

FACULTY CONSULTATIVE COMMITTEE (FCC)
December 17, 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 represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

[In these minutes: Debrief from December 3 FCC Discussion with Students; Athletics Report Update; Freedom of Expression/Academic Freedom Statement Update; Fetal Tissue Policy Update; Discussion with Provost Hanson; Discussion with President Kaler; Nominating Subcommittee]

PRESENT: Colin Campbell (chair), Jigna Desai (vice chair), Catherine French, Rebecca Ropers-Huilman, Linda Bearinger, Dan Feeney, Gary Gardner, Kathleen Krichbaum, Scott Lanyon, George Trachte, Susan Wick, Heidi Barajas, Dale Carpenter, Janet Ericksen, Greta Friedemann-Sanchez, Joseph Konstan, Karen Mesce, Chris Uggen, Jean Wyman

REGRETS: LaDora Thompson

GUESTS: President Eric Kaler; Provost Karen Hanson

OTHERS ATTENDING: Deb Cran, chief of staff, Office of the Senior Vice President for Academic Affairs & Provost; Amy Phenix, chief of staff, Office of the President; Jon Steadland, associate to the deputy chief of staff, Office of the President

1. **Call to order:** Professor Campbell called the meeting to order and welcomed those present.
2. **Debrief from December 3, 2015 FCC discussion with students:** Professor Campbell opened the floor for comments and observations regarding the December 3, 2015 FCC meeting with students. Professor Bearinger reported being shocked and troubled by the information the student athlete shared about the Athletics Department and the disparaging comments this young woman endured. At the recent FCC/Board of Regents dinner, Professor Bearinger said she suggested to Regent Johnson that a racism investigation, similar to the sexual harassment investigation of the Athletics Department, should also be conducted.

To the best of Professor Desai's knowledge, there currently are no advocates for students of color in the Athletics Department. As a result, she believes it would be a good idea to build an infrastructure for students of color within that department so that they have advocates, people that understand that particular culture and community.

Having dealt with student and faculty complaints in other circumstances, said Professor Konstan, the FCC does not have the ability as a governance consultative committee to do the follow-up and investigation on issues that are brought to its attention to know what really happened and the outcomes. Professor Bearinger agreed and said the same issue rests with the anonymous ethics reporting.

Professor French said she liked the suggestion made by Professor Desai about building infrastructure for students of color within the Athletics Department. She wondered what is being done to make sure the Athletics Department is being sensitized so other issues do not happen. It takes a lot for a victim to come forward to report an incident, noted Professor French, and she believes that there should be some closure for these people, above and beyond an apology.

Professor Gardner said more thought should be given to the role of the faculty adviser, which should be more than simply telling students what courses to take, but an adviser that can provide information about the University's programs and resources. In response, Professor Campbell said he believes that students are keenly aware of this and that is one of the reasons they would like to see an increase in the number of faculty of color. Professor Konstan added that he likes the idea of a group of faculty setting aside time so students, staff and faculty who have concerns that they feel are not getting sufficient attention can come and talk.

Professor Campbell thanked members for sharing their thoughts.

3. Athletics Department reports: Professor Campbell noted that since the Athletics Department reports were issued earlier this month, President Kaler has established two committees to address concerns raised in the reports. He noted that in addition to establishing a financial oversight committee, which Professor Perry Leo will chair, Vice President for Equity and Diversity Katrice Albert has been charged with pulling together a committee that will have an equal opportunity/affirmative action focus. Professor Campbell reported that there will be a faculty representative on the equal opportunity/affirmative action committee. Lastly, said Professor Campbell, regarding the search for a new athletics director, President Kaler has asked Vice President for Human Resources Kathy Brown to develop a set of recommendations for how the next search should be conducted.

Professor Bearinger asked whether the FCC should formally request the Athletics Department to hire an advocate for students of color as Professor Desai suggested earlier. Professor Desai said that she recently met with Professor Leo and made this suggestion to him. Professor Campbell suggested inviting Beth Goetz, interim athletics director, and Professors Leo and Hoover, the faculty athletic representatives (FAC), to an upcoming meeting and raise this suggestion with them.

Professor Uggen said in response to the email blast he sent out after the external report was issued he received about a dozen responses. In general, he noted that faculty were pleased that a thorough investigation had been conducted. He then went off the record with a few remaining comments.

4. Freedom of expression/academic freedom statement update: Professor Campbell asked Professor Carpenter to provide an update on the freedom of expression/academic freedom statement he is drafting. Professor Carpenter said there is a lot of discussion going on at universities across the country concerning freedom of expression/academic freedom. As a result, he reported being in the process of amassing and assessing information on this topic to come up with a statement that makes sense for the University. Professor Carpenter added that

while he has a rough draft, it is not to the point where he would be comfortable sharing it. However, he plans to have a draft that he can share with the FCC sometime in January. He said once the draft is ready to share, he will circulate it to members and solicit member feedback/input. The main substance of the statement includes steps the University can take to protect freedom of speech/academic freedom.

Professor Campbell asked at what point Professor Carpenter feels it would be appropriate to involve the Academic Freedom and Tenure Committee (AF&T). Professor Carpenter said he believes it will be important to get a consensus from FCC faculty on the statement so it can be moved forward to other groups, as appropriate. Professor Campbell said if members have strong feelings on the path the statement should take to send their suggestions to Renee Dempsey, Senate staff.

5. Fetal tissue update: Professor Campbell asked Professor Krichbaum, chair, AHC FCC, to say a few words about the administrative fetal tissue policies that are under review. Professor Krichbaum reported that there is a new Procuring and Using Human Fetal Tissue for Research (Non-Transplantation) policy and that the Procuring and Using Human Fetal Tissue for Transplantation Research policy is being revised. She noted that these policies were brought to the attention of the AHC FCC by Vice President for Health Sciences and Dean of the Medical School Brooks Jackson who requested the AHC FCC get a sense of how faculty feel about the use of fetal tissue in research given this can be a sensitive issue.

Professor Krichbaum noted that in addition to the AHC FCC receiving a presentation on the policies and procedures related to the use of fetal tissue in research, the Senate Research Committee (SRC) also received a presentation and endorsed the proposed policy changes. Any questions that members have about concerns raised at the SRC meeting should contact Professor Thompson, chair, SRC. Professor Krichbaum also mentioned that the Medical School Faculty Advisory Committee (FAC) will be reviewing and discussing the revised and new policies at their meeting on January 5, 2016.

Professor Campbell commented that while fetal tissue research impacts a small number of researchers, it is an inflammatory topic, and has implications beyond academic freedom. Professor Gardner agreed and suggested the AHC identify faculty who are able to tell the stories about the amazing, lifesaving research they are doing with fetal tissue.

Professor Lanyon asked about the timeline for getting the policies approved. Ms. Dempsey noted that since the AHC FCC meeting she has learned that the goal is to have the policies in place by early February before the legislative session starts. She added that there would be a 30-day comment period beginning sometime in January for members of the University community to provide feedback/input. Ms. Dempsey volunteered to send out the draft policies to members as well as the link once the policies are open for public comment.

6. Discussion with Provost Hanson: Professor Campbell welcomed Provost Hanson who began with a few updates before opening the floor for questions. Updates included:

- There are a number of dean searches that are either underway or that will begin soon - College of Design, College of Science and Engineering, Graduate School and Law School.
- The Grand Challenges Research Committee will be issuing a report about the proposals that were selected.
- Eight Grand Challenge courses will be taught in spring semester. While the courses are great and are being well received by students, there have been enrollment issues, which will need to be addressed this spring. The big issue has to do with making it easier for colleges to work together.

Regarding the enrollment issue facing the Grand Challenges courses, said Professor Konstan, the notion of taking a course simply because it sounds interesting is no longer part of the University culture. There is so much emphasis on graduation that students are likely reluctant to take these courses. He added he is not sure how to change the University culture as it relates to this problem, but he believes that students should be encouraged to have a few courses on their transcript that have nothing to do with the degree they came here to obtain. Along these same lines, Professor French said while there are a number of courses that do have some connection to a student's degree program, many advisers are unaware of them. As a result, she suggested improving communication with advisers about these courses. Professor Wick added that the University has done a good job over the past few years of encouraging students to plan ahead, and, unfortunately, students who are at the right stage to take the Grand Challenges courses already know what courses they are taking for the next year. She noted that in her opinion she predicts that with time enrollment in the Grand Challenges courses will increase. Provost Hanson agreed with these points.

Professor Friedemann-Sanchez said at a recent meeting in the Humphrey School of Public Affairs, faculty received a summary of the Grand Challenges process. It was reported that the Grand Challenges Research Committee included in their report a list of recommendations of how to address the structural issues facing the Grand Challenges. Can the FCC have access to these recommendations, asked Professor Friedemann-Sanchez? Provost Hanson said her office is planning to send out a communication on this topic. She added that the recommendations from the Grand Challenges Research Committee are specific and include steps for breaking down the barriers that currently exist.

Professor French asked about resources earmarked for strategic planning initiatives such as new faculty lines, investment in infrastructure, equipment or facilities. It will vary, said Provost Hanson, and noted it has been part of the budget planning process for last year and this year. To be clear, Provost Hanson stated that because there is only one budget, resources would be coming out of existing collegiate budgets. There is money that will be distributed spring semester 2016, but how it will be distributed will depend on the character of the work in each of the identified areas. She added that there is about \$8 million to seed the identified interdisciplinary changes or other elements of the Strategic Plan, e.g., diversifying the faculty.

Grand Challenges, commented Professor Gardner, gives the University an opportunity to present its legislative request in a more interdisciplinary way rather than being siloed by college. By doing so, it hopefully will make the University's case to the public stronger.

Professor Wyman mentioned that she serves as the liaison to the Alumni Association and they are keenly interested to know what the University will do related to the Grand Challenges, particularly the research agenda. The Alumni Association would like to help by reaching out to their groups and wants to be involved and engaged in this process.

Professor Konstan said the challenge with moving away from business as usual is that the University needs to figure out where it is moving to. Thought needs to be given to how to bridge the trans-collegiate initiatives and the structures that vary within each college before the legislative request is submitted. Provost Hanson agreed and noted that it is important for the institution to recognize and value the changes in the kinds of contributions that faculty make over the course of their careers.

Lastly, Provost Hanson informed members about an advising task force that was established and noted this group has drafted a number suggestions related to the improvement and recognition of the importance of academic advising. More information about these recommendations will be forthcoming.

Professor Gardner asked whether there was a concerted effort to have the Grand Challenges courses meet major requirements. As Provost Hanson recalled, this varied from college to college. Deb Cran, chief of staff, Office of the Senior Vice President for Academic Affairs & Provost, noted all the Grand Challenges courses meet the liberal education requirement, but she will need to look into whether they meet major requirements before she can answer Professor Gardner's question. Professor Wick said that the directors of graduate studies in the College of Biological Sciences reviewed the list of Grand Challenges courses and identified the ones that met their major requirements.

Professor Campbell mentioned a recent Minnesota Daily article (<http://www.mndaily.com/news/campus/2015/10/26/students-worry-about-food-shortage>) that reported that there are a significant number of students who worry about whether their food will run out before they get money to buy more. Professor French suggested a fundraising effort by the University community to meet this need. Professor Desai added that there is a group of faculty who are interested in doing a more in depth analysis related to this issue. Depending on what comes out the analysis, the group has talked about possible solutions such as food shelves and/or a policy that mandates that all catered food on campus come with plasticware so it can be taken to various drop-off sites across campus. Professor Gardner noted that the Healthy Foods/Healthy Lives Institute (<http://www.hfhl.umn.edu/>) recently added food security as one of its objectives and this could be a resource. Provost Hanson added that Student Affairs is interested in this issue as well.

Professor Campbell thanked Provost Hanson for a good conversation.

7. Discussion with President Kaler: Professor Campbell welcomed President Kaler. President Kaler began with a few updates:

- Two Athletics Department reports were recently received, an internal audit and an external report. To address the recommendations in these reports, President Kaler said

he has put together three teams to advance the implementation of the recommendations in the reports. While it was reassuring to learn that there is not a culture of sexual harassment or assault in Athletics Department, noted President Kaler, there is still room for improvement. The internal financial audit results, however, were not quite as good. A team has been put together to look into whether the reporting structure for the chief financial officer of Gopher Athletics should be changed, etc. The three teams will report their recommendations to him so he can report at the Board of Regents meeting in February.

- President Kaler said that he has proposed out of state tuition be increased to about the mid-point of Big Ten tuition over a four year period (15%/year, which equals approximately \$3,200/year) given the University's tuition is currently the lowest in the Big 10 by a significant amount. The proposal also caps non-reciprocity, non-resident students' tuition at no more than a modest amount, e.g., approximately 5½%. The University plans to stay attuned to the elasticity of the market to make sure there are no financial implications related to the out of state tuition increase. In President Kaler's opinion, it is difficult to justify that the University of Minnesota has the lowest out of state tuition in the Big Ten given its high quality of the education. The current out of state tuition is a little over \$20,000/year, which is almost where tuition was in 2007 (not adjusted for inflation). While there are a number of people who are opposed to this proposal, the University of Minnesota will remain a great value for out of state students.
- It is uncertain whether the State of Minnesota will have a supplemental budget or not this year, noted President Kaler. However, if it does, the University has prepared a budget request that consists of four elements: 1) \$19 million (non-recurring) to improve the security of the network, 2) \$10.5 million (recurring) for continuing critical care health services, 3) \$3.6 million (recurring) for a mining initiative, 4) \$3.25 million (recurring) and \$2.5 million (non-recurring) for statewide health care training, education and services. For more information visit <http://discover.umn.edu/news/vision-leadership/u-m-board-regents-consider-advancing-key-state-priorities-supplemental-budget>. Also included in the request will be a line item for general operating support for the University, which would be used to mitigate the need for a tuition increase in 2017.
- President Kaler reported that M Health discussions with Fairview are continuing.
- The University is facing questions on the source of fetal tissue it uses for research, said President Kaler. On a related note, the University has received a letter from a number of state representatives and senators asking the University to forbid the use of fetal tissue by researchers. This is a developing issue that the University will continue to deal with.

President Kaler opened the floor for questions and comments, which included:

- Regarding the issue of out of state tuition, Professor Lanyon asked whether the University has a target for the percentage of incoming students who are from out of state. President Kaler said the University currently maintains a first-year class enrollment that is about 60% - 65% Minnesota high school graduates. The rest of the enrollment is roughly 7% international students with the remainder being either non-resident, non-reciprocity, or reciprocity students. Over time, the University would like to modestly grow its out of state student numbers.

- Professor Lanyon asked two related questions: 1) How do these numbers relate to targets at other CIC schools? 2) How do legislators feel about the University increasing its number of out of state students? President Kaler said out of state enrollment would be slightly on the medium to high side compared to other CIC institutions. In terms of the legislators, President Kaler believes that the majority of them think that the current enrollment distribution is about right.
- Professor French asked if the out of state enrollment numbers help with the University's diversity efforts? President Kaler said it really does not seem to have much of an impact one-way or the other.
- Who is involved in the final decision to raise tuition on out of state students, asked Professor Friedemann-Sanchez? Are the deans involved? While the administration talks with the deans, admissions staff and other administrators, said President Kaler, ultimately he and the chief financial officer will make the final decision because tuition rates are a revenue decision.
- Professor Desai asked where the additional tuition paid by out of state students goes if it does not go to the college. President Kaler said all tuition goes to the colleges. He added that colleges that are educating out of state students receive 100% of their tuition.
- Professor Uggen suggested the administration visibly demonstrate why it is necessary to raise out of state tuition to help dissuade the perception by many that the University is raising tuition because it can rather than because the University is losing faculty because it is not competitive, etc.
- Professor Konstan commented that in his opinion the University has a serious communication problem and cited the recent message from Vice President for Research Brian Herman summarizing his highlights to the Board of Regents on research. This message contained no information about what the research/scholarship achieved. A lot of the messaging the University does is divorced from the scholarship that is done here. These comments are a little unfair, said President Kaler. The purpose of Vice President Herman's report was to tell the Board about the business of research at the University and was not designed to tell the research story at the University. The Board of Regents visit a college at their March meeting and this gives them the opportunity to really understand what happens at the college level. In light of this clarification by President Kaler, Professor Konstan suggested renaming Vice President Herman's report to more accurately reflect the information contained in the report.
- Professor Bearinger said the University needs to communicate more effectively the impact of how research dollars are spent. President Kaler said the University is working hard to do this.
- What initiatives have University Relations undertaken to positively message the work that is being done at the University, asked Professor Friedemann-Sanchez? As an example, President Kaler mentioned the Driven to Discover campaign, which legislators will see. Additionally, there are television ads and other communication pieces. Nothing, however, beats the one-on-one interactions that faculty should be having with their legislators.
- Professor Krichbaum commented that at the last AHC FCC meeting a neurologist who is doing research with fetal tissue came and talked about his research in layman's terms. She agrees that the University has a communication problem when it comes to telling stories about the amazing, and in some cases, lifesaving research that is being done

here. Chief of Staff Phenix noted that a number of the researchers doing research using fetal tissue do not want their names made public. While these stories might be better coming from the actual researcher, their identities need to be protected.

- Does the University do any kind of onboarding for legislators, asked Professor Lanyon? The University tries, said President Kaler, but these are busy people and often only a fraction are able to attend events planned by the University.

Professor Campbell thanked President Kaler for a good conversation. In turn, President Kaler thanked members for all they do for the University.

Professor Campbell adjourned the FCC, but noted that the FCC Nominating Subcommittee would be meeting immediately following this meeting. Professor Desai added that the Whose Diversity? students were found not responsible and the charges against them were dropped.

8. Nominating Subcommittee: Professor French convened the Nominating Subcommittee. She noted that Professor Wick needed to leave shortly, but would like to say something before she does. In looking at the list of nominees that had been generated, Professor Wick said it struck her that many of those on the list have been at the University for many years, and while they bring wisdom and experience to committee meetings, it may be worth thinking about asking younger, mid-career faculty with different perspectives to stand for election on the FCC.

Professor French said that this portion of the meeting would be spent reviewing and discussing the list of previously identified Faculty Consultative Committee (FCC) nominees and rank-ordering them. Once rank-ordered, nominees will be called in that order. Considerations to take into account when rank-ordering nominees, said Professor French, include, but are not limited to, the school/college they represent, racial/international diversity, and a demonstrated commitment to serving the University as a whole and/or their respective school/college.

Members then discussed the potential nominees and rank ordered them. After finishing this process, Professor French asked for volunteers to contact the nominees to see if they would be willing to stand for election to serve on the FCC. Before adjourning the Nominating Subcommittee, it was agreed that Professor French and Renee Dempsey, Senate staff, would serve as the clearinghouse for keeping track of which nominees have and have not agreed to stand for election.

Professor French thanked members for their input in developing the call list, and adjourned the meeting.

Renee Dempsey
University Senate Office