

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Faculty, Staff, and Student Affairs Committee
September 13, 2001**

A meeting of the Faculty, Staff, and Student Affairs Committee of the Board of Regents was held on Thursday, September 13, 2001 at 10:30 a.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: David Metzen, presiding; Robert Bergland, Dallas Bohnsack, William Hogan, Richard McNamara; and Maureen Reed.

Staff present: Chancellors Kathryn Martin and Samuel Schuman; Executive Vice President and Provost Robert Bruininks; Senior Vice President Frank Cerra; Vice Presidents Tonya Moten Brown, Carol Carrier, Sandra Gardebring, Robert Jones, Christine Maziar; General Counsel Mark Rotenberg; Executive Director Ann Cieslak; Provost David Carl; and Associate Vice Presidents Steven Cawley and Robert Kvavik.

Student Representatives: Nicholas Maxwell and Tracy Street.

COMMITTEE WORKPLAN, 2001-2002

Vice President Carrier led the discussion and presented a draft committee workplan for review to the committee. A copy is on file in the Board Office. In addition to required items and items which routinely come before the committee, the proposed workplan includes several topics of interest to the Board, including employee health care benefits. Carrier noted that the proposed workplan would alter the timing and format of certain reports that typically come before the committee.

Regent Reed suggested that the committee focus on policy issues, rather than simply discussing reports on various topics. She also encouraged flexibility as items may arise out of the Board's 2001-03 workplan and as a follow-up to the Board of Regents Policy: *Reservation and Delegation of Authority*. Regents Bohnsack and Metzen concurred and Metzen requested that reports focus more on staff and administration recommendations for future action, rather than merely reporting the current status of an issue.

Regent Bohnsack noted the importance of addressing student life issues following the tuition increase approved in July. Student Representative Maxwell commended the Board's attention to student issues, and suggested a discussion of how students have benefited from the new University Fee. Metzen agreed, stressed the critical nature of environmental issues for faculty, staff and students, and proposed a discussion regarding tobacco use among the University community.

Regent Hogan encouraged participation from the coordinate campuses, as well as increased involvement of faculty, staff, and students in presentations.

The committee agreed to continue the workplan discussion during its October 2001 meeting.

BOARD OF REGENTS POLICY: ACADEMIC PROFESSIONAL AND ADMINISTRATIVE STAFF

Vice President Carrier presented the proposed revisions of the Board of Regents Policy: *Academic Staff Professional and Administrative*, and briefly described the history and composition of the academic professional and administrative employees (P&A) category.

Among the proposed changes to the policy are clearer language regarding compensation and fringe benefits, the creation of a representative body for P&A employees, and a provision which provides P&A employees with the same academic freedom protections provided to faculty.

Randy Croce, chair of the Academic Staff Advisory Committee, addressed the committee. He provided an overview of the P&A employee category, highlighted various accomplishments of P&A employees, specifically their role in teaching and research, and noted the support of P&A employees for the revised policy. He also commented on the good working relationship between the University administration and P&A employees. A copy of his remarks are on file in the Board Office.

The proposed policy will be presented for approval in October 2001.

STUDENT ALCOHOL ISSUES

General Counsel Rotenberg led the discussion, highlighting the University's various educational efforts aimed at preventing alcohol misuse, and summarizing the University's policies which address alcohol use by students. These policies include, residence hall policies, the Board of Regents Policy: *Student Conduct*, and the Board of Regents Policy: *Alcoholic Beverages on Campus*. He referred the committee to the docket materials for additional background information.

Rotenberg presented information regarding parental notification, explaining that state law prevents the University from notifying parents or guardians when students below the age of 21 commit alcohol policy violations, although exceptions exist. The limited parental notification policy recently adopted by the University of Minnesota Duluth (UMD) is consistent with state law and Board policy. Chancellor Martin added that the limited parental notification policy adopted by UMD was intended to be a common sense approach to address underage drinking at UMD. She noted that UMD's residence halls are alcohol free and 90 percent of the students who live on campus are below the legal drinking age.

Dr. Edward Ehlinger, Director, Boynton Health Service, discussed statistics regarding alcohol use among University of Minnesota students on all campuses, and at comparable peer institutions. He noted the impact that alcohol use can have on academic achievement, the significant number of students who begin drinking while in high school, and the increased percentage of University students who feel the University cares about alcohol use among students. A copy of the statistics presented are on file in the Board Office.

In response to a question from Regent Hogan, Rotenberg advised that variation in parental notification policies among the University's campuses does not necessarily increase legal risk or exposure. Hogan commended Martin on UMD's approach to the problem of alcohol misuse and questioned whether the University should have a policy that treats students differently based on the campus they attend.

Regent Reed commented that it would be helpful for the administration to explicitly state the goals of the University's various alcohol policies and then review whether the policies accomplish those goals. She commented that harm reduction and safe and supportive living and learning environments would be worthy goals.

It was agreed that this topic should return to the committee for additional discussion. Among the items to be discussed is the rationale for the parental notification policy currently in effect at each of the University's campuses.

PRIVACY: POLICY ISSUES & PRINCIPLES

Vice President Carrier introduced Associate Vice President Kvavik and Senior Vice President Cerra who led a discussion focusing on privacy. The discussion is a follow-up to questions raised during a previous meeting of the Audit Committee.

Kvavik indicated that the University's privacy policies and procedures are dictated by guiding principles contained in state and federal law and, therefore suggested there is no need for an umbrella Board of Regents policy. However, he cautioned that, as new technology and applications emerge, it is important to review current policies to ensure agreement with these guiding principles. Currently, the University's policies govern primarily who has access to specific information and what information can be shared with the general public. He noted that one potential challenge regarding privacy is protecting data from attack by outside sources.

Cerra commented on the University's efforts to comply with the Health Insurance Portability and Accountability Act (HIPAA). This act was designed to give patients more access to health care information, while also increasing the privacy protections for this information. A University-wide committee has been formed to respond to HIPAA and although the process will be complex, expensive, and time-consuming, the University should be in compliance by the April 2003 deadline. Cerra observed that the University's current privacy practices and policies will aid the compliance process. Copies of background materials related to HIPAA are on file in the Board Office.

CONSENT REPORT

The Committee voted unanimously to recommend approval of the following:

- The appointment of Dr. Mary L. Nichols as Dean of the College of Continuing Education effective September 15, 2001.

INFORMATION ITEMS

Vice President Carrier noted the information items which were included in the docket materials.

Meeting adjourned at 12:15 p.m.

ANN D. CIESLAK
Executive Director and
Corporate Secretary

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