

*Minutes

**SENATE COMMITTEE ON FACULTY AFFAIRS
TENURE SUBCOMMITTEE
TENURE WORKING GROUP
Wednesday, April 11, 1996
3:00 - 5:00
Dale Shephard Room, Campus Club**

Present: Dan Feeney (chair), Kent Bales, Carole Bland, Carol Carrier, Carol Chomsky, Cheryl Coryea, Dan Farber, Judith Gaston, Richard Goldstein, Richard McGehee, Sam Myers, Fred Morrison, Kevin O'Laughlin, George Seltzer, Bernard Selzler, Shane Swanson, Yang Wang

Regrets: Kinley Larntz, Carol Miller, James Stone

Guests: none

Others: Representative from the *Minnesota Daily*, Martha Kvanbeck (University Senate)

[In these minutes is a report from the Non-Retirement Subcommittee and continued discussion on tenure.]

1. CHAIR'S REPORT

Code of Conduct: This item was addressed at the last SCFA meeting. Unless the committee members feel otherwise, this item will be forwarded to FCC. If any SCFA members have any comments on this, they may contact Professor Dan Feeney.

Straw Poll: Professor Feeney hopes to poll SCFA and the invited individuals on their opinions of the 13 items related to the tenure draft proposals. This was to be conducted at the end of the meeting. Professor Feeney summarized a number of items about the tenure review process that has faculty concerned: the rate of the progress, inadequate time for discussion, lack of Tenure Subcommittee draft proposals, not a faculty driven process, confusion about the matter given the reengineering of AHC/tenure review process/proposed closure of General College/other rumors.

Discussion on Tenure with the Board of Regents: Reflecting the seriousness of this matter, Professor Edwin Fogelman told the Board there are indications that the tenure discussions are influencing 18 retentions or new hires in CLA alone. Presentations by Professor Feeney and Professor Mary Dempsey were received well. The Board expressed interest in being involved with SCFA and faculty governance on this matter. Professor Feeney he reviewed with the Board the items of concern listed above (in Straw Pole), and the 13 draft items that have been proposed. Assoc. V. P. Carol Carrier said that this was the first time that the Board had heard a detailed list of the faculty concerns about the tenure review process.

Executive Session: The meeting will be closed between 4:00-4:30.

* These minutes reflect discussion and debate at 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.

AHC Financial Report: Drafts of the information was made available to the attendees. Professor Feeney acknowledged Dean Cerra for providing this information for the committee. It was recommended that an attempt be made to have Dr. Cerra come to SCFA for a discussion of AHC and tenure issues.

2. APPROVAL OF THE MINUTES

The minutes had not been reviewed by Professor Edwin Fogelman by the date of the meeting.

3. APPROVAL OF THE AGENDA

The committee approved the agenda.

4. REPORT OF THE BENEFITS SUBCOMMITTEE

Ms. Judith Gaston asked the committee to draw their attention to a handout which she would review with the group outlining the most recent activity by the Non-Retirement Benefits Subcommittee:

- * The Subcommittee has been relieved from addressing the potential for changing employee term insurance benefits to universal life plan benefits.
- * Leave policies and the semester conversion: This is likely to be the significant issue the subcommittee will address during the Spring quarter. Additional membership to the subcommittee would be helpful (contact Ms. Gaston).
- * Review the part-time benefits policies and procedures: Ms. Gaston will be meeting with Craig Johnson (chair of the ASAC benefits subcommittee) to draft a letter recommending a benefits policy for part-time employees.
- * Summer Session class cancellation: A class can be canceled at the last minute, and the faculty member not paid. There was no faculty consultation with this issue. Mr. Jack Johnson (Summer Session Director) will be addressing SCFA in May.
- * Investigate the creation of an employee discount program: Ms. Dee LeMieux (U of M Hospital and Clinic) is responsible for an extensive discount program. Unfortunately, the University is about to lose her and the position due to the upcoming merger with Fairview Riverside. A letter will be drafted to retain the discount program.
- * Cafeteria Benefits: It was recommended that discussion on cafeteria benefits be uncoupled from issues related to tuition (remission) benefits for family members. A letter will be sent to Assoc. V. P. Carrier recommending forming a group be assembled to review the later issue. Mr. Robert Fahnhorst described that the existing status of the benefits available through the State program. Some aspects of a cafeteria type plan do exist at the University currently.
- * Changes to the Faculty Groups Income Disabilities Policy: *The committee approved increasing the monthly income to 65% of their regular salary.* Mr. Fahnhorst will pursue this matter and report back to SCFA and/or the subcommittee.
- * The subcommittee will return to SCFA in May to discuss benefits for part-time employees, Summer Session cancellation policy, and leave/semester conversion.
- * Accelerated Benefit: Arrangements are being made to allow the faculty \$20,000 life insurance payment if an individual to distribute the benefit shortly before death.

5. TENURE DISCUSSION

The discussion began with a thirty minute, closed executive session addressing the tenure review process. Administrative members of SCFA were asked to rejoin the meeting after the executive session.

A motion was approved (with one abstaining vote and two against) to table a resolution supporting a suspension of the current Tenure Code review process.

Professor Feeney asked the committee members to (straw) vote on the proposed changes to the Code. This vote was to determine which *Items* on the *Brief Outline of the Issues Addressed by the Drafts of Possible Tenure Code Changes* are controversial, and which ones are amenable to change. The committee members were asked to vote for each Item by noting yes, no, maybe, or inadequate information.

Professor Fred Morrison reviewed each Item to help the SCFA members vote as requested:

CLARITY

- Item 1 Descriptive preamble: No controversy
- Item 2 Add the academic freedom statement to the Code: This is probably a good idea, and could be done with minor drafting changes.
- Item 8 Department chair assigning teaching tasks: There has been concern/discussion about academic freedom, due process, etc. "The language may need to be tightened."

FLEXIBILITY

- Item 3 Clinical faculty members are hired to primarily or exclusively attend to patient care with little or no formal teaching or research responsibilities. This item proposes that clinical faculty would be placed on term appointments as opposed to tenure or tenure-track appointments.
- Item 4 Base Salary Issue: This item proposes to redraft this aspect of the Code in a clear and concise manner.
- Item 5 Collegiate units are permitted to extend probationary periods by 3 years. Need to clarify that the college assembly decides the extension, not the dean. This does not include *stopping the clock* due to illness, pregnancy, or other justifiable reasons.
- Item 9 This interpretation clearly states that faculty may *not* be laid-off, but outlines the options that are available, when departments, units, etc. are closed.

EFFICIENCY OF OPERATION

- Item 10/11 The Judicial Committee is developing alternative language for these items.
- Item 12 Elimination of two time consuming steps in the termination for cause process.

ACCOUNTABILITY OF FACULTY & ADMINISTRATORS

- Item 6 The Provost in the Academic Health Center is able to decide on awarding tenure based on the need for additional faculty at any given time. There is no provision for appeal in this proposed amendment. Support for this measure appears to be conspicuously absent.

- Item 7 Post Tenure Review: There has been discussion about the need to improve the language on this issue to strengthen due process and faculty participation, and list trigger mechanisms that would initiate this process.
- Item 13 Description of temporary suspension without pay pending disciplinary proceedings.

Professor Feeney said that he would outline the results of this straw vote at the April 18 Faculty Senate meeting, along with comments that Professor Morrison and Professor Dempsey have received on the proposed amendments/interpretations. He also would encourage Senators to send their comments to SCFA. It is anticipated that the Tenure Subcommittee and SCFA will present their own draft proposal at the May 2 Faculty Senate meeting. Professor Dempsey recommended that only proposals approved by the Tenure Subcommittee/SCFA will be released throughout the remainder of the review process.

Professor Morrison said that he would be able to present another draft of the proposed amendments/ interpretations to the Code at the April 25 SCFA meeting. The committee was informed that the May 2 Senate meeting was scheduled for only a brief tenure discussion, with more substantive deliberations at the May 16 and May 30 Faculty Senate meetings.

Professor Feeney asked the committee to forward some of their comments to him based on discussion during the executive session so that he may draft a letter to the Administration and the Board of Regents. Particular concerns relate to the amount of time set aside for the review process, the post-tenure review process, and discussion with the Judicial Committee.

-- Kevin Gormley

University of Minnesota