

Minutes*

**SENATE COMMITTEE ON FACULTY AFFAIRS
TENURE SUBCOMMITTEE
Thursday, April 23, 1996
3:15 - 5:00
Dale Shephard Room, Campus Club**

Present: Dan Feeney (chair), Kent Bales, Carole Bland, Carol Chomsky, Robert Fahnhorst, James Gremmels, Richard McGehee, Carol Miller, Kevin O'Laughlin, Naomi Scheman, George Seltzer, Bernard Selzler, James Stone, Yang Wang

Regrets: Judith Gaston, Richard Goldstein, Kinley Larntz, Sam Myers, Shane Swanson,

Absent: Carol Carrier, Cheryl Coryea, Mary Dempsey

Guests: Fred Morrison

Others: Dan Farber (Academic Affairs), Martha Kvanbeck (University Senate)

[In these minutes is a discussion with Provost Cerra (AHC) and a discussion on tenure, including potential action items.]

1. CHAIR'S REPORT

Professor Dan Feeney said that the committee would be reviewing a new set of draft amendments to the Tenure Code written by Professor Fred Morrison, dated April 19, 1996.

Letter to Administration/Regents on SCFA concerns about tenure: Professor Feeney said that this letter was more germane given FCC discussion with Regents earlier in the day. Comments on this letter from SCFA members are needed immediately and should be forwarded to Professor Feeney.

2. APPROVAL OF THE MINUTES

The March 28 and April 11, 1996 minutes were approved as amended.

3. DISCUSSION WITH PROVOST CERRA

Provost Cerra proceeded to provide SCFA with a review of the tenure issues as perceived in the Academic Health Center (AHC). He said that he believes that certain sections of the Tenure Code (Code) need to be clarified. At this point the floor was opened for questions:

Q How will changes to the Code help the AHC?

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A (1) New faculty hires need to be clearly defined: What is the person being hired for, what are the expectations, how will the person be evaluated? AHC needs to be responsive to the “marketplace” as it hires and retains new faculty. (2) Given the change in popularity of programs, AHC may need to reassign and retrain faculty. The Code is not clear in providing for this type of change. (3) What is the faculty’s contribution to the AHC mission, and how does this relate to compensation. Some base salaries for faculty are based entirely on grants or clinical practice. There needs to be an ability to share the risks and rewards. Provost Cerra proceeded to describe “X-Y-Z” compensation packages.

Q What part of the Code prevents “X-Y-Z” compensation approaches?

A The Code does not explicitly provide for this approach. Specific wording in this regard would help to prevent an increase in grievances.

Other points made by Provost Cerra and SCFA:

- * AHC cannot afford a 3% salary increase for the faculty.
- * The legislature has lost confidence in the University.
- * The struggle with health systems now is in the areas of education and research.
- * Some of the problems in the AHC are not related to the Code.

Q What people need to be in the clinical track appointments for the AHC to function appropriately?

A (1) Individuals who primarily provide a health service for a fee, and (2) Situations where the base salary of an individual is significantly or totally based on soft money.

Q How many people could this impact?

A Among the 370 faculty, base salary average at about 60-75% from clinical dollars and 25-40% from O&M funds. Some basic scientist in AHC including those in Public Health are funded 60-100% on external funds. Policies to address these challenges should *not* be applied retrospectively. They may be applied prospectively to prevent assuring salaries that are greater than the AHC reserves.

Additional points made following the Q/A session:

- * New, soft-funded positions *may* be contracted (not must).
- * A one-time exception of a voluntary merit compensation mechanism determined from 15% of the base salary could be implemented in the AHC. Individual salaries would not change. Nevertheless, the guaranteed base would change. There would be other perks added to make the *up to 15%* switch worthwhile.
- * A vibrant AHC is essential for the integrity of the entire University.
- * The *meat* of academic freedom lies at the departmental level.
- * Some of the finest physicians in the state come from the University.

Provost Cerra said that he will not allow corporate styles of management to overcome the unique academic environment. He added that a team based management should drive any changes. One committee member said that the faculty perceive this review of the Code to be Administration driven and that it is addressing problems in the AHC which will impact the entire University. Professor Feeney said that he would coordinate another meeting between SCFA and Provost Cerra in the near future.

4. TENURE DISCUSSION

Professor Morrison began to provide SCFA with the results of the straw poll of the Items relating to the Draft Tenure Code Amendments, and review the newest draft assembled by himself. SCFA diverted the conversation with the following points:

- * The status of the work, implication of resolution, does SCFA move forward, implications of the Regents hiring the a consultant
- * Given the current mood of faculty senators, even non-controversial items will not be approved.
- * FCC Minutes from April 18 state that the total amount paid to faculty on all campuses including fringe benefits was \$277 million (\$252 million for Twin Cities faculty). When excluding research, sponsored accounts, and endowed chairs, the amount of money spent on Twin Cities faculty was \$170 million dollars. This is about 10% of the entire University budget. It was noted that these figures may not be exact. Is there an attempt to balance the budget on this small figure by changing tenure provisions?
- * Under the current Code, faculty cannot be switched from A to B appointments involuntarily.

The committee continued discussing the relationship between base salary and granting funds. Professor Feeney informed the committee that based on the discussion between FCC and Regents Reagan and Keffeler, the faculty are at risk of losing control of how the Code is reconstructed. He encouraged the committee to consider the items that can be acted upon. In response the committee members offered the following comments:

- * There are so many items that the Faculty Senate is having to address.
- * The elimination of mandatory retirement has contributed to reconsideration of the Code.
- * SCFA is responsible to restore the confidence of the faculty in the governance structure. For this to occur, the committee must be open as it discusses the development of addressing the Code.
- * It would be fair to address the items that can easily be addressed this year, and defer more substantive items until next academic year.
- * The Regents are wanting the review of the Code completed before the replacement for President Hasselmo begins somewhere between December 1996 - June 1997.
- * The faculty need to set the agenda for the tenure discussions.
- * Subcommittees should be developed to address each of the 13 Items under consideration in the tenure review process.
- * The Regents have communicated that if the faculty do not respond to the charge of tenure revision, they will be forced to make the decisions.

The committee members continued discussing the difficult situation they are in due to the time constraints and requirements of the Regents. The committee proposed the following ideas to proactively deal with these conditions:

- * SCFA/Tenure Subcommittee may need to work during the summer to address the substantive matters (base salary, post-tenure review, etc.).
- * SCFA members will review the latest draft and send their comments to Professor Morrison. Items that are supported could be moved quickly to the Senate for discussion and possible action.

Professor Morrison told the committee members that he would provide them with a copy of straw poll results from the *Draft Amendments.*

Professor Morrison summarized the 13 items and their potential of being addressed, grading them by level of difficulty (A - easy to address, B - need more information, C - need much more information and discussion):

A	Item 1	Descriptive preamble	Non-controversial
A	Item 2	Acad Freedom Statement	Non-controversial
B	Item 3	*Term* Appointments	Need more discussion-AHC
A	Item 4	*Base salary* defined	Need more discussion-AHC
A	Item 5	Probationary period	Easily decided: yes/no
A	Item 6	AHC decides tenure on need	Very little support
C	Item 7	Post-tenure review	Needs much more consideration
C	Item 8	Responsibility of faculty	Needs much more consideration
C	Item 9	Programmatic change	Needs much more discussion
Items 10 - 13		Judicial processes and issues	Under consideration by the Judicial Committee

Professor Feeney said that SCFA would present the list of Items above to the Faculty Senate as classified by Professor Morrison.

-- Kevin Gormley

University of Minnesota