

Minutes*

SENATE FACULTY AFFAIRS COMMITTEE (SCFA)

Thursday, September 24, 1998

3:00-5:00

229 Nolte Center

Present: Kent Bales (Chair), Josef Altholz, Gary Balas, Gerry Baldrige, Avner Ben-Ner, Carol Carrier, Carol Chomsky, Robert Fahnhorst, John Fossum, Roland Guyotte, Robert Jones, Cleon Melsa, Marcia Pankake, James Perry, Anne Pick, Richard Purple, Geoffrey Sirc, Tom Walsh

Absent: Dainne Van Tasell

Regrets: Carole Bland, Eville Gorham, Harlan Smith, Caroline Turner

Guests: None

Others: None

[Meeting Topics: Faculty Development Leave Policy, Sexual Harassment Policy, Nepotism and Consensual Relations Policy, Faculty Handbook, Academic Appointments]

1. Introductions

Robert Jones will be added as an ex-officio member of SCFA.

2. Agenda Items

The State requires that health coverage begin for new employees on the first day of the next pay period after they have been at the University for twenty-eight days. It was suggested that the committee investigate this requirement.

Professor Bales predicted that there would not be very much new business for the committee this year, but there is still plenty of business to deal with from last year.

There is nothing new to report on the Intellectual Property Policy. Professor Bales will inquire about the status of this policy and report back to the committee at the next meeting.

A question was raised about the Summer Compensation Policy. Professor Bales will speak to the Director of Summer Sessions about this and report his findings back to the committee.

* 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.

Carol Carrier will present some options for the distribution of the first paycheck under the semester system for those paid on a nine-month appointment at the next meeting since the first semester starts three weeks earlier than a quarter would.

It was suggested that the committee be updated on the improvements in life and disability insurance.

3. Subcommittee Planning

Membership

Professor Altholz is rotating off of the Retirement Subcommittee so there is a vacancy. The Benefits Subcommittee needs a new member and chair.

New Business and Charges

The Benefits Subcommittee will continue its development of the sabbatical leave policy under the semester system.

The Tenure Subcommittee will follow up on the Post-Tenure Guidelines.

4. Chair's Report

Faculty Development Leave

Professor Bales explained that the Faculty Development Leave policy came before SCFA last year in its faculty-drafted version. The Senate Consultative Committee (SCC) expressed its disappointment with the policy but did not reject it entirely, leaving it open to be acted on by the Senate. The Senate will take action on the proposed policy at the October 15 Faculty Senate meeting.

Sexual Harassment, Nepotism and Consensual Relationships

This policy was approved by the University Senate with SCFA's endorsement this past spring. However, en route to the Regents, it was rewritten in language that was unacceptable to the original drafting committee. The Faculty Consultative Committee (FCC) refused to act on behalf of the Senate to say that the new version is equivalent to the Senate approved version. As demanded by the FCC, justification for the changes was provided and is now being reviewed by the drafting committee. A partial rewrite may be forthcoming.

These issues were to be taken up again later in the meeting.

Handbook

Carol Carrier and Victor Bloomfield initiated the development of a faculty handbook. Representatives from three groups, including SCFA, merged into a single committee to accomplish two things: 1) to find out what a good faculty handbook would look like (possibly like the staff handbook that has been issued), and 2) to determine how to search and find items, not only in the handbook but in the Regents', Senate, and administration databases. There will also be a continually updated virtual handbook that can be printed every one to two years. The

committee is trying to follow up on the work of Pat Spallecy, who began to organize and link task-related topics on the web. SCFA will be responsible for identifying the tasks that most need to be organized, and will select and annotate the top twenty-five policies to be distributed in hard copy.

7. Faculty Development Leave Policy

Robert Jones provided some background on the sabbatical leave policy. Work was begun last year to develop a policy that would be operative under the semester system. The models examined were not viable for the University given its limited financial and human resources. A compromise proposal was developed that would roll the current plan into a semester format. The Provost and Deans have agreed to put \$1.5 million over the biennium into the current salary supplement pool to stimulate participation in sabbatical leaves. Both FCC and SCFA have withheld support of this plan thus far.

Dr. Jones has been receiving constant questions from departments about the new policy for the semester system and a policy must be put in place before the semester system starts. Since there is not sufficient time to go through the normal governance structure, Dr. Jones would like the committee to endorse the policy being presented as an interim policy. This would allow the University to continue to do business during the semester conversion while monitoring the success of the plan. At minimum, the interim policy needs to update the departments on the basic structure of the current proposal, since decisions on faculty leaves are usually made in late December.

One of the goals of the new policy was to eliminate central administration from the process. Dr. Jones highlighted some of the changes to the policy that would reflect that:

- Section 4, Subd. 1: A single-semester leave can be taken after four years of service for tenured faculty, two years of service for probationary faculty.
- For sabbaticals, a total of \$750,000 will be available for fiscal year 2000. This should support around fifty faculty members per year, hopefully increasing by fiscal year 2001 to around ninety-eight faculty members per year.
- The half salary shall be paid at the average rate of appointment during the qualifying academic years of service.
- The administration does not want to be involved in the distribution of the salary supplement. Therefore, Section 3, Subd. 6b will be modified so that deans will make the decision about who receives the salary supplement. Another process will have to be developed as to how the supplemental pool of money will be allocated to the colleges.

There are two models for semester leave programs among similar institutions and the University does not fit into either of those models with its current leave model. The University is between the two models since none of the other institutions have a competitive single-semester program and only one other institution has a salary supplement pool. The two models are: 1) One semester at full salary after six to eight years of service or two semesters at two-thirds salary. Institutions that provide this type of policy include University of Illinois, Ohio State University, Penn State University, and University of Wisconsin. 2) One semester at full pay after six to eight

years of service of two semesters at half salary. Institutions include: Indiana University, University of Iowa, University of Michigan, Michigan State University, and Purdue University.

Comments:

- The part that stipulates that half of a faculty member's salary will be paid at the average rate of appointment during the qualifying academic years of service during their sabbatical is a downgrade from the current policy that Dr. Jones was not aware of. The current policy stipulates that a faculty member will receive half of the salary they would've received that year if they had not been on Sabbatical. The sentence does not state what was intended so it will be revised before the policy is presented to the Faculty Senate for approval.
- The Benefits Subcommittee did not say what is described as the proposed change in Section 3, Subd. 6b, regarding decentralizing the distribution of the salary supplement. The group provided a format that would put that power in the Executive Vice President and Provost's Office.
- It would help with recruitment if faculty members were able to put years of service obtained prior to working at the University towards their sabbatical leave.
- As the proposed policy is written, probationary faculty serving on a six-year term are eligible to take two single semester leaves during their probationary period. The first can be taken during year three and the second can taken in year six. The leaves also do not push back the tenure clock.
- The entire section regarding probationary faculty taking leaves should be revisited since it is not clear.
- The new tenure code provides faculty the option to go from a six to nine year probationary period and that should be considered in the new leave policy. However, the only group to accept the longer probationary period so far are the clinical faculty in the Academic Health Center (AHC).
- The interim policy should include a sunset clause so it is not forgotten that it is only an interim policy.
- The VP Bruininks and Dr. Jones agreed that the interim policy would be in place during the first two years of the semester system and the permanent model to be implemented in the third year would be considered in the near future.
- Different cost scenarios have already been considered for the final policy, but the interim period will show how many people will actually take leaves.
- The ultimate goal of the final policy should be that faculty members receive seventy-five percent of their salary while on a two-semester leave (full-pay for one semester and fifty percent pay for the next). However, the committee should discuss this matter further.
- The model the University has been aspiring to does not exist in similar institutions.
- The University wants to be among the top five public institutions in the country which means there must be good faculty who have an adequate retraining mechanism.
- In the early nineties SCFA proposed that the pay during a leave be increased to two-thirds of a faculty member's regular pay but it never went anywhere.
- It is important that there will be a commitment from the deans to give the money that has been allocated to their units for leaves. Faculty should also be made aware of how much money has been given to their unit and how many leaves that can cover.

- Under the proposed policy, every faculty member is eligible to apply for a supplemented leave, but who will get the leave is up to the dean.
- As written, the proposed policy does not allow faculty members to grieve, but there are other conditions that can be met to grieve outside of this policy.
- The definition of the process in which the review of sorting worthy from unworthy applications has been removed from the proposed policy so there is no way to deal with the denial of a leave.
- Professor Bales asked if the committee would adopt the suggestions offered by Fred Morrison as well as add a sunset clause that stipulates that a permanent policy must be in effect the 2001-02 academic year.
- The administration would like SCFA to work with the Board of Regents to develop a permanent policy that is acceptable to all.
- The process to develop the permanent policy should start immediately since the committee knows that a year is not enough time to develop a worthwhile policy.
- The interim policy cannot go to the Board of Regents for discussion in October and action in December unless SCFA approves it now and the administration presents it to the Regents without the Senate taking action on it. However, the Senate would take action on the administrative procedures of the interim policy during winter quarter.
- Given the fact that there has been no support by SCFA, the committee has the option of reluctantly exceeding to the interim policy as opposed to approving it.
- Faculty in departments can begin the new leave process by introducing a "probable" interim policy.
- The interim policy is no better than the current policy since the only thing that has changed is the language referring to the new semester system.
- A group should be developed to look more closely at the interim policy and make sure it is all clear.
- Even if SCFA and FCC approve the interim policy at their meetings on October 1, and the Faculty Senate takes action on it at their October 15 meeting, it will not be able to be reviewed by the Board of Regents during October since they meet on October 9.
- If the Faculty Senate does not consider the interim policy on October 15, it cannot be passed along to the Board of Regents until after the February meeting of the Faculty Senate. However, the policy can go through the Faculty Senate and its committees during October and the Regents can review and act on it in December.
- The policy could be presented to the Board of Regents at their October meeting for discussion and approval if it were only approved by SCFA and FCC with the stipulation that the policy is effective for one year only.
- In order to develop a permanent policy that is more than adequate, it will take a lot of time and money to develop it so there should be a two-year transition period. Therefore, there should not be interim policies that are presented every year until the permanent policy is set into place.

8. Sexual Harassment; Nepotism and Consensual Relationships

Professor Chomsky informed the committee that the University Senate has approved two versions of the Nepotism and Consensual Relationships policy. The first version was not

acceptable to the administration so it was sent back to the University Senate for revisions. After the revised version was approved by the administration, the Board of Regents staff reformatted the policy to fit their policy format. The Regents staff claim the reformatting did not contain any substantive changes, but the committee that drafted the Senate approved version felt otherwise. Therefore, the drafting committee met with the Regents' staff and suggested revisions so the draft would not be substantively different. The SCC reviewed the draft after that and they were not pleased with the policy because there was no explanation from the Regents' staff as to why the changes that were made were considered necessary or non-substantive in nature. Various members also felt there were substantive changes made so the SCC demanded that the Regents' staff explain every change. The drafting committee will review that explanation to determine if there really are any substantive changes to the policy. However, the group already realizes that substantive changes include: 1) the definition section has been changed so that the scope of who's covered under which activities is not clear, 2) the purpose language has been omitted. The first change will be easy to fix, but the purpose language will not be re-incorporated since Regents' policies do not contain purpose language. The drafting committee will present their recommendation to SCC on October 1 and they may take action on it if they decide that the policy is substantively the same as the one already passed by the University Senate. If they do not feel that the changes are non-substantive, it will be brought back to the University Senate for action. Either way, the policy will not be returned to SCFA for review.

Comments:

- The Regents will not allow purpose language even if it is presented as a resolution or as a footnote.
- The Regents decided what their policy format was going to be when it was too late for the drafting committee to put this policy into that form. In the future it would be helpful to develop policies in that format from the very beginning so similar problems can be eliminated.
- The changes made by the Regents staff are much more to do with than simply reformatting the policy. The policy was rewritten and information was rearranged.
- The best process to develop future policies is to use a drafting committee that includes members of the Regents' staff so their format is considered throughout the development.

9. Action Items

Academic Staff Advisory Committee (ASAC) Representative Election

The committee will decide who should represent SCFA on ASAC at its next meeting.

Academic Appointments

Professor Bales informed the committee that the resolutions of the Report of the Joint Committee of Academic Appointments would only be discussed at this meeting and acted upon at the next meeting. He then provided background information on the Joint Committee on Academic Appointments, noting that the committee was developed by FCC, SCFA, and the Educational Policy Committee (SCEP), and people from other areas were asked to join as well.

The first resolution is intended to create a certain standard in which everyone who does faculty-like work is countable within the same category. In the evidence section that follows, information from a study conducted by the University of Michigan shows that they were able to determine how many tenured/tenure-track faculty they have versus non-tenured faculty because, within their frame of reference, all of these people are faculty. However, these two groups are not considered to both be faculty at this University since the only people who are considered to be faculty is defined in the Tenure Code. The joint committee found it difficult to get any information about faculty-like activities outside of a very small group of people who teach and do research and are either tenured/tenure-track faculty or are specifically defined as non-regular faculty by the Tenure Code. The clinical faculty in the Medical School are mentioned in the Tenure Code so they are part of the non-regular faculty group at the University. If an academic professional is a (senior) research associate, and their duties include conducting research, teaching, and advising graduate students; they are still not considered faculty because they are in the wrong category.

The joint committee has concluded that the only way to understand the size of the faculty and all of its parts from now on would be to put all people performing faculty-like duties into a single category with subcategories that can accommodate for all of the various appointments that already exist. Therefore, the first resolution calls for a reclassification of all people doing faculty-like work into new categories under a general academic section and specifically into the faculty category.

Comments:

- Monitoring the number of faculty versus academic professionals should be done since it has been observed that the number of tenured faculty is getting smaller while the non-tenured group is getting larger.
- The NRC rankings only consider tenured faculty when they are judging universities for excellence so this is another reason to monitor the number of them at the University.
- Contrary to what is stated on the first page of the committee's report, the University's reputation is not solely based on the ratio of tenured versus non-tenured faculty. The University's reputation is based on a variety of performance indicators such as publications.
- In the first resolution, it should read, "all appointments in departmental units..." because there are such units that have people performing faculty-like tasks.
- The reference to a sweatshop brings about the wrong connotations and does not help the committee's case.
- The first resolution should include a definition to clarify whether or not a person has to perform all three faculty-like tasks to be put into the general faculty category.
- The first resolution state that a person performing faculty-like duties for sixty-seven percent or more time should be considered faculty, but then many departments would not be in compliance with the stipulations set by the second resolution.
- There are very few departments who would not be compliant with the stipulations of the second resolution, but a provision has been made for there to be exceptions.
- Even though there are some post-docs that do all three faculty-like tasks, they would still be exempt in the first resolution because post-docs are not part of the academic professional staff.

- ASAC will offer input and exercise their options since the report directly effects the group they represent.
- Academic professionals are concerned that the final outcome of the report will make them second class faculty members and the status of their current benefits package.
- Suggested improvements are greatly appreciated and can be sent to Professor Bales.
- The joint committee would like to present the report and resolutions to the Faculty Senate at its October meeting, but it appears that much more discussion within committees is necessary.
- The academic professionals were not included in the new academic leave policy because of the fear among academic professionals that when they take a leave they may not be needed once their return date arrives.

9. Adjournment