

FACULTY CONSULTATIVE COMMITTEE (FCC)
November 19, 2015
Minutes of the Meeting

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

[**In these minutes:** Campus Climate; Driven to Discover Building on the Minnesota State Fairgrounds; Provost Hanson; *Transforming the University Through Advancing Diversity*, a Diversity Hiring Initiative]

PRESENT: Colin Campbell (chair), Jigna Desai (vice chair), Catherine French, Rebecca Ropers-Huilman, Linda Bearinger, Dan Feeney, Gary Gardner, Scott Lanyon, LaDora Thompson, George Trachte, Susan Wick, Heidi Barajas, Janet Ericksen, Greta Friedemann-Sanchez, Karen Mesce

REGRETS: Kathleen Krichbaum, Dale Carpenter, Joseph Konstan, Chris Uggen, Jean Wyman

ABSENT: None

GUESTS: Professors Ellen Demerath and Logan Spector on the Driven to Discover Building at the Minnesota State Fairgrounds and Professor of Communication Studies and Director of Race, Indigeneity, Gender, & Sexuality Studies Initiative (RIGS) Catherine Squires

OTHERS ATTENDING: Deb Cran, Randy Croce, Jon Steadland

1. **Call to order:** Professor Campbell convened the meeting and called for a round of introductions.

2. **Campus climate:** Professor Campbell welcomed Professor of Communication Studies and Director of Race, Indigeneity, Gender, & Sexuality Studies Initiative (RIGS) Catherine Squires who was invited to talk about campus climate and RIGS. Professor Squires began by noting that RIGS was established this year in an effort to increase recruitment of faculty of color, retain faculty of color and to strengthen the work being done in those areas of scholarship, particularly in the College of Liberal Arts (CLA), where the ethnic studies and gender studies departments are housed. Currently, RIGS is doing a cluster hire, which will bring in four new faculty, and it is undertaking initiatives related to graduate and undergraduate curriculum as well as various programming efforts.

While Professor Squires said while she cannot speak for students, she has attended some of their rallies and believes they have reasons to be dismayed at the lack of clarity and transparency around issues of diversity, inclusion and equity on campus. For example, there exists a lot of confusion around the announced restructuring of the Multicultural Center for Academic Excellence (MCAE). Additionally, there remains confusion about the elimination of Post Secondary Teaching and Learning (PSTL), [a continuation of General College], and what it says

about the University's commitments to bringing in first generation and under-represented students.

Professor Squires went on to say that there are a number of faculty who are dismayed by the lack of connection and consultation, particularly on the part of the Office of Equity and Diversity (OED). While several initiatives have been announced, they do not have connections to already existing initiatives or connections to community liaisons that have been established over the years. Faculty continue to be surprised by announcements that are made that indicate faculty consultation has taken place, but the faculty who should have been consulted were not.

Professor Squires reported that she serves on the Graduate School Assembly Planning Committee and the theme for this year's assembly is diversity. In a recent planning meeting about the upcoming assembly, there was a lot of discussion about a combination of silence and alleged ignorance of faculty about diversity issues, Title IX issues, recruiting, etc. There seems to be a lack of knowledge about where the accountability lies when faculty abuse students, e.g., sexism or racism. Departments often take the position that faculty are protected by tenure, which does not seem to be the proper reaction. As a result, there is a lot of talk about how the Graduate School Assembly may be able to jump start a process for creating routes of accountability, particularly for departments to structure their own interventions, given department cultures vary greatly. Many departments seem to ignore best practices when it comes to recruiting and retaining faculty and graduate students of color. While there would likely be resistance to OED or central administration imposing best practices, if best practices are not coming from above, they are also not coming from below, which means it is no one's job and bad practices continue.

Professor Squires welcomed questions from members, and she added that the University needs to start thinking about not letting things go as far as they have at the University of Missouri and Yale University; the University needs to be proactive.

In Professor Lanyon's opinion, departments are likely where the most change can be affected. Faculty tend to be resistant to top/down initiatives. Training for department heads is something that needs to happen on an ongoing basis, and not just training for new department heads, but people who have been department heads for a long time. Professor Lanyon then mentioned the 'talking heads' lunch series that Vice Provost Levine started awhile back, which are quite good, but attendance is not required. Professor Campbell interjected and said in the Medical School 'optional' translates to 'not important.'

At a recent Committee on Institutional Cooperation (CIC) meeting, reported Professor Desai, some institutions have mandatory training for search committee chairs to learn about implicit bias and what is legal and not legal in the hiring process. Also, some institutions have diversity advocates on their search committees who are paid to attend the meetings and point out when biases are happening. Certainly, there is room for improvement given the University has neither of these resources.

Professor Lanyon said following up on the search committee piece, while the Office of Human Resources (OHR) provides good training on how to conduct searches, faculty do not listen to OHR. As a result, training needs to come from faculty because faculty listen to other faculty.

Professor Gardner said in his mind there are really two big issues, process and climate, and he believes a lot of the concern is centered on climate rather than processes. He added that making individuals feel welcome and a part of the community is where the University fails.

Professor Campbell called on Professor Ericksen to talk about the Morris campus experience. Professor Ericksen said the Morris campus is experiencing unrest as well. A tenure decision regarding a minority faculty member is under consideration and some students somehow heard about it and are rallying about the need to hire faculty who look more like the student body. Training for search committees would be welcome at Morris as well as ideas for recruiting faculty who are willing to move to rural Minnesota.

Professor Bearinger commented on the variation from school to school as it relates to size, HR practices, etc., which can present hiring challenges. When it comes to hiring, the University also needs to be more nibble in terms of how long it takes to hire someone. Following up on Professor Bearinger's observations, Professor Ericksen added that Twin Cities staff have come out to Morris to conduct workshops on hiring best practices, but, unfortunately, many of the people who attend are the ones that least need the training. She also suggested having required training in order to get around this problem.

Professor Barajas agreed that departmental level changes in this arena could change the University. Regarding campus climate, the issue she keeps thinking about is who will listen to diverse faculty and students, and then be able to take action based on what they are experiencing. Who is it safe for them to talk to? What kind of repercussions could they likely experience? Unless people are willing to file a grievance, which is the direction most people prefer not to go, then problems get dropped. There are faculty who actually believe that because they have tenure that they can call a minority faculty member a racial epithet.

Professor Ropers-Huilman said in her opinion one of the reasons department chairs and others do not respond is because they make assumptions about what their colleagues are thinking and saying, and not thinking and not saying. Recently, she noted, her department had a meeting devoted to equity and diversity where someone commented that while diversity initiatives are not just a touchy/feely exercise, it is about people's safety and security in this academic learning environment. On another note, she mentioned a proposal that was submitted for a conference next spring. The scholars who submitted the proposal take the position that overall institutions are doing a fairly good job of recruiting faculty of color, however, once hired and in their positions for three to four years, these faculty of color frequently have buyer's remorse because the job turns out to be different than how it had been portrayed during the hiring process.

Following her comments, Professor Ropers-Huilman asked Professor Squires for her thoughts on what the University can do to improve its campus climate. Professor Squires said the first thing that needs to be made clear to faculty is the difference between what tenure protects and what is abuse. Faculty frequently invoke tenure and freedom of scholarship to cover-up abusive behavior. This misconception is something that she believes the FCC and Academic Freedom & Tenure (AF&T) should take up because it is a common smokescreen used to try and shut people down.

Professor Campbell thanked Professor Squires for attending today's meeting. He said equity and diversity, and campus climate are issues the FCC cares deeply about and has for quite some time, but for whatever reason these issues are not getting the traction they deserve like other issues such as human subjects research, etc.

3. Driven to Discover building on the Minnesota State Fairgrounds: Professor Campbell welcomed Professors Ellen Demerath and Logan Spector, who were invited to provide information on and get support for a new Driven to Discover building on the Minnesota State Fairgrounds. Before beginning, Professor Campbell called for another round of introductions.

Professor Spector began by saying that the two-year pilot of allowing faculty access Minnesota State Fair attendees for research purposes has been a smashing success. Nine thousand fair attendees participated in 2014 and 17,000 in 2015. He then took a minute to read a letter from a clinical faculty member who had a great experience conducting research at the fairgrounds. Not only are fairgrounds an extremely efficient way to recruit research subjects, but the venue also provides a great experience for camaraderie for trainees. Convenience research has its place in the world of research. Having said that, the Driven to Discover (D2D) building is totally inadequate for the long-term. Professor Demerath added that the University should have a research facility at the fairgrounds given that roughly 2 million people attend the fair during its 12-day run every year. The D2D building is the old Spam Building, which is essentially a barn that is open to the elements. The goal for this undertaking is twofold:

1. Get support for the idea of a new Minnesota State Fair facility that can be channeled upward to Vice President for Research Brian Herman and the deans.
2. Eventually, get a new facility.

In Professor French's opinion, a more open space would attract more visitors than a closed off space. Professor Spector agreed and said that an architect has been engaged to get a rough idea about what a new space would cost and that amount is \$400,000, which includes tearing down the old building and replacing it with an adequate space. Professor French suggested making the new D2D facility a University project similar to the energy-efficient solar house that was by the Armory for awhile. Professor Spector reported having conversations with the College of Design, but noted that they have price constraints because there is a "political cap" on how much can be asked for this type of building.

Is most of the research conducted at the fair done by the Academic Health Center (AHC), asked Professor Bearinger? Professor Spector said about 50% of the research being conducted at the fair is AHC, but also CLA was doing research too. The building is for anyone doing human subjects research because it provides researchers with access to a large cross-section of people. The distribution of programs using the facility now is not necessarily who will use the building in the future.

What can the FCC do to show its support, asked Professor Bearinger? Professor Campbell said the fact that this conversation gets in the minutes is one way the FCC can demonstrate its support.

Professor Bearinger went on to ask whether the funds needed for a new D2D facility could be included in the Higher Education Asset Preservation and Renovation (HEAPR) request to the state. To be clear, said Professor Spector, the University will not own the facility, which is mandated by state law. The University has a memorandum of understanding that gives it indefinite use of the building, but that the fair owns the building and the land it sits on.

Professor Desai asked about liabilities associated with recruiting research subjects at the fair, e.g., people who have been drinking alcohol, compromised individuals who cannot provide informed consent. Professor Spector said he served on an Institutional Review Board (IRB) for five years, and the IRB has discussed the various liabilities associated with doing research at the fair. He said in the University's agreement with the Minnesota State Fair, only minimal risk research can be conducted at the fair. The IRB has also convened a special session for all the D2D studies that are being considered for the fair with an eye towards the special circumstances the fair presents. The IRB has turned down a few studies that have been submitted. With that said, noted Professor Spector, having 17,000 participants at the fair serves to help rehabilitate the University's reputation. Professor Demerath added that by conducting research at the fair it allows fairgoers to participate in research that is benefiting the community. This is a way for people to see researchers in action and to ask questions about the research. All research being done at the fair is looked at with an eye toward whether it is appropriate for a fair setting.

Professor Friedemann-Sanchez said she thinks a new D2D facility is a good idea, and that she does not think that \$400,000 seems like a lot of money considering the time it takes to recruit participants into studies. Since the University started conducting research at the fair in the past two years, she would expect there have been significant savings in terms of administrative costs when it comes to recruiting participants. D2D seems like a great indirect way to support research.

Professor Lanyon commented that the fair facility is not that much different from, for example, an outreach center or field station where research is conducted. He then asked because the State Fair would own the building, what is the University's role. Professor Spector explained said the fair will not build a new building on spec; instead, the University needs to pay the fair, which will then hire a contractor. The University would then have indefinite use of the building as long as the fair and University have an agreement.

In response to a question from Professor Campbell about the facilities' operating expenses, Professor Spector explained that the operating expenses would cover staff salaries, e.g., a study coordinator, for those working at the fair. Parallel with these efforts, said Professor Demerath, an ISO application is being developed, and the purpose of this is to make the facility self-sufficient and cover the operating costs. The fact of the matter is that if the University does not have a "show to put on," the fair could cancel the University. To clarify, said Professor Spector, the plan is to reapply for two-years of operating expenses through the Office of the Vice President for Research, but with a plan toward moving to a fee for access into the facility.

StoryCorps, America's oral history project (<https://storycorps.org/>), said Professor Gardner, seems like it would fit in to what the University is trying to accomplish at the fair, and may be attractive to the fair as well given it is a well-known organization. On a different point, he said

as an ISO, the cost of the building could be capitalized, and is worth considering. Professor Demerath said a number of funding models have been considered. Professor Spector said while an ISO is a good back-up option, the preference is to pay for a new building outright versus amortizing the cost over time.

Professor Barajas commented that she likes the idea of transparency of research that is being offered through this initiative. The initiative is about transparency and working with the community, and should be included in the ISO application because it is so important.

Do investigators take funds from their grants to do research at the fair, asked Professor Mesce? Professor Spector said most researchers have done pilot studies so far, and departments making use of the facility are being encouraged to put up some money. He added that he has written up a facilities page, which can be included in an NIH grant, but the problem is that no one will submit an NIH grant for a facility that they cannot guarantee will be around in the long run. Professor Mesce suggested including the broader impact component of citizen science and involving the community in NSF and NIH grants that are submitted. She added that she worked at the NSF for a number of years and knows for a fact this is exactly what they are looking for.

Professor Thompson invited Professors Spector and Demerath to also present on D2D to the Senate Research Committee. Secondly, she suggested contacting Professor Andy Furco, associate vice president of public engagement, to see if he would help spread the word about this undertaking.

Professor Spector asked if the committee would be willing to consider drafting a statement in favor of this initiative given he has only heard positive comments and encouragement from members. Professor Campbell said the minutes would reflect strong support among members. Professor Spector said this is a critical year, and if funding cannot be found, the fair will likely give away the space.

Professor French asked whether it would be appropriate to make a motion of support and include it in the minutes. Professor Campbell said he is hesitant to do this and asked Professor Ropers-Huilman for her thoughts. Professor Ropers-Huilman acknowledged Professor Campbell's hesitancy, but wondered because this initiative is University-wide that it may warrant a statement. Professor Campbell said he would raise this matter with President Kaler.

In Professor Gardner's opinion, D2D is a great initiative, and he liked the idea of it going to the Research Committee. The Research Committee could, if it chooses, draft a resolution and bring it to the Senate for information/discussion.

Professor Bearinger said she thinks it would be worth Professors Spector and Demerath's time to get on the agenda of the Public Engagement Council (<http://www.engagement.umn.edu/about-engagement/public-engagement-council>) to talk about D2D and garner their support as well.

4. Discussion with Provost Hanson: Professor Campbell welcomed Provost Hanson and asked if she had anything special she wanted to talk with the committee about. Provost Hanson began by mentioning the search that was recently launched for the new College of Science and

Engineering (CSE) dean. She added that before CSE Dean Crouch steps down, she has asked him to chair the search for the next dean of the Graduate School. Provost Hanson assured members that there will be FCC representation on the Graduate School dean search, and expects the committee size to be small because it is going to be an internal search. Other updates from Provost Hanson included:

- The Grand Challenges Research Strategies Team is in the process of organizing the input it collected from faculty and expects to finish their report by December 8th.
- The recent reaccreditation of the campus seemed to have went well and everyone who participated in the process did an excellent job.

Before moving on to talk about campus climate, Professor Campbell took a minute to congratulate Provost Hanson on the email message *Responding to Current Events* that she sent out yesterday, and said it was well written and timely. He added that based on the campus climate discussion the committee just had, a lot of people feel strongly that there is room for improvement, yet there are others who would disagree. Professor Lanyon added that there is also another group of people who believe there is room for improvement, but who feel it is not their responsibility to do anything about it. There is a strong sense, noted Professor Campbell, that there is a need for mandatory training, and said optional training is code for not very important. While faculty hate to be told what to do, admitted Professor Campbell, he went on the record to say that there needs to be mandatory training, and not just for new faculty.

Professor Gardner said he believes the vast majority of people in the University community are people of goodwill who want to do the right thing, and this is where training can help because it points out things that are said and done that are not necessarily intended to be hateful, but could be perceived that way. In his opinion, hate speech is not protected by the First Amendment nor is it protected by tenure. With that said, Professor Gardner recommended that merit evaluation criteria for faculty be determined by each unit because building a positive intellectual climate in units should be part of the criteria for merit evaluations. He noted that he does not think departments do a good job in terms of identifying faculty members' roles in working to build a positive climate.

Professor Feeney commented on the University's implicit bias training (<http://campus-climate.umn.edu/initiatives-projects>), which he said is very good and recommended more be done to promote it. He went on to ask about whether there is a University policy that explicitly says that hate speech, for example, is not protected by tenure. The administration should develop some tools and guidelines so departments know what is allowable because there is a fine line between freedom of speech and offensive or other kinds of behavior. Without these tools and guidelines, department chairs/heads are left hanging.

Professor Campbell added that campus climate, inclusivity and freedom of expression intersect with one another. He informed Provost Hanson that Professor Carpenter is in the process of drafting a freedom of expression statement, and he believes an inclusivity statement that is not in contradiction to the freedom of expression statement should also be written.

In Professor Desai's opinion, she does not believe students are feeling heard on campus. Related to Professor Barajas' earlier comment about who will take the time to listen to diverse faculty

and students, and then be able to take action based on what they heard, there is no course of action that can be taken when people make racist or sexist statements. As a result, fatigue kicks in because no one wants to address the problem. When people say things, they need to be acknowledged, especially the students. The students are not feeling their voices are being heard and defensiveness is not listening.

Provost Hanson agreed with all these comments. She said the University needs to develop a program to help faculty and staff understand the legal constraints and the elements of quip practice. There are things that people do and say that impede the work of the University, particularly in terms teaching. Developing tools to help faculty and staff see the difference between creating an inclusive climate where people can do their best, does not have to involve crossing any free speech lines. Simply because people have a legal right to do something, is neither here nor there. While the University is very much a free speech zone, this does not mean that faculty do not pedagogical responsibilities.

Professor Barajas said the issues that faculty and students talk about on campus are not just about what is happening on campus. There are a lot of things happening in people's lives, which they bring to the University because they are whole people.

Professor Campbell said platforms should be provided that allow students to speak. Faculty have the privilege of being able to speak all the time. In many ways, said Provost Hanson, students know how to create their own fora and the Office of Student Affairs is there to help them. She believes it would be helpful if more faculty took the time to hear the student voice, and not feel the need to dominate or structure the fora. Professor Campbell noted that while students may have this opportunity, they do not all equally realize it.

Professor Feeney agreed with Professor Campbell's earlier comment that campus climate-related training needs to be made mandatory. By making the training mandatory will send the message that this is serious and things need to change. In response, Provost Hanson reported that the Humphrey School has structured conversations about racism involving the whole school, and believes something along these lines could and should be replicated.

Professor Ropers-Huilman underscored the earlier point about the importance of structuring opportunities for students to have meaningful conversations.

Professor Desai noted that there are other institutions that require students to take gender and ethnic study courses. A lot of the microaggressions that students experience come from other students. She said the University should think about having a gender/ethnic study course requirement. Professor French reported that CSE has a required first-year student course that has an implicit bias component, and believes that other colleges could do the same using a grassroots approach.

Professor Campbell thanked Provost Hanson for a good conversation.

5. *Transforming the University Through Advancing Diversity, a diversity hiring initiative* – Professor Campbell welcomed Kathy Brown, vice president, Office of Human Resources, and

Katrice Albert, vice president, Office for Equity and Diversity. Before beginning, Professor Campbell called for another round of introductions.

Vice President Albert thanked the committee for inviting her and Vice President Brown to come and talk about the University's commitment to advancing diversity in hiring practices. She said a number of initiatives have been launched to attract and retain diverse faculty and staff, e.g., CLEAR initiative, implicit bias training. She turned members' attention to a handout containing information about the various initiatives and noted that the goal of these initiatives is to make faculty of color feel supported at the University. Vice President Albert said the "big lift," involves a two-track approach to faculty and staff diversity. With that said, she noted that she and Vice President Brown would like to get feedback from members about the initiatives that have been undertaken to hire diverse faculty and staff.

In terms of hiring diverse staff, said Vice President Brown, there are four goals:

1. Increase diversity in hiring pools.
2. Work specifically with University Services and the Office of Information Technology to help them recruit diverse candidate pools.
3. Improve diversity in student-facing positions such as advisers, admissions.
4. Work with campus affinity groups to have them be allies in this process.

Vice President Brown then shared a few things that are being looked at and welcomed members' feedback:

- Waiving the experience requirement for certain entry-level positions, which may be actually serving as a barrier for people to get into the workforce.
- Making sure the interview process is welcoming.

Professor Lanyon said he believes there is a philosophical issue with searches that people do not think about. The goal of each search should be to make sure all applicants wish they had gotten the job. What constitutes a successful search should not be limited to identifying a great employee, but for all candidates to wish they had gotten the job so they will apply again. Vice President Brown agreed that the process should be a friend-making activity. Too often, departments focus on getting through the hiring process rather than taking advantage of the process as a recruiting tool. There exists great opportunity in the hiring process. Professor Lanyon cautioned that it could also be an opportunity for making enemies for the institution as well.

Professor Wick asked for more information on the implicit bias training that OED is offering. Vice President Albert said currently OED is piloting the three types of implicit bias training 1) a 90-minute version, 2) a 2-hour version, and 3) a 3-hour version.

Please describe the required OHR training for deans and department heads, asked Professor Bearinger. At the present time, said Vice President Brown, there is no required training for people assuming roles as deans and department heads. There are, however, several leadership development opportunities and individual coaching opportunities for deans. For department head training, OHR works in conjunction with the Provost's Office to provide support to these individuals.

Professor Bearinger commented that the University's hiring processes are not nimble enough for hiring people, which creates missed opportunities. This is an issue that needs to be addressed.

Professor Gardner suggested when training sessions are held to be mindful of the verbiage that is used in order to make sure people understand and are not offended. He noted the example of the phrase 'white privilege,' which was used at a recent training session he attended and caused some confusion. Additionally, in terms of hiring people of color, particularly in the STEM fields, the pools are often low. Because faculty train and educate PhD and postdoctoral students, the University has a responsibility to help grow these pools. In Professor Gardner's opinion, the University needs to do a better job of recruiting undergraduate students into labs during the summer months to start them thinking about entering a graduate program. Faculty of color want to see students of color and vice versa. Vice President Albert acknowledged that there is a pipeline issue.

Professor Thompson agreed with Professor Bearinger's earlier comment about the hiring process needing to be more nimble. Vice President Albert agreed and said that the University should be seeing postdoctoral students as an opportunity for a targeted hire, especially if they are doing incredible work within the department.

What is the process for a target opportunity hire, asked Professor Desai? Does the hire need decanal and/or provostal approval? Also, how does the bridge funding that OED has come into play? In CLA, said Professor Desai, there is no clear path/mechanism for target opportunity hires. Does the University have a policy around targeted hires? Provost Hanson said there is a University-wide policy, but this is a different issue because not all of these hires will be diversifying the faculty. Targeted opportunity hires are not the University's main pipeline for more diverse faculty. Vice President Brown said, as a public employer the objective is to have an open and transparent process for hiring. Additionally, explained Vice President Brown, there is an exceptional hire process whereby approvals are required in order to omit the regular steps in the hiring process. The OHR processes exist to help facilitate the hiring process, and should never serve as a barrier for hiring talented, quality employees. It is the job of OHR to recruit and retain quality people. Provost Hanson added that when there are extra sources of funds that are outside of the regular hiring process, there exists the temptation by departments to get this money as opposed to making good hiring practices the norm for every hire they make.

Speaking as a department head, Professor Lanyon agreed that there needs to be required training for all deans and department heads, and not just new people. The range of behaviors taking place across the University is diverse and not always appropriate. Regarding the training, he also suggested training faculty to deliver the training to their peers rather than having the training done by OHR. Vice President Albert noted that part of the delay in rolling out the implicit bias training is because they are trying to get faculty to be part of the training teams. Professor French seconded Professor Lanyon's remarks. She said that whenever departments hire their goal should be to be inclusive and not just when they get special money. Professor French added that search committees also need to be diverse. Provost Hanson said as important as it is to use the special incentives when hiring and to be nimble when opportunities present themselves, but, as long as there exists a separate track on hiring, there will be problems.

In light of time, Professor Campbell thanked everyone for a good discussion.

6. Hearing no further business, Professor Campbell adjourned the meeting.

University Senate
Renee Dempsey