

ALL MEMBERS ARE INVITED
TO BRING THEIR LUNCHES
TO ROOM 626 AT 11:30.

UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
420 Borlaug Hall (c/o Agronomy)
1991 Buford Circle
St. Paul, Minnesota 55108
Telephone (612)625-7719

FACULTY CONSULTATIVE COMMITTEE

May 29, 1986
12:00 - 4:00
626 Coffman Memorial Union

AGENDA

- 12:00 1. Minutes of May 1 meeting (if ready).
2. Reports:
A. Senate Finance Committee
B. Faculty and Senate Consultative Committees.
- 12:15 3. Inter Faculty Organization's proposal to establish an ad hoc faculty advisory committee to the Higher Education Coordinating Board. Guest: David Jerde. (NOTE: Members please see enclosed correspondence from Mr. Jerde to Dr. Longanecker.)
- 12:45 4. Coordinating Lower Division Education on the Twin Cities Campus.
- 1:15 5. Report of the Special Senate Committee on Governance (May, 1986). (NOTE: Members please bring copies distributed at May 15 meeting.)
- 2:00 6. Equal Opportunity issues and concerns, spring quarter discussion. Guests: Vice President Stephen Dunham, EEO Director Patricia Mullen, EEOWC Chair Vera Schletzer.
- 3:00 7. University Grievance Procedures. Guests: Carol Pazandak and Phyllis Freier, authors; Judicial Committee chairs Roger Park and Amos Deinard; Academic Freedom and Responsibility Appeals Committee chairs David Weissbrodt and H. E. Mason; Patricia Mullen. (NOTE: Members please bring copies of Procedures distributed earlier; also, see enclosures.)
- 4:00 8. Adjourn.

UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
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1991 Buford Circle
St. Paul, Minnesota 55108
Telephone (612)625-7719

MINUTES
FACULTY CONSULTATIVE COMMITTEE
May 29, 1986
626 Campus Club
12:15 - 4:10

Members present: Ellen Berscheid, Richard Goldstein, David Hamilton, Joseph Latterell, Jack Merwin, Paul Murphy, Irwin Rubenstein, Frank Sorauf, Deon Stuthman (Chair).

Members-elect: Mark Brenner, Charles Campbell, Shirley Clark, W. Phillips Shively.

Guests: Alfred Aeppli, W. Andrew Collins, Amos Deinard, Stephen Dunham, Phyllis Freier, Richard Heydinger, H. E. Mason, Patricia Mullen, Roger Park, Carol Pazandak, Roy St. Laurent, Vera Schletzer, Andy Seitel, Maureen Smith, David Weissbrodt.

1. Search for Vice President for Academic Affairs and Provost.

In preparation for FCC's upcoming interviews, copies were distributed of the curriculum vitae of each of the three finalists.

2. Minutes of May 15.

One correction was distributed; no others were made.

3. Report of the Chair.

A. Materials for the Minnesota Campaign were distributed for the members' information: The Minnesota Campaign, and The Minnesota Campaign News.

B. Correction to the Twin Cities Campus Assembly docket as printed in the Daily: the item on the Academic Calendar is for information only since no action is recommended. The printed motion will be retracted.

C. Study group concerning the Assembly Committee on Intercollegiate Athletics. The Steering Committee had been asked to designate one faculty member to represent the governance system on a new study group to examine ACIA's charge and composition. There will be six other members, three of whom will be from ACIA. Faculty Steering Committee members were asked to make recommendations to the Chair.

D. Consultative Committee budget. No comments were made regarding whether the SCC could accept UMC Chancellor Sargeant's invitation to hold one 1986-87 SCC meeting on the Crookston campus.

4. Inter Faculty Organization's proposal to establish an ad hoc faculty advisory council to the Higher Education Coordinating Board (HECB).

(Note: Mr. David A. Jerde, President of the Inter Faculty Organization, was unable to meet with the FCC at this time as he had intended.) FCC members had for their information a copy of a March 4, 1986 letter from Mr. Jerde to David Longanecker, Executive Director of HECB, describing the proposed composition and purpose of a faculty advisory council and its relationship to HECB.

FCC members were apprehensive about the consequences of there being such an advisory body. They feared increasing homogenizing of higher education and HECB manipulation of the advisory body for HECB purposes. The description of the proposed composition makes it clear that the faculty member from each institution will be taken as representing the faculty of that institution. Nevertheless, the sentiment was expressed that if such a body were to be established, it would behoove the University faculty to have membership on it. The initiative for the council appears to have come from the unionized faculties.

5. Report of the Senate Finance Committee.

Professor Merwin reported that SFC had started a series of weekly to biweekly meetings with Vice President Murthy on the development of the biennial request. Each meeting is to follow shortly after a meeting of the vice presidents and the meetings will continue up to the point at which the draft request is readied for the Regents' July meetings.

6. Commitment to Focus: The Report of the Special Committee on Coordinating Lower Division Education on the Twin Cities Campus. Guest: Prof. W. Andrew Collins, chair-designate of ACEP/SCEP.

FCC members were concerned that the motion to the Twin Cities Campus Assembly from the Assembly Committee on Educational Policy (ACEP), accepting the report of the Special Committee, would preclude serious exploration of alternative designs. Professor Stuthman had sent FCC members, in advance of this meeting, a draft of a new motion to be proposed as a substitute for or supplement to the motion from ACEP. The substitute motion asked the Assembly to resolve to create a new body to prioritize recommendations included in the Hanson Lower Division Report together with those in other reports: Student Experience, Quality Undergraduate Teaching and Learning, Unified and Increased Preparation Requirements, plus those in other communications submitted to the Lower Division Committee while its work was in progress. Among the latter, the lengthy memorandum from the Coordinating Committee was viewed in FCC as particularly significant.

The new group would be asked to address any inconsistent elements among these materials, to interact with ACEP, to report to the Assembly through ACEP at the Assembly's fall quarter meeting if possible, and to take further action to achieve the aims espoused in the reports. Professor Sorauf cautioned that the new group's agenda seemed to be almost unbounded.

At the heart of the FCC's unease was the fact that the Lower Division Committee had chosen not to incorporate the recommendations proposed to it by the C+F Coordinating Committee. Professor Andrew Collins told the FCC that ACEP had from the beginning been very positive about the Lower Division Committee's recommendations and had been unmoved by the Coordinating Committee's memorandum.

Authority of the Coordinating Committee. Dr. Heydinger said that while the Coordinating Committee, which he chaired, had a lot of problems with both the interim and final reports of the Lower Division Committee, it had never been his understanding that in terms of governance the Coordinating Committee stood as an equal to each of the task-specific C_TF Special Committees. Professor Berscheid, Coordinating Committee member, said the group had always understood it was not to act as judge but rather to point out any incongruities among different committees as well as matters a given committee might not be aware of. But, she added, the Committee expected that comments it submitted would be treated seriously.

Implementation. Professor Campbell emphasized that implementation, about which the ACEP resolution is largely silent, must be addressed in any case.

Prospects for a resolution. Professor Collins, member and 1986-87 chair of SCEP/ACEP, thought that committee would be open to considering a substitute motion if it were set in the context of the improvement of undergraduate education.

Professor Sorauf suggested that given the enormous disagreements it might be necessary to give up the hope for fundamental changes in lower division in the near future. Mr. St. Laurent reported that the Student SCC had expressed its reservations and had questions which remained unanswered concerning the Undergraduate Center recommended in the Lower Division report.

Professor Collins asked that a Steering Committee member attend the May 30 ACEP meeting to explain the reasons for offering a substitute motion. Professor Rubenstein, associate chair, agreed to state the Steering Committee's case to ACEP.

Further discussion concentrated on the need to assure implementation of recommendations and to make good use of the summer to move toward implementation.

7. Special Senate Committee on Governance. Guests: Mr. Roy St. Laurent, Mr. Andy Seitel.

(Members had already received copies of the Governance Committee's report.)

Professor Murphy, a member of the Governance Committee, told FCC that that committee had concluded a visit by outside evaluators was not likely to be sufficiently fruitful to undertake. (It had been an assumption in establishing the committee that the self-study was to be preparatory to an outside review.) Beyond emphasizing that position, he thought the report stood on its own.

Professor Rubenstein recalled that student members in the both the spring and fall of 1985 had explicitly requested an external review of the governance system, and that the SCC as a whole had agreed to that last fall on the condition that it be preceded in the customary way by an internal review to equip the visitors with background. The committee, he said, ought to have fulfilled its charge of preparing a charge and questions for outside reviewers.

Professor Murphy noted that the move for the review had begun with the Swan-Turner motion to the Senate (defeated in February 1985) to reduce student membership in the University Senate to the five campus student body presidents. He regarded the Governance Committee's work as having produced a good self-study. That committee concluded on the basis of its interviews and surveys that the system was working pretty well.

Professor Sorauf contended that the existing structure is too complex and consumes too much time and nervous energy; he believed there must be a leaner mode of governance possible. He said the available reservoir of faculty and students willing to serve continues to shrink; he thought we were approaching a crisis. Mr. St. Laurent acknowledged the complexity but argued that since the system seems to work pretty well there is not good reason to undertake the sizable job of changing it. The Governance Committee saw the problems as not inherent in the structure. It believed the structure could be used better and recommends improving communications. Professor Murphy said the Governance Committee questions the fruitfulness of bringing in people to assess something very different from what is in their own experience. We have an excellent participatory system, he said, which he would not want criticized by people from poorer systems.

Professor Stuthman noted that attention seemed to have focused mostly on the area of joint faculty-student governance and little on the systems of faculty governance and of student governance. Mr. St. Laurent said the Committee had felt this was where its efforts were best spent. Mr. Seitel said the Committee had seen no need to repeat the work of the 1985 Jodl Committee on student governance, whose report is cited as a reference.

Professor Sorauf remarked that the report represents the considered views of a number of people both on and not on the Senate Consultative Committee. The SCC's question is whether it believes it would be worthwhile to invite reviewers who might help us develop new insights. It seemed to him the University community needed to think of some degree of simplification. He called the time demands we make upon administrators immoderate at best.

8. Issues Concerning Equal Employment Opportunity for Women.

Guests: Professor Vera Schletzer, Chair, EEOWC; Patricia Mullen, Director, Office of Equal Employment Opportunity and Affirmative Action; and Stephen Dunham, Vice President and General Counsel.

This was the third of the FCC's quarterly sessions to consider progress and continuing concerns in the area of equal employment opportunity.

Professor Schletzer referred to several issues before the EEOWC:

A. Benefits for part-time faculty. EEOWC spent a great deal of time on this issue and will in the fall submit a report to the Senate Committee on Faculty Affairs.

B. Academic Staff Assistance Officer. EEOWC is glad that action is underway to fill the newly-approved position.

C. Sexual assault on campus. Associate Vice President for Student Affairs Donald Zander talked to the EEOWC at a meeting devoted to this subject. EEOWC is interested in the credentials of whomever would head up a special committee on this issue. EEOWC next year will renew its request for the University to constitute an advisory committee on this matter.

D. The hiring and promotion of women on the faculty. EEOWC is concerned that the rate is not increasing. Either few are chosen for tenure or few choose to remain. It is not known why more women are not progressing through the system, but questions include whether bias is operating in the units and whether

women are choosing to leave before they come up for tenure. She expressed the hope that next year's EEOWC would study this question. A trial study is being undertaken at the Duluth Campus which includes hiring a neutral person to conduct interviews.

Professor Schletzer told FCC she had accomplished a lot of what she set out to do in chairing this year the Senate Committee on Equal Employment Opportunity for Women: the committee built a more cooperative way of working and membership participation increased in such tasks as writing letters. Professor Stuthman credited Professor Schletzer for the year's accomplishments and the cooperative spirit.

Ms. Mullen told FCC that Associate Vice President Betty Robinett has been following promotion and tenure for seven years and retains the documents. Ms. Mullen has the workforce reports. She said the University's hiring rate now exceeds the proportional availability of women. Still, there has been no dramatic increase in numbers of women on the faculty generally or women who are full professors. If there are factors in this phenomenon which are curable, her office would like to find them out. Professor Berscheid told the group that any study needs to recognize that the accumulation of many effects may bring a person to resign. A longitudinal study would be necessary to determine what things, over time, discourage women.

Professor Stuthman noted that the FCC has been interested in tenure standards generally but has found data on the rate of granting tenure to be unavailable. Professor Rubenstein said that since individual faculty hires are not tracked, we do not know why a faculty member leaves. Yet, Professor Hamilton pointed out, department heads are required to submit information whenever a faculty member leaves. Professor Schletzer added that nevertheless, what is suspected to be the real reason for a faculty member's departure is often not what goes on paper.

Professor Berscheid reported her understanding that a staff member in Management Planning and Information Services has for two years been systematically collecting data on why people leave. She said it is very important that we learn how our rates of granting tenure compare with the rest of the Big Ten.

Professor Latterell noted from a report Tenure Committee co-chair Professor Sam Krislov had made to the Regents that the data on the University's rate of tenuring are not very instructive since faculty are often alerted early as to the likelihood or unlikelihood of their receiving tenure and many then choose to leave early. Professor Schletzer commented that she thought central administration was now more cognizant of the need to train all department heads to document the annual reviews, etc. Ms. Mullen said she believed the administration could get the data needed for a study.

Professor Sorauf said the University of Minnesota has historically been atypical in its very low rate of denying tenure and in having a comparably low rate of resignations. Ten years ago, he said, the University was losing far fewer of its faculty members for all reasons than similar institutions.

Professor Stuthman noted that to make comparisons other schools would need to be collecting the same information, including the number of hires, the numbers of resignations after years one through five, and the number who receive tenure. He suggested that a commitment to collecting this information on all faculty would have implications for faculty development and for retaining those people who have been granted tenure.

Professor Clark remarked that it is important to find out how all faculty, but here especially women, perceive their workplace at the most local level. The question is complex, she said. Professor Schletzer said what is needed is for a couple of faculty to take this on as a major research project.

Participants in the discussion named the following areas for study:

- Comparing the numbers of females with the numbers of males;
- Salary comparisons; the expensive process of updating and correcting the salary database, indicating salaries since 1982, should be ready by the end of this calendar year;
- Whether we are doing all we can with regard to retaining the women we want to hold; how our attrition rate relates to the marketplace.

Professor Schletzer commented that over her 25 years here she has seen little improvement in women's comparative salary situation.

There followed at this point in the meeting an amiable social break with beverages and a cake honoring Professor Schletzer, literally on the eve of her retirement, for her distinctive contributions, over her career, to the University.

9. Revised University Grievance Procedures.

Guests: Senate Judicial Committee (SJC) chairs for 1985-86 and 1986-87 respectively, Roger Park and Amos Dienard; Senate Committee on Academic Freedom and Responsibility Appeals (AFRAC) chairs for 1985-86 and 1986-87 David Weissbrodt and H. E. Mason; Tenure Committee co-chair Sam Krislov; Alfred Aepli, frequently a faculty advisor in grievance cases; and Dr. Carol Pazandak and Professor Phyllis Freier, co-chairs of the Special Senate Grievance Committee.

History: Professor Stuthman reminded the meeting that an earlier Consultative Committee chair, Professor Patricia Swan, had given the charge late in 1982 to Drs. Pazandak (University Grievance Officer) and Freier (then an SCC member) to undertake a comprehensive revision of the University's grievance procedures. He recognized the co-chairs for their extended attention to this duty.

At Professor Stuthman's invitation, Dr. Pazandak summarized the rationale for a comprehensive revision and a history of the undertaking. The Grievance Committee co-chairs had looked particularly at unit procedures and at how salary complaints and administrative complaints were dealt with. Following each of several discussions with SCC and FCC over a two to three year period, they had redrafted the procedures. Next they garnered suggestions from the University grievance officers meeting together. The subsequent draft went to the SJC, the AFRAC, and the SCC. Judicial and Academic Freedom submitted their comments during winter quarter, and the co-chairs have incorporated those suggestions as best they could. This spring the Consultative Committee asked Tenure Committee co-chair Professor Fred Morrison to examine the procedures for consistency with the tenure code; Professor Morrison submitted comments and a proposed alternative text for a section of the procedures.

New elements which have arisen since the project began are the adoption of the new tenure code, the call for a process to deal with allegations of fraud in research, and the authorization to hire an Academic Staff Assistance Officer.

The co-chairs have sent to the Senate Committee on Research a request to either develop a definition of fraud in research or to inform the co-chairs if they cannot.

The collegiate deans have copies of the document but have not submitted reactions.

Professor Weissbrodt explained how the Academic Freedom Committee had proceeded to develop its extensive comments and he observed that language they recommended had been appropriated. AFRAC detected two problems: (1) Some student assistance officer or other type of support for students with grievances may be needed to help them find their way through the maze; and (2) questions remain about the relationship between the Judicial and the Academic Freedom and Responsibility Appeals Committees.

Jurisdiction. The problem, said Professor Weissbrodt, lies in the tenure code which permits every faculty member who believes his or her rights under the tenure code have been infringed upon to go to the Judicial Committee. In practice, he said, the chairs may be able to resolve which committee should hear a given case. He questioned whether a litigant should be allowed to have a case heard by both committees.

Professor Freier noted that if AFRAC finds a faculty member should be fired, that faculty member could go to the Senate Judicial Committee where the case would be new and of a somewhat different kind. Professor Weissbrodt remarked that nearly all cases do in fact go to the Judicial Committee initially. In the past three years AFRAC has had only two serious cases, of which only one went all the way through.

Professor Sorauf raised the question of whether codification helps resolve jurisdictional questions and those of relationships among the various parts. Professor Park thought that the problem could only be solved by amending the tenure code or by making all other bodies subordinate to the Judicial Committee. For all cases regarding faculty rights under the tenure code the faculty member has the right to go to the Judicial Committee: the faculty member may go directly to SJC in cases of suspension or termination; he or she may appeal to SJC a decision involving less severe sanctions. There is always the potential problem of duplicative hearings, he noted. The premise, he said, is that the Judicial Committee is the appropriate body for these hearings since it is a faculty body named by the faculty. (AFRAC membership includes civil service, P/A, and students.)

Professor Weissbrodt pointed out that the procedures allow a faculty member to waive the right to go to the Judicial Committee and to agree to have the case heard instead by another body such as AFRAC.

Professor Berscheid raised the question of where the membership of the Judicial Committee should be specified. If it is elsewhere than in the tenure code, membership specifications could include the provision that when a case involves sexual harassment, two tenured faculty members from the Sexual Harassment Board would join SJC members in their panel. This approach would address the jurisdictional issue without amending the tenure code. Professor Park voiced his pleasure in that suggestion and said the Judicial Committee could take it under advisement; as an alternative, he suggested, the committees could have overlapping membership.

Remarking that Drs. Pazandak and Freier had done a pretty good job of solving most of the problems we face, Professor Weissbrodt suggested the University adopt the draft Procedures as revised.

Scope of faculty issues covered by the tenure code. Dr. Pazandak said some issues which are not covered are salary and the assignment of offices. Professor Park pointed out that the SJC is completely out of cases which do not fall under the tenure code. If a case falls under the tenure code but is not a matter of promotion or tenure, Judicial only reviews the process of an earlier hearing.

Professor Sorauf found it not self-evident that a salary grievance is not appropriate to the Judicial Committee. He reiterated his longstanding concern that this University keeps proliferating forums and then to make them reasonably accessible sets up offices and boards. Professor Berscheid countered that lacking a grievance structure to deal with complaints does not reduce the number of complaints. She recalled that part of the impetus for revising the procedures was the burden several years ago on the Judicial Committee and its having to spend time on salary issues. Professor Park said the committee of late had heard some salary cases but that the bulk of its cases are over denial of tenure. He said Judicial now has seven cases before it. Work gets rather demanding, he said, when a member has to be asked to serve on more than one panel per year.

Professor Aepli volunteered that the complexity of the system is a strong deterrent against people's using it.

Next steps. Professor Murphy, the Consultative Committee's coordinator and liaison to the Grievance co-chairs, said he would meet with them in the hope that in the fall a further polished version of the Procedures can be reviewed by necessary parties and then put to the Senate for a vote.

Professor Stuthman then raised the question of whether it was this group's inclination to pursue this or to try to simplify the structure itself. Professor Aepli said salary questions are very important to some people and there should be some expeditious way to hear those short of going to the Judicial Committee.

Professor Deinard suggested that the presence of an Academic Staff Assistance Officer who will help people find the best course for their complaint might ease problems with the system's complexity.

Professor Berscheid asked whether faculty want a mechanism to deal with every overlap of jurisdiction or have the chairs in each case talk with each other. Several people voiced a preference for an informal resolution of jurisdictional questions. Although AFRAC has very few cases, Dr. Pazandak questioned whether that committee should be scrapped; she sees its existence as necessary for emergencies and it is the only body which includes students, civil service, and P/A staff as well as faculty.

Ms. Mullen called the new procedures much better than the status quo. She favored pressing ahead since it would probably take at least a year to get the procedures approved and all put into place.

Professor Stuthman then asked if Professor Murphy could continue to work on moving this document to the Senate in the fall and also convene the appropriate

chairs to discuss questions of overlapping jurisdiction. Professor Murphy proposed that he, Ms. Mullen, and Professors Mason and Deinard meet and try to take some steps. Ms. Mullen recommended that the chair of the Sexual Harassment Board take her place in that group but that the group still consult with her.

Dr. Pazandak recommended that the Research Committee be represented as well.

The meeting adjourned at 4:10 p.m.

Respectfully submitted,

Meredith Poppele, SCC
Executive Assistant



UNIVERSITY OF MINNESOTA
TWIN CITIES

Minnesota Student Association
240 Coffman Memorial Union
300 Washington Avenue S.E.
Minneapolis, Minnesota 55455

(612) 373-2414

TO: Rick Heydinger, Special Assistant to the President

FROM: Roy T. St. Laurent, Student Senate Consultative Committee *RTS*
Andrew Seitel, President, Minnesota Student Association *al*

DATE: May 29, 1986

We would like to clarify to the Coordinating Committee the student opinion on the Final Report of the Task Force on Coordinating the Lower Division, specifically, the concept of an Undergraduate Center. We find the idea of such a central service providing information on counseling and advising a good one; however, we are concerned that such a center would assume an advisory role in coordinating the services currently available. We feel strongly that there is a need to give such a center a supervisory role in these areas (with the requisite authority) if it is to be effective in truly coordinating the lower division and simplifying the morass of such offices that students currently encounter. In fact, M.S.A. supports the concept of such a center in our recently completed report on undergraduate advising.

In short, for this particular recommendation, we feel that much needs to be fleshed out before it is acceptable to us.

While there are other aspects of the report with which we are not enthusiastic, we feel that this particular concern needed clarification, as it appeared to us that we may have given you mixed signals on this matter.

cc: Commitment to Focus Coordinating Committee
Deon Stuthman, Chair, Senate Consultative Committee

5/30/86

May 30 version

PROPOSED SUBSTITUTE MOTION FROM ASSEMBLY STEERING COMMITTEE

Re: Lower Division Education

MOTION: That the Twin Cities Campus Assembly adopt the following resolution:

To address the improvement of the quality of undergraduate education--especially lower division education--on the Twin Cities Campus, we recommend the creation by the administration and the Assembly Steering Committee of a committee including administrative personnel, faculty, and students. This group would be charged with prioritizing the agreed-upon recommendations contained in the several reports on improving undergraduate education and with developing an implementation plan to realize these; it would be charged with further action to achieve the additional aims and suggestions espoused in each of these reports. To the extent that these reports contain conflicting recommendations, the proposed group would also be asked to address inconsistent elements. The reports are those of:

- 1) The Task Force on the Student Experience (Wallace Report, 1984);
- 2) The Committee on the Quality of Undergraduate Teaching and Learning (Page Report, 1985);
- 3) The Special Committee on Unified and Increased Preparation Requirements (Collins Report, 1986);
- 4) The Special Committee on Coordinating Lower Division Education on the Twin Cities Campus (Hanson Report, 1986); and
- 5) The several CtF Coordinating Committee communications to CtF study groups addressing undergraduate education.

This group should interact with the Assembly Committee on Educational Policy, as-needed, and report to the Assembly through ACEP at the Fall Quarter 1986 meeting of the Assembly.

CEEC Form 4/3

Continuing Education and Extension



UNIVERSITY OF MINNESOTA

Department of Counseling
314 Nolte Center
315 Pillsbury Drive S.E.
Minneapolis, Minnesota 55455
(612) 373-3905

March 21, 1986

President Kenneth H. Keller
202 Morrill Hall

Dear Ken:

The Equal Employment Opportunity for Women Committee has been following the University's reactions to what has now become known as the "Madison incident." I, personally, was much encouraged in that you seemed to set this happening into a larger societal/campus perspective when you announced your intention to pursue two lines of inquiry and/or action, one into the athletic program and one into the problem of sexual assault on campus.

After some time has passed, however, it seems that much more vigorous action has taken place vis-a-vis athletics than sexual abuse. At our request, Associate Vice-President Don Zander reported to our committee on the University's plans and progress in this area. While we understand the appropriateness of a decentralized approach in our setting, we feel that strong leadership is going to be needed to organize the disparate elements, educate staff and students on preventative measures, and, generally, keep the University public's attention focussed on the problem.

We, therefore, strongly urge you to appoint a blue-ribbon Advisory Committee to study the problem and possible responses to it, to define problems and articulate goals, and to provide guidance and support to the Coordinator who will soon be hired. It would be helpful if this committee could participate in the hiring of this coordinator, but we realize this may slow up the process too much. We do feel strongly, however, that an Advisory Committee, similar in prestige to the Athletic Task Force, should be appointed with members from staff, students, alumnae, and community, and representing the many disciplinary approaches to the general problem of sexual abuse and prevention. Without such a committee, we are afraid that a single coordinator will have little effect on such a large problem.

We shall appreciate your early response to an issue that has been neglected for so long.

Sincerely,

Vera M. Schletzer
Chair, Equal Employment Opportunity
for Women Committee

VMS/pd
CC: Frank Wilderson
Deon Stuthman
Members EEOWC



UNIVERSITY OF MINNESOTA

Continuing Education and Extension

Department of Counseling
314 Nolte Center
315 Pillsbury Drive S.E.
Minneapolis, Minnesota 55455
(612) 373-3905

March 21, 1986

Dr. Frank B. Wilderson, Jr.
Vice President for Student Affairs
110 Morrill Hall

Dear Frank:

As the committee on campus mandated to be concerned with the special interests of women, the Equal Employment Opportunity for Women Committee invited Associate Vice-President Don Zander to its March meeting to review with us the University's response to the problem of sexual assault on campus. We were happy to learn that money has been appropriated for a Center, that a coordinator would soon be hired, and that some counselors have been designated to respond to the needs of victims of assault.

However, we are still concerned as to whether the reactions planned are sufficient to solve the problem. With the decentralization typical of a University of this size, it is possible that the minimal staff additions planned will not have a significant impact on the University community's awareness of the problem.

We would like to make two specific recommendations to you which we feel are necessary to guarantee the success of our efforts not only to respond to the needs of victims of sexual abuse on campus but as important to develop an effective assault prevention educational effort for the University community.

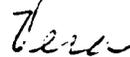
First, we wish to see much greater visibility reflecting the University's commitment to this program and its objectives. We were impressed to see how quickly the University established a "blue ribbon" task force to deal with issues related to our athletic program. It is clear that the administration is serious about problems in that area of University life. We suggest that President Keller demonstrate a similar level of commitment to problems of sexual assault and prevention on campus by appointing an equally prestigious advisory committee to monitor the program now being established through the Office of Student Affairs (see attached letter to President Keller).

Second, we recommend that the "Coordinator" position be described so that we hire a person with expertise and experience in the development of sexual assault prevention programming and with appropriate academic credentials.

The coordinator must be of sufficient stature to exert strong and dynamic campus leadership as we begin efforts to respond to the pervasive and complex problems of sexual abuse.

We hope you will keep us updated and appraised as steps are taken to deal with the serious campus problem which has been so graphically portrayed for all of us in recent months. We are eager to work with you in any ways we can to assist in developing a strong and visible sexual assault prevention program.

Sincerely,



Vera M. Schletzer
Chair, Equal Employment Opportunity
for Women Committee

VMS/pd
CC:Kenneth H. Keller
Deon Stuthman
Members EOWC



UNIVERSITY OF MINNESOTA

Department of Counseling
314 Nolte Center
315 Pillsbury Drive S.E.
Minneapolis, Minnesota 55455
(612) 373-3905

May 30, 1986

Deon Stuthman
Chair, Senate Consultative Committee
418 Borlaug Hall
St. Paul Campus

Dear Deon:

Thanks again to you and the Faculty Consultative Committee for your very thoughtful and generous recognition "ceremony" yesterday. My career at the University has been sufficiently rewarding and rewarded but my last EOWC report to the FCC will remain a cherished memory bonus.

Good wishes to you all.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vera'.

Vera M. Schletzer
Professor of Psychology
and Director of Extension
Counseling

VMS/pd

NOTE: THE REVISED DRAFT OF THE PROPOSED
UNIVERSITY GRIEVANCE PROCEDURES
(APRIL 22, 1986) IS BOUND IN THE
SCC BOOK.

UNIVERSITY OF MINNESOTA

Office of the Vice President for Student Affairs
Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

April 24, 1986

MEMORANDUM

TO: Senate Consultative Committee
Deon Stuthman, Chair

FROM: Phyllis Freier, Carol Pazandak
Subcommittee on University Grievance Procedures

RE: Revised Draft of Proposed University Grievance Procedures

The enclosed revision of the proposed University Grievance Procedures reflects suggestions made by the University Appeals Committee on Academic Freedom and Responsibility and the Senate Judicial Committee. Additions and changes have also been made to reflect recent developments within the University since the earlier draft was submitted in May, 1985. The insertion of information about the Academic Staff Assistance Officer is one example; the adoption of the new Tenure Code is another. This version will be distributed within the week to the Deans for their review, at the request of Acting Vice President Rama Murthy.

Some unresolved issues remain. One concerns the section on research fraud; that is being referred to the Senate Research Committee for their consideration. Another concerns student access to University Grievance Procedures, and specifically the matter of counsel and support in bringing grievances forward. The Senate Consultative committee may have additional issues.

There are also general procedural questions related to bringing this proposal forward to the Senate. These procedures are but one part of a total University grievance structure. Connections and references are made to the Senate Judicial Committee in this draft document, since that body has final jurisdiction over faculty issues under the Tenure Code. The University Grievance Procedures guidebook refers to and discusses generally all of the other processes, but this draft document does not present the complete context except in very general reference. It is a revision of the 1974 Senate procedures related to Academic Freedom and Responsibility with added provisions for handling faculty salary and administratively related complaints. The question is how much baggage does this proposal need to carry with it into the senate.

/djs

APRIL 21, 1986

UNIVERSITY GRIEVANCE PROCEDURES - REVISIONS TO DRAFT
BY Phyllis Freier and Carol Pazandak,
Subcommittee, Senate Consultative Committee

These are changes suggested for the proposed University Grievance Procedures which were distributed in draft form May, 1985, to the Senate Judicial and University Appeals Committee on Academic Freedom and Responsibility, and to the Deans.

Modifications indicated below are based primarily on suggestions from the Senate Judicial Committee (SJC) and the University Appeals Committee on Academic Freedom and Responsibility (AF&R) [called University Grievance Committee in this document] presented in February and March of 1986.

Changes in wording or additions to the original draft are indicated by underlining. Reference is to page, paragraphs, and lines in the May, 1985 draft of the proposed procedures. Deleted material is not listed. A comparison of modified sections with the original will show where deletions have occurred.

MODIFICATIONS:

Table of contents -

Add as an entry: Definitions - - - - - page 13

Page 1 - Para 1, line 4 - AF&R

This first section applies to all members of the academic community, faculty, academic and professional staff, students, and civil service staff.

Page 1 - Para 5, line 2 - AF&R

Other processes are established to resolve complaints that fall outside of the scope of these by nature of the complaint or of the complainant. (See attached outline.) These procedures....

Page 1 - Para 2, (Section A,) line 4 - AF&R

.... grievances related to academic freedom and responsibility, fraudulent behavior, including research fraud, and other grievances for which no appropriate hearing body is available

Page 2 - Para 2, line 4 - AF&R - VN

A genuine, good faith effort must be made in a timely and unbiased manner to resolve the complaint within the unit.....

page 3 - Revisions

Note that the tenure code provides for faculty right of appeal from other grievance body decisions if the claim is that a faculty member's "rights or status under these (Tenure) regulations have been adversely affected ' without his or her consent." (Regulations Concerning Faculty Tenure: Sec. 15.1 July 1, 1985). If such review is granted, it will be an appeal on the record.

Page 5 - para 1, line 3 - AF&R

This body shall be a standing committee

Page 5 - para 2, line 3 - AF&R

Committee members who are involved in a grievance must disqualify themselves, and a process for replacing them, on a temporary basis provided () in the college procedures. Panels are drawn from the committee according to committee procedures ; Panels should include peer representation and may include only members drawn from the same constituent group(s) as the parties to the complaint.

The committee chairperson, who shall be empowered to receive statements of grievances, shall be selected from committee membership as provided in the college grievance procedures.

Page 6 - para 1, point 1 - AF&R

1. The right to due process of complainants and respondents is guaranteed, including the right to present information, to bring witnesses, to have the support of an advisor selected by the party to the complaint, to hear and refute the presentation of the contending party.

Page 6 - para 1, point 4, line 2

University grievance monitor is responsible for reviewing and....

Page 6 - line 17

University grievance monitor

Page 6 - Section - 3, College Grievance Officers - SJC, AF&R

There shall be a grievance officer of each college, institute, or campus to provide assistance for complainants in resolving complaints informally and in gaining access to formal grievance procedures. The grievance officer is selected by the head of the unit or by other procedures which the unit has determined.

These officers shall file annual written reports concerning the nature of the grievances they have handled together with their dispositions with the University grievance monitor at the end of each academic year.

grievance committee chairpersons. The Monitor shall maintain a record of college and unit grievance procedures, a current roster of college grievance committees and grievance officers.

Page 8 - New Section 5, preceding current 5 on University Grievance Committee - Rajendar claim Settlement Agreement - 2/25/86

5. Academic Staff Assistance Officer

The Academic Staff Assistance Officer (Officer) shall provide information and assistance to all academic employees regarding internal University grievance procedures (whether or not arising out of a Rajendar claim) with the understanding that this includes assistance with both discovery and assessing the merits of the grievance. Beyond that, the Officer shall help the academic employee in securing either mediation or a faculty advocate to advise her/him through the grievance process. The Officer shall also recruit and train volunteer faculty advisers to represent parties in the discovery process, during mediation and at hearings.

The Academic Staff Assistance Officer is selected by a committee comprised of two members chosen by the Senate Committee on Faculty Affairs and one member chosen by the Academic Staff Advisory Committee and subject to the approval of the Academic Vice President. (This is a new position, appointed for 18 months beginning in mid-1986. Continuation of the position beyond the initial appointment will be determined by the University. For the selection of the first Officer, the petitioners under the Consent Decree shall also approve the selection.

The Officer reports to and works under the direction of the Senate Committee on Faculty Affairs. (Settlement Agreement and General Release 1/3/86--draft - Get final date and title)

Page 8 - para 4, line 6

.....to have an appeals process in order to address those exceptional cases.

Page 9 - Section 5b. Purview of Committee, point 1. - AFS&R

1) The Committee will review appeals beyond the collegiate or campus level on issues of academic freedom and responsibility according to the criteria provided in these procedures. The Committee will determine for itself the review to be granted, based on the record from the original hearing. The Committee may decline to consider an appeal if, in its view, the matter is outside its jurisdiction, or the issues raised in the appeal are beyond those considered in the original hearing.

page 7 - Revisions

Page 12 - para 2, lines 2,3 - AF&R

responsibility of December 17, 1970, and of April 18, 1974, and amended March 3, 1977, and March 2, 1978

Page 12 - para 3, lines 4 and 7

University grievance Monitor

Page 13, lines 1-5 - delete line 3

Grievance

A formal allegation that there has been a violation of an individual's rights, legal, constitutional, or defined by University policy or rules. These rights must be related to the person's standing as a member of the University community . . .

Page 13- 14 - Definitions - AF&R-SE

Add the following definitions to those on page 13 and 14 and put all of them (the new ones and those already listed) in alphabetical order:

Complainant

The party or parties (students, professional/academic staff, civil service staff members and faculty) alleging a violation of academic freedom or charging the respondent with failure to meet academic responsibility.

Disposition

The outcome of any proceeding, formal or informal, including the report made by the Grievance Committee at the ends of formal grievance proceedings. Such report shall include members present, summary of discussion, the committee's decision as to whether the grievance is valid, the reasons for the decision, and recommendations to the appropriate administrator on the actions to be taken. The outcome existing after all appeals are exhausted, or after both parties forgo further appeals, is the final disposition.

Record

The file of all documents and evidence resulting from a particular grievance. For college level hearings, this record shall be maintained in a central college file. Records for University level Grievance Committee hearings shall be kept in a central University file. Records shall be maintained for a period of five years, or longer if University or civil litigation related to the grievance is still unresolved.

page 9 - Revisions

Page 18 - para 3 - line 3 - AF&R

In the exceptional cases, the jurisdiction.....

Page 19 - para 1, line 4

At any point in this process.....

Page 19 - para 2, line 7 - AF&R

The complaint is filed with the chair of the college grievance committee within 15 days of failure to achieve informal resolution, i.e., within 45 days of referral to the department head.

Page 19 - last para. - AF&R

If the complaint is accepted, the chair will within 15 days of accepting the complaint, constitute a panel of three members from the college grievance committee, with one member designated to serve as the chair of the panel.

Page 20 - para 1, line 6 ff. para 1. AF&R

The committee will maintain a written and taped record of the proceedings. The records should be stored in a designated college file and retained for a period of five years or longer if necessary to assure that they will be available for any later appeal process, including related civil suits.

Witnesses may be called. Unless the hearing is closed at the request of the parties to the complaint or the chair of the panel, the hearing will be open. Even though the hearing is closed, the findings will be made accessible at the conclusion of the hearing process. Both parties to the dispute may call on faculty or staff advocates to assist them in presenting their cases. While the participation of attorneys in grievance matters is not encouraged, such participation cannot be forbidden. If the claimant does not use an attorney, then, when the University is the respondent, it will not do so.

Page 20 - para 2 - line 9-10 (last sentence) - AF&R - SB

No damages or other compensatory considerations unrelated to the complaint will be awarded.

Page 21 - para 2 - Appeals Process

The decision of the college grievance committee is transmitted to the dean, who has 15 days to respond by accepting and implementing the recommendations or by rejecting and explaining the reasons for rejecting. At the end of that 15 day period, either party to the grievance may appeal

Another alternative for the dean is to name an arbitrator from the University community, but not necessarily



UNIVERSITY OF MINNESOTA

Office of the Vice President for Student Affairs
Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

April 23, 1986

MEMORANDUM

TO: Professor David Weissbrodt, Chair
University Appeals Committee on Academic Freedom and
Responsibility

FROM: Carol Pazandak

RE: University Grievance Procedures

Thank you for participating in the workshop for grievance officers. I appreciated very much your willingness to take time to discuss your committees.

I am enclosing the set of changes that Phyllis Freier and I made in the May, 1985 draft to the University Grievance Procedures primarily on the basis of your committee comments. It may be easier to see what changes have been made by using this document. The draft that I distributed at the meeting on Tuesday did not reflect accurately all of these changes, and I will modify that draft before circulating it now to the deans and to others.

The plan of the Senate Consultative Committee is to solicit additional review and then to take a modified version to the Senate in the fall.

Thank you again for your help with project; we would welcome additional suggestions or comments, and I would be happy to meet with your committees to discuss the draft and unresolved issues.

/djs