

Minutes\*

**Senate Committee on Educational Policy**  
**Wednesday, October 11, 2000**  
**1:00 – 3:00**  
**165 Peik Hall**

Present: Wilbert Ahern (chair), Steve Fitzgerald, Charles Henderson, Gordon Hirsch, Emily Hoover, Frank Kulacki, Karen Seashore, Geri Malandra, Christine Maziar, Marsha Odom, Mary Ellen Shaw, Rita Snider, Thomas Soulen, Rachel Sullivan, Craig Swan

Regrets: Carol Miller, Kathleen Newell, Richard Skaggs, Steven Sperber

Absent: none

Guests: Professor Billie Wahlstrom (chair, Task Force on Distance Learning); Professor Kent Bales (chair, Joint Committee on Academic Appointments), Vice President Carol Carrier (Human Resources); Professor Edwin Fogelman (chair, Task Force on Civic Engagement)

[In these minutes: charge to the task force on distance learning; academic appointments; task force on civic engagement; policy on class notes]

**1. Task Force on Distance Learning**

Professor Ahern convened the meeting at 1:00 and noted that there were three presentations scheduled plus additional Committee work. He welcomed Professor Billie Wahlstrom to lead a discussion of the Task Force on Distance Learning and noted that the work of the task force will be on a subject that has been of interest to this Committee for a number of years. He began the discussion by asking if the members of the Task Force have been appointed.

Professor Wahlstrom said the letters of appointment went out today and the membership includes representatives from this Committee (Professor Kulacki) and from each of the coordinate campuses. She said she hoped the work of the task force would start in early November; the group will meet every two weeks. The charge is enormous and an initial report is due in December, with the final report due in May. She related that she has been reading "stacks of materials" and that much has been done on the subject by many people.

The first responsibility of the Task Force will be to identify the big picture, to look at policies, plans, and vision. Professor Wahlstrom said she is trying to identify all of the groups to which the University belongs which have something to do with distance learning, an effort which has itself been a challenge.

---

\* 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.

There are a number of issues related to faculty governance in distance learning that she would like to discuss with this Committee and the Senate as the Task Force moves ahead on its work. She said she also hoped that SCEP would help the Task Force as it identifies real problems on each campus and college. Professor Seashore suggested that professional education be treated by the Task Force as a separate category.

Professor Wahlstrom observed that technology has both disruptive and sustaining effects. At a place like the University many of its effects will sustain the traditional mission of the institution and people will have no problem with them. The disruptive effects are a faculty governance issue. For example, how should the University treat incoming students who have done their first two years of college work on line? Right now many such students attend a community college, schools with which the University has relationships; what about students who have "attended" six schools and obtained post-secondary credits? And some of them, Professor Ahern added, may not be accredited.

Moreover, Professor Wahlstrom asked, does the University accept credit for a lab course when the work has been done with a kit sent through the mail rather than in a wet lab? How should faculty be compensated for distance education courses? How will distance education interact with tenure? How will intellectual property issues be addressed in distance education? It is possible, she said, to envision faculty using their consulting time to develop instructional materials that can be sold for a profit and used to compete directly with the University. Will SCEP deal with that possibility? How do people feel about faculty competing directly with the University? What will happen with "star power"? Some faculty will be extremely good on TV while others will not; students will all want to take courses from the stars. Do faculty receive more money if they attract more students to their classes? Another issue is partnerships with for-profit institutions as well as with other universities; yet another is access for students with disabilities: the University has thought about it for physical space but not for on-line materials.

Professor Wahlstrom said she is optimistic about technology. Research suggests that when new technology is introduced, organizational performance gets worse before it gets better and that there are (one hopes small-scale) disasters that an institution learns from. Technology can both sustain and undermine everything the University does.

Professor Seashore contended that these are in many cases extensions of dilemmas that the University has been dealing with for a long time; none are unique. Transfer credits, for instance, are not new; students bringing credits from six institutions will be different so the University must figure out a way to deal with transfer credits in a standardized fashion. Commercialization of faculty members' classes is relevant to a policy that the Senate did not pass, the Conflict of Commitment policy. It may be time to revisit that policy. And it may not be the same if one teaches at a local college or if one has classes distributed all over the country or world. In all these cases, however, there is more heightened awareness than there is novelty, she concluded.

At root of the issue is the concept of institutional "place," Professor Kulacki suggested. Technology has the potential fundamentally to transform a university so that undergraduate education is not place-bound. That, in turn, has implications for faculty contracts and pay. On that score, Professor Seashore interjected, the U.S. has much to learn from European universities, which have much more open enrollment than do U.S. institutions. Professor Kulacki said he sees the faculty

contract breaking down; individuals may teach only for a term, may receive bonuses, may teach only graduate students, etc.

Vice President Maziar said that a challenge to the public institutions, unlike what faces the privates, is that the private institutions can choose what distance learning activities it will go into while the public institutions will be under pressure to deliver instructional programs that may not have a sound "business" basis--there could be pressure to make the University available in every corner of the state.

Professor Wahlstrom then reported that the data demonstrate that about 50% of distance learning students at the University are University of Minnesota students. If education should include community building, socializing, and content, one needs to think about whether distance learning includes either of the first two elements. There is also the issue of "brand" and brand dilution. Should the University offer degrees on line? If so, does that dilute the degree by saying that it is not necessary to come TO the University for one's academic work?

Dr. Maziar commented that one could note on the transcript if a course was taken through distance learning rather than on campus. The challenge has been presented before, Professor Seashore observed: correspondence courses.

Professor Ahern maintained that these questions raise issues that are different in kind, not degree. The University has experience with transfer courses but now students bring in courses from institutions with unclear accreditation and uncertain faculty ownership of the course. It will be helpful to have the Task Force review of these issues so that this Committee can identify the policy issues.

Dr. Swan said that if one must go to a PLACE to take a course that puts limits on how much a student can bring to the University. With distance learning, however, a student could bring 60 credits, with 4 credits from each of 15 institutions. If one wants to talk about the curriculum as an integrated whole, what about these 15 courses? Even more complicated, Professor Ahern added, is trying to see if they fit together or with what the University offers. This will be, Professor Seashore commented, a bonanza for accrediting institutions; if they sold stock, one would buy it.

Another question is faculty rights, Professor Wahlstrom told the Committee. If a faculty members want to teach a course on line but the department says it does not want that course on line, does the faculty member have the right to offer it anyway? Does a faculty member have a right to offer any course he or she wants to, Professor Seashore asked? When they want to? "No," she answered to her own questions. But there are no guidelines on how to deal with this as a grievance when some faculty are allowed to do so and some are not, Professor Wahlstrom pointed out. She said she would like help from the Committee in addressing this issue.

Another policy that will need review, Dr. Maziar said, is the consulting policy. Many of the conflict of commitment issues could be dealt with in the consulting policy.

Professor Ahern thanked Professor Wahlstrom for joining the meeting and allowed that SCEP would anticipate hearing from her as the work of the Task Force progressed.

## **2. Academic Appointments**

Professor Ahern next welcomed Professor Bales and Vice President Carrier to the meeting to review the status of the proposed guidelines concerning academic appointments. He recalled that Professor Bales had chaired a Joint Committee (appointed by this Committee, FCC, and the Committee on Faculty Affairs) that had prepared a report that was presented to the Senate, after which a working group was appointed by the administration (chaired by Dean John Brandl) which developed another document with quite different provisions from that authored by the Joint Committee. There has since been a final effort, led by Professor Fred Morrison, Executive Vice President Bruininks, Vice President Carrier, and Vice Provost Robert Jones, to bring together the two documents. The deliberations of this Committee, he said, would have an influence on whatever final document is produced and what is presented to the Senate.

SCEP, as one of the committees that sponsored appointment of the Joint Committee, was concerned about the nature of faculty appointments and their relationship to the quality of instruction, Professor Ahern said; that concern came through clearly in the original report. The debate has two points: improving conditions for non-tenure-track (NTT) faculty teaching and ensuring the tenured and tenure-track faculty are responsible for the curriculum and instruction. The rub comes in working out the balance between the number of tenured/tenure-track faculty and NTT faculty.

Vice President Carrier distributed copies of the draft guidelines, which change daily, she said. In terms of getting agreement on a final draft, she observed that achieving world peace might be easier. The month of October will be devoted to consultation on the guidelines with Senate committees, the Academic Staff Advisory Committee, and the deans.

The proposal of the Joint Committee to the Senate was withdrawn before a vote, Professor Bales related, and was referred to the working group chaired by Dean Brandl in order to try to develop something that would be acceptable all round.

Vice President Carrier commented on the draft. She noted that some things have not changed; the tenured and tenure-track faculty are still an important component of instruction and that this document addresses the teaching side of the University, not the research side.

There would be three categories of what the tenure code calls "term" faculty: (1) contract faculty (on annual, renewable, or multi-year appointments), (2) temporary faculty (to address temporary needs of 1 - 2 years), and (3) visiting faculty (faculty from elsewhere temporarily at the University, as is the case at present). There would be two categories of adjunct faculty: (1) from within the University (faculty status held elsewhere in the University) and (2) from outside the University (professionals in the community who offer instruction on an occasional, part-time basis). The phrase "term" faculty could be a placeholder, Dr. Carrier said.

There would also be academic staff with teaching responsibilities. This is a group that has "gotten out of control." Originally the University took the position that these appointments should not be made and that any that were made would be for three or fewer years of teaching full-time at the University. Some colleges need these kinds of appointments, however, and this document tries to straighten up classifications in which people can be appointed. There would be (1) academic professionals who hold primary responsibility for teaching and (2) academic professional or

administrative staff members who have other primary functions within the University but who also have occasional teaching duties.

Contract faculty could be here on a long-term basis and do faculty-like work, Dr. Carrier said. They must perform all three functions normally expected of tenured and tenure-track faculty, although perhaps not in the same proportion or in the same vein as regular faculty. If they are to have the faculty title, however, they must do something in all three areas. The University does not want a free-for-all in these appointments so there will be templates for using them. Some units will not use them at all, but certain units will, and once the templates are approved, all searches and hires must follow the regulations. Contract faculty could be here with multiple-year contracts or annually-renewable appointments and would have termination rights.

Of the academic staff, there would be two categories (Teaching Specialists and Lecturers) and the individuals appointed would not be accountable for research or service. A number of these positions are needed in the language departments but other colleges use them as well. They would continue to be appointed as teaching specialists or lecturers and there would be no limit on how long they could be at the University. If they stay, however, they will receive FULL benefits (including retirement, which they do not now receive). There will also not be other titles for full-time academic staff who are teaching.

Different groups have different concerns about the guidelines, Dr. Carrier told the Committee. The deans have one take on them; the faculty another. What is built in now is that colleges/campuses will prepare a plan on how the five categories of faculty/instructional staff\* will be used, with participation by departments. The plan would need to be approved by the college governance system. Some faculty believe the plans should be department-by-department, provided to the college and reviewed by the dean. The deans prefer overall principles and if significant deviation is required, they would make the argument for the deviation.

Professor Seashore pointed out that adjunct faculty appointments are expected to be renewed on an annual basis while graduate faculty status is not. Dr. Swan agreed and said that if someone's graduate faculty status has not been used, eliminating it could be a complicated issue. It would be a great nuisance in many departments, Professor Seashore observed, if (internal University) adjunct faculty status had to be reviewed every year. If there is not such a review, Dr. Carrier asked, is there a way respectfully to end the appointment? In their case, they use a five-year cycle of review, Professor Seashore said, and if the status is not active it is dropped. There needs to be such a mechanism, Dr. Carrier agreed, to determine if it makes sense to drop the status.

Professor Bales then commented that the Joint Committee identified teaching as the primary category of employment; if one is a professor, one should profess something teachable. They tried at first to hold fast to the rule that all faculty must do all three things--teach, do research and scholarship, and server, but the Joint Committee then softened this view because the NTT faculty in heaviest use in the large teaching units, such as CLA, are hired simply to teach. Consequently, the Joint Committee devised a system of special titles for NTT faculty that would make clear the function of each category, such as teaching professors and research professors. That softening is not in the guidelines. However,

---

\* That is, (1) regular tenured/tenure track faculty, (2) non-tenure-track (term) faculty, (3) adjunct faculty, (4) academic staff, and (5) graduate teaching assistants.

anyone appointed to a faculty position should be able, if asked, to perform all three functions, Dr. Carrier said; the balance for any given individual in any given year could vary.

Professor Bales said he needed to know where the current guidelines stand on secondary and working titles in order to clarify how far apart the Joint Committee's proposals are from the proposed guidelines; the proper use of proper titles was a major point for the Joint Committee. It understood that there could be people doing only research or clinical work but it wanted it clear from their titles what they in fact do. In this way the teachers can be counted by their titles. Otherwise there may be a hidden or unacknowledged difference between titles and work; people with non-academic appointments can be (and are) assigned secondary or working academic titles that get used instead of the appointed title. This upset the Joint Committee. Some titles are courtesy, such as adjunct, for people who teach occasionally, and within limits the Joint Committee approves of this practice. However, these are assigned by the department, which may choose an inappropriate title. If that is still true, it is bothersome to the Joint Committee.

Why, inquired Professor Ahern? Because the University should count the number of people who teach so it knows the number of teachers. If one counts titles that now exist, then the count will include many who are not helping to fulfill the teaching mission. It is also disturbing to those who fought long and hard to obtain a teaching title.

The Joint Committee tried to devise titles for the NTT faculty hires that could be made, labeling people so they could be counted properly. The draft guidelines have the potential to inflate the count of faculty who are, by their professorial title, quite properly thought to be teaching.

How do colleges deal with people who want a term faculty appointment, Professor Seashore asked? This will have to be dealt with, Dr. Carrier said. That is why the Joint Committee wanted the system centralized, the same across units, so it would not be a college responsibility, Professor Bales said. It proposed titles such as Teaching Professor and Research Professor as a way to hire and retain such individuals.

One impetus behind all this, Professor Bales told the Committee, was that it had been said there was no clear trend with respect to NTT faculty. But between 1989 and 2000 there was not a single year when the size of the regular faculty did not decrease. If people are hired to do the same work as the regular faculty, they should be hired in departments as regular faculty. If ten years is not a trend, he commented, how long does it take to become a trend? It was largely to reverse this pattern that the Joint Committee was created by the three committees. It faced the necessity of treating the NTT faculty humanely and that issue is indeed addressed in the guidelines. But most on the Joint Committee now see the proposed guidelines as worse than what has existed because it gives a green light to hiring NTT faculty and keeping them a very long time.

Dr. Maziar asked if the Joint Committee had a sense where the declines in faculty numbers were the largest; is there an AHC effect, she asked? There is, Professor Bales agreed.

What is the agreement about where to report on NTT faculty: at what level of aggregation and to whom, Dr. Swan asked? Each college or campus is to prepare a plan and describe how they will adhere to it, Dr. Carrier explained. The reports will go to the Executive Vice President, Human Resources, and to the Tenure Subcommittee.

Professor Ahern observed that this discussion needed to be continued at the next meeting. He asked if, as the disagreements are being considered, the University should have a targeted minimum amount of instruction that is to be delivered by the tenured and tenure-track faculty? Professor Bales said he suspected that would not happen; the guidelines make such a goal less imperative because they leave the matter entirely to the colleges.

The University, however, has never systematically examined what colleges do, Dr. Carrier responded, and the guidelines will require monitoring the colleges. Professor Ahern recalled that Professor Morrison was going to develop a statement expressing a principle about teaching by the regular faculty that is to go to the Senate; Dr. Carrier reported that the statement has been drafted but is not incorporated in this draft.

The Joint Committee report contained a reporting requirement, which would be an improvement, Professor Bales said. But he again expressed doubt that the guidelines would be an improvement in hiring NTT faculty; it would make them easier to hire.

Will the Committee receive a revised statement, Professor Hoover asked? What is it supposed to address? It would be helpful, Professor Ahern agreed, if Professor Bales and Dr. Carrier were to identify the pivotal issues. He thanked Professor Bales and Dr. Carrier for joining the meeting and asked that they return to the next meeting to continue the discussion.

### **3. Task Force on Civic Engagement**

Professor Ahern now welcomed Professor Ed Fogelman, the chair of the Task Force on Civic Engagement, to discuss the task force. He recalled that the Committee had discussed civic engagement at its retreat and noted that the issue has received increased attention, especially for land-grant institutions.

Professor Fogelman said that the first meeting of the Task Force would be the following day and that the idea of the Task Force had been in gestation for some time. He and Professor Harry Boyte had been involved in developing the Task Force in a number of ways and expressed thanks to Dr. Swan for his support. The establishment of the Task Force follows from a declaration that President Yudof (among many others) signed about the public responsibilities of universities. This is, he said, a national and even international phenomenon.

They did a survey of faculty and administrators and found remarkable agreement that the public dimensions of what the University is doing have been lost and that there is a sense of unease about the directions in which universities are going and the forces that are pushing them. The only way to resist those forces, Professor Fogelman said, is to articulate a different mission for the University, a civic mission, which has been central to the mission of universities for a long time, especially of land-grant institutions. The Morrill Act of 1862, creating the first land-grant colleges, emphasized the civic dimensions of what universities do.

The unease with the direction of universities probably began with the end of the Cold War. Before that, they were involved in a large, national, public purpose, albeit a controversial purpose. Since then the mission has not been clear; universities have lost their sense of public purpose and what

they are about and are now often seen as simply ancillary to the business and corporate world. If that is true, then they should be organized as businesses. If it is not true, universities should renew and affirm their role as public, land-grant institutions. The University could be a model for doing so.

The Task Force will have a comprehensive scope and will attempt to develop a coherent intellectual approach, Professor Fogelman told the Committee. No one has tried to build civic commitment into the University's regular institutional priorities; it is an ambitious task.

The Task Force has about 30 members, divided into six working committees. They will: (1) define civic engagement and the University's public mission and put it in a historical and intellectual framework; (2) look at public scholarship and the implications of civic engagement for research and scholarship (this group chaired by Associate Dean Victor Bloomfield); (3) look at community partnerships and consider what model is proper for partnership between the University and organizations in the community—there are different models, some of which are better and some of which are not (this group will be chaired by Professor Tom Scott); (4) examine institutional priorities and how civic engagement might be incorporated into the incentive and reward structure (this group will be chaired by Dean Shirley Baugher); (5) look at civic learning and the implications of civic engagement for the curriculum at the undergraduate and graduate level and for life-long learning (this group will be chaired by Professor John Wallace); and (6) look at institutional connections, the relationship between what the University is doing and what other institutions are doing (this group will be chaired by Professor Harry Boyte). In addition, there are advisory committees affiliated with each committee with members from both inside and outside the University. These advisory groups have not yet been formed but will be by the end of the month. Professor Fogelman said he hoped that these panels would include members of the Board of Regents, legislators, and community leaders, including representatives of the business community. They want to cast a wide net to obtain both advice and support. The Task Force is also inviting others to contribute to its efforts; for example, Robert Putnam, author of *BOWLING ALONE*, will be asked to visit as a guest speaker. There will also be financial support for civic engagement projects developed by the faculty.

How are these efforts being funded, Professor Hoover asked? The University had a planning grant from the Kellogg Foundation, Professor Fogelman said, and there is also support from the Provost's office. He said he is pleased with the one-year investment and that the Task Force will ask the Kellogg Foundation and others for additional funding to continue the effort in the future. It will not be possible to incorporate civic engagement in the University's priorities in one year, he observed; the Kellogg Foundation sees this kind of initiative as an eight-year project. There have been no promises from the Provost for support beyond one year.

Professor Kulacki asked Professor Fogelman to speculate on the likely impact of the work of the Task Force on educational policy. It will certainly come in civic learning, Professor Fogelman said. He personally believes that every student should develop the civic competence to be an effective citizen. Some implications will be curricular; some might include such things as mentorships, practicums, internships, etc. It could also help students articulate the purpose of their training, Dr. Maziar added.

Professor Fogelman, responding to Dr. Maziar, said that he believes this issue has arisen in response to the notion that the University only exists for the purpose of vocational training. The

University must go to the legislature and explain that it does a lot more than just vocational training. Civic competence is one thing it should stress; responsible leadership is another.

About the sense of unease about the relationship of the university to society, Professor Kulacki asked if there is a sense universities have isolated themselves behind a wall of silence and only emerge to ask for money? Professor Fogelman said it is his personal view that we have seen the corporatization of other professions—journalists, doctors—and that a similar phenomenon is occurring in universities. The University of Phoenix has no campus, no faculty, no library—it only has an administration and lots of “customers” everywhere. It is in business to sell instructional products. Most faculty, Professor Fogelman said, did not go into higher education in order to sell instructional products. Universities must identify an alternative. People come into the academy with a sense of mission but now see the institutions going a different way. The tenure battle was about this issue: tenure was a bar to the corporatization of the University, with faculty assigned to teaching and research and decisions driven by revenue considerations. Tenure was an obstacle; faculty made the decisions. The faculty may have won that battle but the war has just started, Professor Fogelman concluded. If the University does not articulate its public mission and responsibilities people will not respond to us.

The University is not detached, Professor Ahern said; in some instances, it is too attached to special interest groups and as a result not independent. Professor Fogelman agreed that independence is important for the University to be able to make judgments. The public needs that independence but it is harder to achieve when everyone is commissioning things from the University.

With all the information outlets in the world, Dr. Maziar observed, the public does not see criticism of the status quo as unique to the university. But the university SHOULD have special authority, Professor Fogelman responded, and should assert that authority. The university is independent and has the common good in mind; it is not tied to commercial interests and society should be able to trust us.

In her technology transfer speeches, Dr. Maziar said, she always uses a slide that has the statement from the façade of Northrop Auditorium and tells her audiences that everything the University does should be measured against that statement. Almost every time she does, she related, University alumni thank her for referring to it. Professor Fogelman said, in the same vein, that he has been surprised at the number of people who accepted membership on the Task Force; almost everyone who was asked said yes. People appear to believe in our public mission and want to help. There is, he added, representation from all of the University’s campuses.

Professor Hirsch suggested that the Task Force keep an eye on student participation in civic engagement; it needs to think about ways that students in the most structured, career-oriented colleges can participate. They have intense requirements and not a lot of latitude. Professor Fogelman said there are two students on the Task Force. Paradoxically, professional schools are involved deeply in civic engagement whereas CLA needs reminding because its mission does not immediately indicate civic engagement as a priority.

Professor Hoover suggested that younger faculty could be more involved; there is a tendency to ask people who have been involved a lot to contribute to these efforts. She encouraged Professor Fogelman to ask others; if faculty are not drawn in early in their careers, civic engagement will be in

peril WITHIN the University. Professor Fogelman agreed; he said they agonized over who should be asked to serve on the Task Force in order to have a major impact. In the end, they sought people with knowledge of the University and how it works, but he said he is aware of the issue.

Professor Ahern thanked Professor Fogelman and said the Committee will be interested in the educational policy issues the Task Force identifies and recommendations it makes.

#### **4. Use of Class Notes Policy Revision**

Professor Ahern now drew the attention of Committee members to a revision of the policy on use of class notes that had been proposed by the Office of the General Counsel. Dr. Swan said the students had made the case that the policy as adopted by the Senate had the most restrictive language in the country and that they were worried they would be caught by it even though doing things the faculty would not object to (e.g., sharing class notes with friends who might be taking the course after they did). The way the policy reads, students were concerned it meant any informal sharing of notes was confined to THIS COURSE, THIS SEMESTER.

The Committee considered the revisions and concluded it should ask a representative of the General Counsel's office to come to a meeting to discuss the policy.

It was also suggested that the term "confiscation" in the policy needed to be clarified.

Professor Ahern then adjourned the meeting at 3:00.

-- Gary Engstrand

University of Minnesota