

Minutes*

**Faculty Consultative Committee
Thursday, November 20, 2003
1:15 – 3:00
238A Morrill Hall**

- Present: Judith Martin (chair), Gary Balas, Susan Brorson, Tom Clayton, Gary Davis, Dan Feeney, John Fossum, Marvin Marshak, Fred Morrison, Jeff Ratliff-Crain, Martin Sampson, Carol Wells
- Absent: Jean Bauer, Charles Campbell, Arthur Erdman, Emily Hoover, Marc Jenkins, Mary Jo Kane
- Guests: Professor Perry Leo (Faculty Academic Oversight Committee for Intercollegiate Athletics); Senior Vice President Frank Cerra, Assistant Vice President Richard Bianco (Office of Regulatory Affairs); President Robert Bruininks
- Other: Ms. Kate Stuckert (Office of the Chief of Staff)

[In these minutes: (1) Coalition on Intercollegiate Athletics; (2) Mt. Graham telescope project; (3) security badges; (4) discussion with the President (stem cell research, branding, administrative organization, football stadium, budget, student scholarships, financial model)]

1. Coalition on Intercollegiate Athletics

Professor Feeney convened the meeting at 1:20, awaiting the arrival of Professor Martin, and asked Professor Leo to discuss the proposed motion for the Twin Cities Faculty Assembly that the Twin Cities campus, through the Faculty Assembly, join the Coalition on Intercollegiate Athletics and endorse in principle the Framework statement adopted by the Coalition. The "Comment" to the proposed motion read as follows:

The Coalition on Intercollegiate Athletics (COIA) is a faculty group with a steering committee of 12 members drawn from Division I universities across the country that is working to bring reforms to college athletics. The general direction and nature of the changes are outlined in the Framework statement. COIA is working closely with the National Collegiate Athletic Association (NCAA), the American Association of University Professors, and the Association of Governing Board (the professional association for regents and trustees) to build support on several fronts for the reforms. COIA has the strong support of the President of the NCAA, Myles Brand.

The Advisory Committee on Athletics voted unanimously to recommend to the Assembly that the University join the COIA and that it endorse in principle the Framework. "Joining" the COIA simply means that the Assembly has put its stamp of approval on the work of the COIA and that there will be a contact person, a faculty member, at the University to receive information about the work of the COIA. There are no dues and no obligations; the action lends moral support to the

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effort. In terms of the Framework, while Committee members have minor reservations about a couple of the specific items in the Framework, the Committee believes that overall it represents a set of goals that the University should endorse. Moreover, the Framework simply sets the context for legislative proposals that will be prepared for the NCAA; the Committee will review and vote on all of the specific proposals that are developed.

Professor Leo explained that the Coalition is promoting a series of reforms of Division I college athletics across a broad spectrum of issues. Both the committee he chairs as well as the Advisory Committee on Athletics, chaired by Professor Erdman, support the recommendation. So does the Athletic Director, Mr. Maturi, and the President of the NCAA is a strong supporter of the Coalition. The danger is that the University could join and then nothing happens, and it could take a stronger position, but this is a necessary first step, Professor Leo said. Most of the large schools are joining, which may reflect the fact that there is not much opposition because there is not much activity yet. The Faculty Representatives, Professors Linda Brady and Richard Weinberg, support the motion, although they have some disagreements with a few of the particulars in the Framework document.

The Committee voted unanimously to endorse the motion.

2. Mt. Graham Telescope Project

Professor Martin had joined the meeting and reported that she had send an email message to the chairs of the Social Concerns and Research Committees asking them to review the materials related to the Mt. Graham Telescope project, including a consideration of the academic freedom issues and implications, and to develop either a joint or separate motions to bring to the Senate in March.

3. Security Badges

Professor Martin turned now to Senior Vice President Cerra and Assistant Vice President Bianco for a discussion of security badges. She noted that there have been questions raised about the need for security badges on different parts of the campus and asked if the University is moving toward a more normative expectation that all employees will wear such badges. Alternatively, will such badges be used only in areas of high risk?

Mr. Bianco began by saying that the ultimate decision about a University- or campus-wide requirement will be made by Vice President Kathleen O'Brien. They made the decision in the Academic Health Center because there are worries about those who protest, sometimes violently, the use of animals in research. They require security badges for all employees (not students) and they also lock building doors at night and on weekends, two steps that nurses and many other staff have expressed appreciation for. The simple fact of locking the doors has dropped the petty crime rate by 50%. Part of the security issue is also related to various federal laws (e.g., HIPAA, Select Agents). The badge program is designed for employees, allows visualization, the badges carry an expiration date, and the program has been well-received in the AHC.

Does the badge replace the U Card, Professor Marshak asked? Could the security badge and the U Card be combined? Mr. Bianco said the badge does not replace the U Card; as a matter of policy, the security people do not want a keycard with identification on it. The ID badge is for visual identification only--it will not function as a keycard.

Professor Martin asked if the AHC program a model for what will be coming to the rest of the University. Dr. Cerra said it was a good question. The initiative for the security badges came from the fact that the wife of a former University President was held at knifepoint and robbed in the AHC. At the same time, students felt threatened at night by people off the street wandering around buildings. Faculty and staff felt more than threatened; there were a series of robberies in some AHC buildings. In addition, there are areas of the AHC that are not public, areas where there are restrictions because of research. Finally, Fairview security requires a picture ID for access--he himself cannot get in to practice medicine without his picture ID. Several of the AHC colleges complained to him about security problems, Dr. Cerra said.

As a result, Mr. Bianco led a task force to examine security. Dr. Cerra said that it worked in the context of a research university, a public institution, built on the notions of freedom of access and freedom of speech, but he needed to do something so it was a question of balance. The task force made these points:

- There must be an increased level of awareness: people should notice who is on their floor and ask if they should be there
- When people leave their offices (for an extended period), they should shut the door.
- If someone is there who should not be, and one does not know why, the appropriate individuals should be notified.

The idea of badges came from within, from the task force. Dr. Cerra said he was vehemently opposed to them but Mr. Bianco persuaded him of their usefulness. Not everyone knows everyone (including him, Dr. Cerra observed) and the badges provide a way for people to know who you are and whether you need to be where you are. The badges have an expiration date so that they can check the database to see if a badge is current, Mr. Bianco added; an employee receives a badge when they come to the University and must give it up when they leave.

Could someone keep track of when a faculty or student researcher is in a lab or elsewhere, Professor Balas asked? If one uses a keycard, there is a record, Mr. Bianco said. But the badge is not the same as a keycard, Dr. Cerra said, and no one can be tracked by his or her badge. In addition, only security staff have access to keycard records and may only use them in the case of an investigation. He said that he cannot have the list of keycard records of people going in and out of labs. The information is not shared unless there is an investigation, Mr. Bianco affirmed.

There is petty theft in all academic buildings, Professor Marshak pointed out, and people wander in off the street in many of them. If badges are worn by faculty and staff, what about students? Some of those who wander off the street look like students. Unless EVERYONE has an ID, the badges will not cut petty theft. Students have U Cards, Dr. Cerra said but they have talked about that issue a lot. [There was some confusion at the meeting about whether AHC employees are REQUIRED to wear the badges; Mr. Bianco later confirmed that wearing the ID badges "is required and mandatory."]

Professor Wells differed on the last point. She noted that the form she signed included the proviso that failure to comply with the regulation about wearing the badge could lead to discipline. (Dr. Cerra was surprised to learn of this regulation.) She added, however, that she supports completely the requirement that people wear the badges. The requirement on the form is geared primarily to people who might lend their badges to other people, Mr. Bianco explained. That was not made clear in the document that one has to sign, Professor Wells said. Mr. Bianco said he would follow up on the point.

They receive emails every once in awhile alerting them that people are in the building, Professor Marshak said, usually accompanied by vague descriptions that in many cases could include a lot of students. The philosophy, Dr. Cerra said, is "show me who you are." If one is a student and shows an ID, that's the end of it. If the person cannot show an ID, then their presence is called to the attention of the appropriate office. Not all space is public, he said again, and especially not some research space. Nor are offices public, Professor Morrison pointed out. They have no obligation to let people into non-public places, Dr. Cerra said, and the idea is that one would ask to see identity. There are also areas in the Medical School, Professor Fossum said, where the University has an affirmative obligation to make sure some spaces are private to protect private data.

This is for the benefit of the AHC community, Dr. Cerra said. The University can keep people out of research space when they are not supposed to be there.

Professor Martin said she could understand why the badges are a good idea for the AHC. Has there been discussion about extending the requirement to other parts of the University? There has been, Dr. Cerra said, in the Emergency Preparedness and Response Policy Group of the University chaired by Vice President O'Brien, about whether it should be campus-wide and then University-wide. There has been no decision. His view is that any decision should be reached only through a bottom-up process.

They have had two kinds of experiences with the badges. One, everyone focuses on them when someone is wearing one. Two, when he is on the non-AHC part of the campus, visitors see it, know he works for the University, and they ask for directions. That is positive, he said.

So unless there is a groundswell in other areas, it is likely not to be extended, Professor Martin asked? Dr. Cerra said he did not know how such a requirement could be imposed. One would not make it condition of employment at this university at this time. He pointed out, however, that at places like NYU, one can go nowhere without a badge, and the same is true at the Department of Health and the Department of Commerce in St. Paul. The practice of ID badges for employees is becoming commonplace in public institutions. It may happen here, but there would have to be a lot of discussion before the University made a decision to require badges.

Professor Morrison said this discussion reminded him of a similar discussion this Committee had a number of years ago about whether the faculty should be required to have library cards to take out books. Before they were required, faculty just signed their name. The libraries lost a lot of books that way.

Mr. Bianco said he would feel more comfortable if service groups had IDs. Some are developing their own, but the University should be consistent in the badges it requires employees to wear.

In many parts of the University, in offices and classrooms, there is a sense that faculty have to watch out for their own part of the world, Professor Martin said, and that they should lock their doors when stepping away. Awareness is important.

One new category of risk that has to be recognized, Dr. Cerra said, and this has been in the national media, is that research universities are targets for terrorist groups. That is reason enough to move some parts of the University in the direction of wearing security badges. The Emergency Preparedness and Response Policy Group is asking if Facilities Management employees should wear badges. The next phase

is the assessment of risk, and if the deliberations will affect faculty and staff, they must be the subject of consultation, Dr. Cerra said.

Professor Davis reported that while they have had discussions about badges at the UMD Medical School, nothing has been decided. They have had thefts and they do have animals used in research (no primates), and very few patients in the areas where he works, so they have no patient records.

The trend is clear, however, Professor Marshak observed; badges are being used more and more around the country.

Professor Wells related that she did not want to come to the University in the evenings since she came here in 1981. She knew of one incident where a woman was chased into a lab by an intruder and she had to close the door to get away. She said she has a different feeling here; she would never plan an experiment that would require her to be here in the evening. She said she now feels much more secure because she is now housed in BSBE, which a restricted-access building. It is interesting that there are such differences across the campus, Professor Martin observed; she said she has no compunction about going to her office anytime in the evening or on weekends. Professor Fossum reported that in the new Carlson School building, one cannot get beyond the second floor after working hours without card access.

Professor Martin thanked Dr. Cerra and Mr. Bianco for joining the Committee.

4. Discussion with President Bruininks

Professor Martin welcomed the President to the meeting and suggested that he start with items he wanted to discuss.

The President touched upon several matters.

-- The Committee should be briefed on stem cell research. It is a fascinating discussion that also raises academic freedom questions. There are a number of issues that a major research university should consider. (In two states, the legislature banned certain kinds of research; in one of them, an entire research team left the research university and went elsewhere.)

-- On the branding issue, the main thing is to get the message out about the University--what it does and its value. University Relations has done very good work and will pilot messages that emphasize what the University does relative to its mission. They will not use the "big time" theme with the teaching, research, or public service missions. No branding campaign can capture the essence of this complex university, or distill what it is about in the way that the Northrop Auditorium inscription has. This effort started because former President Yudof and the Board of Regents wanted a better way to profile the Twin Cities campus in order that it is better understood. The President said he has suggested a small advisory group with Vice President Gardebring's office to review what is being done and assess the efforts. He does not want to spend a lot of money on this, he said, and he is generally wary about broad branding campaigns. Professor Martin said that the Committee did not disagree with the need to try to convey a message, only with the proposed tag line.

-- He is thinking about the organization of the administration in two ways: first, its capacity for financial management and information analysis, and second, academic leadership for the Twin Cities

campus. It may be that it would be wise to clarify academic leadership for the system and Twin Cities campus responsibilities. Professor Fossum suggested including human resources offices and data in the analysis.

-- The stadium issue continues. The President outlined the options for the University and his views about the desirability of each. The stadium feasibility study will be presented to the Board of Regents in December; the report will include site preparation costs, visuals, a marketing study, and a fund-raising strategy. The three options at this point appear to be: (1) an on-campus stadium (this would be best long-term, allow the University to control its own destiny, but will NOT happen unless the debt and liability can be kept under control); (2) the donation of the Metrodome to the University (which costs about \$7 million per year to operate, and depreciation must be factored in, and if the University were to issue bonds for its maintenance, it could use the same dollars for an on-campus stadium); or (3) a joint-use stadium with the Vikings, wherever they go (this is the least-preferable option). Most important is that the University be engaged in the discussions and advocate its interests. There may be other options in between these. The biggest risk to the University is not being in the discussions. He said the administration would bring the feasibility study to the appropriate Senate and Assembly committees for discussion. Professor Marshak said he worried most that marketing estimates might be too optimistic about the financial risk for the University; the President agreed that the University would not assume a large financial risk.

-- At the December 18 meeting of this Committee he would like to talk about the 2004-05 budget. There is about a \$9 million deficit to be covered, there is the issue of how compensation increases would be covered in non-tuition-generating units, and there will be a small tuition deficit (that recurs annually). The problems will not be of the magnitude of those last year, and he would like to get the budget settled early so that the University can turn its attention to its longer-term academic and financial strategies.

-- He would like to make student scholarships the primary goal of post-campaign fund-raising efforts. The President said he would like to create up to \$12.5 million matching pool on a recurring basis, of which \$10 million would be for undergraduates and professional students, with a new \$2.5 million commitment for graduate education (through the 21st Century Fund). He would like to see most of the money for merit scholarships, because the state and federal governments will continue to fund need-based aid.

-- There will be a discussion of the University's financial model by the Senate Committee on Finance and Planning as well as the Deans' Council, Professor Martin reported. The President said it would also include an assessment of the University's overhead system: The problem with IMG is that the assumption was that overhead would be covered by increases in the state appropriation. This assumption is obviously not valid in the current environment. The system has become too complicated and needs to be re-examined.

-- The Committee discussed the strike briefly with the President.

Professor Martin thanked the President for joining the meeting and adjourned it at 3:00.

-- Gary Engstrand