

Minutes*

Faculty Consultative Committee
Thursday, April 19, 2007
1:15 – 3:00
238A Morrill Hall

Present: Carol Chomsky, (chair), Gary Balas, Jean Bauer, Nancy Carpenter, Megan Gunnar, Emily Hoover, Mary Jo Kane, Kathleen Krichbaum, Judith Martin, Richard McCormick, Steven Ruggles, Martin Sampson, Geoffrey Sirc, John Sullivan, Jennifer Windsor

Absent: William Durfee, Barbara Elliott, Scott Lanyon, Nelson Rhodus

Guests: Provost E. Thomas Sullivan

Other: Kathryn Stuckert (Office of the Chief of Staff); Assistant Vice President Sharon Reich Paulsen (Office of the Provost)

[In these minutes: (1) committee business; (2) discussion with Provost Sullivan (a variety of issues); (3) Nominating Committee; (4) external reviewer anonymity; (5) Faculty Senate docket approved; (6) need for candidates for faculty legislative liaison]

1. Committee Business

Professor Chomsky convened the meeting at 1:20 and turned first to Professor Sampson, who asked the Committee's view about proposals to change the process of selecting the members of the Board of Regents. He observed that it is a political process and will continue to be so, but there is no reason a political process cannot produce good people. He suggested, and Committee members agreed, that the screening role played by the Regent Candidate Advisory Council is a useful one. It is not foolproof but it is helpful.

The Committee voted unanimously to renominate Professor Kane to serve as Vice Chair of the Faculty Senate.

Professor Chomsky reported that Ms. Herther, chair of the Senate Committee on Information Technology, has alerted her to a new three-tiered student technology fee proposal (at present there are about 17 different fees). The recommendation may come to the Senate Consultative Committee for information and comment.

Professor Chomsky next reviewed progress on a constitutional amendment to clarify who is eligible for the Faculty Senate. One change of substance would be to include term faculty who have been at the University for at least three years (which would include Clinical Scholars in the Medical School). There would also be definitional changes for faculty-like P&A staff who are eligible for the Faculty Senate and its committees (not with the intent to restrict eligibility but to clarify it, because at present the language is confusing).

* 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.

Professor Krichbaum asked if individual unit constitutions must conform to the proposed Faculty Senate constitutional and bylaw language. They must, Professor Chomsky affirmed. The interpretation of who is eligible, however, will be up to the units. Must the term faculty have completed three years IN THAT POSITION to be eligible, Professor Krichbaum asked, or if they had recently moved from part-time to full-time? The language does not say that, Professor Chomsky said; she and Professor Bauer explained it would be too difficult to administer and the idea is to encourage these individuals to have a stake in the University. The years-of-service requirement does not require someone to have been in the same position or that they have been full-time for the entire three years.

2. Discussion with Provost Sullivan

Professor Chomsky welcomed Provost Sullivan to the meeting, who reviewed a number of matters with the Committee.

-- Where things stand in the promotion and tenure process: There are 176 cases, 150 from the Twin Cities and 26 from the coordinate campuses. (There are also six probationary-continuous appointment files, from the libraries.) Decisions have been made in all cases except three, which will be decided next week. He will present a report to the Regents at their May 10 Faculty, Staff and Student Affairs Committee meeting.

Professor Sirc asked if there are data about the percentage of probationary faculty who receive tenure at Minnesota compared to the other CIC schools. Provost Sullivan said those data are part of his report to the Regents and he will share them with the Committee.

-- They are close to finishing a new ICR policy and a new institute/center policy. Both will be brought to the Senate Research Committee (which has already seen earlier drafts) and they will then be put in final form. The versions drafted after consultation with the Research committee will be brought to this Committee for review.

-- There will be new policies on copyright and intellectual property brought to the Regents at their June meeting, policies that are still being worked on. The Provost said he would forward them when they are completed. He said he could not at this point answer a question about whether the changes would be significant.

-- His office has completed all of the academic unit compact discussions and has asked deans for supplemental statements and priorities so they can decide how to spend the available funds. This is the third cycle of compact discussions in which he has been involved, he related, and the process is very much improved. He has a much greater understanding of the colleges and he is very pleased with the content of the compacts and the attention to detail. The discussions have changed considerably; in the past, they were primarily budget hearings; now the focus is on substantive academic issues and budgets occupy only a small part of the time. They listen for three hours while academic leaders explain the strengths, weaknesses, and aspirations of their units.

-- His office will follow up with the Committee with written policies and practices governing the process for faculty who wish to change colleges.

-- He is very pleased with what he is seeing in the tenure-code-required departmental 7.12 statements governing promotion and tenure for probationary faculty. He said they have decided to slow down on providing a draft template for interdisciplinary appointments; they want to review the 7.12 statements because many have interdisciplinary statements embedded in them and they would like to draw on what departments have already done. There are two markets involved: the recruitment of faculty (junior or lateral), for which there will be a University-wide template; and someone already on the faculty who has moved in an interdisciplinary direction and who is coming up for promotion and tenure; those faculty need advice on how they will be treated.

Professor Chomsky said there seems to be a difference between considering interdisciplinary work within a unit and consideration of individuals with a tenure home in more than one unit (recognizing that tenure is in the University, not a college or department). The right terminology, Provost Sullivan said, is that one has tenure in the University but an academic home in unit A (or units A and B). In the latter case, there need to be bilateral agreements between the colleges about the faculty member, but there does not need to be a University-wide template because those bilateral agreements are better negotiated at the local level.

Professor Gunnar said that if she were a faculty member contemplating coming to the University, she would want to know what the practices are; is he contemplating best practices for inter-unit or inter-college appointments? Provost Sullivan said they are surveying other universities and perhaps a best practices document is the way to go; units could pick what works best for them. And for the candidate, Professor Gunnar said, so those responsible should talk with the candidate as well. Is the Provost's office involved in these appointments? (It depends.) She suggested to Provost Sullivan that his office would make sure candidates see the appropriate documents. The Provost said he hoped the University would develop a culture such that when the dean makes an offer to a candidate, he or she routinely includes promotion and tenure documents, standards, etc. He said he would develop best practices in both categories and bring the documents to the Committee for comment.

Professor Kane asked if, for an assistant professor with a joint appointment between two departments, both departments vote on tenure. They do, the Provost said. Does that not cause a lot of problems, she asked? There is more discussion about those candidates to be sure there is clarity, the Provost said. Does that cause a lot of tension for the candidate, she asked? Provost Sullivan said he has not had to deal with such a case in his three years in office.

Professor Balas asked about faculty being recruited now to start in September: what tenure information should be sent to them? The 7.12 statement is not appropriate and Section 7.11 of the tenure code is in transition. There will be transitional practices, Provost Sullivan said. The candidate should be sent the new Section 7.11; unless there has been reliance to the contrary on the old Section 7.11, the candidate will be governed by the new 7.11. The candidate should be provided both the old and the new 7.12 statement and the department should have a conversation with the candidate about which one will govern. The Provost said that despite what he had said at the Senate meeting (that all new faculty would be covered by the new code provisions), on reflection he concluded there are two categories of individuals: those who accepted appointment with no conversation about the tenure code provisions (those individuals will be covered by the new language), and those who accepted with reliance on the existing language (they should have the option of choosing which language will govern).

If they share the current language of 7.11 and the 7.12 statement with a candidate but there is no discussion of it, what is the right thing to do, Professor Balas asked? They should assume the candidate read them and also share the new 7.12 statement, the Provost said. The department head should have conversation with the candidate and resolve the question of which will control in a way that is fair to both, and the agreement should be put in writing (a one-line statement to the effect that "we agreed you would be governed by ____").

Professor Chomsky suggested that the Committee and Provost should give the Academic Freedom and Tenure Committee the opportunity to discuss these questions, which it is scheduled to do later this month. Whatever the default rule, at any point a department can share both versions with a prospective faculty member, and the faculty member may choose. The designation should be clear and in writing. Current faculty should also indicate in writing which option they choose so it will be clear in each tenure case what standard will apply.

Professor Windsor suggested that the Provost provide a template for the agreement to be signed so that every department is using the same one-liner. Provost Sullivan agreed to do so.

-- About a year and half ago he appointed the Women's Faculty Cabinet, he related, to advise him on issues important to women. The Cabinet has been meeting regularly; Professor Chomsky is a member. Professor Chomsky said the Cabinet has discussed the need to expand its membership and said she would welcome suggestions for new members. Professor Balas said he wished to raise the issue of hiring women faculty in fields with few women: why cannot those departments participate in the exceptional hire program? Professor Chomsky said this was discussed at one of the Cabinet meetings and it is among the Cabinet recommendations. Provost Sullivan suggested the Committee invite Vice President Barceló to talk about the question because she is the one in charge of funding for "target of opportunity" hires.

Professor Chomsky thanked Provost Sullivan for his comments.

3. Nominating Committee

The Committee agreed that it would expand slightly the membership of the Nominating Committee and identified the names of several individuals who might be asked to stand for election.

4. External Reviewer Anonymity

Professor Chomsky reported that she and Professor Sullivan met with the Senate Committee on Faculty Affairs about whether the University should seek a change in Minnesota law to permit external reviewers to remain anonymous. The discussion tipped toward finding out more information, which some of the CIC schools have provided; there is a range of practices and perhaps it would be possible to change the rules and customs without changing state law. It was also agreed that the Committee should ask department chairs about their experiences, such as the number of reviewers who have declined a request for a letter because their names would be exposed.

She, Professor Balas, and Professor Lanyon will talk with Professor Sirc about who will do what in the future, but they agreed that these needed to be faculty-to-faculty conversation rather than asking Human Relations to conduct the inquiry.

Professor Chomsky affirmed that there was no intent to deny the candidate access to the letters; the question is only whether the identities will be redacted. The candidate needs to be able to respond to the letters, she agreed.

5. Faculty Senate Docket

After a review, the Committee approved the Faculty Senate docket for May 3.

6. Faculty Legislative Liaison

Professor Chomsky noted that the Committee should think about the names of individuals who might be asked to serve with Professor Sampson as legislative liaison. Two names have surfaced thus far.

She adjourned the meeting at 3:00.

-- Gary Engstrand

University of Minnesota