



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University Senate Consultative Committee
220 Biological Sciences Center
1445 Gortner Avenue
St. Paul, Minnesota 55108
Telephone (612)373-3226

MINUTES
FACULTY CONSULTATIVE COMMITTEE
February 18, 1982

Chairman Douglas Pratt convened a meeting of the Faculty Consultative Committee at 10:00 a.m. in 300 Morrill Hall on Thursday, February 18. Other FCC members present: Marcia Eaton, Bob Brasted, Virginia Fredricks, Donald Spring, Rick Purple; guests: Vice President Hasselmo, Assistant Vice President Robinett.

1. Consent Decree.

Vice President Hasselmo distributed copies of the Special Masters' Order to Show Cause regarding six rule changes the court believes would expedite effective implementation of the decree, together with the University's position statement. The University supports (2) no confidentiality of the record unless requested by the claimant; (4) dropping requirement of advertising in the New York Times; (5) providing transcripts of proceedings only when specifically requested by a party to the action; and (6) having the statistician court-appointed, provided the University has some input on the selection. The University opposes (1) lifting the \$6,000 partial attorneys' fees limit for successful claimants, and (3) submitting final settlements to the Special Masters for anything other than information.

Vice President Hasselmo explained that the \$6,000 University liability for partial payment of attorneys' fees of successful claimants was carefully negotiated in the Consent Decree and reflects the original intent. The five intervenors with Rajender in the original case were not, however, limited to receiving \$6,000 each for their attorneys' fees.

Hasselmo commented that he thinks the system has worked rather smoothly in recent months. There have been seven settlements to date. The Masters have heard four cases and have 25 before them. Claimants tell the Masters they are having trouble obtaining legal counsel, ostensibly because of the University's limited obligation on fees.

Internal tribunals are not being used because cases fall into one of two categories: (a) those in which the University sees an administrative error and so settles internally, and (b) those in which the University sees itself as in the right and so sends the case to the Special Masters. The burden of a prospective counsel's familiarizing himself/herself with the case could be eased by a claimant and her faculty adviser laying out the record, Hasselmo suggested.

Purple argued against any increase in the University's liability for a successful claimant's legal fees. The Consent Decree does not exist for the purpose of making lawyers rich, he said. The University should have no part in the ethic which says it is all right to obligate the University more heavily

because insurance will cover the costs.

Hasselmo said that if the \$6,000 limit is truly hampering implementation, the University will be happy to cooperate in finding some other solution, such as an arrangement with the Bar Association's Legal Aid Society.

At 10:35 Robinett and Hasselmo left the meeting and Professor Tony Kuznik from Crookston, substituting for Marv Mattson, and John Williams and Dave Thomas of the Daily joined the meeting.

2. Regents Faculty and Staff Affairs Committee report from February 11 meeting. Virginia Fredricks.

The Regents heard a presentation on early retirement options. They asked whether benefits now provided at 68 could be offered at 65, and were told that would be extremely expensive.

The Regents asked that the SCC review the faculty professional consulting policy, and they recommended plainer wording in defining one working day per week, and a less precise statement of what constitutes a work day. (The old document said 8 hours was a work day, and the Darley Committee report, which forms the basis for the new policy, says 12 hours.) The also suggested the policy include reference to overload teaching, since that affects the amount of time a faculty member devotes to regular contractual obligations. (The policy was approved by the Faculty Senate in 1975. Because of the cease and desist order it could not go to the Regents.)

Eaton asked that the issue of overload teaching not be brought into the consulting policy at this stage.

It was agreed that the Senate Committee on Faculty Affairs, to which SCC has steered the consulting document, should be informed of the Regents' concerns. SCC will seek President Magrath's approval to recommend a meeting between SCFA Chairman Art Williams and Regents Faculty Affairs Chairwoman Mary Schertler.

3. Legislative Relations Subcommittee.

Rick Purple reported on the University of Minnesota Faculty Association (UMFA), which he said serves as a backstop to Peter Robinson's job. They have made a good lobbying effort, including bringing together two Regents professors with key legislators for talks. Robinson's presence at the legislature facilitates arranging for meetings between appropriate faculty members and specific legislators (meetings which are always cleared with central administration first).

UMFA has built a \$12,000 candidate support fund. It has observers at legislative hearings relating to the University. On February 18, for instance, UMFA reps are sitting in, as members and delegates from the Waseca and Duluth campuses bring grievances to a legislative panel.

There followed discussion on the FCC's disapproval of such "end-runs," currently regarding the program priorities, and of the impossibility of preventing any petitioners. Pratt emphasized that any appeals system must be

equitable, and some people have much more opportunity than others to make these independent appeals. Swan said people must not be deprived of a legitimate way to complain. There is apprehension in the FCC over the inclination of some Regents, sympathetic to the plaintive appeals made directly to them, to become involved in adjusting program priorities. Purple stated the SCC will have to play some role in an appeals process in order to discourage end-runs.

Swan said the SCC and the Finance Committee would like to know the plan developed is as good as was reasonably possible, and need to be able to say we have confidence in the internal process. However, we fear there was inadequate faculty consultation in some units. Furthermore, we haven't been clear in telling people what they can do when they have exhausted appeals within their own college. We as consulting committees have no clear vision of what an appeals procedure should be, and we have no right to stop people from trying to appeal in their own way.

Spring said there needs to be a record kept of all appeals efforts. Such a record could be introduced to blunt the effect of a subsequent end-run attempt. Kuznik said he believed informal appeals regarding the coordinate campuses have been going on at the provosts' breakfast meetings with the President, and without records kept.

It was agreed that the time constraint this winter is no one's fault. Where deans did not avail themselves of the opportunity to consult with department heads and faculty, consultation is having to be fitted in after the publication of the program priorities. Spring noted that while Vice President Keller saw the budget executive's process of repeated interchange with the deans as allowing for sufficient consultation, Keller did not realize that deans were not using the opportunity for faculty consulting.

4. Agenda for FCC meeting with the Regents on March 11.

Duane Wilson has indicated that (1) budgetary questions--reductions/reorganization/eliminations, and (2) the Tenure Code, are areas the Regents would most like to discuss. The FCC agreed that there would be time only to discuss the budget.

Swan will give the perspective of the Finance Committee. She will characterize the overall process of establishing the program priorities, identify the problem points, and recommend how the process can be improved next time. Pratt will give the Consultative Committee's perspective, relate what the SCC has done to nurture consultation, and comment on how processes here compare with those of similar institutions, noting the SCC's sense that perhaps this University hasn't taken some steps other universities have. John Howe will be asked to describe specific policies and procedures of other universities, such as Washington and Michigan State. There may be reports from individual FCC members on how consultation worked or failed to work within their own academic units.

5. Course evaluation.

Brasted has called the SCC's attention to the need for a system to replace Measurement Testing Services in the periodic course evaluation required by the Senate. The item will be brought up in the full SCC, with a recommendation to steer it to the Educational Policy Committee.

6. Senate agenda addition for February 18.

The proposed change in the patent policy, submitted late by the Research Committee, was found not to have been sent through SCEP. The FCC will alert the chair of Business and Rules, and will move to table the motion and refer it back through the proper channels.

7. Subcommittee on Financial Exigency.

Eaton read the subcommittee's report on the second charge to it, which was to develop guidelines for terminating tenured faculty after a financial emergency has been declared. On this point their charge overlaps that of the Tenure Committee.

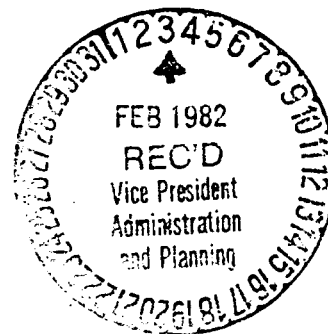
The subcommittee is genuinely worried about lack of time, since complete revision of the Tenure Code is going to be a lengthy process and the state financial situation is such that the University is not yet clear of the threat of financial emergency. The state may be facing an additional \$200,000,000 shortfall, and changed circumstances may produce enrollment declines next year.

Copies of the subcommittee report were distributed to FCC members, who will read the statements, make suggestions, and underline the portions which belong eventually in the Tenure Code. They will return their copies to the subcommittee as soon as possible. The subcommittee will revise their draft and send it to the Tenure Committee, asking for it to report back by April 1.

The FCC meeting, which broke for the conversation with the President, adjourned at 1:00 p.m.

Meredith B. Poppele,
SCC Secretary

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION



Shyamala Rajender, on behalf of
herself and a class of academic
non-student employees and
applicants at the University
of Minnesota,

Plaintiff,

-vs-

ORDER TO SHOW CAUSE

The University of Minnesota
and the Regents of the
University of Minnesota,

Civ. No. 4-73-435

Defendants.

The Special Masters herein, having been informed that serious and persistent problems have arisen which could preclude effective implementation of the Consent Decree, including:


1. the limitation of \$6,000 for partial attorneys' fees for successful claimants;
2. certain settlement stipulations purporting to bind the parties to preserve the substantive terms of the settlement as confidential;
3. final settlement of claims without submission to the Court for approval;
4. the failure of the Consent Decree requirement of publication of position advertisements in the NEW YORK TIMES to achieve the anticipated effect and the substantial expense thereof;
5. the burdensome expense of providing a transcript of the entire record as a matter of course in each case;
and
6. the time and expense to litigants and the Court involved in the presentation of statistical evidence,

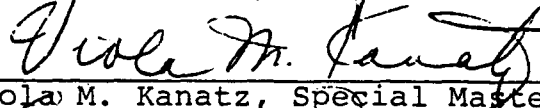
IT IS HEREBY ORDERED that the parties hereto appear before the undersigned Special Masters on Tuesday, February 16, 1982, at 9:00 o'clock A.M., in Courtroom 1, Minneapolis Federal Courthouse, to show cause, if any, why the following orders shall not issue:

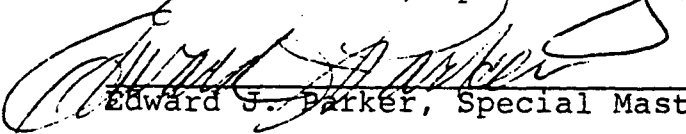
1. That the Consent Decree be amended to provide that the standard set forth concerning attorneys' fees for the prevailing party in 42 U.S.C. 2000e - 5(k) (Title VII, § 706), shall be adopted;
2. That all settlement stipulations shall include the substance of the agreement and be filed as a public record with the Clerk of the United States District Court;
3. That prior to filing, such agreements shall be presented to the undersigned Special Masters for approval;
4. That the Consent Decree be amended to delete the requirement that position advertisements be placed in the NEW YORK TIMES;
5. That the Consent Decree be amended to provide that:
 - (a) no transcript of Rajender trial proceedings shall be prepared and filed unless specifically requested by a party to the action, and
 - (b) where a transcript is required, attorneys for both parties shall confer and stipulate to those sections of the transcript deemed necessary.
6. That the Court appoint a qualified statistician to advise the litigants and the Court and to appear as an expert witness of the Court in matters concerning statistical evidence.

IT IS FURTHER ORDERED that no other issue shall be entertained by the Special Masters at the above-referred time and place of hearing.

Dated: February 1, 1982.


Leonard E. Lindquist, Special Master


Viola M. Kanatz, Special Master


Edward J. Parker, Special Master

U plans to resist Rajender changes

By Betty McMahon

A "pre-hearing hearing" Tuesday revealed the direction the University may take to show why some proposed changes in the Rajender consent decree should not be made.

The actual hearing, which was scheduled for Tuesday, was postponed until Feb. 23 so that Special Master Leonard Lindquist can be present. The special masters asked for the hearing on six changes that they hope will make Rajender consent decree litigation move smoother and faster.

According to statements made by University attorney Peter Hendrixson, the change that will be resisted most strongly is the proposal to raise the \$6,000 limitation for partial attorney fees.

Under the consent decree, there is a ceiling of \$6,000 for attorney fees incurred after the case reaches the special masters. Since this amount is generally inadequate to pay for an attorney's time, many attorneys have been reluctant to take Rajender cases. The University pays the claimant's fees if she wins her case.

The special masters are likely to support lifting the ceiling altogether.

"The University opposes the (attorney fee) change," Hendrixson said. "It's part of a contract negotiated between two parties over a long period of time," he said. Hendrixson also told the masters that he will present testimony regarding the University's financial situation and how that will affect the six proposed changes.

Paul Sprenger, the attorney who engi-

neered the Rajender consent decree, suggested that the University's insurance coverage would be adequate to cover the rise in the attorney fee limit.

"The University will say they have a financial crisis," he said. "An affidavit will show that the University has at least \$1 million to pay for fees and costs and may well have \$5 million."

Sprenger said that if all the changes were made, the University's expenses should go down. If one of the proposed changes, to drop advertising of potential positions in the New York Times, materializes, the University could save \$300,000 to \$500,000, Sprenger said in a telephone interview Tuesday.

Another change, eliminating expensive transcript records, could save the University at least \$500,000, Sprenger said. These changes would more than make up for the difference in additional attorney fees if the lid on claimants' attorney fees costs were lifted, he said.

Special Master Viola Kanatz emphasized that the hearing is not meant to be adversarial. "We are having a hearing to receive advice and information to better implement the decree," she said.

Two problems repeatedly surfaced, according to the masters. Many claimants were having difficulty securing counsel because cases were complex and lengthy. "Claimants generally are not affluent and the partial fee limit of the consent decree was not attractive enough for those who know how to try these cases," Kanatz said.

Secondly, the masters realized that the internal panel procedure was not being used. "The number of claims were greater than we ever anticipated," she said. "It is not physically possible" to go through the internal panel procedure. Therefore, she said, "the consent decree appeared to be in very serious danger of being frustrated entirely."

The masters urged everyone to suggest ways to shorten the time involved in trying Rajender cases. Special Master Edward Parker said, "We should be able to reach a verdict in a week." Some cases that have been tried have lasted two to three weeks, and the masters don't want this to become customary.

In addition to raising the attorney fee limit for claimants, eliminating New York Times advertising, and eliminating transcripts, the masters want to eliminate confidential settlement agreements; make sure all agreements are presented to them for approval; and appoint a court statistician who would advise both parties to the claim.

Daily - Feb., 1982

Legal fee limits in 'U' suit opposed

By Margaret Zack
Staff Writer

The \$6,000 ceiling on attorney's fees for women winning sex discrimination claims against the University of Minnesota should be lifted, a panel has recommended.

The three-lawyer panel said that no similar ceiling existed for the university, and in fact, it had paid its own attorneys up to \$86,000 to defend one claim.

The recommendation, filed in U.S. District Court in Minneapolis Thursday, must be approved by Judge Miles Lord before it goes into effect.

The \$6,000 ceiling, applied to fees paid by the university to attorneys for women who won discrimination claims, was part of a 1980 out-of-court settlement of a class-action suit. The suit began in 1973 when Shyamala Rajender, a chemistry professor, claimed she was the victim of discrimination.

Rajender, now a patent attorney in San Francisco, received \$100,000. About 10 other claims have been settled, but more than 200 suits remain.

The university opposed lifting the limit on the ground that the consent decree was the product of a negotiated settlement. Paul Hendrixson, one of the attorneys for the university, also said at a February hearing that there was no reason to change the sum in light of the financial difficulties of the university.

The panel said that if the internal peer review procedure contemplated by the settlement had been followed, neither the women nor the university would need an attorney. Or, if an attorney was needed, the amount of time spent would be minimal.

"Looking back, the time, consternation and rhetoric expended in the development of a fair internal review process seems much ado about nothing," the panel's recommendation said. "Of the over 200 claims filed to date, only one consolidated claim has been referred to an internal tribunal by defendants."

Patricia Faunce, chair of the Faculty Advisory Committee for Women, which assists women filing claims against the university, said she was pleased with the recommendation.

She said women had difficulty finding lawyers to represent them because of the limit. In a complicated

suit, the \$6,000 could be spent before a trial even began, she said.

"I hope the university, knowing it'll have to pay fees, will stop fooling around and do things in a cooperative and effective way," she said.

The panel also recommended that no settlements under the Rajender decree remain confidential.

"The University of Minnesota is a public institution," the lawyers wrote. "Public business should be public information."

Report from Subcommittee on Financial Exigency

Our subcommittee was charged initially with preparing a statement on procedures to be followed in the unhappy event that a financial emergency had to be declared. When it became obvious that those procedures could not be separated from procedures for terminating faculty once FE had been declared, our charge was broadened. We were asked to prepare guidelines similar to those already approved by the University of Washington and Ohio State, for example.

At the same time, we all realized that the Tenure Code approved by the Faculty Senate in 1973 addressed some of the same issues. We are very concerned, however, that the 1973 document simply fails to deal with very important issues and concerns that have become more apparent to us as we have actually faced real financial crises. We are particularly worried that the procedures specified in the TCoF 1973 would not be accomplishable in the time constraints of an actual emergency.

In recent weeks our subcommittee has met alone and with the Tenure Committee and its chair to discuss ways in which we can work together to insure that the Tenure Committee's refinements of the Tenure Code be coordinated with SCC's work to develop clear consultative procedures which any declaration of FE would require.

Our subcommittee has come to believe (and this belief is shared by some members of the Tenure Committee) that the Tenure Code should per se include only a clear, succinct statement of faculty rights in the case of the declaration of FE, and that the details should be stated in a separate "Guidelines" document. (This is the way it is done at the U of W, for example. See their Guidelines and Handbook) Exactly what should go where is, of course, a difficult question-- and one that should be answered as soon as possible.

We have prepared the attached document. It is an outline of steps along with several questions that we think must be addressed somewhere. We have underlined those items which we believe should be covered in any Tenure Code; the other items would more appropriately be included in a Guidelines document.

In refining the Tenure Code, the Tenure Committee has a considerable task before it, and we are concerned that it may be several months before they complete their work, and even longer before it is approved by the Senate. We therefore wish to ask them to prepare a report on Section 15 as soon as possible, and in no case later than April 1. We wish that the attached document be sent to them with a request that they determine which items should be included in the Tenure Code and which, if any, should be included in a separate "Guidelines" document. We should then determine who should have responsibility for preparing this latter document. Our subcommittee is, of course, ready to meet again with the Tenure Committee to discuss these issues.

I. Declaraction of Financial Exigency

Spring document (Jan. 7, 1982)
This corresponds roughly to sections 15.1 and 15.2 of the
1973 Tenure Code

II. First steps after FE is declared

- A. The Budget EXECutive (BE) decides how the amount of reduction is to be met: by across the board or programmatic cuts or by a combination of these..(We assume that a substantial proportion of the amount will be through programmatic reductions.) They will consult appropriately before coming to their decision.
- B. Criteria for cuts will be established by the BE after appropriate consultation. It is assumed that criteria in effect for regular ongoing planning will continge to be in effect. They may have to be supplemented or re-interpreted.
- C/ 'Program*'will be defined by the BE after appropriate consultation. (Currently it means 'smaller than a college, bigger than one person'. It may have to be redefined to include colleges or even campuses. We may also want to use urricular definitions of the sort used by Ohio State.)
- D. Timetables will be established by BE after appropriate consultation.
 - i. Units will be told how auickly they must respond with their recommendations for reductions
 - ii. Units will be advised concerning the time allowed for execution of reductions.

III. Criteria applied to identify ~~xxx~~ collegiate/campus units to be cut

- A. BE after appropriate university-level consultation will determine collegiate/campus level reductions
 - i. What processes for appeal will exist here?
- B. Departmental level reductions will be determined after requisite collegiate level consultation. (Section 15.31 of the 1973 Code specifies that collegiate or campus units will utilize "usual decision procedures". We have learned that these leave something to be desired in some units and hope to strengthen the requirements here.)
 - i. How will this be carried out?
 - ii. What procedures for appeal would exist here? Would other colleges be able to have input?

IV. Identified departments/programs identify individuals for termination

- A whole series of questions must be answered here.
- A. Do programs identify their own individuals?
 - B. Can programs add their own criteria to those already listed?
 - C. Should seniority play a role? If so, what?
 - D. Should non-tenured people always be cut before tenured people?
 - E. Can a program decide to meet the charge (monetary amount) n in other ways?

- F. Must all people within an identified program be cut?
If not, which?
- G. Does the whole department participate in decisions or only affected programs?

V. Recommendations are forwarded

- A. From unit to college/campus Deans and consultative bodies
- B. From Deans, after consultation, to BE and university-level consultative bodies
- C. From BE to President
- D. From President to Regents
- E. How do we avoid "end runs" here?

VI. Terminations

- A. Individuals are notified.
 - i. What timetable is to be used?
~~i.//~~
- B. Individuals are given opportunity to appeal
 - i. Is the Judicial Committee adequate to this task or should a special mechanism for dealing with appeals be set up. (The 1973 Code has a very elaborate special mechanism.)
- C. Rights of terminees
 - i. What are the rights of terminees (e.g. re-hiring, fringe benefits, etc.)
- D. Expectations of terminees
 - i. What aid can terminees expect (e.g. help with finding other employment)

VII Other issues

- A. Is FE automatically accompanied by a hiring freeze?
- B. When FE is lifted, when can programs and vacancies be recreated? What rights do fired faculty have here?
- C. How is all of this related to ongoing planning in the BE and decisions there involving programmatic reductions and shifts that result?
- D. Can FE be declared in selected parts of the University? e.g. in parts where federal grants that disappear may affect tenured people?
- E. How do early retirement, "buying-out", etc. fit into all of this?



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University Senate Consultative Committee
220 Biological Sciences Center
1445 Gortner Avenue
St. Paul, Minnesota 55108
Telephone (612)373-3226

FACULTY CONSULTATIVE COMMITTEE
CONVERSATION WITH THE PRESIDENT

February 18, 1982

President Magrath and Vice President Keller joined the FCC at 11:50 a.m.

1. Faculty salaries for 1982-83.

The president and vice president described the factual situation. There will be only a small cash increase from the state for 1982-83. The University had to retrench 2.16% and borrow 1% from FY83 to fund this year's increase at 10%. If the Regents accept the administration's recommendation for a 15% tuition surcharge for the year, and if the University adds what is available from elsewhere, and if the civil service staff is contracted by 5% to 6% (because their legally required pay increase is nearly 11%), then there will be no less than a 6% average cash increase for faculty.

A 1% tuition rise amounts to approximately \$600,000, and a 1% faculty salary increase requires \$1.2 million. To raise salaries by the 10% available this year would require another retrenchment half as big as the current one. President Magrath stated that he is personally unwilling to consider any further academic program retrenchment at this time for any cause.

The president said he agreed with the SCC's recommendation that there should be no further tuition increase at this time. The administration does not view the 15% surcharge as part of the answer to the faculty salary needs since it is a temporary charge.

Purple asked how endowment income, which is rising, is factored into budgeting. The president explained that only a very small fraction is not dedicated.

Spring spoke of the unfortunate but inevitable appearance of linkage between faculty salaries and tuition increases. Keller said that, as the president recently reminded the regents, 80% of the University budget is spent for salaries. Hence tuition and salaries cannot be divorced. Purple argued that retrenching faculty salaries is an across-the-board cut, precisely the policy the University has worked to move beyond. Keller said the University is getting close to the point of financial emergency in the units identified for reduction or elimination.

A faculty salary policy proposal.

Pratt reported the recommendation he had received from a faculty member who was concerned both about the tuition-versus-salaries situation, and about the absolute problem of salary losses. The recommendation is that the University

set as a long-range goal the restoring of faculty salary purchasing power of approximately a decade ago. It would be a publicly stated goal toward which the University would work whenever it could, getting beyond the annual ad hoc salary question. The position could have a positive impact on faculty and student morale.

The president said he found the suggestion interesting and worthy of serious discussion. Maintaining cost-of-living ability and a competitive posture could be emphasized. Those present reminded one another that the legislature looks to the Big Ten plus California for comparisons and is inclined to rectify salary appropriations only when University salaries fall at the low end. Purple said a policy statement could help to correct the erroneous comparison the legislature has made of state university and community college faculties with the University faculty.

The president said he would be willing to see a small group put together a proposal on such a policy.

2. Budget base for the next biennium.

Vice President Keller and President Magrath said they hope the aggregate base will be reduced by one-half the biennial reduction. The University has been told to report the base after having subtracted 1/3 of the cut in the first year of the biennium and 2/3 of the cut in the second year.

The administration will work to persuade the legislature not to calculate the 15% tuition surcharge as an offset against their biennial appropriation. Barring further state retrenchment, the University's budget should balance at the end of the biennium.

3. Program priorities.

Pratt said the FCC realizes that consultation at lower levels has often been inadequate. There is no preventing end-run appeals by people who feel vital facts were overlooked in the planning process. The FCC is interested in providing for some system of appeals.

Keller said central administration has not made the decisions; it has insisted the decisions be made. The decisions were made at the collegiate level. The decisions being challenged were made on the basis of the colleges' data. It is imperative to keep in mind that the original process and decision-making were at the collegiate level. The Consultative and Finance Committees are the bodies to establish an appeals procedure, if one can be agreed upon. The president has received letters of appeal asking him to reverse decisions made by an academic dean and tentatively accepted by the academic vice president and the budget executive. President Magrath said he knows nothing to persuade him he should overturn a dean's decision.

Spring said the complaint comes when the faculty members appealing feel they haven't been able to participate in the internal process which arrived at the decision. The appeals system could be simple if we thought the decisions made at the unit level were made on the basis of sound criteria. But they were not always, and the recommended conversations didn't always occur. Swan pointed

out that the senators responding to the SCC's survey were not people adversely affected, and yet many are saying they cannot see a system for faculty participation in their unit. She said it is wrong to feel that the only people we failed in the last part of the process are those who are personally disgruntled.

President Magrath said he is committed to trying to compel a better and more open system of consultation within collegiate units. We must face that need speedily because the harsh fiscal situation will continue. But some units are going to lose part of their budgets this time around and the University must reach closure soon on next year's budget. The Regents must approve an overall budget plan in March.

Vice President Keller said he feels comfortable with the list they have identified (of units for changes). He feels uncomfortable about spelling out the designations "reduce," "reorganize," and "eliminate," and the question of the rate at which to proceed. Refinement needs to be done locally over the next few months. He would like an appeals process that preserves the possibility of continuing the refining process. He has told the deans that the specific actions will change but not the overall program recommendations.

Pratt and the president agreed that now would be an appropriate time for the president to follow up on his November 17 memo which asked deans, directors and department heads to observe their respective units' consulting procedures. President Magrath stated he thinks the University is best served by having a strong consulting process both centrally and at the unit level.

Eaton requested that the documentation coming from deans to the budget executive be required to contain minutes of the consulting meetings, or at least the deans' descriptions of the consulting they had done.

Keller called the budget prioritizing the most ambitious decentralized planning ever tried at the University. Some deans and faculty, observed the president, did not take the consultation process seriously despite its being urged on them for several years.

Fredricks said that while we see there isn't time for an appeals process this year, we certainly need a process for the future. If there is documentation of the process and of appeals, end-runs can be rebuffed.

The president said that, out of frustration and desperation, people are appealing to the regents who, while sympathetic, know it is not their business to get into faculty affairs. They are not comfortable at the role the petitioners are trying to thrust upon them.

The president suggested that Vice President Keller draft a short position paper on how the University proposes to deal with the needs of the next couple of months. The president and the SCC or FCC would review it. Someone can also begin to plan for the longer run.

The conversation ended at 12:50.

Meredith B. Poppale ,
SCC Secretary



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University Senate Consultative Committee
220 Biological Sciences Center
1445 Gortner Avenue
St. Paul, Minnesota 55108
Telephone: (612)373-3226

February 11, 1982

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

The Faculty Consultative Committee meets with you next on Thursday, February 18, from 11:00 to 12:00 noon, in 300 Morrill Hall. Members have proposed two areas for discussion:

1. Faculty salaries for 1982-83.

We would like to discuss your reply to FCC's request that a special appropriation be sought during the current legislative session. What percentage increase is apt to be available without any additional state funds? What internal measures are being considered to bolster the increase? How can we avoid seeming to pit one high priority need (e.g. faculty salaries) against another (e.g. affordable tuition)?

2. "Program Planning Priorities--The University's Choices for 1982-84"

The faculty wishes to discuss various issues related to this document. We are particularly interested in what appeals process may be envisioned in the weeks ahead.

We appreciate all other questions and information you wish to bring to the committee.

Cordially,

Douglas C. Pratt,
Chairman

DCP:mbp

cc: Faculty Consultative Comm.
Carol Pazandak