inquired whether the metrics would apply to master's programs as well as Ph.D. programs. They will apply to M.A., M.S., and M.F.A. programs as well as the Ph.D., Provost Sullivan said, and the other master's programs will remain within the domain of the colleges; most of the others are terminal or professional master's

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degrees. He suggested that Professors (John) Sullivan and VandenBosch, along with Dr. Schroeder, present to this Committee and other relevant Senate committees the graduate-education elements of the Size, Scope, and Mission report. Professor VandenBosch said that they have not addressed the terminal master's programs and will recommend that the University develop quality metrics for those programs. Provost Sullivan noted that many of the blue-ribbon committees recommended growing the professional and terminal master's programs, so this is an issue that will need to be on the agenda.

-- On the issue of differential undergraduate tuition, the discussion started with the Carlson School of Management, Provost Sullivan said. The campus had differential undergraduate tuition up until about 20 years ago but dropped it for two reasons: the transaction costs were high and students were gaming the system (that is, transferring to the higher-cost college at the last minute). Now there are market forces and competitive needs that led the Carlson School to propose differential tuition or fees. The matter will be on the docket of the Board of Regents in October and will include a broad conversation about tuition, its history, its uses, its sources, and differential rates. (The question of differential tuition arises only with respect to undergraduate tuition; Provost Sullivan said that the Regents traditionally have given graduate and professional programs more discretion on setting tuition.)

Professor Cramer observed that financial aid comes in part from tuition paid by students; is there a major research university where that is NOT true? Provost Sullivan said his office is doing a study of that question, but what they have found is that virtually every university, private and public, uses tuition revenue for financial aid; the public institutions also use state funds. The question has been raised at the Board of Regents whether it is appropriate to use tuition revenue and state support for financial aid.

Professor VandenBosch asked the Provost if he had any thoughts on how to avoid the problem of students gaming the system again? Provost Sullivan said he was recently at the meeting of AAU provosts and asked about schools that have differential tuition; a number of them have it. Almost all that have it have it for business school, many have it for engineering, and some have it for the arts. They are not seeing any gaming of the system. Professor Cramer said one way to avoid gaming would be to charge by the credit hour according to the college offering the course. Some do that, the Provost agreed.

Professor May asked what the rationale is for differential tuition. Provost Sullivan said it is market factors: The competitor schools have extra revenue sources that leave Minnesota at a disadvantage. So the Carlson School becomes more competitive by charging higher tuition, Professor May asked? Provost Sullivan said the increased revenue could be used only for three things: financial aid for students, faculty salaries to remain competitive, and academic/career advising. He noted that faculty salaries in business are higher than the rest of the University, and the proposal has been discussed broadly and richly throughout the Carlson School with support from the students, faculty, staff, and donors. The dean maintains the Carlson School is falling behind in revenues and cannot offer competitive financial aid and faculty salaries, and that the quality of advising is slipping. Professor May surmised that that situation likely obtains in the College of Liberal Arts as well.

Who determines the differential amount, Professor McCulloch asked? The Board of Regents approves all tuition rates and all fees, Provost Sullivan said.

-- The Provost approved placing on the Senate docket the report on vice-presidential units from the Senate Committee on Finance and Planning.

Professor Cramer thanked the Provost for his report.

## **2. Committee Business**

Professor Cramer mentioned two items.

-- There is need to change the Senate committees that are to be involved in interviewing candidates for senior administrative positions; with the creation of two new consultative committees, one for the P&A Senate and one for the Civil Service Senate, it is not feasible to require candidates to meet with four different consultative committees (the two new ones plus the FCC and Student Senate Consultative Committee). It would be more efficient to coordinate through one committee, the Senate Consultative Committee, which has representation from all four groups.

-- Committee members discussed the provostal search and impressions of candidates to date.

## **3. The University's Constitutional Autonomy**

Professor Cramer welcomed Associate Vice President Donna Peterson and General Counsel Mark Rotenberg to the meeting to discuss the University's constitutional autonomy. He accepted a motion to close the meeting, which was adopted unanimously.

The discussion was prompted by legislative action tying 1% of University funding to performance measures. Ms. Peterson explained the legislation; Mr. Rotenberg reviewed the history of constitutional autonomy. He noted that the policies adopted by the Board of Regents are the laws of the University, on par with state law, and decisions about them are appealed to the Minnesota Court of Appeals, not a district court. Questions arise at the intersection of the University's constitutional autonomy and the legislature's constitution authority to make appropriations, two equally core constitutional authorities.

Committee members discussed with Ms. Peterson and Mr. Rotenberg a number of aspects of constitutional autonomy and the political process.

Professor Cramer thanked Ms. Peterson and Mr. Rotenberg for joining the meeting, and recessed it at 2:55.

## **4. Faculty Senate Docket**

Professor Cramer reconvened the meeting at 3:45, following the adjournment of the Senate Consultative Committee meeting, and asked for approval of the Faculty Senate docket. The Committee approved it unanimously.

Professor Cramer adjourned the meeting at 3:50.

-- Gary Engstrand