

Minutes*

Faculty Consultative Committee
Thursday, November 16, 2000
12:15 – 2:15
Room 471 Law

Present: Fred Morrison (chair), Wilbert Ahern, Muriel Bebeau, Linda Brady, Susan Brorson, Dan Feeney, Richard Goldstein, Marti Hope Gonzales, David Hamilton, Joseph Massey, Marvin Marshak, V. Rama Murthy, Paula Rabinowitz, Charles Speaks, Billie Wahlstrom

Regrets: Les Drewes, Jeff Ratliff-Crain

Absent: none

Guests: President Mark Yudof; Professor Richard McGehee

Other: Elizabeth Wroblewski (Office of the Chief of Staff)

[In these minutes: report from CIC meeting of faculty; staffing for the new Senate Committee on Student Academic Integrity; nominating committees; academic appointments; health plan; athletic committees; football stadia; building cost overruns]

1. Various Items of Business

Professor Morrison convened the meeting at 12:15 and turned to Professor Massey for a report from the CIC meeting of faculty leaders.

-- Professor Massey said it was his sense that the University of Minnesota's governance system is quite highly respected by the other CIC schools. The effectiveness of faculty governance varies among the schools, as does the staffing. The biggest issues facing the institutions are non-tenure-track faculty and treating the university as a business; there are also some issues surrounding emeriti faculty and of removal of faculty for cause.

-- It was agreed that staffing for the new Senate Committee on Student Academic Integrity should be provided by the Senate office rather than the Executive Vice President and Provost, in order to help preserve the committee's role as an independent advisory body.

-- The Committee agreed to consider combining the nomination of members of the Committee on Committees and the Faculty Assembly Steering Committee (the Twin Cities members of the Faculty Consultative Committee; the coordinate campuses have their own mechanisms for selecting members of the FCC). Professor Rabinowitz said that one problem is that there are so many committees at the University and one can serve on them without ever having any sense that they had an impact. Are all

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committees essential, she asked? It was agreed that the Committee on Committees should review the number and importance of committees since the last review was in 1989.

2. Academic Appointments

Professor Morrison next asked Committee members to review the statement of principles being brought to the Senate regarding academic appointments. He said the language had been modified since the last discussion at FCC and subsequent discussions with the Committees on Educational Policy and on Faculty Affairs. Both Professors Bales and Bland have endorsed this language as a positive step forward. There will be, in addition to this statement of principles, an administrative policy which is being prepared by the Executive Vice President's office and which has been discussed several times by Senate committees.

Professor Rabinowitz pointed out that the word "core" has a particular meaning in some disciplines so that perhaps the word should be omitted. The Committee concluded the meaning of the sentence remained the same without the word "core" so agreed that it should be deleted.

Will the Board of Regents be asked to adopt this, Professor Rabinowitz asked? Professor Morrison said the Board would be informed but that this was seen as something the Senate and the administration would act on.

Professor Brady inquired about the meaning of the last paragraph ("The Senate also urges the University to make provision for appropriate employment conditions, including appropriate notice periods and full health and retirement benefits, for individuals who are in the academic professional category"). Lecturers and Teaching Specialists will receive faculty benefits if they do not now receive them; the administration is committed to making this change and will do so over the next two years (or sooner if funds permit). This will have a significant impact on the budgets of some colleges; permanent central funds will be allocated to them to cover the increased cost.

There is some sense that if one is employed for seven years at a university in a teaching position one can sue for tenure, Professor Rabinowitz said. Is that true? "Gypsy scholars" are often fired in their sixth year; what does this action do for them? Technically there is no right to tenure, Professor Morrison said, and the University has been very cautious about telling people they have a teaching appointment and are in the P&A category. His assessment is that anyone who sued for tenure in such circumstances would lose. At the same time, the University recognizes that putting people in a precarious position is not healthy. Under this proposal, they would still have one-year appointments but will be extended the same notice provision as other P&A staff enjoy (e.g., after ten years of service, a one-year notice is required).

3. Health Plan

Professor Murthy said that the Committee should recognize Professor McGehee for his work on the health care issue; Professor Morrison said he would ask the entire Faculty Senate to do so.

Professor Morrison first noted that the lead recommendation from the Health Plan Task Force is that Benefits Advisory Committee (BAC) be appointed; the BAC will include representatives from all groups of employees who participate in the state health plan. He then reported that the President is prepared to accept the recommendations of the Health Plan Task Force and to begin implementing them. That requires an administrative apparatus to carry them out, and he has asked Senior Vice President Cerra

to head the effort. Dr. Cerra has been asked not because of the interest of the AHC in the issue but because he is knowledgeable about the health care industry.

As a result, there will be two parallel bodies working on health care: the administrative group, responsible for implementation, but which does not decide policy, and the BAC, which will advise the administration on policy. The decisions will play out over the next three months; by March or April the University will know if it can stay with the state on reasonable terms. There will be hard decisions to be made so it will be essential to have a BAC with background and understanding of what has gone before. Time does not permit the luxury of appointing a new BAC, Professor Morrison maintained, so he plans to ask the Senate to approve a motion asking the existing Health Plan Task Force to serve as the interim BAC while the formal BAC is being set up.

Professor McGehee is going on leave in January, Professor Morrison reported, which creates a problem. He has, however, agreed to remain available for consultation. That offer, Professor McGehee said, is contingent on appointment of a chair of the interim BAC. The chair will be critical to the success of the BAC, Professor Morrison said; there needs to be another faculty member designated to serve on the BAC. He recalled that the HPTF began working for the union (the AAUP) and said he was not sure the group had ever been formally appointed by the governance system--but it has been one of the most effective groups ever. He said he would contact the other employee group committees and work with them to appoint a new chair.

Professor Goldstein reported that one question that had arisen at the Faculty Affairs discussion was whether the group should be called the HEALTH Benefits Advisory Committee because some things are included in its charge while other things are not. Professor Morrison said that is another reason to call it an interim committee; his own view is that the charge should be broad enough for the BAC to cover everything that the state administers. Professor McGehee said that was the intent of the Task Force: that it take over those items; it did not make a strong statement about how that should be accomplished. There are models from other universities, where the committees encompass more than health care, but there was not strong feeling that the committee here must do so. What is important, he emphasized, is that something be put in place NOW. He agree with Professor Morrison that any group appointed cannot be one that takes time to learn the subject; the train is leaving and the negotiations with the state are taking place; the groups need continuity and an ongoing presence to represent employees, he concluded.

It is also important to hold the Task Force together as the BAC, Professor Morrison said, because it is possible the state will not be able to give the University what it sees as its minimum requirements. At that point another hard decision will be required: whether to break from the state. Professor McGehee said he could not predict which way events would go; there are many encouraging signs from the state but there are also a lot of things standing in the way of an agreement.

To whom would the BAC report? For the short term, Professor Morrison said, it should talk to everybody. The charter language for the BAC can address the question of where it reports. His concern is that it not report to the administration, Professor Goldstein said. It would talk to the administration, Professor Morrison replied, but it would not report to it. The document creating the BAC should come from the three employee groups' executive committees: the Civil Service Committee, the Academic Staff Advisory Committee, and this Committee, and should include administrative representatives ex officio. That is the way the Task Force has functioned all along. He also suggested that the membership be the responsibility of the Faculty Consultative Committee rather than the Committee on Committees.

Graduate assistants would be voting members of the BAC if they are included in the same plan as University employees; they would be ex officio members if they continue to have a separate plan. Unionized employees would also have ex officio membership on the BAC.

Professor Morrison said the Task Force had done "a marvelous job" on the draft charter language for the new BAC; all that remains is to talk to the other employee groups and adopt a few technical changes. Asked if he had a new chair in mind for the interim BAC, Professor McGehee responded "just not me!"

There may be a concern about Dr. Cerra leading the administrative team, Professor McGehee said, because of a possible conflict of interest. That concern must be addressed. Dr. Cerra has said that he does not believe the AHC could put together a proposal for a health care plan, should the University leave the state, so the point may be moot. Professor Morrison agreed it was good to raise the point. He said he has spoken with both President Yudof and Dr. Cerra; there are few in the University who have the capacity to lead this kind of negotiation and Dr. Cerra will just have to keep watching to be sure he does not run afoul of a conflict of interest. Does Dr. Cerra agree, Professor Murthy asked? Both the President and Dr. Cerra believe that there should be at least one health plan that includes the University's physicians; beyond that, they have no interest in the outcome.

Whoever chairs the BAC should not come from the Academic Health Center, Professor Goldstein suggested.

4. Update on Athletic Committees

Professor Brady next reported on the work of the two new athletic committees. She said it is clear that coaches have an interest in student welfare; they are concerned that they cannot talk to the faculty and are frustrated at being unable to get information on how the students on their teams are doing. The coaches feel this reflects a lack of trust; there may have been one bad apple in the barrel but not all of them should have aspersions cast on them. They are concerned about student welfare, she said; eligibility is an issue but welfare is a bigger issue. There needs to be interpretation of the language regarding contact between coaches and faculty.

Professor Morrison said the intent was to put up a barrier to direct contact and that all inquiries were to go through the academic counselors. That process is too burdensome, Professor Brady said. Professor Morrison said the Committee may wish to meet with Dr. Koch, in the Executive Vice President's Office (the interim Director of Academic Counseling for intercollegiate athletics).

5. Discussion with President Yudof

Professor Morrison now welcomed the President to the meeting. The subjects discussed while he was present included the following:

-- A new football stadium. The President's position is that academic priorities come first but the University will cooperate with any feasibility studies. He cautioned that if the University simply stays out of the discussions, it could find itself the odd institution out--and could inherit the Metrodome.

Committee members discussed with him questions of finances, location, and the politics of the subject. The President said that the Committee on Finance and Planning should consider the stadium question.

-- Building cost overruns and how to control them: bids are coming in high for projects. It will likely be necessary to readjust projected construction costs for the six-year capital plan to reflect the realities of the market; the probable result is that there will be fewer projects. President Yudof said he did not believe there was a role for the Committee on Finance and Planning when bids come in higher than expected; responsibility for reduction in the scope of a project should rest with those who will use the facility.

The Committee suggested that there needs to be more questions asked as programs are planned and facilities cost estimates are prepared. The Committee on Finance and Planning could inquire about this process.

-- The economic summit and the report of the Committee of 21.

-- Various political matters.

Professor Morrison thanked the President for joining the meeting and adjourned it at 2:15.

-- Gary Engstrand

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