Minutes[*]

Faculty Consultative Committee
Thursday, February 5, 1998
1:00 - 2:30
Room 238 Morrill Hall

Present: Matthew Tirrell (chair pro tem), Kent Bales, Carole Bland, Gary Gardner, Virginia Gray,
            M. Janice Hogan, David Hamilton, Laura Coffin Koch, Leonard Kuhi, Michael Korth,
            Fred Morrison, Harvey Peterson

Absent: Victor Bloomfield, Gary Davis, Mary Dempsey, Russell Hobbie, Marvin Marshak

Guests: none

Others: Martha Kvanbeck (University Senate); Maureen Smith (University Relations)

[In these minutes: Role of the General Counsel in Academic Misconduct proceedings; training for faculty
on rules and regulations; resolution on cost-benefit analysis of policies and procedures; teaching
evaluation questions; NCAA certification]

1.   **Response to the General Counsel's Letter**

        Professor Tirrell convened the meeting at 1:10 and turned first to the letter from General Counsel
Rotenberg (about the role of his office in academic misconduct proceedings) that the Committee had
discussed at its previous meeting.

        Professor Morrison said that a response was necessary, that would say something not only about
neutrality and fairness but also about the APPEARANCE of neutrality and fairness. Faculty need support
in dealing with issues that arise in academic misconduct proceedings; the question is whether the
University will provide the support or leave the faculty member dangling. There is ample precedent in
the rest of the world for employers to provide assistance to employees, even if there is the potential for
the employer to be in an adverse position with respect to the employee, because providing assistance to
the individual in making the case improves decision-making.

        In response to a query from Professor Hamilton, Professor Morrison said his position would
suggest some form of faculty advocacy, although it might not mean specifically a faculty advocate. This
issue has been raised both in connection with academic misconduct and Judicial Committee proceedings;
what has been selected thus far is the second-worst alternative. (The only result that would be worse
would be for the General Counsel actively to be involved in cases against the faculty member.) It is true
that technically the initial stages in academic misconduct proceedings are only fact-finding, but that is
nobody's perception except that of the General Counsel. The process must deal with the reality.

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        [*]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
represent the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of
Regents.

Professor Morrison said he would draft something for the Committee to consider.

Professor Bland pointed out that there is another advantage to providing support to the faculty: these are infrequent proceedings, so the financial cost would be small, but the gain in morale and loyalty would be large.

2.   Working Group on Training

Professor Tirrell next asked how the Committee wished to respond to Dr. Bruininks' suggestion for a small working group of faculty and administrators to evaluate training.

Professor Hamilton recalled that FCC felt strongly that training needed examination. He said that in an area he knew well, grants management, training is "a mess." There is much that needs to be brought together so training is made coherent in the institution.

Professor Bland suggested that Dr. Carrier be asked to talk with the Committee about enterprise system training, and agreed that Terry O'Connor should also be invited.

Professor Gray inquired if this was about training to follow University rules or training in research and teaching or generic training in things like computing; when she thinks about professional development, it is not about learning rules. Committee members said this concern was focused on rules; Professor Koch observed that there are professional development programs around the University that do what Professor Gray is interested in, offered by units such as the Center for Teaching and Learning Services and the Digital Technology Center--but she said she did not know if there was any overall plan along these lines.

The concern is policy development, not professional development, Professor Gardner said; there is the potential for disaster for faculty if they do not know how to do the right things to live up to their legal and fiduciary responsibilities.

Professor Morrison made two points. First, the Committee should say it would like faculty insight and overview on ALL policy development, whether administration, regental, or financial, before they are implemented. That role would not be to make decisions, but simply to flag issues that affect academic values and activities. There have been many instances of inadvertent negative effects of policies. This is quite separate from training for faculty, but the Committee should take the occasion to make the point. (Professor Gardner subsequently pointed out that "academic" oversight is what is needed--a dean could often provide it as well; Professor Morrison concurred.)

Second, "who are we kidding?" he asked rhetorically. How many faculty know the policies? Putting them on the web does not help; that is akin to giving faculty all the volumes of the Minnesota Statutes Annotated and telling them they are now informed. There needs to be an overview of policies for faculty, in plain English, which might then direct them to the more detailed policies. Faculty need an outline, a handbook, which would not be difficult to provide.

Discussion continued, and several points were made.

--   There needs to be a faculty handbook, not with all the policies, but with what faculty need to know and where to find what they need.

--   Training sessions for new faculty would be a good idea, and it needs to be delivered in such a way that it has an effect on faculty.

--   Training is different from a handbook; both are needed. Training is specific to what a faculty member is doing; a handbook would be for everyone.

--   Training is specific to the situation of the faculty member, and not the same for those in the sciences as for those in the humanities; it should not be highly centralized. A handbook needs to be created and updated for everyone.

--   Most who become department heads have not had financial management training; there needs to be training for it, so responsibility can be assigned. Now they have responsibility but no training.

--   The regents have recently approved a new diversity policy, which supersedes four existing policies, including one that recognized the Equal Employment Opportunity for Women Committee as the body to advise on issues affecting women. There was no consultation on this change, and the EEOWC is very concerned. The Senate office has asked that when the regents periodically review their policies, the Senate be notified so a decision about appropriate faculty review can be made.

--   It would be helpful to have a common format for policies on the web; the format now is not user-friendly.

It was agreed that the Committee should hear from Associate Vice President Carrier and Mr. O'Connor before making any further recommendations.

3.   Senate Research Committee Resolution on Cost-Benefit Analysis

Professor Kuhi next reviewed the resolution adopted by the Senate Research Committee calling for a cost-benefit analysis of policies and regulations, starting with the costs. There is a national concern about the increased number of regulatory policies, he said, and President Yudof should be asked to urge a national effort. In conversations after the last meeting, he and Professor Bloomfield agreed that the resolution would carry more weight if adopted by the Senate. Does FCC agree?

Professor Hamilton inquired how much such a study would cost; Professor Kuhi agreed it would be difficult. Professor Hamilton suggested that the AAU might be reluctant, because the regulations provide legal protection in many cases. Another possibility might be the Association of University Senates.

Professor Morrison thought the AAU might well take up the issue, because it is concerned about costs; it, unlike the Senate association, has money and staff.

Another concern is the over-interpretation of regulations at the University. One example is the interpretation of OMB circular A21; the University interpretation is very different from that at other

institutions.

It was unanimously agreed to amend the resolution to word it so that it would a Senate resolution, rather than a committee resolution. Examples of University interpretations should be included, and it should refer to procedures as well as policies.

4. Teaching Evaluation

Professor Koch distributed a handout with 10 questions proposed for use in teaching evaluations, the statistical results from which would, with the written consent of the faculty member, be released to students. She reviewed the events that had led the Committee on Educational Policy (SCEP) to develop the questions, and reported that SCEP had approved these 10 questions for inclusion on all teaching evaluation forms. The Senate would approve the questions, and grant SCEP the authority to make editorial changes if needed, and to report those changes to the Senate.

She agreed that there was some overlap between these 10 questions and those already mandated by Senate policy, but gets at the information in slightly different ways. In addition, only the results of these would be released to students, and it is not intended that these be used in personnel decisions. There are too many questions, Professor Morrison said; one begins to lose the attention of students and could get inferior results. It is also questionable to give something to faculty that COULD be given to students. The legislature is interested in this, but there is no assurance that ANY of these results would be made available to students. Professor Gray noted that the legislature could change that.

Professor Bland suggested that the mandated questions be modified so there was no overlap, and also urged that the seven "yes/no" questions be modified so there can be a scaled response, so the information is meaningful. Professor Koch responded that the SCEP subcommittee wanted them as "yes/no" questions.

Professor Peterson said that if the objective is to provide information to students on picking between three instructors for a course, the number of questions could be cut in half. Professor Koch explained that the students felt strongly that these were the questions they wanted; about 800 students were given a set of questions and asked which ones they would find most useful.

Professor Koch said, in response to a query, that these questions would be used on every form, so could be used with TAs, adjunct faculty, and so on. The students felt strongly that they should be used with every course and every instructor, even if the instructor did not consent to putting the results on a website; they believed that the instructors would find the results useful, even if they did not make them available to students.

Asked how the results would be made available, Professor Koch said they would be on a website accessible only to students. Only the averages and perhaps ranges would be available, and individual comments would not be.

Professor Hamilton said the questions were not applicable to the Medical School, where almost all courses are team-taught. To add these questions would simply be confusing; the Medical School already has its own procedure for evaluating courses, and the results are available to Medical School students.

Professor Gray suggested that this proposal fit undergraduate courses.

The comments would also not be available to department heads, Professor Koch said, and the results would NOT be available publicly, only to students. Professor Morrison said that this restriction could not be enforced. Professors Gardner and Hamilton pointed out that the results would have to be made available to all high school seniors, if they were to be assisted in picking courses; that would cost $20 per student. Professor Gray expressed concern about a newspaper headline identifying the "10 worst" instructors at the University. There are many dangers in this proposal, Professor Hamilton cautioned.

Are the dangers worse than a legislative mandate, Professor Koch asked?

Professor Bland reported that Medical School evaluations are available in the Dean's office--and there is never a line of students who want to see them.

Professor Kuhi recalled that Berkeley had evaluations such as this; faculty received the results, the department received the summaries, and they were public documents; it was not a big deal. The only time it WAS a big deal was the first year they were used. And few undergraduates looked at the results; it was a fuss over nothing. Professor Koch suggested that these were not threatening questions.

Professor Gray commented that she had heard from several faculty who were VERY upset at the thought that these results would be made public, that this is not the right way to do this. Professor Bland said she was troubled by the idea that the results would be on web; placing them in the dean's office would be acceptable. Professor Koch responded that the results would not have to be on web; how they would be available to students is part of the discussion that needs to take place. In the Carlson School, which has made results available for several years, they are in the dean's office for review.

Professor Bales reported that this issue had been brought to the Committee on Faculty Affairs, which has yet to decide if it wishes to take it up. One concern expressed, when the students brought the issue to them, was whether probationary faculty would truly have a free choice in deciding on making them available. One question, for example, asks whether the instructor has high standards; if a faculty member wants a large number of students, one would want predominantly "no" answers--which might be the opposite of what faculty would want to see in judging the probationary faculty member. What is a probationary faculty member to do who wants to attract students but also obtain the respect of peers?

Professor Koch said she shared the concern about probationary faculty, but was taken to task at the legislature when she testified about the concern. The students believe there is no problem if the results are excluded from personnel decisions. Professor Gardner said that if the results are made available to 50,000 students, they are public. Professor Koch said it was not the intent of students that the results be made public, and there should be some security around them, but Professor Morrison said it was false to say that the results are non-public when they have been spread that far.

5.   **NCAA Certification**

Professor Gray next reported on the process being used for NCAA certification of the athletic programs, something parallel to accreditation. Professor Bloomfield appointed her as liaison with the

process; she has read the documents and the University's plan. The NCAA stresses that it be an open process involving all groups; the effort will be chaired by Professor William Flanigan in Political Science (it is apparently unheard of to have a faculty member chair it; at most institutions, the effort is led by an administrator).

Professor Gray distributed a handout containing ideas about how faculty could be involved in the process and what role the Twin Cities members of FCC might play. She suggested the Committee comment on the draft self-study report, receive the final report, and also receive the report of the peer review team.

Professor Koch reported that SCEP has also been asked to participate in the review.

Professor Tirrell adjourned the meeting at 2:20.

-- Gary Engstrand

University of Minnesota