

AGENDA

Senate Consultative Committee
Campus Assembly Steering Committee
October 20, 1988
11:00 - 12:00
Room 624 Campus Club

PLEASE NOTE: THIS IS AN ADDITIONAL MEETING

1. **Action on the Revision of the Charge and Bylaws, Committee on Intercollegiate Athletics**
(Twin Cities Campus Assembly Steering Committee)
2. **Action on Restructuring of the Senate Committee Structure**
(Senate Consultative Committee)



UNIVERSITY OF MINNESOTA

University Senate Consultative Committee
305 Alderman Hall
1970 Folwell Avenue
St. Paul, MN 55108
(612) 624-6239

October 7, 1988

MEMORANDUM

TO: The Twin Cities Campus Assembly Committee Steering Committee
The Assembly Committee on Intercollegiate Athletics

FROM: Gary Engstrand

Professor Stuthman asked that I distribute to you the enclosed revision of the proposed changes in the bylaws governing ACIA.

Several changes have been made, indicated either by ~~strikeout~~ or by underlining. They appear in the first subsection under #2 on page 2, on the top one-third of page 3, and in the second line of the first subsection under #5 further down on page 3.

These changes reflect discussions that have taken place both in ACIA and in the Steering Committee.

It is my understanding that following action by the Steering Committee on October 20, these changes will be forwarded to the Senate office for placement in the docket of the November 17 meeting of the Campus Assembly.

Please do not hesitate to contact me if you have any questions.

MOTION

That the Bylaws of the Twin Cities Campus Assembly be amended by striking the Present Article III, Section 1 D and that the following new Article V be adopted as set forth below.

Article V. Supervision of Intercollegiate Athletics

1. **Committee on Intercollegiate Athletics**

The Twin Cities Campus Assembly delegates to the Committee on Intercollegiate Athletics faculty control of intercollegiate athletics. This delegation includes the formulation, adoption, and supervision of appropriate policy. The Twin Cities Faculty Assembly may only strike down a policy passed by the Committee on Intercollegiate Athletics if the Steering Committee specifically singles out the policy after it has been passed, and brings it forward to the Faculty Assembly for specific debate and vote, with the motion framed as "Shall the Faculty Assembly disapprove of the following policy adopted by the Committee on Intercollegiate Athletics: . . ."

Membership

The Intercollegiate Athletics Committee shall be composed of 8 faculty/academic professional members, including the 2 ex-officio voting faculty representatives to the Big Ten and NCAA; 3 students; 3 alumni representatives of the University (2 of whom shall have voting privileges as determined by the Committee each year); 1 representative of the civil service staff; and other ex-officio representation as specified by vote of the Campus Assembly. The faculty representatives shall be nominated according to procedures approved by the Intercollegiate Athletics Committee. At least one of the faculty members appointed each year shall be a member of the Assembly at the time of appointment. Alumni members shall include one representative from each of the men's and women's athletic alumni groups. Faculty members shall serve one term of three years that may be renewed by the Committee on Committees for one additional three-year term.

NOTE: The Campus Assembly adopted the membership provisions of the Committee at its meeting Spring Quarter, 1988. The inclusion of the membership provision here simply inserts that previously-adopted provision in the proposed new Article V.

Chair of the Committee

The Chair of the Committee on Intercollegiate Athletics shall be a faculty member of the Committee and shall have at least one year's experience as a Committee member. The president shall appoint the Chair after receiving

recommendations on the appointment from the Assembly Committee on Committees, and the term of office will be for one year. The Chair shall be eligible for multiple reappointments.

Staffing of the Committee

The president shall insure that the committee receives staffing and an office to hold its records. Such staffing will consist of the appointment of a staff position responsible to the Chair of the Committee on Intercollegiate Athletics. Duties of the staff person shall be those ascribed by the Committee in consultation with the president.

2. Policy Setting Duties

- To promote high standards in intercollegiate athletics; to insure as much as possible that intercollegiate athletics do not unduly interfere with the academic responsibilities of student-athletes, and when this cannot be completely accomplished, to insure that student-athletes be given a fair opportunity to complete their education.
- To initiate, review, and vote on all legislative matters affecting changes in rules and regulations, eligibility of students for participation, and other policies affecting the conduct of intercollegiate athletics programs on the Twin Cities campus.
- To direct the faculty representatives for intercollegiate athletics with respect to positions on issues these faculty representatives consider at meetings of the Big Ten, of the NCAA, of the WCHA, and of any successor or other athletic governing organizations of which the University of Minnesota, Twin Cities, is a member, recognizing, however, the ultimate authority of the president to specify final directions to these representatives.
- To review and make recommendations to the president on the performance of the faculty representatives for intercollegiate athletics and to participate in the selection of faculty representatives when vacancies occur.
- To devise policies governing the granting of awards for student-athlete participation in the Twin Cities intercollegiate athletic programs.

3. Administrative Duties

- To debate and approve or disapprove of any schedules of varsity and junior varsity events of the Twin Cities campus.
- To conduct on a team-by-team basis, an in-depth, annual review of the

academic progress and performance of all Twin Cities campus student-athletes participating in intercollegiate athletics. This review will be conducted with the participation of the faculty members of the Committee, the Director of Academic Counseling for intercollegiate athletics, and with the coaches and their staffs, according to policy determined by the Committee. Further, the reports which result from these academic audits shall be considered in the annual evaluations of all head coaches.

- To be given the opportunity to participate in the selection search for and evaluation of the intercollegiate athletic directors, the director of academic counseling for intercollegiate athletics, and the compliance officer all head coaches, when such searches or evaluations take place. In addition, the Committee shall be given the opportunity to participate in searches for all head coaches and such other administrators in the departments of athletics as may be prescribed by policy adopted by the Committee. ~~Participation in the evaluation of head coaches and others identified in this section shall be required only if reappointment or termination will be an element of the evaluation.~~

4. Advisory and Consulting Duties

- To advise the president and central administration and the directors of intercollegiate athletics and the director of academic counseling for intercollegiate athletics, on all policies affecting personnel, budget, and facilities relating to the intercollegiate athletic programs of the Twin Cities campus.
- To consult with the Recreational Sports Committee and other such committees concerning items of common concern.

5. Reporting Duties

- To make timely reports to the Campus Assembly and to the wider University community on by publishing in the Minnesota Daily items of importance with respect to its governance of intercollegiate athletics. Such reports shall consist of, but not be limited to: composite team statistics of quarterly grade reports for intercollegiate teams, reports on graduation rates of student-athletes by team and year, other data of relevance to the conduct of intercollegiate athletics on the Twin Cities campus, such as admission qualifications of recruits by team, ethnic make-up of the body of student-athletes, and reports of discussion or essays which would be of interest to the Campus Assembly and to the wider University community.
- To submit an annual report to the Campus Assembly.

- To ensure that the Chair of the Committee or his or her designee shall be present at the regular quarterly meeting of the Campus Assembly and shall be afforded time to report and shall be ready to respond to questions concerning published reports of the Committee or other items of interest to Assembly members.

MOTION

That the Bylaws of the Twin Cities Campus Assembly Article III Section 2, subsection on Intercollegiate Athletics, and Article III, Section 5, subsection on Intercollegiate Athletics, be amended as follows.

- Section 2. (Presently: Intercollegiate Athletics--2 Faculty Representatives; Director, Men's Intercollegiate Athletics; Director, Women's Intercollegiate Athletics; Office of the Vice President, Finance; Office of the Vice President, Administration and Planning.) The underlined section to be deleted and replaced by the underlined section proposed below.

Intercollegiate Athletics--2 Faculty Representatives; Director, Men's Intercollegiate Athletics; Director, Women's Intercollegiate Athletics; Director, Academic Counseling for Intercollegiate Athletics; Central Administrative Officer responsible for intercollegiate athletics.

- Section 5. (Presently: Intercollegiate Athletics Office, Vice President, Administration and Planning.) The underlined section to be deleted and replaced by the underlined section proposed below.

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PROPOSED NEW STRUCTURE

Senate Consultative Committee
Business & Rules Committee

Educational Policy Committee
Honors Programs Committee
International Education Committee
Summer Sessions Committee
Extension & Community Programs Committee
Educational Development Committee
Undergraduate Education Committee
University-ROTC Relationships Committee
Convocations & the Arts Committee
Calendar Committee
Student Academic Support Services Committee

Finance & Planning Committee
Finance Committee
Planning Committee
Physical Plant & Space Allocation Committee

Faculty Affairs Committee
Tenure Committee
Faculty Retirement Plan Committee

Judicial Committee (pending changes in grievance procedure)
Academic Freedom & Responsibility Appeals Committee

Committee on Committees

Equal Employment Opportunity for Women Committee

Research Committee (pending)

Library Committee

All-University Honors Committee

Social Concerns Committee

Student Affairs Committee
International Students Committee
University Health Services Committee

Services for the Handicapped Committee

University College Assembly

Computing & Information Systems Committee

Animal Care Committee (pending)

Use of Human Subjects in Research Committee (pending)

The following committees shall include representation from the Twin Cities campus only:

Support Services Committee
Placement Services Committee
Transportation & Parking Committee
University Bookstores Committee
Housing Committee

Student Behavior Committee

Intercollegiate Athletics Committee

10/20/88

SUMMARY OF RECOMMENDATIONS FOR FACULTY CONSULTATIVE COMMITTEE MEETING
(October 6, 1988)

The recommendations listed on pages 3 and 4 of the Study of the Senate Judicial Process at the University of Minnesota can be addressed in several ways. For purpose of discussion today, the following approaches are being suggested. A presumption has been made that the Faculty Consultative Committee can be a prime mover between the Senate and Central Administration and between committees of the Senate.

A. FCC DIRECTS FUTURE ACTIVITIES

RECOMMENDATION 1: Explore possible use of alternate resolution methods for different types of cases.

Mediation is discussed in the grievance review document that is being prepared by Professors Morrison, Striebel and Deinard at the behest of the FCC. That document is intended to streamline and simplify resolution of grievances on campus. The FCC should instruct Morrison, Striebel and Deinard to emphasize alternate resolution methods and to consider whether alternate resolution should be mandated in some situations (for this latter situation, a literature search will be necessary; funds must be made available for that project).

RECOMMENDATION 5: Have training sessions for all Senate Judicial Panel members, a handbook to guide them through hearings, and a reference book of past precedents.

Professor Roger Park, member, Senate Judicial Committee, last year conducted a training session for Committee members. The SJC this year wishes to develop a videotape and a handbook to be used by future Committees for training purposes. A reference book with past precedents is also being developed by the SJC. The FCC should support the SJC's move in these directions.

RECOMMENDATION 15: Develop a booklet to be distributed to all faculty and administrators describing the purpose and procedures of the Senate Judicial Committee and related lower review or grievance bodies.

The FCC should instruct Morrison, Striebel and Deinard to prepare a booklet describing the grievance mechanism, if the grievance procedures they are recommending are adopted by the Senate. As part of that pamphlet, there should be a section related to Senate Judicial Committee activities. For this activity, financial support will be required.

B. THE FCC CONSIDERS ALTERNATIVES FOR FUTURE ACTIVITIES

RECOMMENDATION 7: Formalize the agreement with the President that he/she will discuss with the Senate Judicial Committee any recommendations with which he/she disagrees before overruling or modifying.

The FCC must consider how that can be accomplished -- whether it should be done by modifying the Tenure Code or the Rules of Procedure of the Senate Judicial Committee. We realize that this particular recommendation may not be implementable, and it will be necessary for the Chair of the Judicial Committee to discuss with each new President the understanding that prior Presidents Keller and Sauer have had with the SJC.

RECOMMENDATION 8: Establish a system to follow up adherence with the President's orders.

The FCC must suggest what process to pursue and by whom to create a system that permits follow-up of compliance with the President's orders. A committee or person could be designated to do that, or the matter could be left in the hands of the Judicial Committee. In that case, the Panel would indicate in its Findings and Recommendations that it intends to retain jurisdiction of the case until the Recommendations have been addressed by the Respondent and it has been documented that the Respondent has complied.

RECOMMENDATIONS 9 and 11: Establish a system to monitor the academic environment of Complainants who remain at the University and of others who spoke on Complainants' behalf.

Establish a system to monitor academic environments which have had frequent Complainants or particularly broad-ranging or hostile cases.

We have concern that the productivity of staff may be diminished by virtue of a less than healthy academic environment. The FCC, in conjunction perhaps with the Faculty Affairs Committee, and Central Administration, should consider undertaking a study of the academic environment and ways in which that environment can be improved to enhance productivity of faculty.

C. FCC DIRECTS CENTRAL ADMINISTRATION TO ACT

RECOMMENDATION 2: Have a pre-filing officer to advise potential Complainants as to whether they have a valid claim and, if so, the appropriate avenue to pursue.

Until the Morrison, Striebel, Deinard grievance document has been approved, the FCC should recommend to Central Administration that Professor Striebel's job as faculty advocate should be continued.

RECOMMENDATION 16: Provide formal, uniform training for administrators on areas frequently resulting in Senate Judicial Committee cases.

Central Administration has previously learned from SWAN report about the need for this kind of training. The FCC should call upon Central Administration to act, citing the Senate Judicial Committee report as likewise emphasizing the need for such training.

RECOMMENDATIONS 3 and 4: Have two (or more) professional faculty assistance officers to serve as advocates for Complainants and Respondents.

The FCC should, alone or in conjunction with another Senate committee, work with Central Administration to make available professional faculty assistance officers. Such a process requires administrative action only, having already been considered by a Senate committee.

RECOMMENDATION 14: Identify means for tenure denial cases to be completed earlier, such as administration mailing notices earlier and providing for Senate Judicial Committee hearings and Committee to function twelve months a year.

The FCC should instruct Central Administration to consider ways to speed up the review process so that letters of tenure denial can be mailed earlier.

D. SENATE ACTION ALONE

RECOMMENDATION 10: Formalize an arrangement for the Senate Judicial Committee to inform administration of the units with recurring or enduring, systemic problems.

The Senate should instruct the Senate Judicial Committee to add, in its Findings and Recommendations to the President, information that it may gain during the course of a hearing about the ills of a unit, so that the President may address those ills before additional grievances arise within the unit. The Judicial Committee may be in the best position to determine the ills of the unit, since that kind of information is often admitted into testimony during the course of a hearing.

E. THE FCC INSTRUCTS OTHER SENATE COMMITTEES

RECOMMENDATION 13: Decrease the time required to hear cases by establishing strict time limits on each step in the process.

The FCC should instruct the Tenure Committee to request the Judicial Committee to modify its Rules of Procedure by adding time lines, said Rules then to be approved by the Tenure Committee.

At present, Recommendation 6 (Determine if the Senate Judicial Committee should be involved in handling salary complaints) is not relevant, since the Morrison/Striebel/Deinard document will remove salary cases from the purview of the Senate Judicial Committee. With regard to Recommendation 12 (Consider a new method for selection of Senate Judicial Committee members), at this time, Committee members are taking their responsibilities seriously and are accepting their appointments. Hence, there appears to be no reason to modify the selection process of the Senate Judicial Committee members.