

2002-03 UNIVERSITY OF MINNESOTA

FEBRUARY 20, 2003

**UNIVERSITY SENATE MINUTES: No. 3
TWIN CITIES CAMPUS ASSEMBLY MINUTES: No. 3
FACULTY SENATE MINUTES: No. 4
STUDENT SENATE MINUTES: No. 4**

The third meeting of the University Senate, Twin Cities Campus Assembly, and Faculty Senate for 2002-03 was convened in Cowles Auditorium, Minneapolis campus, on Thursday, February 20, 2003, at 2:35 p.m., as a joint meeting of the three bodies. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 133 voting faculty/academic professional members, 26 voting student members, 2 ex officio members, and one non-member. Faculty Consultative Committee Vice Chair Judith Martin presided.

1. ANNOUNCEMENTS

Professor Dan Feeney, Chair of the Senate Consultative Committee, announced that neither President Bruininks nor Vice Chair Marti Hope Gonzales could attend or therefore chair the meeting. He then made a motion to appoint Faculty Consultative Committee Vice Chair Judith Martin as the chair *pro tem* for today's meeting. The motion was seconded, a vote was taken, and the motion was approved.

Professor Judith Martin then announced that comments will be made differently due to the seating arrangement in the room. Senators should raise their hands and a microphone will be brought to their seat.

**2. MINUTES FOR OCTOBER 31, 2002
AND DECEMBER 5, 2002
Action**

MOTION:

To approve the University Senate, Faculty Senate, and Twin Cities Campus Assembly minutes, which are available on the Web at the following URL. A simple majority is required for approval.

http://www1.umn.edu/usenate/u_senate/021031sen.html
http://www1.umn.edu/usenate/u_senate/021205sen.html

**CAROL WELLS, CLERK
UNIVERSITY SENATE/
TWIN CITIES CAMPUS ASSEMBLY**

DISCUSSION:

With no discussion a vote was taken and the motion was approved.

APPROVED

3. TRIBUTE TO DECEASED MEMBERS OF THE UNIVERSITY COMMUNITY

FACULTY/ACADEMIC PROFESSIONALS/STAFF

James I. Brown
Professor
Rhetoric
1908 – 2002

Paul W. Fox
Professor
Psychology
1932 – 2002

Leonard Greenberg
Professor
Lab, Medicine and Pathology
1926 – 2002

Lois J. Jones
Professor
Nursing
1927 – 2002

Hyung Kon Kim
Professor
School of Business and Economics – Duluth
1927 – 2002

William Mishler
Professor
German, Scandinavian & Dutch
1940 – 2002

Lloyd Paler
Professor
College of Science and Engineering – Duluth
1934 – 2002

Sheldon C. Reed
Professor
Genetics and Cell Biology
1910 – 2003

Paul Rupprecht
Director
Boynton Health Services
1924 – 2002

Allen R. Solem
Professor
Business Administration
1913 – 2002

Margaret N. Space
Coordinator
Off Campus Housing
1914 – 2002

Gordon Starr
Director
Student Affairs
1918 – 2002

Harriet Vaux
Professor
Wilson Library
1912 – 2002

Joseph Warthesen
Professor
Food, Science, and Nutrition
1948 – 2003

STUDENTS

Michael J. Eastwood
College of Liberal Arts

Teresa E. Falk
Graduate School

Mbezal B. Farmer
College of Education and Human Development

Caroline A. George
College of Liberal Arts

Lauren A. Kosevec
Institute of Technology

William M. McLaughlin
College of Liberal Arts

Erik S. Nelson
Law School

Andrew G. Trogdon
Institute of Technology

4. ADMINISTRATIVE RESPONSES TO SENATE AND ASSEMBLY ACTIONS Information

Twin Cities Campus Assembly

Constitutional Amendment (Vice Chair Eligibility)
Approved by the: TCCA October 31, 2002

Approved by the: Administration January 28, 2003
Approved by the: Board of Regents **PENDING**

Constitutional Amendment (Electronic voting)
Approved by the: TCCA October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents **PENDING**

University Senate

Constitutional Amendment (Vice Chair Eligibility)
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents **PENDING**

Constitutional Amendment (Electronic voting)
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents **PENDING**

Constitutional Amendment (Faculty voting on tenure and Judicial Committee matters)
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents **PENDING**

2004-05 and 2005-06 Twin Cities Calendars
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents - no action required

2004-05 and 2005-06 Morris Calendar Changes
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 20, 2003
Approved by the: Board of Regents - no action required

Amendment to the Uniform Grading and Transcript Policy
Approved by the: University Senate October 31, 2002
Approved by the: Administration January 28, 2003
Approved by the: Board of Regents - no action required

Interpretation of the Policy on Examinations for Credit
Approved by the: University Senate October 31, 2002
Approved by the: Administration - no action required
Approved by the: Board of Regents - no action required

Interpretation of the Awards for Outstanding Contributions to Education Policy
Approved by the: University Senate October 31, 2002
Approved by the: Administration - no action required
Approved by the: Board of Regents - no action required

Interpretation of the Degrees with Distinction and Degrees with Honors Policy
Approved by the: University Senate October 31, 2002
Approved by the: Administration - no action required
Approved by the: Board of Regents - no action required

Faculty Senate

Resolution to Eliminate the Waiting Period for the Faculty Retirement Plan

Approved by the: Faculty Senate October 3, 2002

Approved by the: Administration **PENDING (Response due date January 3, 2003)**

Approved by the: Board of Regents – no action required

5. SENATE/FACULTY CONSULTATIVE COMMITTEE REPORT

Professor Daniel Feeney, Chair of the Senate Consultative Committee (SCC), began by congratulating Professor Judith Martin as the 2003-04 SCC Chair and Professor Arthur Erdman as the 2003-04 SCC Vice Chair. The senators gave them a round of applause.

He then said that Faculty Consultative Committee (FCC) has been working on several issues, one of which is institutional accountability. It is a joint initiative with the administration and is co-chaired by Professor Tom Clayton and Vice President Kathleen O'Brien.

A second item is concerns with the IRB process. A questionnaire has been developed to provide discipline specific results. The administration has been very responsive to this review.

The Research Committee has completed a review of making exemptions to the Secrecy in Research Policy. A subcommittee of this body has been created to develop expertise and consistency when dealing with these exemptions.

Professors Marvin Marshak and Fred Morrison will serve as the Faculty Legislative Liaisons for this year. Periodic notices will sent from the liaisons, as well as requests to attend meetings with the legislature. At a recent meeting with the Executive Vice President and Provost, the FCC agreed to have senators available to talk before the legislature or just attend University hearings.

The budget is a big concern for the University. The FCC has two liaisons with the administration through the Budget Advisory Task Force, Professors Feeney and Speaks. A budget consultative group, with members from FCC and Finance and Planning, will also be meeting with administration on a regular basis as well.

Professor Feeney said that FCC has a request related to the intellectual future of the University. FCC has realized that Regents Professors, McKnight Professors, and Academy of Distinguished Professors have not been regularly consulted with for the expertise that they have. FCC is proposing using them on two tasks, academic freedom in a public land-grant institution in the 21st century and instrumentalization.

The FCC has developed a formal meeting structure with members of the Twin Cities Deans Council. A subset of each group will meet twice each semester with the intent of sharing common issues through direct communication.

Professor Feeney said that in response to the budget cuts some areas of the Senate Office budget have been changed, food and beverages for meetings will no longer be provided by University Dining Services.

Lastly, he reminded senators to answer any calls that they receive regarding helping with the legislature.

MOTION A
UNIVERSITY SENATE/TWIN CITIES CAMPUS ASSEMBLY
CONSTITUTION, BYLAWS, AND RULES AMENDMENTS
Action by All Bodies

COMMENT:

Agenda Items 6. through 16. are offered as a one motion to be taken up as a single item with one vote. Any item will be taken up separately at the request of a senator. All items are being presented for the first time.

As an amendment to the Senate Bylaws, a motion requires either a majority of all voting members of the Senate (116) at one regular or special meeting, or a majority of all members of the Senate present and voting at each of two meetings.

As an amendment to the Assembly Bylaws, a motion requires either a majority of all voting members of the Assembly (100) at one regular or special meeting, or a majority of all members of the Assembly present and voting at each of two meetings.

As an amendment to the Senate/Assembly Rules, a motion requires a simple majority.

6. UNIVERSITY SENATE RULES AMENDMENT
Ex Officio Representation
Action by the University Senate

MOTION:

To amend Article III, Section 2 of the University Senate Rules as follows (new language is underlined).

ARTICLE III. RULES FOR COMMITTEE ON THE UNIVERSITY SENATE

...

2. Ex Officio Members of Senate Committees

Ex officio members shall be appointed from each of the offices listed below and are non-voting positions unless otherwise noted.

...

- Finance and Planning--Controller's Organization; Office of the Executive Vice President and Provost (one from Institutional Research and Reporting, ~~and~~ one from the Office of Budget and Finance, and one other designated by the Executive Vice President and Provost); Office of the Vice President for University Services; Chair (or his/her designee) of the Academic Health Center Finance and Planning Subcommittee

...

COMMENT:

Executive Vice President and Provost Maziar asked that a representative from her office be allowed to join meetings of the Senate Committee on Finance and Planning. At the same time, however, neither she nor the Committee on Finance and Planning wished to displace either of the two current representatives from the Office of Budget and Finance and from Institutional Research and Reporting. The Committee on Finance and Planning thus asks that the Senate allow the Executive Vice President and Provost to appoint another representative from her office.

**CHARLES SPEAKS, CHAIR
FINANCE AND PLANNING COMMITTEE**

7. UNIVERSITY SENATE RULES AMENDMENT

Terms of Membership, Chairing of Committees, and Removal of Members for Absences Action by the University Senate

MOTION:

To amend Article III, Section 3 of the University Senate Rules as follows (new language is underlined; language to be deleted is ~~struck out~~).

ARTICLE III. RULES FOR COMMITTEE ON THE UNIVERSITY SENATE

...

3. Terms of Membership, Chairing of Committees, and Removal of Members for Absences

~~Faculty/academic professional~~ Non-student appointments to committees of the Senate shall be made for terms of three years, with appointments so adjusted that the terms of approximately one third of the members expire each year. ~~Academic professionals eligible to vote in Senate elections may serve on all committees that report to the Senate except the Consultative Committee.~~ Faculty/academic professionals with administrative appointments (class titles 9302-9329) of 50 percent or more time are ineligible to serve on Senate committees, except ex officio.

...

No ~~faculty/academic professional~~ non-student member is eligible to serve more than two consecutive full three-year terms on any one committee. No student member is eligible to serve more than four consecutive one-year terms on any one committee. No committee member is eligible to serve on more than two committees of the Senate at a time. These rotation procedures and limitations do not apply to ex officio representatives.

Notwithstanding the preceding provisions, faculty, academic professionals, and civil service staff appointed to the four-year terms of membership on the Finance and Planning Committee shall be eligible to serve two consecutive four-year terms, for a total of eight years.

...

COMMENT:

The Committee on Committees has learned that some non-student members of committees (e.g., civil service, alumni) do not have specified term limits. Inasmuch as the faculty and P&A members do, the Committee on Committees believes it appropriate for all other non-student members to have limited terms as well; as with faculty and P&A staff, terms allow broader participation than would be the case if one individual served for years and years on a committee.

(The Committee on Committees notes that the now-replaced Assembly Committee on Intercollegiate Athletics had the same chair 1922-1948. We do not believe that is a model we should use.)

The provision about P&A staff on committees is proposed for deletion because it is incorrect. There is one P&A staff member on the Senate Consultative Committee/Assembly Steering Committee. The bylaw provisions for each committee prescribe the membership.

**DIAN LOPEZ, CHAIR
SENATE COMMITTEE ON COMMITTEES**

**8. TWIN CITIES CAMPUS ASSEMBLY RULES AMENDMENT
Terms of Membership, Chairing of Committees, and Removal of Members for Absences
Action by the Twin Cities Campus Assembly**

MOTION:

To amend Article III, Section 3 of the Twin Cities Campus Assembly Rules as follows (new language is underlined; language to be deleted is ~~struck out~~).

ARTICLE III. RULES FOR COMMITTEE ON THE TWIN CITIES CAMPUS ASSEMBLY

...

3. Terms of Membership, Chairing of Committees, and Removal of Members for Absences

~~Faculty/academic professional~~ Non-student appointments to committees of the Assembly shall be made for terms of three years, with appointments so adjusted that the terms of approximately one third of the members expire each year. ~~Academic professionals eligible to vote in Assembly elections may serve on all committees that report to the Assembly except the Steering Committee.~~ Faculty/academic professionals with administrative appointments (class titles 9302-9329) of 50 percent or more time are ineligible to serve on Assembly committees, except ex officio.

...

No ~~faculty/academic professional~~ non-student member is eligible to serve more than two consecutive full three-year terms on any one committee. No student member is eligible to serve more than four consecutive one-year terms on any one committee. No committee member is eligible to serve on more than two committees of the Assembly at a time. These rotation procedures and limitations do not apply to ex officio representatives.

...

COMMENT:

See the comment to the previous motion.

**DANIEL FEENEY, CHAIR
ASSEMBLY STEERING COMMITTEE**

9. UNIVERSITY SENATE RULES AMENDMENT
Presiding Officers
Action by the University Senate

MOTION:

To amend Article I, Section 1 of the University Senate Rules as follows, (new language is underlined):

1. Organization

...

The president of the University of Minnesota shall chair the University Senate.

A vice chair shall be elected by the Senate at its last meeting in the spring of the academic year from among its members for a term of one year. The vice chair shall serve as chair in the absence of the president and shall serve as a member of the University Senate Consultative Committee. Term of office shall be July 1 to June 30, and the person holding the office is eligible for re-election.

In the event that neither the president nor the Senate vice chair is available to serve as chair of a Senate meeting, the vice chair of the Faculty Consultative Committee shall preside.

...

COMMENT:

In the rare event that neither the president nor the vice chair is available to chair a Senate meeting, this Rules amendment provides that the vice chair of the Faculty Consultative Committee will preside. The Faculty Consultative Committee chair is not designated because that individual usually has items on the agenda to which he or she must speak, and the FCC chair may wish to debate items. It is thus more sensible for the vice chair of FCC to preside.

This is not hypothetical. Neither the president nor the Senate vice chair were available for the February 20, 2003, Senate meeting.

DANIEL FEENEY, CHAIR
SENATE CONSULTATIVE COMMITTEE

10. TWIN CITIES CAMPUS ASSEMBLY RULES AMENDMENT
Presiding Officers
Action by the Twin Cities Campus Assembly

MOTION:

To amend Article I, Section 1 of the Twin Cities Campus Assembly Rules as follows, (new language is underlined):

1. Organization

...

The president of the University of Minnesota shall chair the Assembly.

A vice chair shall be elected by the Assembly at its last meeting in the spring of the academic year from among its members for a term of one year. The vice chair shall serve as chair in the absence of the president and shall serve as a member of the Assembly Steering Committee. Term of office shall be July 1 to June 30, and the person holding the office is eligible for re-election.

In the event that neither the president nor the Assembly vice chair is available to serve as chair of an Assembly meeting, the vice chair of the Faculty Steering Committee shall preside.

...

COMMENT:

See the comment to the previous motion.

**DANIEL FEENEY, CHAIR
ASSEMBLY STEERING COMMITTEE**

**11. UNIVERSITY SENATE BYLAWS AMENDMENT
Closed Meetings
Action by the University Senate**

MOTION:

To amend Article II, Section 7 of the University Senate Bylaws as follows (new language is underlined; language to be deleted is ~~struck out~~).

ARTICLE II. RULES FOR COMMITTEE ON THE UNIVERSITY SENATE

...

7. Committees of the Senate shall have a policy of open meetings. Closed or executive sessions may be held only after approval by a two-thirds majority of the committee members present and voting. ~~and only when personnel matters are discussed, when quasi-judicial functions are carried out, or when closed sessions are required to protect the right of individuals. Under this rule, a~~ All regular sessions of the All-University Honors Committee and the Judicial Committee shall be considered closed or executive sessions. ~~As an exception to this rule, the Senate Consultative Committee, the Faculty Consultative Committee, and the Student Senate Consultative Committee are granted the right to close a portion or all of a given meeting, after approval by two-thirds majority of their respective members present.~~ The committee shall keep a list of all topics discussed and actions taken in its closed meetings and incorporate that list in its minutes. Only committee members and others designated by the chair may remain in the meeting once a motion to close the meeting has been adopted.

...

COMMENT:

The University Senate and the Twin Cities Campus Assembly and their committees are not subject to the Minnesota Open Meeting Law.

In general, the Senate and Assembly and their committees should have open meetings. There are times, however, when committees cannot effectively serve a consultative purpose if there are others present. There have been a number of such times during the past year: the Advisory Committee on Athletics had a difficult time discussing the possible elimination of sports when representatives of the media insisted on being present; the Committee on Finance and Planning frequently discusses legislative strategy with the University's Chief Financial Officer (other committees often discuss sensitive political matters as well); the Research Committee has discussed sensitive research projects in connection with the secrecy policy. In these and many other situations, the committees have either had to contort their agendas to fit an item into one of the categories specified in the existing bylaw that permit closed meetings or they were unable to close their meeting--and thus committee members were unable to discuss in an organized fashion the issue before them. Often when closed meetings are not permitted, the chair and committee members are forced to communicate in other ways that do not facilitate full discussion.

The Consultative Committee recommends that any committee of the Senate or Assembly be permitted, by a two-thirds vote of those present at the meeting, to close their meetings, with the proviso that the topics discussed and any formal committee action must be reported in the Committee's minutes.

**DAN FEENEY, CHAIR
SENATE CONSULTATIVE COMMITTEE**

12. TWIN CITIES CAMPUS ASSEMBLY BYLAWS AMENDMENT

Closed Meetings

Action by the Twin Cities Campus Assembly

MOTION:

To amend Article II, Section 7 of the Twin Cities Campus Assembly Bylaws as follows (new language is underlined; language to be deleted is ~~struck out~~).

ARTICLE II. RULES FOR COMMITTEE ON THE TWIN CITIES CAMPUS ASSEMBLY

...

7. Committees of the Assembly shall have a policy of open meetings. Closed or executive sessions may be held only after approval by a two-thirds majority of the committee members present and voting. ~~and only when personnel matters are discussed, when quasi-judicial functions are carried out, or when closed sessions are required to protect the right of individuals.~~ Under this rule, a All regular sessions of the Faculty Academic Oversight Committee on Intercollegiate Athletics shall be considered closed or executive sessions. The committee shall keep a list of all topics discussed and actions taken in its closed meetings and incorporate that list in its minutes. Only committee members and others designated by the chair may remain in the meeting once a motion to close the meeting has been adopted.

...

COMMENT:

See the comment to the previous motion.

**DAN FEENEY, CHAIR
ASSEMBLY STEERING COMMITTEE**

**13. UNIVERSITY SENATE BYLAWS AMENDMENT
Tenure Committee
Action by the University Senate**

MOTION:

To amend Article III, Section 7 (items following the deleted item to be re-lettered appropriately) and add a new Section 16 to the University Senate Bylaws as follows, (language to be deleted is ~~struck out~~; language to be added is underlined).

ARTICLE III. SENATE COMMITTEES

...

7. FACULTY AFFAIRS COMMITTEE

...

Duties and Responsibilities

- a. To examine all policies and procedures of the University which influence the professional and personal welfare of the faculty, and to recommend improvements in the design and implementation of faculty personnel policies, including such matters as tenure and promotion (in cooperation with the Tenure Committee), salary and benefits, faculty development, and hiring and retirement alternatives.
- b. ~~To recommend to the Faculty Senate additions, modifications, interpretations, and implementation of policies on Faculty Tenure.~~

...

16. TENURE COMMITTEE

The Tenure Committee is responsible for all matters of policy related to faculty tenure and the Regents' policy "Faculty Tenure." The Tenure Committee reports to the Faculty Senate. The Tenure Committee does not deal with individual disputes.

Membership

The Tenure Committee shall consist of no fewer than 7 members of faculty, of whom at least 5 must be tenured and at least one of whom must come from a campus other than the Twin Cities. Committee members shall be nominated by the Committee on Committees with the approval of the Senate.

Duties and Responsibilities

- a. review periodically the tenure regulations.

- b. review periodically the tenure and promotion system for faculty appointments, and any related policies, and make recommendations to the Faculty Senate and to the appropriate senior academic administrators.
- c. review proposals from any source for amendment of the Regents Policy on Faculty Tenure and report its views to the Faculty Senate within the time limits provided by the Regents' Policy.
- d. review annually the use of contract and non-faculty instructional appointments in all departments and colleges and make recommendations to the Faculty Senate and the appropriate senior academic administrators.
- e. provide Interpretations of the tenure policies in accordance with the Regents' Policy.
- f. advise senior academic administrators with regard to issues of academic tenure and rank.
- g. monitor the post-tenure review process.

COMMENT:

When the number of Senate committees was significantly reduced in 1989, the Tenure Committee was made a subcommittee of the Committee on Faculty Affairs (SCFA). In the mid-1990s (although before the “tenure debate,”) SCFA recommended that the Tenure Subcommittee be restored to its earlier status as a Senate committee.

After evaluating the work of the Tenure Subcommittee in recent years, the Faculty Consultative Committee agrees that the Tenure Subcommittee should be made a regular standing committee of the Senate. This will make the appointment of members easier, through the Committee on Committees, and will provide the committee with the stature and status it should have as it deals with proposals to change the tenure code or other matters affecting faculty status.

The chair of the Committee on Faculty Affairs will be an ex officio member of the Tenure Committee; the chair of the Tenure Committee will be an ex officio member of the Committee on Faculty Affairs.

**DANIEL FEENEY, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

**14. UNIVERSITY SENATE RULES AMENDMENT
Ex Officio Representation
Action by the University Senate**

MOTION:

To amend Article III, Section 2 of the University Senate Rules as follows (language to be deleted is ~~struck out~~; new language is underlined).

ARTICLE III. RULES FOR COMMITTEE OF THE UNIVERSITY SENATE

...

2. Ex Officio Members of Senate Committees

Ex officio members shall be appointed from each of the offices listed below and are non-voting positions unless otherwise noted.

...

- **Faculty Affairs**--Office of the Executive Vice President and Provost; representative of the University of Minnesota Retirees Association; Office of the Vice President for Human Resources (two representatives, including one from Employee Benefits); Chair (or his/her designee) of the Academic Health Center Faculty Affairs Subcommittee; Chair, Tenure Subcommittee Committee

...

- Tenure--Chair, Committee on Faculty Affairs; Office of the Executive Vice President and Provost; Office of the Vice President for Human Resources

...

COMMENT:

See the comment to the previous motion.

**DANIEL FEENEY, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

**15. UNIVERSITY SENATE BYLAWS AMENDMENT
Tenure Committee
Action by the University Senate**

MOTION:

To amend Article II, Section 1a of the University Senate Bylaws as follows, (language to be deleted is ~~struck out~~; language to be added is underlined).

ARTICLE II. RULES FOR COMMITTEES OF THE UNIVERSITY SENATE

1. Eligibility for Membership

- a. Individuals holding academic administrative or professional titles are eligible to serve as voting members of Senate committees even if they are not qualified for membership in the Senate, except that no individual holding a position carrying as any part of its title president, vice president, chancellor, provost, executive director, dean, counsel, attorney, controller, or chief of staff may serve as a voting member of a Senate committee. Individuals with academic administrative or professional titles are not eligible to serve on the Senate Judicial Committee or on the Tenure Subcommittee of the Senate Committee ~~on Faculty Affairs~~ Committee. Individuals with academic administrative or professional titles are only eligible to serve on the Senate Committee on Educational Policy, the Senate Library Committee, Senate Research Committee, and the Senate Committee on Student Academic Integrity if they are also eligible to serve in the Senate.

...

COMMENT:

See the comment to motion.

**DANIEL FEENEY, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

**16. TWIN CITIES CAMPUS ASSEMBLY BYLAWS AMENDMENT
Nominating Committee
Action by the Twin Cities Campus Assembly**

MOTION:

To amend Article III, Section 7 of the Twin Cities Campus Assembly Bylaws as follows (new language is underlined).

ARTICLE III. TWIN CITIES CAMPUS ASSEMBLY COMMITTEES

...

7. NOMINATING COMMITTEE

...

Membership

...

In those instances when an incumbent member of the Nominating Committee is eligible for re-election, the Faculty Steering Committee (for a faculty member) or the Council of Academic Professionals and Administrators (for an academic professional member) may present the name of that individual to the Assembly for confirmation of reappointment without another candidate on the ballot to fill the position. A proposed confirmation of reappointment would not preclude additional nominations made according to the provisions of the preceding paragraph; any such nomination must stipulate against whom the nominee will run.

The Assembly shall then vote on the slate by secret ballot at the first meeting of spring semester. In case of a tie, the clerk shall choose the successful candidate by lot.

...

Duties and Responsibilities

- b. Both the faculty and academic professional members of the Nominating Committee shall nominate and certify as available twice as many faculty/academic professional candidates for the Committee on Committees as are to be elected each year. These candidates shall be announced in the Assembly docket for the last meeting of the academic year. Additional nominations, certified as available, may be made by: (1) petition of 12 voting members of the faculty or academic professional staff eligible to serve in the Assembly, provided that the petition is in the hands of the clerk of the Assembly the day before the Assembly meeting; (2) nomination on the floor of the Assembly. At the last Assembly meeting of the year, the faculty/academic professional representatives of the Assembly shall elect by secret ballot members of the Committee on Committees for three-year

terms. No faculty/academic professional member is eligible to serve more than two consecutive full terms. ~~In the case of a tie, the chair of the Assembly shall cast the deciding vote.~~ In case of a tie, the clerk shall choose the successful candidate by lot.

...

COMMENT:

For the first change in the language, when the Assembly bylaws were changed to permit incumbent faculty members of the Nominating Committee to be nominated for another term, without having to go through an election, the same proviso was not added for the academic professional members, although the logic is the same. If there is a capable, contributing member of the Nominating Committee who has not served two terms but who is interested in continuing, it makes little sense to find someone to run against that individual in an election. This change makes renomination permissible for the academic professional as well as the faculty members of the Nominating Committee.

In regards to the next change, the Faculty Consultative Committee noticed recently that while there is a provision for break a tie in the case of elections to FCC, there is no such provision for a tie when the faculty/P&A members of the Assembly elect the Nominating Committee. While there have been no ties in the FCC elections, some of them have been very close. FCC believes there should be a mechanism in place to deal with a tie vote, should one occur. The one proposed is the same one that covers a tie vote in FCC elections.

For the last revision, in reviewing what should happen in the event of a tie in elections to the Nominating Committee and the Committee on Committees, the Faculty Consultative Committee noted that there was no provision for the Nominating Committee (for FCC elections, and as is being proposed for the Nominating Committee, "in case of a tie, the clerk shall choose the successful candidate by lot").

FCC proposes that the same mechanism should be used if there is a tie vote in elections for the faculty/P&A members of the Committee on Committees. The current language, providing that the chair of the Assembly breaks the tie, could make for an awkward situation: inasmuch as the President usually presides over Assembly meetings, break a tie would put the President in the position of having to choose. FCC believes it would be better simply to have the clerk break the tie by drawing lots.

**DAN FEENEY, CHAIR
FACULTY STEERING COMMITTEE**

DISCUSSION:

With no discussion a vote was taken and the motion was approved with 119 votes in favor, none opposed, and one abstention.

APPROVED

END OF MOTION A

**17. NOMINATING COMMITTEE FOR THE
TWIN CITIES ASSEMBLY STEERING COMMITTEE
Slate of Candidates**

Action by the TC Faculty Assembly and UMD Faculty Senators

MOTION:

To approve the following four names to stand for election to the Senate Consultative Committee/Twin Cities Assembly Steering Committee, from which one of each pair are to be elected by the Twin Cities and non-represented UMD faculty for a term of 2003-06. First pair: Jean Bauer and Scott Lanyon; Second Pair: Daniel Feeney and Carol Wells. A simple majority is required for approval.

FIRST PAIR:

JEAN BAUER: 1983*, Professor of Family Social Science, College of Human Ecology. University Senate member: 1990-94. Committee participation (past and present): Committee on Committees, 2001-04; Finance & Planning Committee, 1997-05; Judicial Committee, 1991-97.

SCOTT LANYON: 1995*, Professor of Ecology, Evolution, and Behavior, College of Biological Sciences. University Senate member: 1997-2000. Committee participation (past and present): Nominating Committee, 2002-03.

SECOND PAIR:

DANIEL FEENEY: 1978*, Professor of Small Animal Clinical Science, College of Veterinary Medicine. University Senate member: 1983-86, 1987-90, 1991-94, 1995-98, 1999-2000; Committee participation (past and present): AHC Faculty Consultative, 1996-2002; AHC Finance & Planning, 1997-2003 (Chair 1998-2002); Consultative, 2000-03 (Chair, 2002-03); Facilities Management Subcommittee, 1984-85; Faculty Affairs, 1989-92, 1994-97, 1999-2002 (Chair, 1994-97); Research, 1992-94.

CAROL WELLS: 1981*, Professor of Lab Medicine/Pathology, Medical School. University Senate member: 1997-99. Committee participation (past and present): AHC Finance & Planning, 1997-2003; Faculty Affairs, 1999-2005; Judicial, 1993-99; Nominating, 2001-05 (Chair, 2001-02).

*Date of initial appointment at the University.

FOR INFORMATION:

The Assembly Steering Committee serves as the executive committee of the Twin Cities Campus Assembly and forms the Twin Cities membership of the Senate Consultative Committee. Senate and Assembly legislation has merged the Twin Cities faculty and non-represented UMD faculty for purposes of Senate Consultative/Assembly Steering Committee elections. Should a non-represented UMD faculty member be elected, that individual will be a member of the Senate and Faculty Senate Consultative Committees, but shall not be a member of the Assembly Steering Committee.

Additional nominations, certified as willing to stand for election, may be made by (1) petition of 12 voting members of the faculties, provided that the petition is in the hands of the Clerk of the Twin Cities Campus Assembly the day before the Twin Cities Campus Assembly meeting, and (2) nominations on the floor of the Assembly. The faculty representatives of the Twin Cities Campus Assembly shall reduce by vote the slate to twice the number to be elected.

Currently serving with terms continuing at least through next year are:

Tom Clayton, College of Liberal Arts
Arthur Erdman, Institute of Technology
Mary Jo Kane, College of Education and Human Development
Candace Kruttschnitt, College of Liberal Arts
Marvin Marshak, Institute of Technology
Judith Martin, College of Liberal Arts

The terms of Muriel Bebeau (School of Dentistry) and Daniel Feeney (College of Veterinary Medicine), expire at the end of the academic year.

**CHARLES CAMPBELL, CHAIR
NOMINATING COMMITTEE**

DISCUSSION:

With no discussion a vote was taken and the motion was approved.

APPROVED

**18. REPORT OF THE FACULTY ASSEMBLY STEERING COMMITTEE
FOR THE NOMINATING COMMITTEE ELECTION
Action by TC Faculty and Academic Professional Members**

MOTION:

That the Twin Cities Campus Faculty Assembly confirm the reappointment of Ms. Mary Ellen Shaw for an additional three year term to fill one academic professional vacancy on the Nominating Committee. A simple majority is required for approval.

MARY ELLEN SHAW: Counselor, General College Student Services. University Senate member: None. Senate/Assembly Committee participation (past and present): Educational Policy, 2000-03, Nominating, 2002-03.

INFORMATION:

The Twin Cities Campus Assembly Bylaws specify that the Council of Academic Professionals and Administrators may present the name of an individual, eligible for re-election, to the Assembly for confirmation of reappointment without another candidate on the ballot to fill the position.

**RANDY CROCE, CHAIR
COUNCIL OF ACADEMIC PROFESSIONALS AND ADMINISTRATORS**

DISCUSSION:

With no discussion a vote was taken and the motion was approved.

APPROVED

**19. REPORT OF THE FACULTY ASSEMBLY STEERING COMMITTEE
FOR THE NOMINATING COMMITTEE ELECTION
Action by TC Faculty and Academic Professional Members**

MOTION:

That the Twin Cities Campus Faculty Assembly approve the following slate of nominees to fill one 2003-06 Twin Cities faculty vacancy and one 2003-06 Twin Cities academic professional vacancy on the Nominating Committee. A simple majority is required for approval. Once the slate is approved, a ballot will be distributed for voting.

FACULTY NOMINEES

W. ANDREW COLLINS: Professor, Institute on Child Development, College of Education and Human Development. University Senate member: 1992-93, 1994-98. Senate/Assembly Committee participation (past and present): Committee on Committees, 1993-96 (Chair, 1995-96); Consultative, 1989-91; Educational Policy, 1985-88 (Chair, 1986-87); Finance 1986-87.

MARY JO MAYNES: Professor of History, College of Liberal Arts. University Senate member: 1998-2000. Senate/Assembly Committee participation (past and present): None.

ACADEMIC PROFESSIONAL NOMINEES

MICHAEL DARGER: Research Fellow, Applied Economics, College of Agricultural, Food, and Environmental Sciences. CAPA participation: COAFES representative, 2 years; Representation and Governance Committee, 2 years.

FRANK DOUMA: Research Fellow, Humphrey Institute of Public Affairs. CAPA participation: Humphrey alternate, 3 years; Representation and Governance Committee, 3 years.

FOR INFORMATION:

The Twin Cities Campus Assembly Bylaws specify that the Assembly shall elect by written ballot faculty/academic professional members to fill vacancies on the Nominating Committee from a slate of candidates provided by the Faculty Assembly Steering Committee. Other candidates may be nominated by petition of 12 members of the Assembly. Petitions to nominate candidates not on the slate must be in the hands of the Clerk of the Assembly on the day before the meeting at which the election is to be conducted. The elected Twin Cities faculty/academic professional members of the committee whose term continue at least through 2002-03 are:

Charles Campbell, Professor, Institute of Technology
Patrice Morrow, Professor, College of Biological Sciences
Jean Quam, Professor, College of Human Ecology
Nelson Rhodus, Professor, Dentistry
Richard Skaggs, Professor, College of Liberal Arts
Carol Wells, Professor, Medical School

**DANIEL FEENEY, CHAIR
FACULTY STEERING COMMITTEE**

**RANDY CROCE, CHAIR
COUNCIL OF ACADEMIC PROFESSIONALS AND ADMINISTRATORS**

DISCUSSION:

With no discussion a vote was taken and the motion was approved. Ballots were then distributed for voting.

APPROVED

20. REPORT OF THE FACULTY LEGISLATIVE LIAISONS

Discussion by the Faculty Senate

Professor Fred Morrison, Faculty Legislative Liaison, stated that Governor's recommendation calls for a reduction of almost \$100 million a year in the state appropriation for the University. In perspective, this amount is equivalent to the state appropriation for CLA, IT, CBS, and Education combined or for the entire Academic Health Center. This is the size of the challenge that the University faces.

The other message for senators is that it is not over until it is over. The University needs everyone's help in convincing legislators to give the University the largest possible appropriation given the state's circumstance. One concern is that there are other groups which may view the University as an easy target to divert funds to their programs. So, from now until May 19th, the University needs to continue to remind legislators about the importance of the University.

Professor Morrison said that there are a few other things that people can also do to help the University. First, legislators in each person's district should be contacted. Second, any legislator that a person knows personally should be contacted.

Third, in as many districts as possible, evening meetings are being organized at the homes of faculty members to which the senator and the two representatives will be invited. As many faculty members as possible should attend this meeting in their district, and the meetings are trying to be scheduled in as many districts as possible.

Lastly, hearings are being scheduled at the legislature for faculty to testify. When this happens, Professor Morrison would like to have many faculty present in the audience, without speaking, to show that there are a large number of faculty members who are interested in these issues.

In closing, Professor Morrison said that faculty need to exercise whatever political influence they have, and when faculty receive a call, their help is needed for these efforts.

21. AD HOC COMMITTEE ON GOVERNANCE

Academic Unit Governance Policy

Action by the Faculty Senate

MOTION:

To approve the following policy.

Policy
Academic Unit Governance
Draft of 2/19/03

1. The regular faculty¹ are invested with academic freedom and are charged with responsibility in all aspects of the University's tripartite mission of teaching, research, and service. They have been selected through rigorous search processes, are subject to substantive annual and tenure-related reviews,² and have entered into long-term relationships with the

¹ As defined in the Board of Regents' policy "Faculty Tenure."

² The work of the tenured and tenure-track faculty is judged, and tenure is granted, on the basis of demonstrated proficiency and contribution in all three parts of the University's tripartite mission.

University. For these reasons, the regular faculty hold ultimate authority for governance in tenure-granting units.³ This authority includes governance of the unit in research policy, curricular policy and degree requirements, and personnel allocation (the last in concert with the chair, head or dean).

2. Governance mechanisms that provide for participation by all appropriate groups in the decision-making processes of the unit shall be established.⁴ Academic-unit governance currently varies from consensus-decision-making to the conferring of voting rights on non-regular faculty and professional/administrative staff when appropriate.

3. Only members of the tenured faculty participate in tenure decisions. Only [regular faculty] members at higher ranks participate in promotion decisions.⁵ Recommendation by the regular faculty is required prior to hiring regular faculty for that unit.⁶

4. Individuals in all non-tenured/non-tenure-track appointment classes who regularly fulfill the requirements for regular faculty status should be considered for appointment as regular faculty members.

5. The Executive Vice President and Provost will ensure that each collegiate unit and department conforms to these requirements. The Senate Committee on Faculty Affairs, in consultation with the Council of Academic Professionals and Administrators when professional and administrative staff are involved, will interpret this policy, review and monitor adherence to it, and advise the Executive Vice President and Provost, as necessary.

6. It is understood that faculty governance is primarily consultative and that this policy operates with the limits established by the Board of Regents Delegation of Authority policies.

COMMENT:

The issue of the authority and responsibility of the tenured and tenure-track faculty (the "regular" faculty) has arisen several times in the last decade. The Faculty Consultative Committee and the Senate Committee on Faculty Affairs believe it is time to try to settle the question.

This policy provides that the final authority on decisions about curriculum and degree requirements, research policy, personnel allocation, and departmental governance rests with the regular faculty. The fundamental premise underlying the policy is that tenure, and especially the comprehensive evaluation process through which an individual obtains it, confers these responsibilities upon those who hold it. The tenuring process and the subsequent promotion and merit reviews of regular faculty differentiate them from other University staff. As noted in footnote three, it is expected that this final authority would be exercised only rarely, and as a last resort, if a department is divided over a fundamental issue or unable to reach a decision about the issue through the use of its normal processes.

³ It is expected that this final authority would be exercised only rarely, and as a last resort, if a department is divided over a fundamental issue or unable to reach a decision about the issue through the use of its normal processes.

⁴ This policy is not intended to upend or disturb existing well-functioning governance and decision-making arrangements that have already been established in units. The policy does, however, require establishment of mechanisms--if no or inadequate mechanisms now exist--for participation in decision-making by all appropriate groups in the unit.

⁵ This is identical to language in the "Administrative Policy on Academic Appointments." (The bracketed [regular faculty] is inserted here because in that policy the word "member" refers to an earlier statement in the policy identifying regular faculty.)

⁶ As required by the "Administrative Policy on Academic Appointments."

This policy is not intended to disenfranchise anyone whom a department has decided to include in decision-making. The policy requires that a department include in its decision-making processes the participation of appropriate individuals (normally, those who play a role in the matter at hand, such as research staff in research issues, contract teaching faculty in curricular matters, and so on). Those departments that do not currently offer such opportunities to participate are obligated under the terms of this policy to do so.

The policy is also not intended to create authority in the faculty (or any other individuals in a department) where it does not now exist or where interpretation of the policy would put it in conflict with the Delegation of Authority policies of the Board of Regents. For example, the regular faculty of a unit do not now have final authority over hiring or allocation of personnel; that authority rests with the department head/chair and with the dean (and finally with the Provost, President, and the Board of Regents). What the policy does address is the final authority of the regular faculty in those areas for which they now have responsibility, whether by explicit delegation of authority or by long and common practice (because it would make little sense for the authority to rest elsewhere, such as in curriculum decisions).

This policy puts the regular faculty on notice that they do have responsibilities and must exercise them in a democratic and participatory fashion. Units that have not, for whatever reason, included their professional colleagues (those who are not regular faculty) in their decision-making processes are obligated to do so. The regular faculty would only be justified in using their authority "of last resort" if they believed that a department was making fundamentally misguided decisions about its organization, research, or instruction and degree requirements. The authors of the policy do not believe this would occur very often, and in many departments the regular faculty would never be required to exercise this authority.

Finally, the policy also calls on the administration to review carefully the appointments of individuals who are not regular faculty but who, in the course of doing their work, fulfill the requirements for a regular faculty appointment. The Committees understand that there may be a number of such individuals who are not appointed to regular faculty positions because of the long-term financial commitment required. If, however, there are individuals who have been at the University for a long time (e.g., over 10 years) who regularly perform the duties of regular faculty but who are on contract faculty or P&A appointments, then such positions are really regular faculty appointments and should be treated as such. Even in times when the University's budget is under severe strain, as it is when this policy is placed before the Faculty Senate, it is not right that people be asked to perform the duties of regular faculty for many years but not be given the opportunity to hold a regular faculty appointment.

It should be noted that it is not possible, under University policy, for someone not currently on a regular faculty appointment simply to be granted tenure. In virtually all cases there must be a search for any position designated a regular faculty appointment, whether tenure-track or tenured (the only exceptions are related to spousal hiring and other specific exemptions provided for by University policy).

**DANIEL FEENEY, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

DISCUSSION:

Professor Feeny, Chair of the Faculty Consultative Committee (FCC), said that this document has undergone considerable revision from the last meeting when it was presented. The document is less controversial than it first appears since it attempts to be inclusive in academic governance. This document addresses a question that has lingered since the tenure debates: Are there any

special rights or responsibilities assigned to tenure and tenure-track faculty versus other employment groups?

Professor Feeney said that this policy is not intended to be elitist. While there are unit-specific concerns, items have been included in the policy to allow seamless transition. The policy originally began with quotas and assured majorities, but all this language has been removed through consultation with the CAPA Executive Committee, the AHC Consultative Committee, and other groups. While this policy should be used only as a last resort by tenure and tenure-track faculty in a small number of circumstances, this policy is meant to address a long-standing question that keeps resurfacing.

Regarding the document itself, responsibilities for tenure and tenure-track faculty are spelled out to address concerns that tenure and tenure-track faculty dodge these responsibilities from time to time. One question to consider is whether the reputation of the University rely on these individuals. Another question relates to the screening process for promotion and tenure for these individuals.

Due to the large number of academic professional, academic administrative, and non-tenure faculty at the University, the policy also includes a provision to solicit input from these, as well as possible other employee groups within a unit. The unit can also vote to extend full voting rights to individuals in these other categories.

Professor Feeney said that by adopting the policy, the issues that it addresses can finally be put to rest. Lastly he said that there is nothing personal for him to gain from adoption of the policy.

Randy Croce, Chair of the Council of Academic Professional and Administrators (CAPA), stated that CAPA has agreed to support this document, although a few reservations remain, because of the how far the FCC has come in recognizing and addressing some of CAPA's concerns. Previous draft eroded some participatory rights and precluded any evolution of rights within units. The current draft has significantly changed, particularly in conditioning the authority of faculty vis-à-vis others.

The one issue that CAPA still has is in the first paragraph which refers to the faculty's ultimate authority, but because of the conditions to it which are stated later in the document, CAPA will not oppose this policy as a whole. CAPA also disagrees with some of the other language since the Regents Policy also guarantees academic freedom to this classification. The University should realize that many people are not tenured simply for financial reasons.

Lastly, Randy Croce said that while the CAPA Executive Committee has voted to approve this policy, the full committee will not vote on it until tomorrow.

A senator then spoke against this policy on behalf of the clinical departments in the Medical School. While the Medical School appreciates the debate that has ensued, there are 450 faculty members in the 18 clinical departments who already have their governance structures in place. These structures include a strong component of regular and clinical scholar faculty. The missions of these departments are dependent on having involvement from all faculty, with equal weight in voting. The departments merge clinical practice, state, federal, and on-sponsored revenue to support a very diverse research, education, and clinical care mission. Several conditions in this policy are completely against these current practices and denigrates some of the best teachers. The senator encouraged withdrawal of this policy.

Professor Feeney responded that this policy does not preclude any practices that are currently in place. If the concern is that the policy creates a stigma, then it will be up to the body to decide whether or not to approve the policy.

Another senator then said that since they spoke against the December version of the policy, they were asked to join the revision committee. The result is a policy that still has some flaws but is quite good and is important to be passed. What goes on within the University requires a need to be able to speak against the person who hired the faculty member. While other groups may appear to be just like faculty, these groups have not been committed to and are not protected just like faculty. The power of the faculty should not be able to be eroded just through the appointment of larger numbers of non-faculty employees.

Q: In the first paragraph, language regarding ultimate authority includes personnel allocation, but in the fourth paragraph of the comment, the language states that the policy does not create authority that does not already exist, including hiring and personnel. Is the intention that all personnel decisions be made by the faculty as a whole?

A: The intent was that there should be input into this process from the tenure and tenure-track faculty. The Regents policy is clear to whom the different authorities are delegated. Specific authority in this area is not delegated to the faculty, but the policy would mandate that a consultative process needs to take place within units.

With the time for discussion elapsed, a motion was made and seconded to extend the discussion by 10 minutes. The motion was approved.

A senator then noted that if the intent is to only be consultation, then the language should be changed from ultimate authority to consultation. This is an important distinction to be made, since ambiguities provide the basis for grievances.

Q: If other non-tenure and tenure-track faculty groups are essentially equivalent, and are granted all voting rights guaranteed to tenure and tenure-track faculty, then how can this group still be protected from a renegade administrator?

A: Normal operating procedures in a unit will be whatever works for that unit. However, if things stop working, it is the last resort, privilege, and obligation of the tenure and tenure-track faculty to fix the situation. It is anticipated that these circumstances would happen very rarely. It should be noted that other groups can be given all voting rights, except for promotion and tenure votes.

Q: If this policy is a protection that might not be used, then why have the policy?

A: There is a notion that there are faculty appointed the regular way and there are people who have authority, title, and rank like faculty who are appointed on non-lifetime terms through other means. This pattern is not consistent with the traditional notions of tenure and faculty governance. This issue was faced during the tenure crisis but was never resolved. This document tries to be as flexible as possible in dealing with all situations.

Q: In paragraph four, if the sentence, "If financial constraints preclude this option, then ..." was added, how should the sentence end?

A: This concern should not be addressed in this policy, but rather to a policy that limits the number of regular faculty appointments. This issue has never been confronted by units. By limiting the number of tenure and tenure-track faculty while allowing unlimited numbers in other employment categories, the tenure and tenure-track faculty in some units have been swamped. There has been resistance to numerically limiting employees in other groups. The policy allows for tenure and tenure-track faculty to make separate recommendations for a unit. This action is not recommended, but would be permissible in a worst case scenario.

A senator noted that this descriptive language is not in the policy, but in the accompanying comment.

Another senator then said that there appears to be contradictions between the paragraphs as to the unfairness in the system and whether this unfairness can be corrected. Some faculty have proposed language stating that, “Individuals who have regularly fulfilled the requirements for regular faculty status over 10 years should be considered for tenure. The regular faculty will have the power to grant them tenure following an internal review of the candidate’s performance and credentials. The University Faculty Consultative Committee calls upon the University administration to revise its policy accordingly.”

Chair Judith Martin noted that this language would constitute a change in the Tenure Code, and therefore could not be included in this policy.

Professor Feeney stated that the FCC is willing to listen to additions or corrections. If the senators find that this policy has merit, one option is to adopt it in principle. The FCC will continue to work on it, and bring language changes back for further approval. The intent was to approve this policy before other distractions, such as the budget, preclude further actions.

With the time for discussion elapsed, a motion was made and seconded to extend the discussion by 10 minutes. The motion was approved.

A senator noted that this document is much better than the December version. However, the policy touches many sore points and brought a negative response from a group that already feels like second-class citizens. These groups are essential to the University mission and are mainly excluded from the tenure process for fiscal reasons. Realistically, there is no way to revise tenure regulations in light of the budget situation, but the policy language can be redrafted to be made more palatable to these other groups.

Another senator said that while the policy has been approved, they are not sure if there are enough changes to help them decide how to vote. A better proposal might be to delay a vote until the March meeting, especially in light of the meeting date change.

A senator then yielded their time to a student senator. The student senator, responding on behalf of many students, said that there are mixed emotions regarding this policy. Many times employees from these other groups are the ones teaching students, and sometimes these people do a better job than the tenure and tenure-track faculty. The way this policy is worded, the tenure and tenure-track faculty can override other employee groups, some of which might have more contact with students. One of the main reasons that most employees are at the University is to train and teach students, and this policy could negatively impact many groups engaged in these activities.

Another senator then commented that there is currently no policy that provides any authority in governance to non-tenure and tenure-track faculty. This policy would make involvement from these other groups a requirement in tenure-granting units. By making something a last resort ensures that the action will receive publicity if it ever happens.

A senator commented that this policy is already generating a response in that not only are faculty groups meeting, but non-faculty groups are also holding meetings to provide their input to administrators.

A senator then urged fellow senators to support this policy so that the Faculty Senate can move onto other issues.

With the time for discussion elapsed, a vote was taken and the motion was approved with 64 in favor, 32 opposed, and 5 abstentions.

APPROVED

22. OLD BUSINESS

NONE

23. NEW BUSINESS

NONE

24. ADJOURNMENT

The meeting was adjourned at 3:48 p.m.

**Rebecca Hippert
Abstractor**

2002-03 UNIVERSITY OF MINNESOTA

FEBRUARY 20, 2003

STUDENT SENATE MINUTES: No. 4

The fourth meeting of the Student Senate for 2002-03 was convened in Cowles Auditorium, Minneapolis campus, on Thursday, February 20, 2003, at 11:34 a.m. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 28 voting student members. Chair Ryan Osero presided.

1. DISCUSSION WITH ASSOCIATE VICE PRESIDENT RICHARD PFUTZENREUTER, OFFICE FOR BUDGET AND FINANCE University's Legislative Request

Richard Pfutzenreuter, Associate Vice President for Budget and Finance, addressed the University budget in light of the recently released governor's budget recommendation. He stated that the two year recommendation is \$185 million, or 15 percent less than the previous biennium. In the current fiscal year, 2003, the University received \$641 million from the state. The governor's recommendation is for \$541 million for 2004, which is a \$100 million cut. In fiscal year 2005, the University will receive \$544 million, or \$3.2 million more than the previous year.

While most of the cuts will take place during the first biennium, there are several other expenses during this year that the University cannot avoid, such as opening the new Art Building, debt services, and utilities. Therefore, the total cut the first year is greater than the \$100 million being discussed.

Mr. Pfutzenreuter then referred to a diagram, detailing state funding appropriations since 1995. From this diagram, it can be seen that next year's request will be equal to the request received in 1998, thereby removing all increases the University has received, except from tuition increases.

The University receives appropriations from the state in two forms. Operations and Maintenance Funds is a lump sum that can be allotted to programs and initiatives by the University. The other form is State Specials, which restricts the way that the funds can be used in one of four areas. While the governor's recommendation proportionally decreased funding for each of these areas, it is doubtful whether the legislature will take the same approach.

Another item in the governor's recommendation was the elimination of the tobacco endowment, and funding to the University from this endowment. The governor has proposed that the approximately \$22 million that the University receives now be paid by nine cents of the existing cigarette tax.

A third item in the governor's recommendation was to ask the Regents to freeze salary increases for the biennium. Since the University was founded before the state, it has constitutional autonomy and therefore this part of the recommendation is only a request and not a mandate.

A related item was a request that tuition not be increased more than 15 percent per year during the next biennium. Mr. Pfutzenreuter was not sure how this figure was set, but stated the University was not discussing tuition increases over this amount before the governor's recommendations.

To address this funding reductions, especially in the first year, there will be targeted reductions in programs, tuition increases greater than anticipated, a possible salary freeze, and reduction in benefits.

Mr. Pfutzenreuter then said that MnSCU was cut \$141 million, or 11 percent. Their cut was lower than the University's since their budget allows for increased enrollment, which happens when the economy decreases.

The governor also made recommendations for the Higher Education Services Office (HESO). This agency was severely under-funded in the last biennium. Funding was restored by taking \$30 million each from the University and MnSCU. The University supported this funding move, but one concern is which students will benefit from this increase. If the current tuition cap is not increased, private school students will not benefit from the increased funding to HESO. University students, however, will benefit since tuition here is 40 percent lower than this cap. Even with this additional funding, there is still a shortfall in the state grant program since there is not anticipated increase in the second year of the biennium.

Other changes are the merging of HESO and the Higher Education Services Council, and making the director of HESO a gubernatorial appointment.

Q: Is the increase in state funding more than the cost of inflation? If so, why does it cost more to run the University?

A: Higher education costs are driven by the higher education price index. This index has seen more growth than inflation in the last 20 years, and therefore cannot be compared to the consumer price index. One reason for this is the difference in University purchases, which are highly technical and expensive equipment and scientific journals. If the state appropriation in the 1990s was adjusted for inflation, the chart would show that the increase is less than the consumer price index.

Q: Why is HESO stating that increases in their funding will benefit private college students more than University students?

A: Private colleges have a proposal that would reduce the amount of funding to state schools and increases the funding for financial aid, especially for private school students. While the governor's recommendation does increase funding for financial aid, he did not propose increasing the tuition cap and the living and miscellaneous allowance. If these two figures are not increased, then private college students will not benefit from increased financial aid funding.

In closing, Mr. Pfutzenreuter noted that there is still a long way until the budget is finalized. The University is hopeful that the cut will not increase, and will fight to decrease the cut.

2. ANNOUNCEMENTS

Ryan Osero announced that the President's Inauguration will take place on February 28 and all students are welcome to attend.

Judy Berning then noted that the Student Committee on Committees has been asked to identify a student to serve as the 2003-04 Chair of the Student Affairs Committee. Any interested students should talk to her about serving.

3. MINUTES FOR DECEMBER 5, 2002

Action

MOTION:

To approve the Student Senate minutes, which are available on the Web at the following URLs. A simple majority is required for approval.

<http://www1.umn.edu/usenate/ssen/021205stu.html>

**CAROL WELLS, CLERK
UNIVERSITY SENATE/
TWIN CITIES CAMPUS ASSEMBLY**

DISCUSSION:

With no discussion a vote was taken and the motion was approved.

APPROVED

4. STUDENT SENATE CHAIR REPORT

Ryan Osero, Student Senate Chair, reported that this week, Governor Pawlenty released his budget recommendation for the next biennium. Included in this budget is a 15 percent decrease in state funding for the University, and a 9 percent overall decrease in higher education spending. This represents the greatest threat to affordable education in Minnesota.

Students need to remind legislators how education is moving from a public good to a private good and that the University has too much to lose to cut spending by this percentage.

For students, this decrease will lead to another double-digit increase in tuition. While President Bruininks has assured students that tuition will not be the first source to cover the revenue gap, it inevitably will rise.

Ultimately, students can determine the size of the tuition increase. To receive the best possible increase, students need to be engaged and need to contact their legislator from their district and the governor. Students need to tell family, friends, and coworkers how important education is them and the state as a whole, and how another sharp increase in tuition will jeopardize it.

To find more information, visit the Government Relations website to see how to get involved. And most importantly, attend Lobby Day on March 6th.

5. STUDENT SENATE CONSULTATIVE COMMITTEE CHAIR REPORT

Judy Berning, Student Senate Consultative Committee (SSCC) Chair, said that the most important topic for SSCC has been the Student Conduct Code, which will be discussed later today. SSCC also held a meeting with President Bruininks, during which a number of topics were discussed, such as the budget, international students, and affirmative action. From this meeting, a bigger discussion will be planned with several key administrators to discuss the role of the student experience in the educational mission of the University.

The Student Affairs Committee (SCSA) has received the Minnesota Private College Proposal (MPCC). This proposal was presented to the Student Senate in December for further action.

SCSA will be meeting with parties from the University and MPCC, and then formulating a position. The SSCC Task Force will also be presenting its report later this spring. Other issues have been changes to the Student Senate and more student workshops.

Lastly, at the University Senate meeting this afternoon, a policy on Academic Unit Governance is being presented for action by the faculty. The policy deals with governance authority in departments. She encouraged all student senators to be present and voice their concerns.

6. ASSEMBLY/ASSOCIATION UPDATES

Crookston – Jean Korkowski reported that Bede Hall will be torn down starting spring break week. All activities and offices are moving to different buildings on campus. CSA is organizing the first faculty/student showdown on campus. Faculty and students will compete against each other in different competitions to encourage more interactions between the groups.

Duluth – Nick Cecconi said that UMDSA has been dealing with budget issues affecting campus. Duluth Days were completed a few weeks ago and campus is now in the middle of Out Cold Week, both of which are great successes. UMDSA is also organizing for lobby day.

Morris – Eric Steinhoff stated that MCSA has been working on election reforms. The final plan was approval by MCSA and now needs Student Services approval. The changes removes the election commission from the Student Services Office. He would like to find out how each other campus conducts elections. Work is also progressing on the Activity Fee Review Committee Task Force, which will look at how student fees are allocated to different organizations. Other issues are lobby day and budget concerns.

Graduate and Professional Student Association – Raul Rosas noted that a joint meeting with MSA was held and work was accomplished. GAPSA is also organizing for lobby day and evening calling to legislators. Other issues have been tobacco sales in Coffman Union and representation of non-tenure and tenure-track faculty. There are several social events this spring. There are a set of planned networking events and the Impress the President event during Inauguration Week.

Minnesota Student Association – Adam VanWagner said that MSA recently held its first meeting with GAPSA. MSA also held a retreat a few weeks ago for about 30 members. The response was positive, so it will likely be repeated next year, but earlier in the year. A resolution was approved opposing high tuition/high aid financial aid models. Work is also progressing on lobby day.

7. STUDENT SENATE CONSULTATIVE COMMITTEE Student Conduct Code Discussion

Judy Berning, Chair of the Student Senate Consultative Committee (SSCC), said that the committee began looking at this changes in December. While most of the changes simply update language, one area that was not changed, but raised some concerns from SSCC is jurisdiction. In particular, Section I, item 2 seemed very broad and its interpretation worried some members.

SSCC proposed changing this line to read, “The University has a fundamental concern with conduct that breaches the peace, causes disorder, and substantially interferes with the right of others on campus or when officially representing the University off campus.” This change would provide a clear definition for jurisdiction.

The plan is for the revised Code to be approved by the University Senate this spring, so that it can be presented to the Regents for approval and be in place by Fall 2003.

Q: What is the process for incorporating a change into the Code?

A: Any changes proposed by the Student Senate would be returned to the original review committee, Drafting Committee, and the Office of the General Counsel for final approval before incorporation into the Code.

Tina Falkner provided background on the Code by noting that it is reviewed every ten years, with the last review taking place in 1991. This year's review committee was composed of students, faculty, and staff. Major revisions included combining similar items, combining items within sections, removing archaic language, and clarifying titles.

The committee did discuss the issue of jurisdiction at length. The decision was made to not change the language on jurisdiction by making language more specific and creating loopholes. A radius around campus was also reviewed, but the committee realized that this would create other problems with campus neighborhoods given what areas are considered on-campus.

Q: Was there a problem in the past that encouraged the language change?

A: There was no specific problem, but after the SSCC review, some members still found gray areas. SSCC felt that if its members could not be clear on jurisdiction, then how could the average student.

Q: Is 'on-campus' defined by the Code?

A: The classroom is defined by the policy.

Q: How does the language 'officially-representing' ensure that the average student would not be affected?

A: Examples of officially-representing would be a member of an athletic team when at an athletic event or participating in a University-sponsored activity. Fans at an event would not be considered officially-sponsored.

A senator stated that they are in favor of the proposed language since it clarifies this issue for students.

Q: Would this policy cover students who are studying abroad with University funding?

A: If the study abroad uses University funding or is University-sponsored, then the policy would cover the activity. A clause is usually added to the rules in these cases, letting students know that they are covered by the Code.

Tina Falkner noted that every potential situation and violation is reviewed in depth before a final determination is made.

A senator proposed that the additional language be used in place of 'on-campus' in each of the 16 violations in the Code to maintain consistency.

Q: Would the proposed language be useful or a hindrance?

A: The titles for each violation cover on-campus issues, which is where most offenses occur, and the descriptions show how it can be applied to an off-campus situations, which arise very infrequently.

Q: If language is changed in Section 1, would this change how the Code is used?

A: As jurisdiction is more defined, the possibility exists for more loopholes, which might change how the Code could be used.

With no further comments, straw votes were taken to provide feedback to SSCC. A straw vote was taken on the language as originally proposed. The vote was 5 in favor and 19 opposed. A straw vote was then taken on incorporating the proposed language change throughout the Code. The vote was 20 in favor and 4 opposed.

8. OLD BUSINESS

NONE

9. NEW BUSINESS

A senator proposed a discussion of the Academic Unit Governance Policy before it is acted on at the Faculty Senate meeting this afternoon.

Judy Berning, Chair of the Student Senate Consultative Committee (SSCC), said that this policy is being presented for action today, but only faculty will be eligible to vote on it. The policy was presented to the faculty in December for discussion. The biggest concern in this document concerns the wording 'ultimate authority' which would rest with the tenure and tenure-track faculty only.

Q: How is this different from how departments currently operate?

A: Currently, there is no policy stating how departments should operate. The rationale for this policy is to state the responsibilities that accompany the granting of tenure to faculty.

A senator commented that while the number of academic professional staff members has been increasing, the number of tenure and tenure-track faculty has been decreasing.

Q: How can faculty say that only they get to vote on a policy that gives them the power within departments?

A: The policy originated with the Faculty Consultative Committee (FCC) and was forwarded to the Faculty Senate for approval.

Judy Berning encouraged students to stay for the discussion of this item at the Faculty Senate meeting.

Q: Has alternate language been proposed by the Council of Academic Professionals and Administrators (CAPA)?

A: CAPA has proposed language, but it might not all have been incorporated.

10. ADJOURNMENT

The meeting was adjourned at 12:50 p.m.

Rebecca Hippert
Abstractor

APPENDIX A MEMORIAL STATEMENTS

James I. Brown

Dr. James I. Brown, Emeritus Professor of Rhetoric, was born December 15, 1908 and died on November 28, 2002. He was a Professor for 41 years in the Department of Rhetoric, Institute of Agriculture, Forestry and Home Economics at the University of Minnesota.

Professor Brown was an expert in the teaching of reading. Along with his classroom work, he authored uncounted articles and his reading texts, *Efficient Reading* and *Reading Power*, which sold over a million copies. He continued his intellectual work throughout his retired life: at age 89, he revised this major text for the eighth time and at age 93 was working on another book. His quiet wit, his love of language, and his "Word Power" articles will long be remembered.

The University of Minnesota awarded him the Doctor of Humane Letters in September of 2002.

Leonard J. Greenberg

Leonard J. Greenberg, Professor emeritus of Laboratory Medicine and Pathology died September 30, 2002 unexpectedly from complications following heart surgery.

Leonard Greenberg was born in 1926 and graduated from Lynn High School, Lynn, Massachusetts. He earned a B.S. in Chemistry and Pharmacy from Northeastern University, Boston in 1952 and a M.A. degree in Pharmacology from the University of Rochester, Rochester, N.Y. He capped his education with a doctorate in Biochemistry from the University of Minnesota 1958. He left the University of Minnesota in 1961 as an assistant professor for Stanford University and the Naval Radiological Defense laboratory in San Francisco. In 1965, he was offered a position on the West Coast as assistant professor at N.Y.U. Medical School, where he, besides teaching in N.Y.U., directed the virus research laboratory of Union Carbide Research Institute from 1967 to 1972. In 1972 he returned as an associate professor in the Department of Laboratory Medicine and Pathology at the University of Minnesota. He was promoted to professor of Laboratory Medicine and Pathology in 1978 and served in this capacity until his retirement in 1995.

Leonard Greenberg came back to Minnesota in the beginning of the great surge in transplantation biology. The focus of the immunology program at the Medical School, already very strong, was shifted to transplantation barrier with the rapid progress in mapping the HLA locus. With the work by Robert Good, John Najarian and Edmond Yunis, the Medical School had become one of the leaders in the field of high-quality tissue typing. Leonard Greenberg contributed substantially to the establishment of a reference laboratory, an important part of the international tissue-typing program. His highly critical approach was very useful to the tissue typing quality in the days before the advent of monoclonals and sequencing.

Leonard Greenberg participated actively in faculty governance of the University. For many years he was a member of the Judicial Committee, an important instrument during the volatile times.

The University of Minnesota Medical School developed during that time a reputation for combining basic and clinical sciences in a team effort. The Department of Laboratory Medicine and Pathology was in the forefront of this approach and Leonard Greenberg represented as a scientist and Ph.D. one of the successes of our program of clinical tissues typing. We salute his more than 20 years effort for the common academic good.

Paul Rupprecht

On October 30, 2002 Paul Rupprecht, Ph.D. a Boynton Health Service giant, died at the age of 78. Dr. Rupprecht began working at the University in 1953 and rose through the ranks (statistician, administrative assistant, assistant to the director, assistant director, associate director) to become the director of the health service from 1972 to 1988. During his tenure at Boynton there were numerous accomplishments for which he was responsible:

- ◆ 1975 – Dr. Rupprecht led the effort to rename the health service in honor of Ruth Boynton who served as director from 1936 to 1961. Dr. Boynton was present at the renaming ceremony and stated, “My predecessor, mentor, and friend Dr. Diehl, and my successors and friends, Dr. Donald Cowan and Dr. Paul Rupprecht, have contributed as much or more than I to the development of this Health Service of which we are all proud.”
- ◆ 1975 – Board of Regents mandated that all students who pay the student service fee must also have hospitalization insurance. This policy has had a significant impact on student retention and has allowed the development of low cost, high quality health insurance for students.
- ◆ 1976 – 1982 – Dr. Rupprecht was treasurer of the American College Health Association (ACHA) and was responsible for getting ACHA through some rough financial times.
- ◆ 1976 – In response to changing health care practices and financing, the 5th floor in-patient hospital wing closed and was leased to University Hospitals. Boynton Health Service has been strictly an outpatient facility since that time.
- ◆ 1979 – The first Quality Assurance program in a college health service was started at Boynton.
- ◆ 1979 – Boynton Health Service was accredited by the Accreditation Association for Ambulatory Health Care (AAAHC). Boynton was the first college health service and the first clinic in the Twin Cities area to receive accreditation through AAAHC. Boynton has maintained continuous accreditation since that time.
- ◆ 1980 – Dr. Rupprecht received the Ruth E. Boynton Award from ACHA for his contributions to college health and for all the work that he did to keep ACHA financially solvent.
- ◆ 1980s - Boynton Health Service began affiliation agreements with various Health Maintenance Organizations (HMOs). Dr. Rupprecht was quick to point out that “Health services (such and the University’s) have served as models for the HMO concept.” Dr. Rupprecht was one of the first people to articulate the population-based approach to health for a university.
- ◆ 1982 – St. Paul Boynton Health Service moved to Coffey Hall. The previous St. Paul Health Service building was eventually transferred back to general University use and to compensate students for their investment the University invested \$300,000 in new study space.
- ◆ 1982 – Dr. Rupprecht received the Gail Proffitt Award from the North Central College Health Association for his contributions to college health.
- ◆ 1988 – Dr. Rupprecht established the Marketing Department at Boynton – one of the first in the nation located in a college health service.
- ◆ 1996 – An award in Dr. Rupprecht’s name was established at Boynton Health Service to annually acknowledge a service unit at Boynton that provides service that reflect the high quality standards modeled by Dr. Rupprecht.
- ◆ During his tenure, Dr. Rupprecht had to, among other things, deal with new and re-emerging problems like: LSD and Marijuana during the early 1970s, Swine flu in 1976, HIV/AIDS starting in 1981, and a measles outbreak on campus in 1982.

Dr. Paul Rupprecht was held in great respect by all people who knew him and worked with him. His gentle and diplomatic approach to problem-solving and his passionate focus on the need of

students made him superb leader of Boynton Health Service. His perspective and his efforts helped make the University of Minnesota a healthier and better institution.

Allen R. Solem

Allen Solem was one of the pioneers, along with Norman and Ayeska Maier, of the role-playing method for teaching management and human relations. In their early years they were marginalized by the American Psychological Association, possibly because of the revolutionary aspect of their work. Allen taught one of the most practical and popular courses in the early years of the MBA program here, Management Psychology. The seminal work of Maier and Solem was a major break-through in understanding decision-making, especially how and who (boss, subordinate or group) should make key managerial decisions. In his teaching he demanded strict mastery of a body of theory relating to human interactions before allowing his students to engage in role-playing exercises. His theoretical and pedagogical work was in the forefront of what is now widely termed experiential learning. (from a faculty member)

Allen Solem and I had in common a great regard for the work of Norman Maier, whom we had both worked with at the University of Michigan. When I arrived in Minnesota we had little else in common as I began my career in academics, but Allen went out of his way to be helpful and supportive. He was a wonderful friend--bright and funny. I will always be grateful for the advice and kindness he showed to a neophyte. (from a former graduate student)

Margaret N. Space

Margaret N. Space died on October 9, 2002, at the age of 87. Dr. Space had a long and close association with the University working in the Student Counseling Bureau and Housing Services for over 35 years. She retired from the University in 1982 as the Coordinator of Off Campus Housing. She was also a music director in public and private schools for 15 years.

Dr. Space was involved in many professional and civic organizations such as the Minnesota Historical Society, Minnesota Genealogical Society, Mu Phi Epsilon International Professional Music Fraternity, American Psychological Association, Psi Chi National Honorary Society of Psychology, and Pi Lambda Theta National Society for Women in Education. She was also a registered parliamentarian, a member of the National and Minnesota Associations of Parliamentarians, and past president of the Hiawatha Unit of the National Association of Parliamentarians. She was past president of the International Training in Communications South Suburban Club and held offices in the Woman's Rotary Club, Order of the Eastern Star and Captain John Holmes Chapter of the Daughter's of the American Revolution.

Memorials for Dr. Space may be sent to the Minnesota Genealogical Society or to the Minnesota History Center.

Joseph J. Warthesen

Dr. Joseph J. Warthesen, head of the University of Minnesota Department of Food Science and Nutrition died suddenly on Friday, January 31, 2003. He was 54.

Dr. Warthesen was born on June 20, 1948. He received B.S. (1970) and Masters degrees in food science from the University of Minnesota, and a Ph.D. (1974) in food science from Oregon State University. He joined the faculty of the Department of Food Science and Nutrition in 1974 as assistant professor, was promoted to professor in 1984, and named department head in 1997. In

addition to his duties as department head, he was Director of the Minnesota-South Dakota Dairy Foods Research Center from its inception in 1987.

During his career, Warthesen taught the principles of food chemistry, food analysis and other food-related topics to more than 2,500 graduate and undergraduate students, as well as teaching numerous short courses and seminars for professionals in food science.

He received many honors, including both the College of Agricultural, Food and Environmental Sciences Distinguished Teaching Award and the College of Human Ecology Educational Leadership Award. He also played a major role in the process of developing the current vision and priorities for the College of Agricultural, Food and Environmental Sciences. He served on the Priority Process Steering Committee that guided faculty, students and staff as they shaped a new vision for the College.

The United States Department of Agriculture (USDA) sought his expertise in food science and food chemistry. He chaired the Food Science and Nutrition Department Heads group in the north Central U.S. from 1997-1999 and served as the panel manager for USDA's National Research Initiative for Value Added Food Processing and Characterization.

Warthesen's research accomplishments at the University of Minnesota included developing innovative methods of food analysis using high pressure liquid chromatography, predicting the stability of nutrients during processing and storage, characterizing and preventing bitterness in Cheddar cheese and discovering the effects of light on the chemical stability of nutrients like Vitamin D, riboflavin, Vitamin A, and lycopene in food products.

Dr. Warthesen was an active member of several professional societies, including American Association of Cereal Chemists, American Chemical Society, American Dairy Science Association, American Society of Brewing Chemists-MN Section, Institute of Food Technologists, and Gamma Sigma Delta (Minnesota chapter). He served as national president of the American Association of Cereal Chemists from 1990 to 1991.

He is survived by his wife, Donna; his children—Amy, Sarah, and Dan; his parents; and four siblings.