

Minutes*

Faculty Consultative Committee
Thursday, May 1, 2003
1:15 – 3:00
238A Morrill Hall

- Present: Dan Feeney (chair), Gary Balas, Susan Brorson, Tom Clayton, Gary Davis, Arthur Erdman, John Fossum, Marti Hope Gonzales, Mary Jo Kane, Candace Kruttschnitt, Marvin Marshak, Judith Martin, Fred Morrison, Jeff Ratliff-Crain, Martin Sampson, Charles Speaks
- Absent: Muriel Bebeau, Marc Jenkins
- Guests: Executive Vice President and Provost Christine Maziar; William Donohue (Office of the General Counsel); Senior Vice President Frank Cerra; Vice President Kathryn Brown
- Other: Elizabeth Wroblewski (Office of the Executive Vice President and Provost); Katie Stuckert (Office of the Vice President and Chief of Staff)

[In these minutes: (1) firearms on campus; (2) various matters (many related to budget); (3) issues from the Academic Health Center; (4) institutional support for Twin Cities intercollegiate athletics]

1. Firearms on Campus

Professor Feeney convened the meeting at 1:15 and welcomed Executive Vice President Maziar and Mr. Donohue. He said the Committee needed to take up the issue of guns on campus now that the legislature had passed "conceal and carry" gun legislation. He noted that the Committee had, last year, briefly discussed a draft policy concerning guns on campus but never took action on it. What is the current University position on the issue, he asked Dr. Maziar and Mr. Donohue?

Dr. Maziar said the new law did not appear to change any existing University policies. Current policy, the Student Conduct Code, prohibits students from having firearms on campus. The current version of the Code, to be acted on by the Board of Regents in June, broadens the definition of weapon. It is the University's understanding that the University retains the authority to regulate the possession of firearms on campus by students.

What about non-students or non-University employees, Professor Martin inquired? There is no current policy, Dr. Maziar said. Mr. Donohue said, however, that there is a provision in the employee handbook that bans handguns. The concern, Dr. Maziar said, is not that the law changes any current rights or privileges with respect to the University but rather that there is the potential for a increased number of guns in the larger community.

* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Campus Assembly; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

There are all-University policies that affect various groups, such as vendors, Professor Feeney noted; will the policy be different for handguns? The Committee held a discussion of the political dimensions of the law and the University's possible response to it.

The Committee voted unanimously in favor of the following motion:

The Committee is concerned about issues of health and safety of individuals on all campuses of the University. We ask the administration to review the new firearms legislation and to discuss with us its impact on University rules and policies.

Mr. Donohue distributed annotated copies of the recently-passed legislation and said the Office of the General Counsel would provide later a more definitive interpretation of the statute. Professor Feeney thanked him for meeting with the Committee.

2. Other Matters

Dr. Maziar told the Committee she has become even more convinced of the wisdom of appointing the two working groups composed of Regents' Professors, Distinguished McKnight Professors, and members of the Academy of Distinguished Teachers; one of the working groups is focused on academic freedom and one on the instrumentalization of the University. There is growing concern within the national research community that inappropriate pressure may be placed on the peer-review process and some funding decisions within federal agencies. These kinds of pressure make the need for a clear statement from the University more timely.

Dr. Maziar said there has been some discussion of how the University will respond if the budget cut turns out to be less than what the Governor recommended. It is conceivable that the University could receive a small reduction in the cut. The current thinking in the administration is that some of the money should be used to reduce the tuition increase and add funds to student aid.

Would all of the money be used for students, Professor Balas asked? He said he thought about half of the cuts would be addressed by students, through tuition increases, and half by the University through financial rearrangements. Dr. Maziar responded that not all of the additional funds would go directly to students but there must be a linkage between students and any reduction in the cut; other funds would be used to restore money in targeted cuts in academic areas.

Professor Morrison said he had calculated the cut in state support for the Law School; it drops \$1.2 million from the current \$4.4 million, or a reduction of about 29%. The \$500,000 cut for intercollegiate athletics, on a base of \$8 million, is about 8%. Do those cuts reflect the relative priorities of the administration, he asked? The plan for the cut in support for athletics is higher than that, Dr. Maziar pointed out. But that is over six years, Professor Morrison responded; the administration is cutting athletics over six years what it is cutting the Law School in one year. Professor Speaks added that academic units are seeing a base cut; for athletics, the cut is in the subsidy, which is being counted as its contribution to the cuts.

Professor Feeney next noted that the Committee had placed on its agenda later in May the report from Professor Cooper about an ombudsman function. Even in this budget strife, he said, there are pearls of wisdom in the report that the University should consider. Dr. Maziar said it was a very good report.

There is a lot of capacity at the University to do creative things to get a bigger bang for the buck--and she does not mean people working harder and longer. There is considerable opportunity for ensuring that the talents and efforts of our faculty and staff are focused on work with real impact; she said the University must scrutinize the work being done in terms of its value to the mission. She added that she was pleased to see in Professor Cooper's report a recognition that it would be difficult to create a new position but that the University could create an ombudsman function out of the overlapping sets of responsibilities that currently exist in the dispute resolution functions.

There may not be any new dollars but there should be an ombudsman function outside the University Grievance Office, Professor Feeney said. Dr. Maziar said she came from an institution which had a far less formal process and had a more informal dispute resolution process within the grievance system. There is an opportunity within existing resources to be more productive in informal dispute resolution.

On a related matter, Professor Campbell noted that there used to be Scientific and Scholarly Advisory Board (SSAB), which addressed charges of academic misconduct; it appears to exist only on paper and has not functioned the last few years. Dr. Maziar said that as one of her last acts as Vice President for Research was to reconstitute the SSAB. It is her understanding that Professor David Pui is chair and the Board was active in at least one case.

Professor Feeney told Dr. Maziar that members of the Committee had recently had discussions with department heads/chair; the Committee will distill the notes and circulate them to the chairs and the central administration. Professor Campbell said he had just read the notes and said that the level of angst reflected in the comments exceeds that expressed at recent budget meetings.

Dr. Maziar said the level of the budget challenge anticipated by some units appears to exceed the cuts that were actually delivered; people are expecting deeper cuts than will be made. Professor Campbell pointed out that decisions have already been made and are in place; departments must have courses taught next year. Because of the timing of the legislative process, Dr. Maziar said, the administration has not been able to make firm commitments so many units took a very conservative position. She said she was grateful for the communication channel that the Committee had established and the information it can provide, for the good of the University.

Professor Feeney thanked Dr. Maziar for joining the meeting.

3. Discussion with Senior Vice President Cerra

Professor Feeney now welcomed Senior Vice President Cerra for his semi-annual meeting with the Committee. Dr. Cerra said he had three items to discuss: security and badges, how the endowment funds are being used, and the governance policy.

ID badges are a reality in the Academic Health Center (AHC) now, Dr. Cerra said. The reason is that there was a surge in thefts and assaults in the Phillips-Wangenstein Building and Moos Tower; faculty and staff asked what would be done about the problem. There was in particular a sharp increase in the number of assaults on students at night. As a result, a broad-based group looked at what would make sense and concluded that ID cards, with an expiration date, that identifies who you are and where you work, would make sense. This is separate from the U Card.

Cannot there just be one card, Professor Marshak asked? Professor Balas reported that the Senate Research Committee had been told that the aim is to have identity separate from access. Eventually doors will open automatically because of a magnetic stripe in the ID card, Dr. Cerra said, but that is a couple of years away.

Now buildings are locked from 8:00 at night until 6:00 in the morning. There are a few doors that remain open; they have monitors. The number of thefts and assaults has plummeted.

Is there a problem with other faculty/staff coming into the AHC, Professor Speaks asked? People may stare at you if you don't have an ID badge on, Dr. Cerra said, and ask who you are and why you are there. The badges have been well-received and have led to no complaints thus far.

Dr. Cerra turned next to a pamphlet, copies of which were distributed to Committee members. He reported that the House and Senate bills have the same language with respect to the revenue stream to the AHC; both provide for \$22.5 million, which is what the tobacco revenues would have been, and the money will be used in the same way that the tobacco revenues would have been used. The stream is now released from market fluctuations in the tobacco endowment--but is tied to the sale of cigarettes. Revenues were up slightly during the first three months of 2003, and recent opinion studies suggest that the rate of smoking in the country may never drop below 20-25% (the biggest rate increase recently has been among females aged 15-25).

There have been changes in health-professional education driven by three factors: the students, accrediting bodies (looking for competency-based, outcome-based education), and faculty (who want to see experiential education moved from acute care, in-hospital settings to interdisciplinary, community-based health-professional experiences provided by teams of physicians, pharmacists, nurses, etc.). There is also a greater Minnesota strategy that includes workforce analysis and building programs to meet needs; if they recruit and train in greater Minnesota, seven of ten students will stay in greater Minnesota. Dr. Cerra discussed some of the initiatives taking place in the AHC.

Professor Martin asked if the initiatives in greater Minnesota interact with the Duluth Medical School. UMD has a two-year medical school, the accreditation for which expires in 2004. Without accreditation from the LCME--the medical school accrediting body--there is no medical school. LCME has indicated it wishes to see one medical school at the University, so the UMD medical school must be part of the Twin Cities medical school. Dr. Cerra said he has worked with the faculty and dean at UMD; all are aware of the issue. The key element is the programmatic identity of the UMD medical school: it is their mission to recruit, educate, and train physicians for greater Minnesota, and that role will continue. At present students attend the first two years at UMD and finish on the Twin Cities campus. Eventually, the dean at UMD will report to the Dean of the Medical School on the Twin Cities campus. The change will take 2-4 years; his job, Dr. Cerra told the Committee, is to be sure that the identity and funding base of the school are retained.

The faculty at the Duluth Medical School strongly believe that the placement rate in small towns would not be as good if the students were educated entirely in the Twin Cities. There are data to support that position, Dr. Cerra added, especially with respect to Native American physicians. Twin Cities medical school Dean Powell is aware of this role and supports it.

The Committee spent some time discussing with Dr. Cerra the delivery of education at the UMD medical school versus the delivery of education at the Twin Cities medical school and the differences in the use of on-line instruction at the two schools. Dr. Cerra also mentioned that if anyone were to talk about eliminating the UMD medical school, the Twin Cities could not absorb the students who are taught at UMD because there are not sufficient facilities, so the result would be a reduction in the number of physicians being trained. The number being trained each year is already less than what is needed for the state.

The accrediting threat would be a requirement that there be a single admissions process, Professor Campbell observed. The LCME has not gone that far, Dr. Cerra said. The University will maintain the programmatic identity of the UMD medical school; there is room for latitude in a number of areas. The main concern of the LCME is continuity in the four-year education. The changes will be undertaken methodically and carefully so the identity of the school is retained but also in order to avoid being cited by the accrediting agency.

After discussion of data concerning enrollments in AHC programs and the number of Minnesotans over age 60 in upcoming years, Professor Balas asked how the tuition at the Medical School compared to peers. It is terrible, Dr. Cerra said; it has the second-highest tuition in the United States among public medical schools, and of all medical schools it is in the top 22. It is only \$4000 less than the lowest-cost private medical school. Nationally, applications for slots at medical schools have dropped from 20 per slot to 10 per slot in the last 10 years. The same thing has happened in Minnesota. Applications from Minnesota RESIDENTS have dropped from around 550 to around 300 since tuition has increased--and there is about a .92 correlation between the two events.

Could not tuition be cut \$5000 per student, on a base budget of \$650 million, Professor Balas asked? Tuition is a small part of the Medical School budget, Dr. Cerra agreed, but it, like the state support, is an important part. Each only contribute about 9% of the budget, but the funds are important. The school is pricing itself out of the market, Professor Balas observed. There are still about 11 applicants per slot, Dr. Cerra said, but the ratio between acceptances and matriculation is widening. Minnesota residents probably figure that if they are going to pay that much money, they may as well go to an elite private university medical school. On the other hand, the University's Medical School has no trouble attracting non-resident students. But for 2003-04 there will be no tuition increase (which will hurt the Medical School because it still must pay more money to the administration).

Professor Fossum noted that one of the graphs suggests changing enrollments in a number of AHC schools. Is this related to how medical care will be provided in the future or a matter of capacity? Part of it is because of changes in where students are housed, Dr. Cerra said. The workforce issue will get worse because Medicare wants to get out of paying for education; for University of Minnesota programs that could mean the loss of \$80 million per year. He said he has no idea how the University would finance health professional education if it were to lose that money. If the University is to have health professional schools, they must be financed--and the state must finance them if it requires the University to produce health care professionals. There is private gain to those who are educated, to be sure, but physicians are leaving the medical school with \$110,000 in debt, a number that is expected to increase to \$150,000 in the next few years.

Does that argument carry any weight at the legislature, Professor Martin asked? It does, Dr. Cerra said. He has told the legislature that if it cuts funding, the University will cut programs and downsize the Medical School.

The Committee held a brief discussion of the governance policy adopted recently by the Faculty Senate. Professor Feeney has proposed to the Medical School some modifications that might make the policy more workable for their clinical scholars. Professor Morrison suggested that if the clinical scholars are identical to tenured faculty in every way except funding, perhaps thought should be given to creating salary-conditional tenure. Professor Martin cautioned that that could be a slippery slope and that the idea of salary-conditional tenure could spread elsewhere in the University. Dr. Cerra agreed, however, that the idea is worth considering.

Professor Feeney thanked Dr. Cerra for joining the meeting.

4. Institutional Support for Twin Cities Campus Intercollegiate Athletics

Professor Feeney welcomed Vice President Brown to the meeting to discuss institutional support for Twin Cities campus intercollegiate athletics. He told Vice President Brown that the information forwarded to the Committee from the Finance and Planning Committee had raised concerns. If the University is asking people to absorb a salary freeze, higher copays, an increased share of health care premium costs, and so on, and making cuts in academic units, the numbers for intercollegiate athletics "do not wash." Is this a disproportionately "good deal" for intercollegiate athletics, in a zero-sum game, when the costs fall on everyone else?

Vice President Brown said she needed to set the context of the discussion. She has consulted with the Advisory Committee on Athletics, the Senate Committee on Finance and Planning, and the Provost's Budget Advisory Committee to follow up on the process begun by former Vice President Tonya Brown. Vice President (Tonya) Brown used a consultative process in discussing intercollegiate athletic financing issues and she, Vice President (Kathryn) Brown, is following up on the process that was begun last year. Professor Feeney's question is a fair one, she said, but it is different from what the focus of the discussion she has been trying to have. Her discussion is centered on what the President, Athletic Director, and chief financial officer are trying to do with respect to the decision a year ago that there should be a reduction in the subsidy to intercollegiate athletics. Vice President (Tonya) Brown had recommended the subsidy should be about \$5.7 million (last year it was \$8.3 million).

There will be another phase, Ms. Brown said. The current numbers being used are not where the funding level may end up. The Committee on Finance and Planning has made some good recommendations that the subsidy should be reduced to the level of the state subsidy for women's athletics that the University was receiving up to 1997. That is reasonable; the question is the timeline. Reasonable people can disagree about that, Ms. Brown told the Committee. This timeline moves in the right direction but gives the athletic department a chance to succeed--it is not so fast that they cannot meet the goals set by the Board of Regents (e.g., maintain a competitive program, comply with Title IX, etc.).

Professor Feeney's question, Ms. Brown said, is how the institutional support fits in the larger University budget and whether athletics is "getting a deal." In her view, they are not getting a deal. President Bruininks is the first recent president to reduce the support. She said, however, that she could

not talk about the relative cuts to athletics compared to the colleges because she did not have available all the necessary spreadsheets and information.

That is the whole point, Professor Marshak said. A year ago there was an agreement that the institutional support to athletics should be reduced. That agreement, however, did not presuppose big budget cuts to the University and increases in health care costs to employees. This is like the American Airlines situation, he said--everyone must absorb cuts because of the situation but then some do not because they are special. Intercollegiate athletics is not saying it is special, Ms. Brown objected.

Athletics is saying it should receive the cut that was agreed to a year ago, Professor Marshak said, before there was a big cut in state funding. Does it not make sense in terms of equity and employee morale to reevaluate the agreement with the change in the University's circumstances? A possible problem, he said, will be that employees face a salary freeze but some coaches may receive pay raises because of their contracts; this may be demoralizing for some people.

Professor Speaks said that the Committee on Finance and Planning was grateful to Vice President Brown because she had asked to come to the committee to consult with it. They did not ask her. He also reported that next week the Committee on Finance and Planning will consider a statement on institutional support for athletics. He said he would send the draft to Vice President Brown and asked her to attend the meeting if possible. He said he had asked if the coaches have contracts that guarantee a salary increase; Vice President Brown said she did not know but would provide the information to the committee.

Professor Balas asked if the proposed schedule of reduction in institutional support was based on numbers from last year. Vice President Brown said it was not; it was based on conversations within the last two or three months. Then these, the anticipated cuts, are less than the cuts imposed on academic units, Professor Balas said, which is why the Committee members are shocked.

Have these been compared to benchmarks in the Big Ten? The Twin Cities athletic program has the smallest budget in the Big Ten, Ms. Brown said. What about the level of subsidy, Professor Balas asked? That is like comparing apples and oranges, Ms. Brown said. Professor Campbell asked why the budgets can be compared but not the subsidies? Because institutions fund their athletics programs in different ways, Vice President Brown replied; it is difficult to compare what they do. They have different expenses and different numbers of sports, for example. It is apples and oranges but it is still relevant that the University's budget is the lowest in the Big Ten. Professor Balas said that employees are being "hit on the head" that the University must come into line on health care costs paid by employees but the Committee is now being told that the University cannot compare itself with other institutions in athletics. It is frustrating to be told it must compare itself on health care costs but not athletics, he said.

Professor Kane said that to be fair to athletics, should the Committee ask the deans for comparative numbers to look at as well? That raises the question, Professor Campbell said, whether the University should use ANY state funds for athletics when there are unmet needs in the units that are carrying out the University's three-part mission.

Professor Martin said it would be helpful for the Committee to be provided information on any savings that have been achieved as a result of the merger of the two departments. Professor Erdman said such a report will come to the Committee through the Advisory Committee on Athletics.

Professor Balas said he worried about the five-year timeline for reducing the institutional subsidy when the institutional memory in such a large institution is about six months. He said he would like it better if there were a three-year timeline.

The message from the Committee is that the administration should rethink the plan, Professor Feeney summarized. As data become available there are a lot of questions. The members of the Committee have had two meetings with department heads/chairs and heard loud messages about the devastating effects of the budget cuts on the quality of education at the University; there has been mention of cutting freshman seminars and increasing class and lab sizes by 20%. That situation raises questions about funds going to athletics. These two committees are like the canary in the mine, Professor Feeney said: this proposal as it is will not sell. The Committee is hearing from faculty and staff about having to pay \$1000-\$2000 more for health care coverage, about a 15% cut in the University's budget for the biennium, and cuts across units. He said he knows there is sensitivity about athletics but there will be questions raised. The committees are giving the administration a "heads up" on the magnitude of the problem.

Professor Kane suggested that any document dealing with the institutional subsidy to athletics include a preamble that sets the context and how any cuts to the subsidy fit in overall University budget cuts.

Professor Feeney concluded by noting that this Committee and the Finance and Planning Committee have the responsibility to make the faculty case that there are concerns. He thanked Vice President Brown for coming to the Committee.

Professor Feeney adjourned the meeting at 3:10.

-- Gary Engstrand

University of Minnesota