

February 7, 1997

Academic Health Center
Office of the Provost

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MEMORANDUM

TO: Academic Health Center Faculty, Staff, and Students

FROM: Frank B. Cerra, M.D. *FBC*
Provost for the Academic Health Center

SUBJECT: Second Progress Update on the Academic Health Center

A belated Happy New Year! I wish all of you a rewarding and successful 1997. As you know, over the holidays, we completed negotiations with Fairview Hospital and Healthcare Services; and Fairview University Medical Center opened, as planned, on January 1. Our affiliation with Fairview and the merger of University Hospital and Clinic are critical opportunities for the Academic Health Center. They will enable us to continue our long tradition of excellence in education, research, and service, build on our core strengths, revitalize the Academic Health Center, and better position ourselves for leadership in the new health care environment. I want to thank all of you who worked on the merger and affiliation for your diligence, hard work, and commitment.

In December, the **AHC Deans Council** held a two-day **retreat** to discuss the strategic direction of the AHC and develop a work plan for January to June, 1997. The work plan includes both planning and operational items. Following is a summary of the work plan and a brief update on our progress as of February 1:

Planning:

- 1) **Strategic Planning:** Finish development of the AHC Interscholastic Strategic Plan; coordinate strategic planning with human resources and financial planning; distribute the Interscholastic Strategic Plan widely; and use the plan as a framework for schools and colleges to develop their own individual strategic plans.

Update: The Deans Council revised the draft AHC plan prepared in August, based on feedback from faculty, staff, students, and external constituents. The Council approved the revised plan on January 14. Copies will be distributed to the AHC community by late February. The Council has asked each school/college to develop a new three to five year strategic plan. The plans are to be completed by May 15.

- 2) **Communications Plan:** Develop a comprehensive plan to improve communications with faculty, the AHC community, and AHC external constituents.

Update: Development of a comprehensive plan will begin with the appointment of a new AHC communications director. A number of steps have been taken to improve communications including greater use of e-mail, development of an AHC web site, a revised 'this thursday,' and development of a more proactive external and media relations effort.

- 3) **Information Technology Plan:** Develop a plan to improve the connectivity of AHC information systems, to provide better information technology support to users, and to develop better information systems to provide better financial management and administrative services.

Update: Development of a comprehensive plan will begin with the appointment of an AHC Information Technology Director. A number of measures have been taken, including appointment of a task force to recommend improvements in the AHC's financial management systems. The task force issued its preliminary report in January. Planning is underway for use of \$2 million appropriated by the 1996 Legislature for educational information technology. The Deans Council has approved a pilot project to assist AHC faculty with using information technology more effectively in teaching. The project is under the leadership of Dean Ron Franks.

- 4) **Educational Services Plan:** Develop a plan for a service organization to support and facilitate faculty educational work.

Update: The Deans Council will begin work on this issue in March.

- 5) **AHC Governance Plan:** Develop a governance system plan for the AHC that provides for a consultative decision-making process with faculty, students and staff, and appropriately interfaces with the University consultative governance process.

Update: I meet monthly with both the AHC Faculty and Student Consultative committees. The Deans Council and Faculty Consultative committees will begin holding joint monthly meetings beginning in March. The Faculty and Student Consultative committees are working on proposals for AHC governance.

Operations and Implementation

- 1) **1997-1998 Budget:** Prepare an all-funds budget based on the AHC Interscholastic and individual school/college strategic plans.

Update: Budget instructions are being developed and will be sent to schools/colleges shortly. A work schedule is being developed for submitting the AHC's budget to Central Administration by late spring. Analysis of AHC budgets is underway.

Several projects have been initiated to improve financial management and the exchange of financial information. In addition, we are drafting a process for implementing an RFP to fund education and research investments derived from the AHC strategic plan. This proposed process will soon be ready for consultation with the faculty so that it can be implemented this spring. A similar program will be developed to provide seed resources for individual faculty creativity and development.

- 2) **Legislative initiatives:** Complete development of and build legislative support for the AHC's 1997-99 funding request, including funds for new interdisciplinary program initiatives.

Update: The AHC's legislative request has been forwarded to the Governor and Legislature, including our request of \$40 million for new interdisciplinary program initiatives.

- 3) **Fairview Affiliation:** Finish operational planning, communicate, and implement the academic affiliation and other management/operational agreements.

Update: A comprehensive list of work items has been developed and assignments have been made. An executive summary of the affiliation agreement is on the AHC web site.

- 4) **Research Services Organization:** Finish planning, consult with the faculty on the proposed plan, and begin implementation.

Update: A task force will complete work in February on a draft plan for a Research Services Organization. Its goal is to develop an efficient and effective interface between faculty and research interests outside the University and to provide a service structure that meets the needs of both parties. Use of the unit will be voluntary by AHC faculty. The draft task force report will be forwarded to the Deans Council and the AHC and school/college consultative bodies. Our goal is to complete the consultative process and begin implementation of the program this spring.

- 5) **Interdisciplinary /Interscholastic Programs:** Finish definition and models for interdisciplinary/interscholastic programs, consult with the faculty, and begin implementation.

Update: A task force will complete work in February on its recommendations on how we can improve the development and management of new interscholastic and interdisciplinary programs. The report, which is nearly completed, will go through the consultative process and be thoroughly discussed by the AHC Deans Council.

- 6) **AHC Administrative Services:** Finish recruiting new directors for Human Resources, Communications, Information Technology and Facilities; develop and begin implementing new administrative/management systems focused on providing better services to users.

Update: The search committees are completing their work. The new directors are expected to be hired and in place in the next 30 to 45 days.

These planning and operational items, which are based on the AHC strategic plan, will focus the agenda and work of the AHC Deans Council through June 1997. You will soon be receiving your own copy of the AHC strategic plan, the fact base supporting it, and the AHC's legislative initiatives. We will be making every effort to have open and responsive communication and consultative processes as we implement the plan, including public forums, electronic and written communications, and existing consultative governance processes.

I appreciate your hard work, dedication and your commitment. I look forward to our continued work together in 1997.

Received: from mhub2.tc.umn.edu by mailbox.mail.umn.edu; Mon, 27 Jan 97 08:58:05
Return-Path: <jgarrard@maroon.tc.umn.edu>
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Date: Mon, 27 Jan 1997 08:57:46 -0500
To: courtney
From: Judy Garrard <jgarrard@maroon.tc.umn.edu>
Cc: Today's@maroon.tc.umn.edu, agenda@maroon.tc.umn.edu

To: Members of the AHC-FCC
From: Judy GARRARD

I sent this memo to Frank Cerra on Friday. He acknowledged it this morning (he was evidently out of town all weekend.) We're set to go at noon. I'll bring a draft of the letter of invitation to Pres. Yudoff -- I talked to Virginia on Thursday and found out the procedure. Also, I had an e-mail 'conversation' with Carole Bland and she/they are very interested in meeting with us. I suggested to her that while we couldn't see going the whole nine years with their plan, that there were many very important elements and perhaps we could collectively work on them. She agreed. See you at noon in Frank's suite.

Friday, Jan 24

To: Frank Cerra
From: Judy Garrard

We would like to concentrate most of our time at our Monday (Jan 27) meeting from 12-1:30 on the following items:

1. Role of faculty consultation to facilitate decision making in the AHC
 - a. Need for clarification
 - b. Progress to date on faculty indemnification issue -- See enclosure #1
2. Better communication between AHC-FCC and the AHC faculty--See enclosure #2
3. AHC-FCC invitation to President Yudoff to meet with AHC faculty

In order to give you some background information for our discussion, we are including two enclosures that members of our FCC wrote. Thanks, see you Monday at noon.

Enclosure #1

In order to support faculty and enable them to assume the responsibilities for conducting research and managing grant funds, the AHCPFCC has decided that a faculty indemnification plan is needed. This plan would provide faculty with legal representation with appropriate expertise in research and academia in the event of an external accusation of scientific misconduct. The rationale for this plan is as follows:

The university attorneys must protect the interests of the university. When it is in the interest of the university, its university attorneys may assume an adversarial position with an individual faculty researcher. Since it is never

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Date: Fri, 10 Jan 1997 09:47:41 -0600
To: ahcfcc96-97@tc.umn.edu
From: "David W. Hamilton" <dwh@lenti.med.umn.edu>
Subject: Extra Meeting
Status: U

Hello folks!

Judy is swamped with one thing or another and has asked that I help set up a meeting next week to discuss some issues that have arisen that really need to be addressed before we next meet.

Yesterday department heads in a number of the AHC schools received a document entitled:

Achieving the Financial Management Goals of the Strategic Plan

from Cathryn Johnson, the CFO of the AHC. It came as a shock since there had been no pre-warning and since it included provision for up to 15% retrenchment of FTEs funded by 0100 funds.

We neither saw this document, nor were we aware that it was being considered, which seems to go against the whole concept of an FCC. It seems to me that we are not consulting on the major issues in the AHC and are not setting the agenda ourselves for the PFCC based on these major issues.

Therefore, I think we need to decide how we can have more input. Additionally, I think we are not adequately communicating with our constituents and we should decide on a communications plan that will let the faculty know what is going on.

Vickie will contact you to set up a meeting. In the meantime, I would welcome any thoughts you may have via e-mail.

David

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12/17/96

AHC RETREAT

12-3-96

ACADEMIC HEALTH CENTER — *Catherine (Financial Officer)*

Achieving the Financial Management Goals

of the

STRATEGIC PLAN

The Strategic Plan for the Academic Health Center includes immediate and long-term goals for improvements in the management of financial and human resources. Over the next three years, the principal intention is to:

Strengthen financial management to promote flexibility, investment, and healthy reserve resources

The established goal for improvements in financial management during 1997, and the objectives designed to achieve the goal, are repeated below.

Goal 5: Establish timely and effective financial planning and budgeting across AHC that is integrated with programmatic and human resources development

- 1) *Financial systems for planning, modeling, budgeting, reporting and management*
- 2) *Integrated with a human resources plan*
- 3) *Integrated with the programmatic decision-making*
- 4) *Seed AHC investment pool and initiate programmatic investment*
- 5) Time-line: operational 1997
- 6) Cost: investment required; offset by efficiencies and productivity

The achievement of these objectives in 1997 will be accomplished through several actions, which are outlined below. The proposed actions are intended to correct structural imbalances in the budgets of the schools, create a source of funds for the deans to finance school-specific investments, and establish an AHC-wide pool for strategic investments.

1. Organizing a new annual budget development and allocation process.
2. Introducing a Position Management Program
3. Forming a pool of money for strategic investments
4. Linking the Transitional Financial Model to the annual budget process
5. Instituting a Financial Performance Reporting System
6. Designing or adapting financial management information systems

Action 1: Organizing a new annual budget development and allocation process

Financial resources will be allocated in three separate modules for 1997-98:

1. Resources for continuation of the baseline programs in the schools
2. Legislative initiatives
3. Strategic Investments

The development of legislative initiatives is in progress. A process for submission, review, and approval of strategic investments will be formed by the Provost's Office in consultation with the Dean's Council during the month of December. The procedure for funding baseline programs is described below.

Baseline programs

A change in the budget authorization process will serve as the foundation for improvements in the management of AHC finances. Traditionally, funds that are allocated by Central Administration pass through an official approval process, but departments establish levels for all other funds outside of the official process. In the future, all categories of revenue and expense will be authorized through structured reviews. Procedures for forming an annual 'all-funds' budget, that includes all revenue and expenditure categories, are described below.

1. Authorizations for O&M, tuition, and ICR will be established in Phase II of the university's budget cycle. The tuition authorization will be based on an enrollment plan that is developed by the Dean and approved by the Provost.

2. Concurrently, the departments and/or schools will project levels of generated income, private income, mandatory and non-mandatory transfers, and all other income. The deans will review proposed line items in the revenue budget and recommend an appropriate level to the provost.
3. Departments will estimate the annual requirement for major categories of expense (e.g., faculty salaries, P&A salaries, civil service salaries, fringe benefits, etc.). Deans will review proposed line items in the expense budget and recommend an appropriate level to the provost.
4. Estimates of expected revenues and expenditures in sponsored programs will be developed for inclusion in the all funds budgets.
5. Deans will present the comprehensive all-funds budget to the Provost for authorization.
6. Balanced budgets will be the rule; deficit budgets will be approved on an exception basis.
7. Revenue and expense budgets authorized by the Provost will be entered into CUFS as a part of Phase III of University's budget cycle.
8. School fiscal officers will be responsible for ensuring that the amounts entered in CUFS agree with authorized budget levels.

Specific instructions for preparing the baseline programs budget proposals will be issued in early January. A preliminary timetable for the development and approval of the baseline budget is attached (Attachment 1).

Action 2: Introducing a Position Management Program

The Position Management Program, which will be introduced in January 1997, is expected to stimulate two important changes in the AHC. First, the program will promote the restructuring of administrative processes, consolidating jobs, and eliminating unnecessary work in the departments of the AHC. Second, funds saved through this program will build resource pools for both school-specific and AHC-wide investments.

New principles for filling positions in the P&A Administration and Civil Service employment classifications will be introduced on January 1, 1997. The current policy of pre-review and approval of faculty hiring will continue.

*10/1/97
Approved*

Principles and Policies of the Position Management Program

1. After January 1, 1997, employees who leave the AHC's employment cannot be replaced, except in special cases.
2. Refilling vacant positions will be on an exception basis, requiring approval of the Provost
3. Personal service contracts, to replace lost personnel, will be approved on an exception basis
4. Transfers within schools and within the AHC to cover workload will be allowed, and even encouraged
5. Positions established in the Sponsored Program category and financed by external sources will be exempt from the position management program. **ALL** other positions are covered by the program.

A target attrition rate will be established for each school. It is presumed that there is some correlation between the total number of positions in a school and the ability of schools to reduce employment without adversely affecting programs. Therefore, attrition targets will be scaled based on the total numbers of FTE positions charged to non-sponsored programs at the end of August 1996.

will start!
?
Dent = 129.7
Reduce
17-2-15
(15%)

Schools with less than 100 employees
Schools with more than 100 employees

10% reduction in FTE positions
15% reduction in FTE positions

Salary and employee benefit savings that accrue from the management of attrition will be shared under the following guidelines:

- | | |
|--------------------|--|
| 50% of the savings | Returned to the fund balance |
| 25% of the savings | Returned to the dean for school-specific investments |
| 25% of the savings | Deposited in the Strategic Investment Pool |

The Strategic Investment Pool's share of the savings accumulated from reductions in the P&A Administrative and Civil Service categories between January 1, 1997 and June 30, 1997, will be reserved to pay for restructuring operations and retraining staff in each school. The Provost's Office will also offer assistance in integrating new computer applications and systems to

streamline operations so that fewer employees are needed for the administration of the school.

Additional opportunities for reductions in P&A Administrators and Civil Service staff may exist for some schools within the AHC. The number of FTE positions filled in each category for each organization at the end of August are detailed on Attachment 2. The composite percentage of FTE positions in each of the three major employment categories in non-sponsored programs is shown below for the Academic Health Center.

Faculty	31.0%	37.6
P&A Administrators	14.3%	15.5
Civil Service Staff	54.7%	30.9

Dist

Distributions for the colleges and schools are illustrated on Chart 1.

The high concentration of civil service staff is apparent also through the comparison of faculty to staff ratios in the AHC and those found in formula funding guidelines. The current ratio of FTE positions by the major categories is shown below:

- Faculty to Administrators 1 Administrator FTE for 2 Faculty FTE
- Faculty to Civil Service Staff: 1 Civil Service FTE for .5 Faculty FTE

The relationship of P&A Administrators and Civil Service staff seems high. In states where formulas are used to allocate positions, the most generous faculty to staff ratio is one civil service employee for every three faculty positions. The average in the Academic Health Center is over five times richer than the most generous funding formula. Accordingly, schools may be able to create savings above the attrition target which they can retain for reallocation within the school.

Action 3: Linking the Transitional Financial Model to Resource Planning

When the Transitional Financial Model was built last spring, the first iteration of the application revealed a steady deterioration in the financial stability of the AHC over the next three fiscal years. Strategies must be developed now to reverse the downward trend and to restore the financial vitality of the AHC. It is critical to evaluate the impact of funding decisions on the future financial

situation in every budget cycle. Further, the AHC must continually assess the effect of all internal and external factors on forward year financial conditions. The Transitional Financial Model developed exclusively for the Academic Health Center will be used to evaluate both decisions made in the annual budget process and expected change in internal and external influences.

Two goals will guide the expansion and use of the Transitional Financial Model.

1. Schools and colleges of the AHC will achieve FINANCIAL EQUILIBRIUM by fiscal year 2000.
2. Schools and colleges of the AHC will attain FINANCIAL VIABILITY by fiscal year 2003.

Financial equilibrium is achieved when:

- Current revenues equal or exceed current expense
- Rate of growth of revenues equals or exceeds rate of growth in expense
- Value of endowment is preserved or increased

Financial viability is achieved when cash and unrestricted investments equal or exceed 30 percent of the annual expenditure budget plus debt service payments. The formula is helpful in calculating the amount of reserves an institution should maintain to insure resource stability. The formula is expressed below:

	Current fund balances
+	Unrestricted quasi endowment funds,
+	Funds for renewal and replacement,
+--	Unexpended plant funds, and
+--	Funds reserved to retire debt
=	
30%	(Total Current Fund Expenditures + Mandatory Transfers)

Operational Contingency

During the spring, financial plans will be constructed by the schools to demonstrate how they will attain Financial Equilibrium and Financial Viability within the targeted timeframe. More information about the development of long-range plans will be issued in January.

Action 4: Creating the Strategic Investment Pool

The Strategic Investment Pool will be seeded in the first year from savings accumulated through the introduction of the Position Management Program. Guidelines for the submission, review, and approval of proposals for funding from the Strategic Investment Pool will be developed by the Dean's Council in December.

Action 5: Instituting a Financial Performance Reporting System

A simple reporting system will be used to measure the financial performance of the schools beginning in December 1996. The objectives of the new system are:

1. to assure management that the organization is making progress toward the achievement of objectives established in the annual financial plan (or annual budget)
2. to test revenue and expenditure activity in the schools (and for the AHC as an entity) to determine if departments and schools are on course to operate within approved allocations
3. to structure a framework that allows the quick analysis and explanation of significant deviations from the financial plan
4. to develop a process for prompt identification of corrective actions
5. to understand the consequences of administrative decisions

The financial performance reporting system incorporates these objectives and also allows for specific needs of the AHC, such as:

1. to initiate a change in attitude about the purpose and use of budgets
2. to promote the understanding that financial management is a dynamic, evolutionary process that requires continuous attention

The financial condition of the departments, the schools, and the AHC will be examined through two analyses:

1. Comparisons of year-to-date revenue collections and expenditures with the approved annual budget and the current forecast

2. Comparisons of the current forecast and year-to-date actual revenues and expenditures with corresponding data from the prior year.

Separate evaluations will be performed for non-sponsored programs and sponsored programs. Four reports will be prepared to present financial performance, as described below:

1. A summary of the results for all funds and categories of expenditures
2. Detail of revenues and expenditures in non-sponsored programs
3. Detail of revenues and expenditures in sponsored programs
4. A year-over-year comparison of budgets and actual

Recipients of the Reports

There should be an inverse relationship between the level of authority in the resource management hierarchy and the amount of detail in reports. The broader the level of authority, the more aggregated the financial data should be. Following this theory, *what theory?*

- The Provost will receive a composite report for all organizations in the Academic Health Center and summary reports for all schools
- The deans will receive copies of the summary report for the school and individual reports for the departments within his/her school
- Chairs will receive reports for the department

A full description of the process for financial performance reporting, examples of the report formats, and analyses of the data are included in Attachment 3.

Action 6: Designing or adapting financial management information systems

A Business Systems Design task force was formed in October 1996 to define and to address the financial management information requirements for the Academic Health Center. Improving the quantity and quality of data available for the management of resources is the principal goal of the task force. To attain this goal, the task force will develop a set of strategies for implementing and installing local information systems or linking effectively with systems maintained by the Central university offices. The initial report of the task force is expected in early January 1997.

In the short-term, the task force will assemble a simple, yet comprehensive set of standard tools and reports that can be used for resource management by the Provost, the Deans, the Department Chairs and other administrators in the Academic Health Center. The portfolio will be composed of existing computer applications and operating principles that are presently used by schools in the AHC and that can be adapted for use throughout the AHC. The longer term goal is the design, development and installation of computer applications and operating principles that will streamline administrative processes of the AHC.

**ACADEMIC HEALTH CENTER
1997-98 Operating Budget Development**

Calendar of Critical Dates

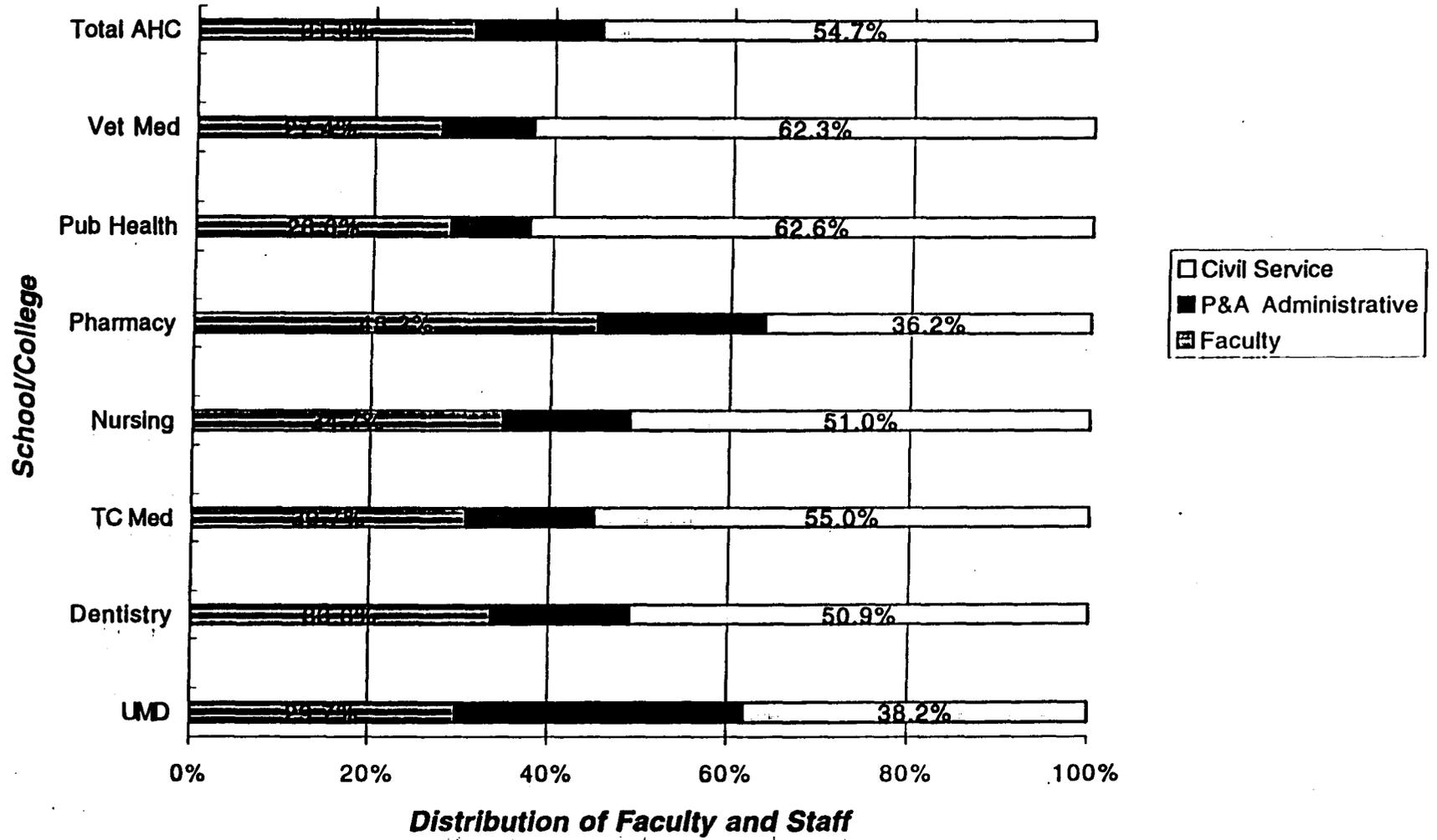
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October 29	Submission of Phase I, Part A to the AHC Provost's Office
November 1	Submission of Phase I, Part A to the Central Budget Office
November ??	Central Budget Office issues instructions for Phase I, Part B
December 12/13	Regent's Review Resource Allocation Guidelines

1997

January 2	Provost's Budget Message and guidelines for preparing 1997-98 budget requests
January 9/10	Regent's approve resource allocation guidelines
Mid January	Phase II Instructions issued by Central Budget Office
February 10	Budget plans of AHC Schools/Colleges due to Provost
February 24-28	AHC RRC Budget Hearings with Provost
Mid March	Submission of Budget Documents to Central Budget Office
Mid March to Mid April	Budget Hearings with Central Administration
Mid March	Budget preparation begins for RRCs
May 8/9	Regents review President's Recommended Budget
May 15	Provost Issues tentative all-funds budgets authorizations to schools/colleges
June 12/13	Regents approve President's Recommended Budget
June 16	Provost confirms 1997-98 all-funds budgets
June 17 to 30	Colleges/schools enter authorized budgets into CUFS

ACADEMIC HEALTH CENTER



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FTE Positions -- August 1996

	<u>UMD</u>	<u>Dentistry</u>	<u>TC Med</u>	<u>Nursing</u>	<u>Pharmacy</u>	<u>Pub Health</u>	<u>Vet Med</u>	<u>Total AHC</u>
Non-Sponsored Programs								
Faculty FTE	17.2	65.6	421.1	13.2	35.4	44.5	62.4	659.4
% of Total FTE	29.7%	33.6%	30.7%	34.7%	45.2%	28.6%	27.4%	31.0%
<hr/>								
P&A FTE	18.6	30.3	197.2	5.4	14.5	13.8	23.6	303.6
% of Total FTE	32.1%	15.5%	14.4%	14.3%	18.6%	8.9%	10.4%	14.3%
Ratio: Faculty to PA	1.08	0.46	0.47	0.41	0.41	0.31	0.38	0.46
<hr/>								
Civil Service FTE	22.1	99.4	754.7	19.4	28.3	97.4	141.9	1,163.2
% of Total FTE	38.2%	50.9%	55.0%	51.0%	36.2%	62.6%	62.3%	54.7%
Ratio: Faculty to PA	1.28	1.52	1.79	1.47	0.80	2.19	2.27	1.76
<hr/>								
Total FTE	58.0	195.3	1,373.1	38.0	78.2	155.6	227.9	2,126.1
All Programs								
Non-Sponsored FTE	58.0	195.3	1,373.1	38.0	78.2	155.6	227.9	2,126.1
Sponsored FTE	25.6	33.9	680.7	14.4	20.2	270.8	30.6	1,076.1
Total	83.5	229.2	2,053.8	52.4	98.4	426.4	258.5	3,202.1
Percent of Total								
-- Non-Sponsored	69.4%	85.2%	66.9%	72.5%	79.5%	36.5%	88.2%	66.4%
-- Sponsored	30.6%	14.8%	33.1%	27.5%	20.5%	63.5%	11.8%	33.6%

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Received: from Pharmacy-fastpath-134.hsci.umn.edu by maroon.tc.umn.edu; Wed, 20
From: "Cynthia.R.Gross-1" <gross002@maroon.tc.umn.edu>
Reply-To: "Cynthia.R.Gross-1" <gross002@maroon.tc.umn.edu>
To: courtney
Subject: Re: Fwd: Re: DRAFT
Message-Id: <329394204a7b946@mhub1.tc.umn.edu>
Date: Wed, 20 Nov 96 18:15:39 -0600

Vickie - Judy,

This note suggests that the FCC implement a process - but it is the Regents who have to implement "the process", too. Do you have to make it clear that we are simply supporting the role of the FCC in providing a faculty voice for part of the process? See capital letter suggestions below:

> > TO: Members of the Faculty Consultative Committee
> >
> > FROM: Academic Health Center Faculty Consultative Committee
> >
> > RE: November 8th FCC Statement on Tenure/November 6th
> > Letter from UFA/AAUP
> >
> >
> > We strongly encourage the Regents to resolve differences with the faculty
> > regarding the tenure code through a dialogue with a faculty group
> > constituted by the Faculty Senate. In this spirit, we urge the FCC to
> > implement a process to REPRESENT FACULTY IN A DIALOGUE WITH REGENTS as soon
as possible.

> > Thank you.

- > > Judith Garrard, Chair
- > > Muriel Bebeau
- > > Peter Bitterman
- > > Sheila Corcoran-Perry
- > > Daniel Feeney
- > > Cynthia Gross
- > > Frederic Hafferty
- > > David Hamilton

> *****
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Received: from x108-40.cvm.openpn.umn.edu by maroon.tc.umn.edu; Wed, 30 Oct 96 0
From: "Daniel A. Feeney" <feene001@maroon.tc.umn.edu>
To: Frank B Cerra <cerra001@maroon.tc.umn.edu>
Cc: ahcfcc96-97@maroon.tc.umn.edu
Subject: Restructuring Proposals
Message-Id: <32775e0d139f663@mhub0.tc.umn.edu>
Date: Wed, 30 Oct 96 07:54:22 -0600

TO: Provost Frank B. Cerra
Academic Health Center

FROM: Dan Feeney
AHC Faculty Consultative Committee Member

RE: Draft Reports on the Academic Health Center reorganization
regarding Administrative Director, Research, and Education/
curriculum

My apologies for being unable to attend the meeting scheduled on Monday (10/28/96) between you and the AHC-FCC. The illness of one of my colleagues precluded her covering my clinical responsibilities midday. I did manage to place a call to Judy Garrard so that she had some sense of my viewpoint on the different drafts. In an effort to foster communication, I decided it was best to put my thoughts in writing. There is no need for a formal response, but I appreciate the opportunity to provide input. My comments can be centered in basically two issues. Before making critical comments, let me say that the centralization of resources such as educational development, finance and operations, human resources, etc. seems a wise step toward efficiency. What I say below is not speaking against that concept. My concerns center around the well-being of productive faculty who will not be classified as Rsuper starsS.

In a nutshell, I think one of the greatest concerns is that the structure seems to parallel what was the proposal, or at least rumors about it, that were circulated during the time of influence from the CIC Index. I believe anything that can promote dissimilarity between what you have now and what was proposed by that group would be in everyone's best interest. I think we were all aware of the high level of anxiety raised by much of the QRTC process, the re-engineering philosophy, and the previous personalities involved. For a few specifics, please consider the following.

First, it seems that there are a number of people involved in evaluating others in the proposed scheme. An organized protocol for administrative evaluation will be welcomed by the faculty. While there is a statement about where faculty promotion and tenure will originate and the process through which it will proceed, there is nothing stated about merit salary deliberations for general faculty. I have grave concerns about large evaluative processes oriented specifically toward just education and curriculum, just research, and just clinical service. This system may work OK in a circumstance where people are 80% to 90% involved with one of these activities. However, a large number of faculty across the Academic Health Center are involved in two or three of these. Having these diversified (or thinly spread depending on your viewpoint) individuals compete against individuals who are "master teachers" for education merit, NIH based RO1 Principal Investigators for research merit, and probably a group of nontenure-track clinical/service faculty for clinical service rewards could lead to a disaster. I'm concerned that the efforts of an individual who is involved in his or her fair share of clinical service/teaching, didactic and laboratory teaching including outreach, and a nominal amount of applied or even

basic research, would not be appreciated in any one of these great "silos".

This approach has the potential to alienate faculty who are active participants in multiple arenas. While there are the arguments that focused experts are what the institution needs (that or workaholics), multifaceted people may be every bit as valuable to the institution as someone with an 80 to 90% commitment to one arena. I believe that departmental interaction has always had the tempering force on how valuable selected individuals were perceived and to what degree their participation in the department was valued as consistent with the department's mission. Reflecting on several departments with which I am familiar, individuals are appreciated for their efforts and their contribution. Their efforts and contributions are considered in light of the diversity of their responsibilities (in some cases versus the very focused responsibilities in others). I'm not sure that would work well in large cross departmental or cross collegiate evaluation scenarios. It may be that the very people who do much of the teaching and service work would be left out in the cold. Perhaps I have misunderstood the mode of operation here. If so, I would very much like to stand corrected. I believe the description above is one of the anxiety triggers among the faculty. Everybody can't be a superstar in every arena in which they participate, and yet many of us don't have the luxury (or for that matter the interest) in becoming focused on just one (e.g. just research). I believe the faculty needs some information as to how cases like that will be handled.

The second concern I have is regarding the final Research Report. It is very obvious to most involved that a research enterprise focuses around a limited number of highly skilled principal investigators. I have no problem with such individuals forming the core of the research enterprise in the Academic Health Center. However, I hope that all the rights and privileges to be granted to these individuals (as specified in the report) would be given to somebody who was equally adept at keeping the various teaching hospitals operating and keeping the students satisfied by providing good quality teaching. There are things that are described in the Research Report such as discretionary funds that are provided to principal investigators for what are obviously quite worthwhile things. However, there are some items here that are described such as professional society memberships, travel, etc., that, depending on the source of funds (e.g. ICR vs. 0100), this may or may not be appropriate if applied to only a few. In addition, if it is good for individuals who are principal investigators, aren't similar perks justifiable for individuals who are "master teachers" (as have been described in the College of Biological Sciences proposal) or for the individuals who provide the clinical expertise that keeps the medical school supplied with teaching and research cases?

My point is simple. We have to make sure that we don't lose sight of what the whole enterprise is about. The Academic Health Center is a combined enterprise wherein medical students and graduate students are educated, cutting edge research is performed, applied research is performed, and the public and their interests are served. Placing too much merit on selected aspects of faculty endeavor, or giving the illusion that some behaviors are more worthy of reward than others, makes for a two or three tier society. Under those circumstances, cooperation becomes limited and I don't believe the AHC will operate at its fullest potential. I hope there will be a massaging of all the documents to make everybody feel appreciated for what they do. If it isn't worth appreciating, then why are we doing it?

Thank you for your consideration. I'm sure my commentary would have stimulated some interesting discussion among my colleagues in the AHC-FCC. I wish I could have been involved in the discussion that occurred, but circumstances dictated otherwise.

Best wishes.

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DRAFT

October 17, 1996

**TO: Frank Cerra, Provost
Academic Health Center**

**FROM: Judy Garrard, Chair
Academic Health Center FCC**

**RE: Design of the Academic Health Center Proposal of the Structure and
Organization Team, July 30, 1996**

The Academic Health Center FCC met today and discussed the draft proposal on the re-organization of the AHC, dated July 30, 1996. This report has serious implications for the authority and responsibilities of the Deans and the independence of the School/Colleges. Members of the FCC have serious reservations about this report and request that you not take any action until the AHC FCC has had the opportunity to discuss it with you and has reviewed the Education and Research reports.

We look forward to meeting with you to discuss this matter.

Received: from mhub1.tc.umn.edu by mailbox.mail.umn.edu; Fri, 11 Oct 96 16:52:57
Return-Path: <jgarrard@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub1.tc.umn.edu; Fri, 11 Oct 96 16:49:09 -0
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Subject: Re-organization of the AHC
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Date: Fri, 11 Oct 96 16:49:10 -0500
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Friday, Oct 11

To: AHC-FCC
From: Judy Garrard

I have asked Vickie to send out a copy of the 'Fetro Report' on re-organization of the AHC, dated July 30, 1996. This report came out of Fetro's QRTC, but a number of people on that committee said that it was really written by him. In effect, the organization proposed is one that is almost identical to that designed by CSC Index. We have asked Frank Cerra about this, and up until recently, he has said that he hasn't read it. At our last meeting, he emphasized that he was more interested in getting the 'infra structure' services re-organized. This report has serious implications for the authority and responsibilities of the Deans and the independence of the Schools/Colleges. Please review this report carefully. We probably need to meet with Frank sooner than our regular monthly meeting. Thanks.

* Judith Garrard, Ph.D. *
* Professor *
* Institute for Health Services Research *
* School of Public Health *
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October 23, 1996

To: Frank Cerra, AHC Provost

From: Judy Garrard, Chair, AHC-FCC 

Frank, the AHC-FCC has reviewed the draft copies of the QRTC reports on (1) administrative re-organization of the AHC, (2) research, and (3) education/curriculum.

As an FCC, we believe that it is important for us to give you feedback from the faculty perspective about the recommendations in these three reports, and we would therefore like to discuss the implications of these reports at our regularly scheduled, upcoming meeting at noon on Monday, October 28. We think it is important to get this information to you before you implement any of these plans. We are looking forward to meeting with you.

Thank you.

cc: AHC-FCC Members

Report of the Subcommittee Relative to the Concept
of an Ombudsman for the Academic Health Center

T. Michael Speidel

An investigation into other schools utilization of an ombudsman revealed that very few schools have a position specifically designated ombudsman, however, many schools have an individual whose role is essentially that of an ombudsman of some sort.

The concept of ombudsman is not universally understood. To some individuals, an ombudsman is a person or office who stands between, and represents the citizen before the government. To others, the ombudsman is an official who is appointed to receive and investigate complaints made by individuals relative to abuses or capricious acts of officials. To still others, an ombudsman is one who investigates complaints and helps achieve equitable settlements.

A key difference in perception of the ombudsman's role is the degree of advocacy involved for the student, faculty or other individual in a subservient position.

In the culture we live in, it is generally agreed that it is always desirable for the individual in a subservient position to have a representative to help equalize the power between intrinsically unequal power positions. The subcommittee agrees with this position but is unsure, given the existing mechanisms for conflict resolution, whether this is a problem in the AHC.

The attached document is the result of an investigation into the resources available for conflict resolution on this campus. While this document may be incomplete or even incorrect in some details, it is believed by the subcommittee to be basically correct and comprehensive. To the best of my knowledge, all of the conflict resolution organization's procedures respect the intrinsic power differential between individuals in different roles on the campus.

Each organization appears to make a clearly defined effort to resolve conflict as amicably as possible. The subcommittee is unaware of any clear mandate from any members of the AHC for creation of an ombudsman post within the AHC.

Further investigation may reveal the desirability of creation of a formally designated ombudsman post. Absent such information, it appears that the existing organizations charged with conflict resolution are serving their constituents satisfactorily at this time.

If further investigation suggests the need for an ombudsman, the subcommittee is fully supportive of such a position. Rather than reorganize the existing resources for conflict resolution, it is probable that such an individual would interact with the existing mechanisms.

**Conflict Resolution Organizations
University of Minnesota**

1. UNIVERSITY GRIEVANCE COMMITTEE
Nicholas Barbatsis/John Blair
419 Walter Library
#4-1030
 - Complaint resolution of all kinds for faculty, staff & students
 - Employment issues for employees NOT represented by a union

2. OFFICE OF EQUAL OPPORTUNITY
419 Morrill Hall
#4-9547
 - Discrimination issues - all forms
 - This office serves anyone who has any discrimination complaint against the U of M
 - Sexual harassment

3. JUDICIAL COMMITTEE
Prof. Edwin Fogelman, Chair
#4-1414
 - Hears complaints by faculty members on tenure issues

4. STUDENT DISPUTE RESOLUTION CENTER
102 Johnston Hall
Jan Morse, Director
#6-0891
 - Informal process on a wide variety of issues; (financial aid, grade disputes, instructional complaints, student conduct code violations, housing, etc)

 - * This process will be changing to a formal process in the Fall; a new mission statement is currently being worked on.

5. CAMPUS COMMITTEE ON STUDENT BEHAVIOR
 - Hears complaints against individual students and student organizations involving alleged violations of the conduct code, hears appeals from noncollegiate judiciary agents and

mades dispositions of complaints and appeals based on its findings. Cases before the committee usually are heard by a panel of the full committee appointed by the chairperson.

6. **CONFLICT & CHANGE CENTER**
Hubert H. Humphrey Center
Thomas Fiutak, Associate Director
#5-3046

2 main directions:

1. Coordinate U. mediation program. Trained faculty and staff act as neutrals for disputes for people who have agreed to mediate - primarily faculty and staff disputes. Often referred to this program by Human Resources.
2. Direct consultation with Departments, assessing issues, conflicts within the Dept; help them make the necessary changes; coaching of chairs, faculty.

7. **DISABILITY SERVICES**
12 Johnston Hall
Judith Gaston/Sue Kroeger
#4-4120

- Disability issues

8. **U HOSPITALS & CLINICS:**
a) Internal Grievance Committee
Vaman Pai
#6-6502

- EEOC complaints, discrimination cases only

- b) Labor Relations
Mary Beth Percy: Employee Consultant
#6-4011

- Grievance process for Hospital employees only. An informal mediation process often precedes this formal mechanism.
(Works in tandem with Vaman Pai)

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Return-Path: <m-schu@maroon.tc.umn.edu>
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TO: Deans, FCC, Senate Research Committee

FROM: Mark L. Brenner, Vice President for Research and
Dean of the Graduate School

Frank B. Cerra, M.D.
Provost, Academic Health Center

RE: Briefing on Civil Litigation Regarding Federal Research Grants

Last week the federal government notified the University that it intends to sue the University of Minnesota for alleged civil fraud in mismanagement of certain federal grants. After negotiating for over a

year with the federal government on a reasonable settlement, the University concluded that it was in the best interest of the University and faculty to file a suit against the federal Department of Health and Human Services and its National Institutes of Health. We did so on Friday, asking for an injunction against the federal government regarding its lawsuit and NIH's designation of the University as an "exceptional organization."

We will brief you today (Monday, December 16) from 1-2 p.m. in Room 2-520 Moos Tower. An open forum for all interested faculty will be held from 2:30-3:30 p.m. in Mayo Auditorium.

Mary Alice Schumacher
Office of VP for Research/Graduate School
University of Minnesota
420 Johnston Hall
Phone: (612) 626-0309
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e-mail: m-schu@maroon.tc.umn.edu

Structure & Organization Of the AHC

DESIGN OF THE ACADEMIC HEALTH CENTER PROPOSAL OF THE STRUCTURE AND ORGANIZATION TEAM JULY 30, 1996

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**Academic Health Center
Design Considerations
Draft - July 30, 1996**

Academic Health Center - Mission Statement

The mission of the Academic Health Center is to be a leader in the ethical, innovative, and efficient discovery and dissemination of knowledge and to enhance the health and well-being of Minnesota, the nation and the world.

Operating model:

The operating model of an organization must be derived from its functions. The Academic Health Center has three primary activities: education, research, and clinical service/outreach. Broadly defined, each of these central mission related activities is different enough to require different operating models to achieve an optimal result. Research must be organized to optimize "product leadership", i.e. our research product must be the very best if it is to remain competitive for external funding sources. Education must be "operationally excellent", i.e. must deliver a specified high quality product as efficiently as possible. Clinical service must be "customer intimate", i.e. must provide tailored service that flexibly meets the customer's needs.

Because each mission requires a different operating model, each will be supported by a different organizational structure. To accomplish that end, the Academic Health Center will be structurally subdivided into three major operating organizations, all reporting to the Provost: an education organization, a research organization, and a clinical service organization. Each subunit will be led by a Vice Provost who is responsible and accountable for overall leadership, resource budgeting and management, and mission-related outcomes.

Responsibility, accountability, resources, authority:

The four critical components of responsibility, accountability, resources, and authority must be vested in the person making decisions. If any one of these components is absent at the decision point, the result will likely be dysfunctional.

Consultative process:

The best decisions are made when the best information is available. To that end, deliberative processes in the AHC should provide for broad and comprehensive input from stakeholders. Depending on the pending decision, these stakeholders will include faculty, staff, students, and external constituencies of the AHC. The process for input needs to be tailored to the organization, the issue, and the timeline for decision making. No single process will be universally applicable. Input must be sought and provided in a timely way so that decisions and implementation can be made to respond quickly to problems and opportunities.

Any process design should be clear about the distinction between who makes the decision at any step and the consultative process by which input is obtained. In general, final authority, even if rarely exercised, should be vested in an individual (or a very small group), not a broader assembly of people.

Line and staff functions:

Line functions are those that directly link to the principle activities of the AHC, i.e. education, research, and clinical service/outreach. The budgetary responsibility and the operational authority will reside principally in the line operating functions. Staff functions are generally intended to provide support to line operations, e.g. public relations, human resources, information technology, facilities management, etc.

Distributed management:

The intent of a management system is to capture the economies of scale by centralizing oversight, core expertise and the development of policy and procedure, while assuring excellent responsiveness to the local needs by moving delivery and "customer service" as close to the end user as possible. Any structure should seek to facilitate local ability to function and to respond to needs and opportunities. Decisions should be made at the point that can still retain the responsibility, accountability, resources, and authority and that is as near as possible to the place where the work is done. Similarly, the person doing the work should be as near as possible to the end user/customer to enhance local service and understanding of special needs. Management should exercise as little distant control as possible while assuring that the unit in question performs its task well.

Structural issues:

The size of a "grouping of people" (department, cluster, service organization) should be set to match the functional needs of the group. In general, it will be difficult for an administrator to have direct responsibility for a group of people greater than about 40 to 50. At the other end of the scale, groups that are too small (less than about ten) may have difficulty commanding sufficient economies of scale (support personnel, activity, etc.) and critical mass to be effective. As a general rule, people with supervisory or delegating authority should have no more than 5 to 10 people report directly to them.

Not all administrative positions will require full time efforts. Some administrative roles will be filled by people with other jobs as well, such as faculty roles or staff functions. In these less than full time administrative positions, an individual might serve in more than one administrative capacity. For example, the same person might serve as department chair and as the director of a research institute.

Central Organization

The Academic Health Center central organization will have responsibility, authority, resources, and accountability for those functions that are best coordinated on a provostial level and/or are best administered centrally and delivered locally. These include finance, legal affairs, public relations, human resources, facilities management, and information technology. The Vice Provosts for Education, Research, and Clinical Affairs will use the central organization to obtain efficiently delivered services. Central services may have staff conducting these functions in one or more of the three units.

The Chief Staff Officer for the AHC will have responsibility, authority, resources, and accountability for the offices of Human Resources, Public Relations, Facilities Management, and Information Technology. The Chief Staff Officer will delegate Provost's staff responsibility for the delivery of these services. The Chief Financial Officer will have responsibility, authority, resources, and accountability for the financial affairs of the AHC. The Director of Legal Affairs will have responsibility, authority, resources, and accountability for the legal affairs of the AHC. All of these functional areas will work closely with the corresponding offices in the University's central administration.

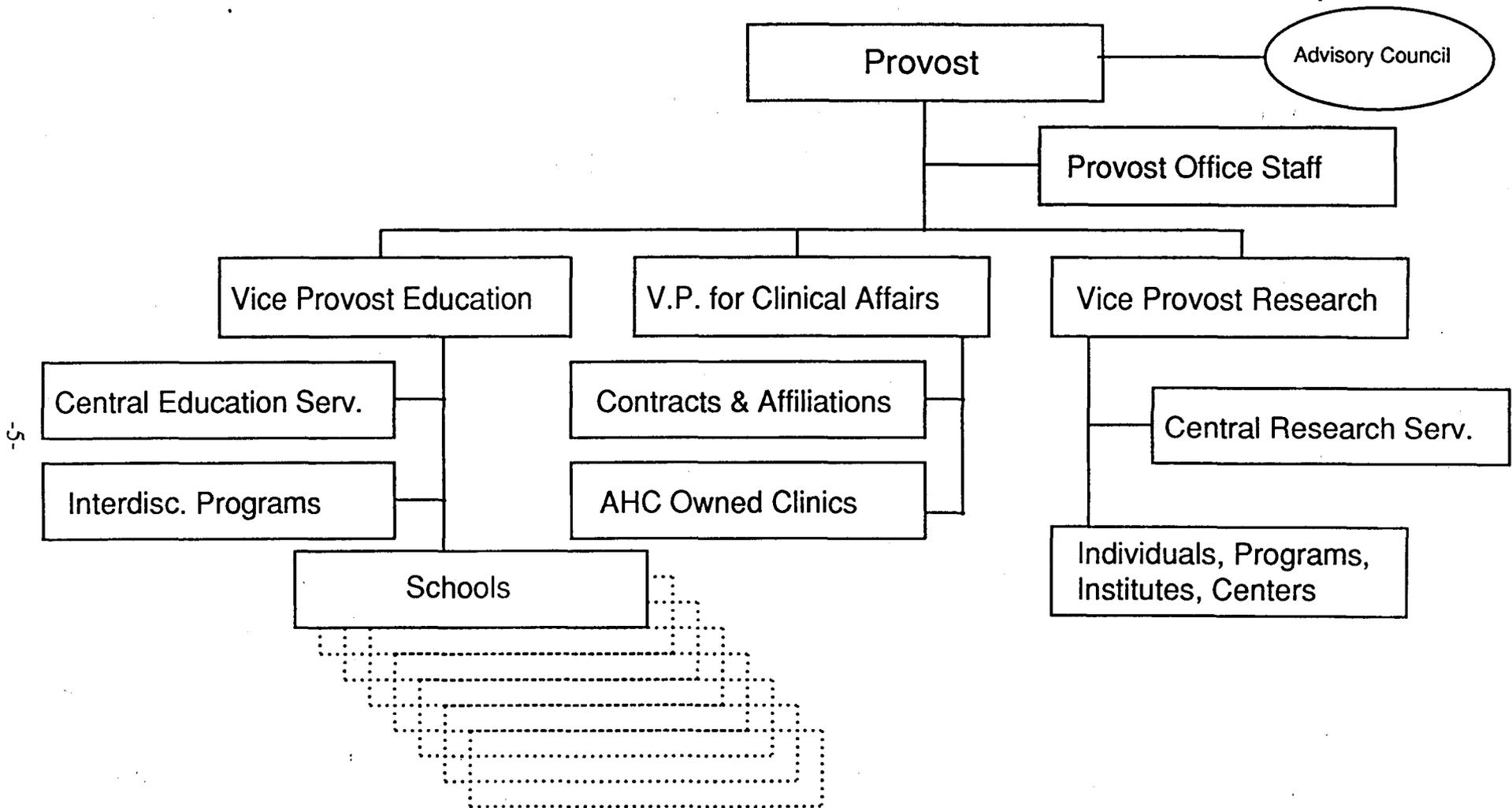
Role of the Provost - Academic Health Center

The Provost is the Chief Executive Officer for the Academic Health Center and is responsible for all the internal and external operations of the education, research, and AHC-operated clinical enterprises. The Provost is appointed by the President of the University and oversees the faculty and staff, the finances, and the facilities of the AHC. The Provost is responsible for hiring and directing the Vice Provosts for Research, Education, and Clinical Affairs and for approving the hiring of the Deans and the Institute Directors. In addition, the Provost will assemble and direct a central staff for the AHC. The Provost will work with the Vice Provosts to determine allocation of resources for education, research, and clinical programs.

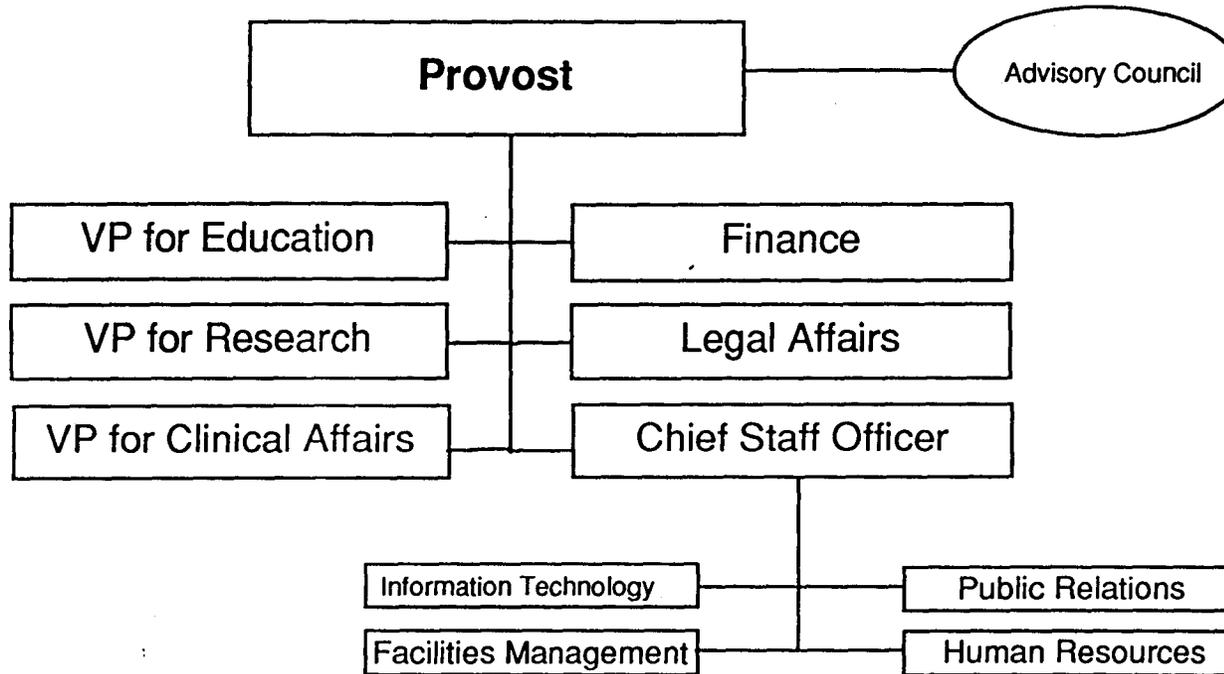
The Provost represents the interests of AHC with central university administration and with the public, governmental, corporate, and other external AHC stakeholders. The Provost is the key officer of the AHC responsible for the overall strategic direction of the AHC, for long-term vision, and for assuring the achievement of the AHC's mission. The Provost must represent the AHC externally to build relationships with stakeholders, with the legislature and the public, and with other constituencies served by the AHC. The Provost is also responsible for representing the AHC in strategic issues with the central university administration.

AHC Organizational Structure

To be in place by July 1, 1997



Office of the Provost



Academic Health Center - Education Organization

The educational unit of the Academic Health Center will have the responsibility, authority, resources, and accountability for the design, delivery, evaluation, and funding of all of the educational programs within the AHC (except for graduate student programs). The Vice Provost for Education will work with the Deans in determining educational budgets, space requirements and faculty time allocation for education. Interdisciplinary programs and interdisciplinary teaching will have a high priority in the AHC, not only to increase teaching efficiency but also to develop new, highly innovative programs to meet the needs of students and the community. A goal of the educational unit will be to foster educational excellence and efficiency and to establish appropriate rewards for teaching excellence.

The Vice Provost for Education

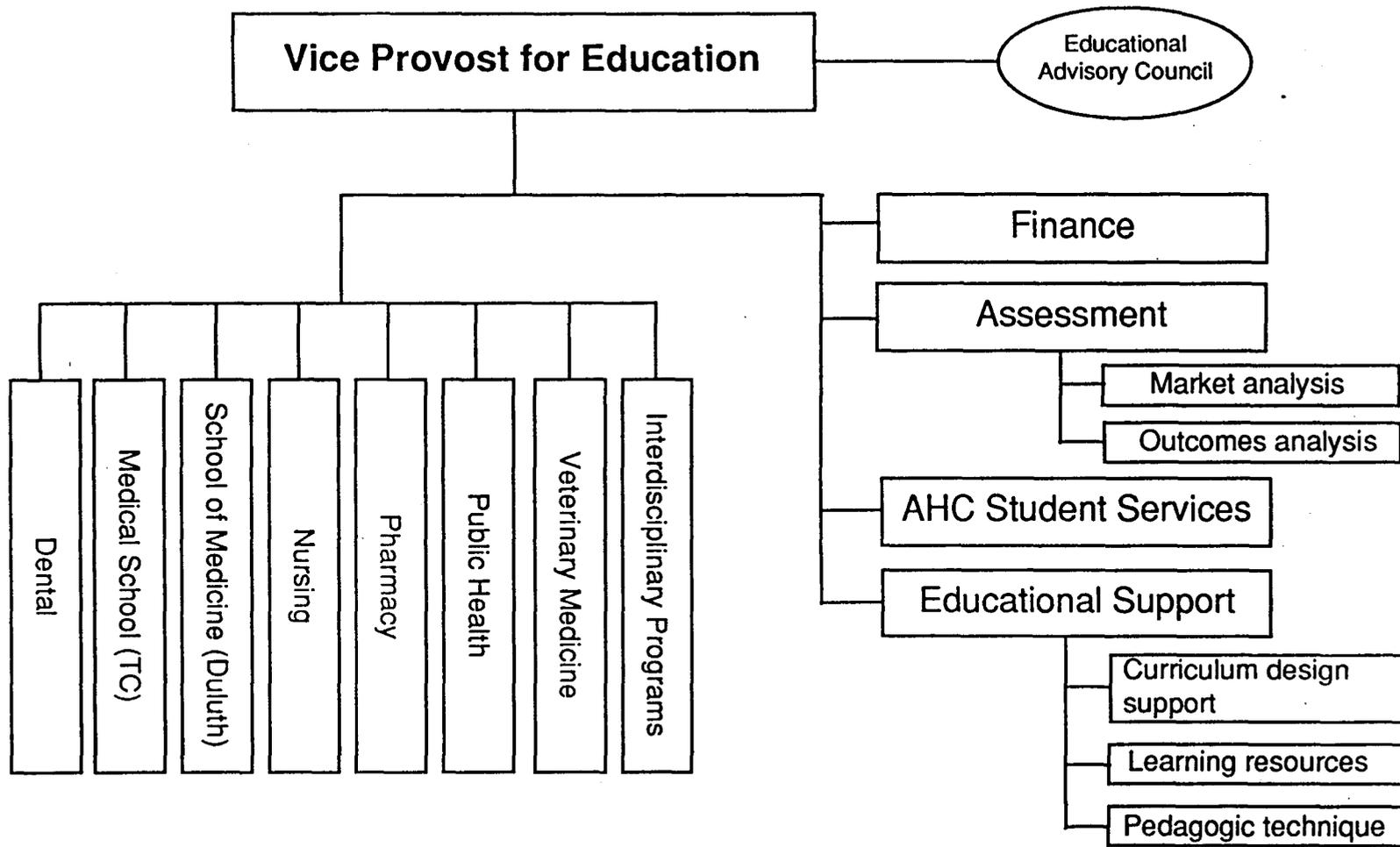
The Vice Provost for Education serves the Provost as the chief educational officer of the AHC. The Vice Provost is responsible for all aspects of educational program design and delivery. This entails direct responsibility for educational needs assessment (market analysis and outcomes analysis), educational support services (curriculum design support, learning resources, and pedagogical technique), AHC student services and the direction and evaluation of deans. The Vice Provost will oversee educational research and development activities. The Vice Provost will delegate through the deans to the faculty specific curriculum design and curriculum delivery. Educational budget and space planning, control, and allocation will be performed by the Vice Provost's office. Faculty recruitment for education will be the responsibility of the Vice Provost and will be performed by deans with their appropriate department chairs. Faculty development and evaluation will be similarly performed. The Vice Provost will also coordinate educational needs with research and clinical needs and will have input into the development of clinical education sites by the office of the Vice Provost for Clinical Affairs. The Vice Provost will be advised by a council comprised of stakeholders of the AHC educational organization.

Role of the Vice Provost for Education - Academic Health Center

1. Vice Provost has the responsibility, accountability, resources, and authority for (and may delegate):
 - strategic planning for AHC educational programs
 - meet the strategic goals set for the education organization
 - direction and evaluation of Deans
 - assisting the Provost in representing AHC educational programs externally
 - design and delivery of educational programs
 - educational program evaluation
 - educational needs assessment
 - educational research and development
 - educational budget planning, control and allocation
 - educational space planning, control and allocation
 - educational support services (curriculum design, learning resources, pedagogical technique)
 - student services
 - faculty recruitment for education
 - faculty development for education
 - faculty evaluation and rewards for education

2. Vice Provost may have input into policy, shared role in:

- coordination of educational with research and clinical needs
- development of clinical education sites



The Role of Deans

The deans will be responsible for curriculum design, oversight, and delivery within their professional areas. Deans will develop educational standards for their discipline and be responsible for professional program accreditation. They will be responsible for faculty teaching assignments within their curriculum and for evaluation of teaching performance. Deans will delegate delivery of parts of the curriculum as appropriate. Deans will also participate in strategic planning for education within the AHC as it relates to programmatic development, work force planning and educational staffing decisions, faculty development, and educational and professional program marketing. They will assist the Vice Provost for Clinical Affairs in developing clinical sites for educational programs. Because of the importance of interdisciplinary teaching and programs, there will be a Dean of Interdisciplinary Programs.

Department Chairs may be responsible for course delivery as delegated by their dean for the Vice Provost for Education. Chairs will also participate in educational program innovation.

Role of the Dean - Academic Health Center

1. Dean has the responsibility, accountability, resources, and authority for:

- curriculum design and oversight: professional, clinical, residency, CE
- development of educational standards and measures
- educational budget preparation
- educational facilities needs budgeting and allocation for education
- educational quality enhancement
- accreditation of professional programs
- educational program delivery
- administration of graduate courses based in their program
- curriculum staffing, faculty teaching assignments
- faculty recruitment in their program areas
- educational performance evaluation
- compensation and rewards for education program efforts
- faculty progress and tenure recommendations for education
- selection, direction, and evaluation of the department chairs
- student recruitment
- student admissions, admissions procedures
- student affairs, counseling, student access to services
- student registration, financial aid
- alumni relations
- leader for the profession

2. Dean has input into policy for, shared role in the development of:

- strategic directions for AHC relating to education
- workforce planning, strategic directions and focus for education
- faculty educational staffing decisions: hiring, academic area priorities
- faculty development and career enhancement
- educational and professional program marketing priorities
- research and development in education
- public relations
- clinical sites for educational programs
- representing the college for development/fund raising
- profession's needs for research

3. Dean has no administrative responsibility for:

- program market research
- legal and regulatory affairs
- facilities management
- research laboratory management
- grants administration
- technology transfer
- regulatory compliance
- safety management
- information technology
- management information systems
- clinics / clinical outreach management
- clinical affiliation negotiations
- clinical quality control
- clinical contract management

AHC Research Organization

The core AHC research goal is national and international leadership in a variety of health sciences. Excellence is achieved by hiring the best scientists and adequately rewarding them; creating a physical, structural, and social environment that encourages groups of scientists to collaborate; and providing them with effective support services needed to implement their work. Excellence in research springs from the creative energies of individual faculty and research staff, and is best encouraged by creating organizational environments that effectively and efficiently provide the support services needed by individual scientists and research teams, and then providing them freedom to pursue their ideas.

Vice Provost for Research

The Vice Provost for Research serves the Provost as the chief research officer of the Academic Health Center. The Vice Provost for Research is responsible for the overall research programs of the Academic Health Center. The Vice Provost will lead research strategic planning, priority setting, budget preparation, and will manage the AHC resources committed to research. They will be a principal spokesperson for external communications regarding research in the Academic Health Center. The Vice Provost will delegate research responsibility and resources to Institute Directors for their portions of the AHC research efforts. In addition, the Vice Provost of Research will be responsible for managing (1) research support services, including [then as before in the existing paragraph].

Role of the Vice Provost for Research

1. Vice Provost of Research has the responsibility, accountability, resources, and authority for (and may delegate):
 - meet the strategic goals set for the research organization
 - direction and evaluation of research institute directors
 - research strategic planning, resource allocation, program priority setting
 - direction of the management of resource support infrastructure
 - representation of the research programs of the AHC in public relations
 - research program evaluation
 - research market needs analysis and new program opportunities
 - faculty recruitment for research
 - faculty development for education
 - faculty evaluation and rewards for research

2. Vice Provost for Research has input into policy, shared role in development of, serves as a spokesperson for:
 - coordinating research needs with the Vice Provost for Clinical Affairs
 - coordinating the research agenda for new faculty hires
 - coordinating the research strategic needs with education and clinical service activities

Institutes

Investigators will be organized into 10 to 15 institutes, which initially will parallel current schools/colleges and other major research units, but over time may gradually transform into Institutes by problem area (for example, analogous to the current NIH Institutes). The Institute Director will report directly to the Vice Provost, and will be accountable to the Vice Provost for the performance and productivity of their institute. Each Institute Director will be provided an allocation of AHC funds to enhance the overall productivity of their institute. They might, for example, seed new projects, develop research staff, provide bridge funds for investigators between grants, and fund other such core Institute functions. Large institutes may be subdivided into divisions, each with a Division Head. Such Division Heads will be provided, from the Institute Director, an allocation of AHC funds for a portion of their salary for their leadership functions and for other expenses in managing their division. Division Heads are accountable to the Institute Director for performance of their responsibilities.

Role of the Institute Director

1. The Institute Director has the responsibility, accountability, resources, and authority for:
 - overseeing the programs of research within their institute: conduct, priorities, development, and facilitation of individual faculty efforts
 - fostering and developing sources of funding for individual researchers in programs appropriate for the institute
 - budgeting and allocation of AHC funds for research as allocated by the Vice Provost of Research
 - management and effective utilization of Institute central research facilities
 - review of research budget status and compliance to regulations of research conducted within their institute
 - representing their institute's programs within the AHC and to constituencies external to the AHC, both within the university and to the public
 - faculty development in research for faculty working in their institute
 - administration of competitive grant funding programs funded by the institute

2. Institute Director has input into policy for, shared role in the development of:
 - overall research priorities and directions for research in the AHC
 - organization and coordination of central research facilities and services
 - provision and quality of AHC provided core research support services
 - development of clinical sites for research in the AHC and beyond
 - coordination of the institute's research program with education programs

Clusters

Within Institutes, groups of researchers working on closely related topics will form research clusters. Each cluster of 5-15 investigators will have an elected chair, who will report to the Institute Director, or in large Institutes, to a Division Head, who will report to the Institute Director. All investigators will choose to affiliate with one cluster (within one Institute) as their primary cluster, but may also have secondary affiliations with other clusters in the same or other Institutes.

Centers

Centers may be established by any group of faculty identifying a need or opportunity for a Center on a given topic of research. Centers are essentially "paper" organizations, permitting an identity for a group of faculty for external purposes. Centers are defined solely by the group of faculty and research staff who chose to affiliate with it; they are not defined by physical space or a building. Any group of five or more AHC faculty may apply to the Vice Provost for permission to organize a Center. Other faculty may join any Center at any time, if accepted by the faculty currently in the Center. Faculty in the Center elect a director or other leadership positions as they see fit, and such leaders are responsible solely to the members of the Center. Centers will not be given budgetary allocations, except through the internal granting process described in the following section. Center directors will not allocate resources (e.g., funds, space, equipment), other than those they normally would allocate as a Principal Investigator on a funded grant. Center directors must provide a brief annual report to the Vice Provost on their activities, giving the rationale for retaining the Center. The Vice Provost will seek the advice of a peer review committee, before deciding whether to renew the Center for another year, or terminate it. Centers are designed to help groups of faculty respond to external opportunities for funding in particular areas, and will largely be supported by external research grants. Centers will come and go as the interests and needs of the faculty change and as the opportunities in the external environment change.

Internal Grants and Investigator Support

Some core AHC funds will flow from the Vice Provost of Research to Institute Directors, and from Institute Directors to Division Heads (if any) and Cluster Chairs for their management and leadership responsibilities. In addition, funds will flow to the various Directors of research support services to perform their functions. However, it is important that not all AHC research funds be allocated via those paths. To foster innovation, to reduce time and effort required by middle managers for budgetary allocation negotiations and decisions, and to ensure that research fund allocation decisions are made by scientists closest to current frontiers of knowledge, two additional funding allocation processes are recommended.

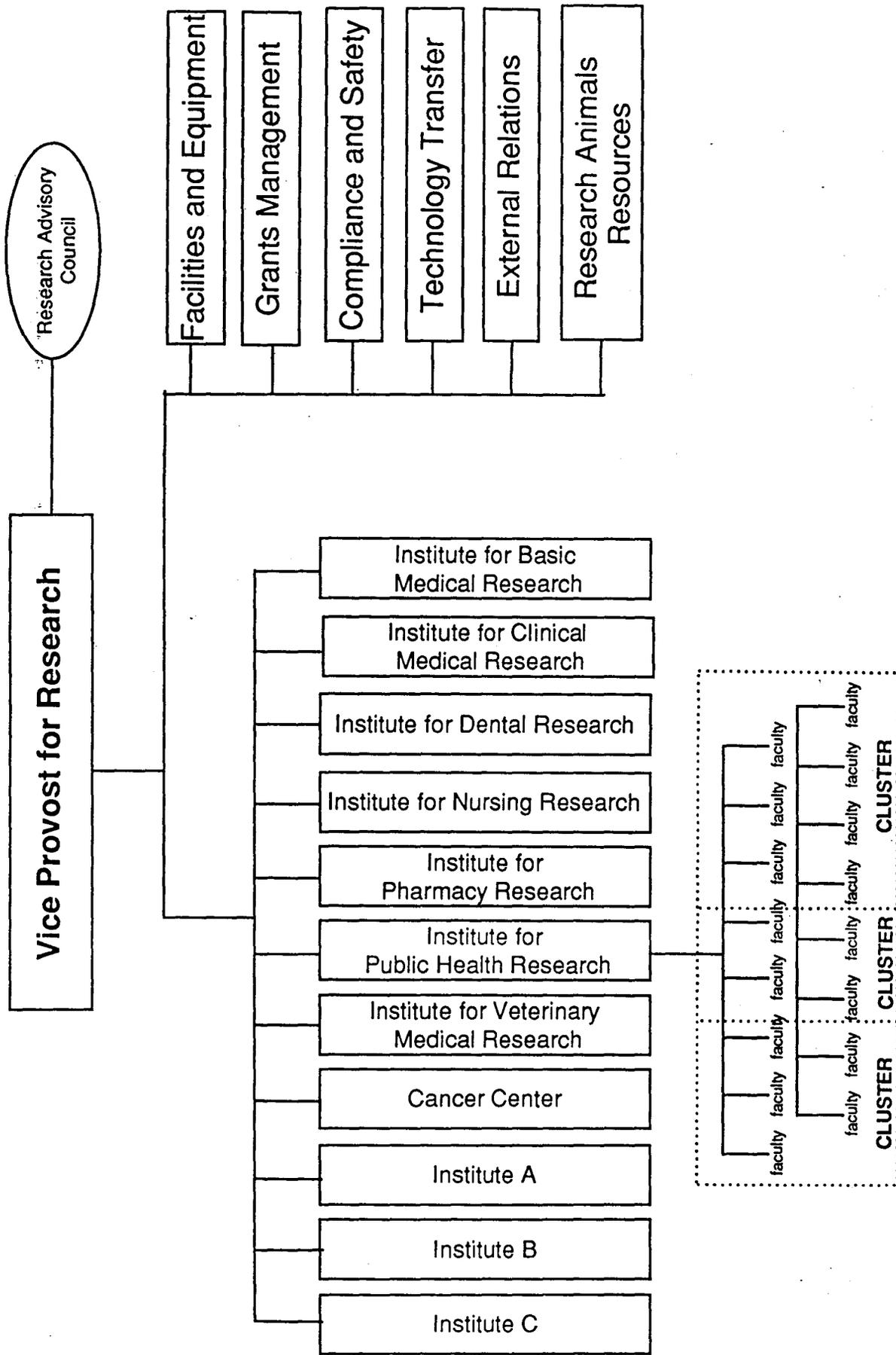
The first funding allocation process is an internal grant process for allocation of seed funds for new research areas. The Vice Provost should allocate funds and responsibility to appropriate Institute Directors to develop a request for proposals, establish peer review committees, and operate specific grant programs. All AHC faculty are eligible to apply for a grant from any Institute, and funds will be allocated by a process that includes ratings by interdisciplinary peer review committees whose members are all scientists in areas related to the topic of a specific internal grant initiative.

The second funding allocation process allows each investigator to have the opportunity to receive a small allocation of funds (say, \$5-50K/year) to use at their discretion for development of new projects, travel, specialized equipment, and similar allowable purposes. Such funds will be allocated strictly on a productivity formula basis, perhaps as a percentage of external grant funds raised. This allocation is designed to permit productive scientists to meet their specialized needs

with an efficient decentralized system of decision-making. Layers of chairs or directors need not allocate effort to decide many small budgetary decisions. This will allow investigators to efficiently focus on their work, without spending time convincing others of the need for items that represent a small expenditure of funds, but may have a high return in advancing the work of a given investigator. The allocation also functions importantly as a productivity incentive.

Research Support Services

Support services should be organized and delivered in a distributed manner, such that each scientist has direct contact with a person in close proximity whose responsibility it is to see to it that such support services are delivered. Support service delivery personnel are accountable for meeting the support needs of individual investigators and research teams. To ensure such accountability, provide for innovation, maximize efficiency, and guarantee that the support needs of investigators and teams are met, any research team, division, center, or institute in the AHC may establish a service center to provide needed services, or contract with other entities to provide such services, provided such service centers or contracts for services do not require additional AHC resources. Investigators will have the option to use support services separate from the provostial units if investigators decide that doing so improves the efficiency and effectiveness of their research efforts; in any event, all compliance requirements must be met.



Office of the Vice Provost for Clinical Affairs

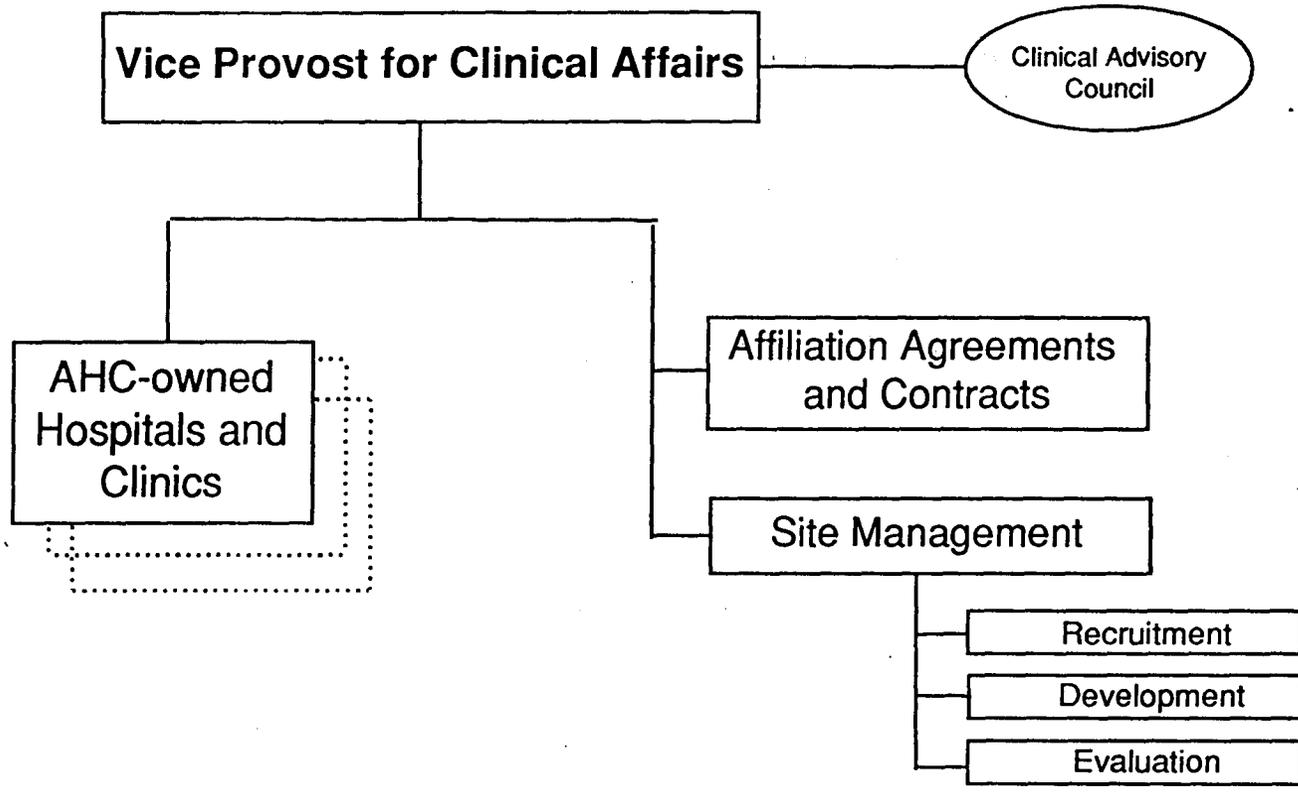
The Vice Provost for Clinical Affairs is responsible for providing leadership and oversight of AHC-owned hospitals and clinics and for assuring the availability and quality of training sites for AHC programs. This office performs predominantly as a staff function for the Provost. The Vice Provost will assist the Provost in representing AHC programs externally, particularly with regards to integrating clinical with educational and research needs

In the Vice Provost's role as leader of AHC clinical affairs, the Vice Provost selects, directs, and evaluates the directors of AHC-owned hospitals and clinics and is the AHC representative to faculty practice organizations. The office of the Vice Provost is responsible for recruitment, development, and evaluation of clinical sites; clinical sites budget planning, control, and allocation; and negotiation and monitoring of clinical affiliation agreements and contracts. The Vice Provost will also direct the school or programmatic site coordinators to provide uniform and coordinated relationships with clinical sites.

Role of the Vice Provost for Clinical Affairs - Academic Health Center

1. Vice Provost for Clinical Affairs has the responsibility, accountability, resources, and authority for:
 - assuring the availability and quality of clinical training sites
 - providing leadership for AHC-owned hospitals and clinics
 - selection, direction, oversight and evaluation of directors of AHC-owned hospitals and clinics
 - representing the AHC to faculty practice organizations
 - assisting the Provost in representing AHC programs externally
 - recruitment, development, and evaluation of clinical sites
 - clinical sites budget planning, control, and allocation
 - direction of school/programmatic site coordinators
 - negotiation and monitoring of clinical affiliation agreements and contracts

2. Vice Provost has input into policy, shared role in:
 - coordination of clinical with educational and research needs



AHC Department

The department will serve to provide integration for faculty as they develop their careers which encompass a combination of research, teaching, and in many cases, clinical practice or outreach. These departments will be organized to provide a collegial environment to foster faculty career development, oversight, and mentoring. Academic peer review for promotion and tenure will be initiated from and coordinated by the Department.

Each department will belong to a college. The typical AHC department will have 10 to 50 faculty members who share common educational and disciplinary interests. Space will be allocated to the department to provide offices, telephone, e-mail, secretarial, and other logistical support to each faculty member belonging to the unit. The departmental structure will also be used to facilitate faculty communication.

Departments may be delegated responsibility for the design and delivery of courses, and in some instances, educational programs. Likewise, the unit or an individual faculty member in the unit may participate in interdisciplinary courses. Resources for the delivery of educational components may be allocated by the Dean(s), either to individual faculty or to the department as a whole.

The Chair's primary responsibility will be to foster the career development of each faculty member. To be effective, each Chair will mentor faculty and assist in coordinating activities for faculty with the educational, research, and clinical or outreach organizations. This responsibility will make it necessary for Chairs to actively participate in the development of educational and research program innovation as well as to interface with clinical provider sites and centrally managed support services. The Chairs will thus serve as spokespersons for their programs. The Chairs will control those resources allocated for the delivery of educational components of the curriculum, and those that have been granted to the unit to provide faculty with offices and logistical support.

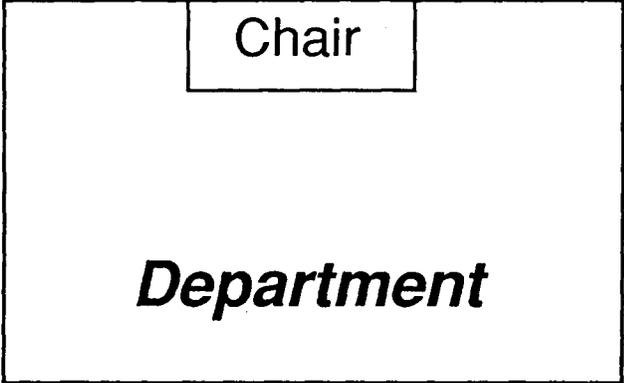
Role of the Chair - Academic Health Center

1. Chair has the leadership role, and where resources are allocated, the authority for:
 - faculty career development: oversight, mentoring, and advocacy
 - academic unit peer review for tenure and promotion recommendations
 - faculty office space allocation
 - faculty service logistic functions
 - course delivery as delegated by the Dean or VP Education

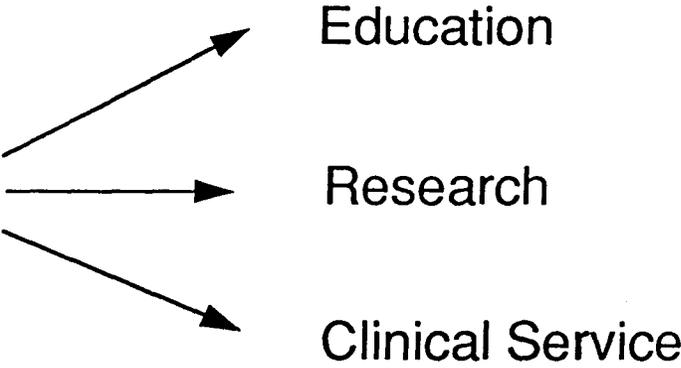
2. Chair has input into policy for, shared role in development of, serves as spokesperson for their program:
 - educational program innovation
 - research program innovation
 - clinical program: quality and interface with provider sites
 - oversight of the local service provider for centrally managed support services (e.g., grants management, accounting, IT, etc.)
 - faculty recruitment

Vice Provost for Education

Dean



Primary Activities



Unresolved Issues

Structure and Organization Issues

- membership and operating of advisory councils
- for AHC support functions: degree of AHC centralization vs. distribution by function
- degree of central University function vs. AHC autonomy in core service functions
- faculty governance: faculty role in making strategic decisions
- long-term role for Graduate School and responsibility for non-research-based graduate school programs (e.g., MS in Public Health, MS in Dentistry)
- reallocation of administrative positions in local units as those roles are changed
- addressing accreditation review issues as curriculum moves across traditional collegiate boundaries
- role of the AHC in clinical affairs of faculty practitioners
- development and the roles of the foundations

Processes in Need of Design

Processes in need of design:

- composition and selection/recruitment of members to advisory councils
- selection of department chairs: appointment, election, or some other model
- distribution of ICR and other research support in response to grant funding of research
- research development and establishing research priorities
- funds allocation of AHC research funds
- improving the quality and effectiveness of connection between the research enterprise and outside business fund sources, including improved technology transfer
- internal "grants" process for research
- hiring faculty members
- job performance review
- post tenure review
- staff human resource management: recruiting, development, retraining, career paths, and out placement
- clinical site needs assessment, site recruitment, site allocations (degree of centralization, local control and "ownership", affiliation agreement template development)
- education market research and outcome evaluation of professional programs
- determination of the proper role, composition, and extent of graduate medical specialist training
- process for moving parts of a curriculum out of a college and into the "Interdisciplinary Studies Programs"

Results of Collegiate Site Visits

The Organizational Structural and Design Team made one-day visits to each of the Academic Health Center schools and colleges (two-day visit to the Medical School) to ascertain what functions in support of education, research, and clinical service are performed by the schools and how these functions could be optimized within the AHC. These findings guided the design phase of the new AHC organizational structure.

AHC Wide:

- too many people and programs report directly to the Provost
- lack of coordinated planning for the AHC
- lack of fiscal information and ability to monitor status of AHC finances

Needs, difficulties, or issues that were common to more than one school or college included:

Central Services/Infrastructure:

- poor PR, poor representation of AHC interests and accomplishments
- lack of adequate information systems for financial management; widespread use of locally designed shadow accounting systems
- lack of adequate computer support services, lack of student access to state-of-the-art computer facilities, lack of funds for computer equipment replacement
- duplication of administrative activities at the department level, similar lack of interpretation across the AHC
- inadequacy of centralized (school-wide) administrative support structure (e.g., human resources, finance, facilities)
- reliance on a limited number of staff in the Dean's Office to perform a wide variety of administrative tasks
- lack of adequate support for external relations
- lack of coordination in facilities; research space, offices, barriers at the department level

Education:

- inertia regarding curriculum revision
- lack of interdisciplinary coordination in education programs
- lack of adequate classroom facilities (quality and access), particularly small group spaces
- lack of adequate financial aid services for students
- absence of student support services for graduate students
- education and clinical activities are necessarily interrelated and difficult to separate administratively
- education of graduate students and research activities are necessarily interrelated and difficult to separate administratively

Research

- need for capital investment in major equipment
- need for equipment repairs and routine maintenance
- lack of central support for grant preparation and administration
- lack of a rational and fair procedure for allocating and reallocating laboratory space
- need for statistical and research design support
- lack of a mechanism to promote optimal use of equipment across units
- grants management
- hard to complete relationships to outside entities

Clinical and Practicum Sites

- difficulty developing, evaluating, and maintaining sites
- difficulty securing adequate numbers of sites (more competition from other institutions, limited total number of sites, decreasing willingness of preceptors and sites to volunteer, increased requirement for sites resulting from curricular changes)
- lack of funds to pay for sites
- lack of interdisciplinary use and development of sites (no central mechanism for coordinating efforts and sharing information)
- lack of uniform policy for faculty practice plans

In addition to the above common needs, difficulties, and issues, each school had a unique style, culture and history, including differences in faculty governance, administrative complexity, and extent of resources (financial and facilities). Two schools were physically isolated from the rest of the AHC and had the added complexity of dealing with an additional administrative (The University of Minnesota-Duluth for the School of Medicine-Duluth and the St. Paul Campus for the College of Veterinary Medicine). Perhaps because of a focus on populations rather than patient care, the School of Public Health had less identification with the AHC compared with the other schools.

Appendices I

Graduate Student Program Management Design as of July 1, 1997

Graduate programs leading to research based degrees (PhD and some MS degrees) have their principal connection to the research enterprise of the Academic Health Center. The very close connection between research and the education of graduate students in the environment of discovery makes the two processes inseparable. Course offerings should be designed by the graduate faculty to meet the needs of their research students. Delivery of those courses will be most efficiently managed by the Academic Health Center's education unit.

Graduate School:

The Graduate School continues to play the central organizational role, providing overall program approval, graduate student admission and registration, and support and grievance roles.

AHC Research Institutes:

The Institutes in the Academic Health Center will serve as the academic homes for graduate programs. Each graduate program should designate one Institute as its administrative home for purposes of program support, logistics (mailing address, home page, etc.). The Institute will accept responsibility for the overall performance of the graduates programs under its administration, including program quality, development, and the creation or re-design of graduate programs. The Institute Director will be accountable to the Vice Provost of Research for the quality, scope, and effectiveness of graduate training programs in their Institute.

AHC Education Units:

The Deans of the respective colleges (and leader of the interdisciplinary programs where appropriate) will have the responsibility for providing the logistic infrastructure for delivering graduate courses. Assignment of instructors and evaluation of the quality of course offerings will also be the Dean's responsibility.

Appendices II

Design and Review of a Curriculum

The AHC must play a crucial role in leading the health professions. The AHC's major point of influence on the professions lies in setting the agenda for the health and health care education. Curricular design is thus fundamental to the mission of the Academic Health Center. In a world where health care is changing rapidly, the AHC must be able to look out in the world and far forward in time and create a model of the future for health professionals. Inside the AHC, educational processes must be both effective and efficient; they must offer good value to our students. The faculty in the AHC are key contributors to both issues. Faculty are a vital source of vision for what should be or could be and they are a key part of the system that accomplishes the day to day work of education.

Curricular change needs to be both evolutionary and revolutionary. Some change is best wrought by incremental improvement in existing programs, some by dramatic redirections or entirely new educational initiatives. For the AHC to be its best, both sorts of change must be operating at the same time. Curriculum design must be efficient, timely, and responsive to the needs of the greater world. Within the AHC, our educational programs must integrate across units, and the overall design of a professional program must take precedence over any single part.

The following is a draft template to guide the steps in curricular design for the AHC. It does not attempt to describe the actual design process, rather it lays out the sequence and structure of responsibility for the process. This template is mostly directed at large scale curricular changes. At its best, the curriculum will always evolve at a local level in response to the experience of the educators themselves.

1. Major curricular changes will likely arise from a variety of sources. In most cases, the needs for change will come from the faculty. In other cases, market scans, consumer or employer input, or the leadership of an individual may be the initiating spark.
2. Wherever initiated, and regardless whether the need for design relates major to change in an existing program or the initiation of a new one, the Provost has the delegated authority to decide that the AHC will deliver a particular educational program (professional, undergraduate, continuing education, or advanced clinical training). The Provost then gives a directive to the Vice Provost for Education (VPE) to create and/or deliver the program.
3. The VPE assembles a charge for the Dean of the appropriate College (or the leader of interdisciplinary programs, etc. where appropriate). The Charge might include the overall parameters, market needs, planning constraints, enrollment numbers, or other parameters that the VPE feels warranted in establishing. The VPE will be guided in part by input from their offices of market research, education R&D, and others in the AHC. The VPE gives the Charge to the Dean.
4. The Dean or their designee can add details on the specifications and constraints if they choose, selects a Chair, and empowers a team of people to create and deliver the design. The mandate from the Dean should include a time deadline in addition to the other parameters set above. In addition to assembling the team, the Dean must provide the resources the team needs to do the task: faculty and staff salary for time spent, money for clerical support, travel, consultants, retreats; whatever it will take to do the job. The team will likely be made up predominantly by faculty in the Dean's College, but will likely also include students, faculty from other AHC units,

outside constituents, and possibly either consultants or faculty from other similar colleges at other universities. Members of the Vice Provost's central staff (market researchers and education experts, for example) may also either participate on the team or provide useful input in the process.

5. By whatever consultative process (design of the process is being developed by the Education Team), a curriculum is designed. The design effort should include an iterative "checking" process for input from faculty, the Dean, the VPE's staff, students, and appropriate external constituencies. Subdivisions of the curriculum may be delegated to specialty faculty groups for recommendations to the design team. The process should include input from content experts (mostly faculty), education experts, from people who understand the implications on delivery (particularly clinical site needs), manpower needs, and from budget specialists as needed. The design should place an emphasis on looking for ways to develop interdisciplinary linkages between units in the AHC. At this stage the design is driven by the desired outcome of the curriculum and is only broadly constrained by budget or other resource constraints. The design is delivered to the Dean.

6. The Dean delivers the draft design to the VPE for review, comment, and preliminary approval. Following the preliminary approval by the VPE, the proposed curriculum is presented to the faculty of the college for a vote of recommendation whether the new curriculum be adopted. The vote and any recommendations would be forwarded to the Dean for final action.

7. Based on the design, the Dean (and appropriate staff or faculty) will prepare a delivery plan, budget, manpower needs, and clinical site needs document. Clinical site needs are forwarded to the Executive Director for Clinical Affairs for feasibility and expense planning. If binding resource constraints are found at this stage, then the issues are defined by the Dean and communicated back to the design team. A revised curriculum is designed as before and steps 4 and 5 repeated until a final curriculum is designed.

8. The design, budget, and resource needs for the curriculum are given to the VP for Education who evaluates the requests. The VPE can return designs for further work if they do not meet the educational objectives, are too costly, or if they do not take advantage of interdisciplinary opportunities. The VP for Education assembles the total programs across the colleges and their budgets and presents these to the Provost for approval and funding.

9. Once approved and funded by the Provost and based on all input, the Vice Provost approves the curriculum and allocates the resources to the Dean that will be needed to deliver the curriculum.

10. Steps 5 through 9 occur annually. Significant design efforts happen on an as needed basis. The Dean has direct authority to make more local changes and fund them from the existing budget on a direct basis internal to the program.

NB: In the above process, there would be extensive faculty input in the design process and a final design step of a vote by the faculty of the college to recommend whether the curriculum be adopted. In the new AHC operating model, it becomes problematic how one would determine who are the faculty who would be members of a "college" (educational curriculum?) and would approve curricular design. For example, are the following people formally members of a college's faculty and should vote to approve a curriculum?

- a teacher who teaches equally in three AHC degree program curricula, but is nominally hired by one college while being paid by three Deans for their education efforts.

- a researcher who is nominally hired by, say, the medical school, who teaches a few seminars in the Graduate School to advanced PhD students, but who spends 95% of their time doing soft money funded research in the Cancer Center.

- a faculty clinician who practices 50% time and is paid by the practice plan (not in a teaching role), and who lectures in parts of two medical school clinical courses (5% of time) and is currently paid the remaining 45% on a grant to do outcomes research in health care delivery.

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September 17, 1996

Memo To: Academic Health Center Faculty Consultative Committee

From: Robert Elde, Dean, College of Biological Sciences, and
Chair, Biological Sciences Policy Council

Subject: Reorganization of the Biological Sciences at the U of M

The enclosed document will be discussed at the September 19 meeting of the AHC
FCC.

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A Plan to Reorganize the Biological Sciences at the University of Minnesota

Part I: Statement of the Problem

The development of modern biology has been one of the great success stories of the twentieth century. Public concerns about issues such as health, population, food supplies, quality of life and the environment have resulted in an unprecedented public investment which continues to this day, despite downturns in funding in all other areas. Interdisciplinary research and simultaneous advances in the physical sciences and engineering have generated new approaches and new questions. Many age old questions have been answered and new discoveries have changed our understanding of our bodies and minds, our awareness of our environment and the practice of medicine and agriculture forever. Most important, the intellectual framework of biology has undergone radical restructuring so that it is now based on levels of organization rather than taxonomy.

Although there are many biologists at the University of Minnesota, the organization of biology here has not kept pace with these changes. One of the great themes in the development of twentieth century biology has been the unification of previously distinct fields. However, biology at the University is dispersed across the three provostal units, many departments and an even larger number of graduate programs. As a result, our collective efforts lack intensity, policy decisions frequently do not make use of the collective wisdom of the biological community and redundancy at every level dissipates our financial resources.

The effects of this disorganization are manifold. Because biology does not have a high profile at the university, the number of undergraduates majoring in biological disciplines lags far behind the national average. Although the economy of Minnesota depends heavily on health care, agriculture, natural resources, we are not generating the number of sophisticated graduates in biology required to bring these industries into the twenty-first century. We recruit relatively few outstanding graduate students and as a result we are not as successful as we should be in competing for training grants. Although we continue to attract strong junior faculty, we have a great deal of difficulty in recruiting and retaining outstanding senior faculty. Only three biologists are members of the National Academy. Our faculty compete well for individual research grants, but we do not fare as well collectively. Our average ranking in the core disciplines in the biological sciences in the recent report (1993 study, published in 1995) from the National Research Council (NRC) was 36. We receive no institutional support from the prestigious Howard Hughes Medical Institute and federal support for multi-investigator research programs as opposed to projects of individual investigators is modest. This will become increasingly problematic since federal policy appears to be shifting towards increased support of multi-investigator programs.

The Core Disciplines in Biology:

One of the fundamental problems in the organization of biology at the University of Minnesota is the failure to distinguish at the policy-making level the core disciplines of biology from the professional disciplines or "applied" biology. The core disciplines deal with fundamental questions of mechanism at the molecular, cellular, genetic, organismal, ecological and evolutionary level.

- Questions at the molecular level include:
 - How do biological molecules recognize and interact with each other?
 - How do enzymes catalyze reactions?
 - How is light used in photosynthesis?
 - How are electrical potentials generated across cellular membranes?
- Questions at the cellular level include:
 - How do cells recognize each other?
 - How do cells move?

- How do cells divide?
- How do materials enter and leave cells?
- How are these processes controlled?
- How are nerve impulses transmitted?
- Questions at the genetic level include:
 - How is genetic information encoded?
 - How is genetic information transmitted from parents to offspring?
 - How is genetic information expressed in an individual?
 - How is the expression of genetic information regulated?
- Questions at the organismal or systems level include:
 - How do genes control the development of an organism?
 - How do hormones act?
 - How does the immune system work?
 - How is movement initiated and controlled?
 - How do we (and other organisms) see?
 - How do we feel pain?
 - How do size and shape of organisms relate to their other life history characteristics?
 - How does behavior affect life history evolution?
- Questions at the ecological level include:
 - How do physical and biological factors interact in shaping an ecological community?
 - How does diversity benefit an ecological community?
 - How does an ecological community adapt to environmental changes?
 - How do behavioral interactions influence population and community dynamics?
- Questions at the evolutionary level include:
 - How do new species originate?
 - How do existing species avoid extinction?
 - How do the mechanisms of evolution shape the patterns and processes of all biological systems?
 - How do phylogenies reflect environmental and biogeographic histories of the earth's biota?
 - How does knowledge of phylogenies make possible an understanding of evolutionary processes?

Note that all of these questions begin with "how". The core disciplines of biology are concerned with general principles and the "rules" that govern the operation of biological systems. The great advances in biology in this century have resulted from the tremendous progress that has been made in being able to frame and address these questions. Since all biological systems obey these "rules", this new understanding has in turn had enormous impact on how we develop public health policy, diagnose and treat disease, develop new varieties of plants and animals in agriculture and evaluate and manage our environment. The core biological sciences are the engine that drives development in all of the applied biological sciences.

Because the University of Minnesota is a land grant institution, founded to meet the immediate needs of the state as perceived by its citizenry and their elected representatives, the development of applied biology has been emphasized. We have invested heavily in the professional disciplines in the schools of human and veterinary medicine, dentistry, nursing, pharmacy, public health, agriculture and natural resources. Development of the core biological disciplines has not kept pace. Yet they are critical in determining our national and international reputation; our ability to recruit outstanding undergraduates, graduate students, postdoctoral fellows and faculty members; and to keep the applied biological sciences at the cutting edge.

The Speaks Report:

The last major examination of the organization of biology on the Twins Cities campus was in 1985, when the Speaks committee, comprised of 14 faculty from departments ranging from Nursing and Communication Disorders through Biochemistry and Ecology and Behavioral Biology to Animal Sciences and Forest Resources, was charged with "evaluating the potential of research and graduate training in biological/life sciences at the university" and recommended several "mechanisms for helping us achieve this potential".

This committee identified four major problems: national rankings, number of high quality applicants to many graduate programs, faculty morale and the number of "stars" in the biological/life sciences. These are still considered to be the major problems today.

The Speaks committee made two broad general recommendations:

1. Faculty and administrators must develop clearly defined goals for the biological/life sciences.
2. The University should explore ways to promote recognition of the excellence that currently exists within the community of scientists in the biological/life sciences.

This committee also made many specific recommendations about mechanisms to improve and motivate the faculty, support for graduate students and graduate programs, direct support for research and equipping teaching laboratories. Many of these recommendations required new investments and only three have been carried out. Teaching laboratories are better equipped, the Dean of the Graduate School is now also Vice President for Research, and, for better or worse, we still have two Biochemistry departments.

The conclusions of this committee concerning the organization of the biological sciences are of particular interest. They are summarized below:

1. Basic biology requires strong core units in a college that is administratively outside the IAFHE (now COAFES) and the Health Sciences.
2. In addition, research and education in basic biology should continue within the IAFHE, Health Sciences, IT and other units.
3. The strengthening of basic biology should not be at the special expense of applied biology.
4. The basic biology core must include a strong unit in biochemistry.
5. A much higher level of consistent interaction between the physical and biological sciences must be achieved.
6. Strength in basic biology must be maintained on both the St. Paul and Minneapolis campus.
7. The system must have increased flexibility to facilitate the initiation, early growth and--when appropriate--the disappearance of innovative research enterprise.
8. Communication among administrators and faculty in the biological/life sciences should be fostered.
9. Recognition of the importance of research should be incorporated into the University's administration.
10. The important role of the IAFHE, Health Sciences, and CBS in providing professional training and outreach to the state and nation should be recognized and supported.

In a sense, the development of biology on the Twin Cities campus in the intervening ten years has basically been consistent with, if not driven by, these recommendations. There is strong basic biology in CBS, the Academic Health Center, COAFES and IT. Applied biology has flourished across the campus. However, the lack of integration of the basic biological units, and the lack of communication at the policy level between basic and applied units has resulted in the whole being less than the sum of its parts. Furthermore, the duplication of core biology in several units is much more difficult to justify in a time of diminishing resources at every level than it was in 1985, when the noose was just beginning to tighten.

The Phillips Committee:

In the fall of 1995, the three Provosts directed the Biological Science Policy Committee, comprised of the Deans of COAFES, CBS, the Medical School, the Graduate School and the Dental School (representing the Applied Health Sciences), to re-examine the organization of biology. As a first step, the Council appointed a committee of nine eminent scientists, three from the Academic Health Center, four from the College of Biological Sciences and two from COAFES, to define the core of biology at the University of Minnesota, give its impression of the basic biological sciences on the Twin Cities campus, make the case for any recommended changes, define the boundaries for future considerations of change and address issues in public relations, visibility, infrastructure and the reward system.

This committee identified four problems:

1. The lack of a cohesive University-wide overview that reflects the broad interests of biology that results in duplication and unproductive competition at the levels of both teaching and research.
2. Dispersion of faculty across administrative units and campuses disadvantages us at every level.
3. Many efforts at recruiting and retaining exceptional faculty fail.
4. The inadvertent development of incentives to duplicate courses, particularly RCM, threatens to increase course duplication and diminish quality.

The report emphasized the need for a commitment to unification, particularly in making policy decisions, and a commitment to quality in several areas--focus, productivity, interactions, expectations, visibility and physical proximity.

It made the following specific recommendations:

1. Create a single unit of Basic Biological Sciences responsible for teaching and research of basic biology.
2. Facilitate the physical regrouping of biologists with common interests and research technologies to optimize existing and potential collaborations.
3. Establish a common culture of high expectations of quality and productivity in the new single unit of Basic Biological Sciences.
4. Recruit and retain outstanding faculty who have international reputations.
5. Create a feeling of community amongst all biologists at the University.
6. Move forward expeditiously.
7. Form a Biological Sciences Coordination Council composed of elected faculty.
8. Improve our communication of biological science to the general public.

The committee also pointed out that the faculty in biology are dispersed among more than 35 departments in more than six colleges on two campuses reporting to three different provosts. It recommended the organization of faculty in the core disciplines into areas of focus, with members of a given area of focus located in physical proximity.

There are many common themes in the Speaks and Phillips Report. Both reports make a clear distinction between basic and applied biology and emphasize the dependence of applied biology on basic biology. Both recognize the tension in supporting both basic and applied biology adequately. Both recognize the need for a strong unit dedicated to basic biology. Both recognize the two campus problem; however, while the Speaks committee compromised by recommending that strength in basic biology be maintained in both Minneapolis

and St. Paul, the Phillips report advocates judicious grouping of biologists with common interests in the same physical location.

Other Institutions:

In thinking about how biology should be organized at the University of Minnesota, it is instructive to examine institutions that are ranked more highly. The rankings of the top 20 institutions in seven of the core biological sciences from the 1995 National Research Council study are listed in Table 1 (appendix). Public institutions are shown in bold.

The major public institutions that we would like to emulate in the core biological sciences clearly include the University of California at Berkeley, San Francisco, San Diego, and Los Angeles; University of Wisconsin at Madison; University of Washington at Seattle; University of Illinois at Champaign-Urbana; and University of Michigan at Ann Arbor. Institutions whose rankings have improved dramatically since the 1983 NRC review also warrant attention; these include the University of California at San Francisco, University of Colorado, Washington University and University of Texas Southwestern Medical Center.

Which medical schools might we use as models? Of the many ratings, one of the most relevant to the core biological sciences is the list of medical schools recently awarded one of the new series of institutional grants from the Howard Hughes Medical Institute that are designed to strengthen core disciplines in the basic sciences. (See Table 2, appendix)

Note that a number of public institutions are ranked in the top twenty in the NRC rankings and also received HHMI institutional grants; for example, the Universities of California at Los Angeles, Washington, Wisconsin, Colorado, Iowa and North Carolina. Clearly, at these institutions there is a synergy between excellence in the biological sciences disciplines and excellence in medical education. Further, the University of California at Berkeley is not a medical school and yet, through other Hughes programs has 6 HHMI Investigators and is also highly ranked in biological science disciplines by the NRC.

How do these institutions differ from the University of Minnesota? Some are larger universities, with proportionally larger investments to make in biology. For example, the WARF fund at the University of Wisconsin generates millions of dollars of revenue each year that are used to support faculty research in biology. When excellence is achieved at smaller institutions, for example, the Universities of North Carolina and Iowa, the institution has generally made a disproportionate investment in the fields in which it has achieved excellence. Reorganization is often the key to success; for example, Berkeley underwent major reorganization in biology, during a period when biology at Minnesota has been relatively stagnant. Others such as University of California at San Francisco, Washington University and the University of Washington at Seattle have been in a period of rapid growth and have benefited from extensive funding from the Howard Hughes Medical Institute and strong ties to industry - Genentech at the University of California at San Francisco and Microsoft at the University of Washington. Both mechanisms have allowed these institutions to respond to the changing nature of biology. For some, improved rankings correlate with the presence of Nobel prize winners; for example, the University of California at San Francisco, University of Colorado and University of Texas Southwestern Medical Center. Frequently, the presence of a Nobel prize winner has provided justification for the highly visible development of a specific field (or vice versa).

Many of these institutions invested in key fields much earlier than the University of Minnesota. Frequently, development in a new field was linked to the development of an Institute which provided a scientific focus as well as a focus for fund-raising. For example, critical hires in the central approaches of structural biology, macromolecular X-ray crystallography and nuclear magnetic resonance spectroscopy, were made in the late 1960s and early 1970s, respectively, in many institutions, while the corresponding hires were not made in Minnesota until the early 1980s and late 1980s, respectively. Similarly, in the early 1980s, when many institutions were building up molecular biology, Minnesota spent its efforts wrangling over administrative structure and hired less than a dozen people in a field that has become the foundation for virtually all subsequent developments. Neurobiology and immunology have experienced similar delays.

Few of these institutions encompass the breadth of mission on a single campus that exists on the Twin Cities

Campus. Within the California system, UCSF is the focus for biomedical research while agriculture is concentrated at Davis. Similarly, in Washington, North Carolina and Michigan, agriculture is localized in the state university system, rather than in the flagship universities. In contrast the biologists on the Twins Cities campus have several separate missions -undergraduate, graduate, and professional education; biomedical, agricultural and natural resources research. One obvious lesson is that we may need to decide where we want to excel and stop trying to be good at everything.

In addition, the four mile separation between the Minneapolis and St. Paul portions of the Twin Cities campus creates a difficult organizational problem that continually generates barriers to communication, interaction, and synergy and hence is a prescription for redundancy. It also separates the St. Paul faculty from most of the undergraduate student body as well as the General Biology teaching laboratories.

Many top-ranking institutions have developed "umbrella" graduate programs that provide broad training to entering students and allow the student to defer the decision on specialization until they have acquired a broad perspective. Most institutions that have instituted these programs report a dramatic increase in the quality of applicants and matriculants. These programs are most advantageous to institutions that are trying to develop strong programs in emerging disciplines such as the neurosciences and developmental biology which combine the approaches of more established disciplines.

In many of the top-ranking institutions, the most distinguished scientists teach both undergraduates and graduate students. For example, at the University of Michigan, the Department of Biological Sciences, organized administratively through the Medical School, is responsible for all undergraduate and graduate education at Michigan. This is true here for Ecology, Evolution and Behavior, our highest ranked department in the biological sciences. However, in other areas, such as Biochemistry and Cell Biology, there has been a differentiation of mission, with faculty in the medical school teaching only graduate students and professional students in the health sciences, while faculty in the College of Biological Sciences are solely responsible for undergraduate education and have varying involvement in teaching graduate courses. This differentiation may hurt the institution in several ways: our undergraduates are exposed to only a small fraction of the total number of outstanding biologists on campus; the faculty and graduate students in the College of Biological Sciences can be cut off to some extent from the mainstream of research and graduate education in biology; and faculty in the Medical School do not experience the rewards of undergraduate education. In many of the more highly ranked institutions, biology is one of the most popular undergraduate majors.

Future Prospects:

Minnesota's NRC rankings generally slipped between 1983 and 1995. For example, Biochemistry was ranked 28th in 1983 while Biochemistry and Molecular Biology was ranked 39th in 1995. Arguably, one of the factors that hurt us here was the lack of a concerted institutional response to developments in Molecular Biology in the 1970s. As an institution, we need to develop administrative structures that can respond more rapidly to change, since one of the messages that emerges from the NRC rankings is that the institutions that are highly ranked in a given field are those that recognized the opportunity early. Unless changes are made, the University of Minnesota will slip further and further from the cutting edge of biology. This is something we cannot afford to do, given our institutional investment and the importance of biology intellectually, economically and socially.

The departments in which faculty in the core disciplines of biology are concentrated are aging and growing smaller, since few new hires have been made in the past ten years, some outstanding younger faculty have been recruited away and there are an increasing number of retirements where faculty have not been replaced. As the reputation of the University in biology declines, the resources available for new hires will decline, as will our ability to recruit and retain outstanding faculty.

The College of Biological Sciences has already reached a critical state. The projected retrenchments over the next five years will almost preclude hiring any new faculty with College funds. During this period there will likely be at least 9 retirements, bringing the total number of faculty in the College down to 75. This is simply not a situation in which excellence in either teaching or research can be sustained in a field that is changing as rapidly as biology.

Prospects in the Medical School for the core disciplines in biology are also uncertain. The pressure of increased competition and declining revenues has forced an emphasis on research with more direct clinical applications rather than fundamental mechanistic studies. As in the College of Biological Sciences, faculty with these interests are declining in numbers and increasing in age and feel badly torn between their allegiance to their discipline and the obvious need to move in the direction that the Medical School appears to be moving. Some would also like to have more contact with students within a disciplinary context than is possible at present. Since excellence in medical education is generally coupled with disciplinary excellence, as the recent HHMI awards illustrate, resolving these tensions would strengthen both the Medical School and the disciplines.

A Plan to Reorganize the Biological Sciences at the University of Minnesota

Part II. Proposed Solutions

1. Overall approach

The overall goal of the reorganization of the biological sciences is to increase the quality of the disciplines that represent the core of biology. At present, and with few exceptions, the core disciplines are too weak to be nationally competitive. This is due, in part, to a failure of the University to designate responsibility for the disciplines as currently recognized. Major new disciplines within the core of biology have arisen over the past three decades (i.e., molecular biology, cell biology, neurobiology). They arose, not surprisingly, because leading research universities canonized them as disciplines and new scientific societies were born and now thrive. During this thirty year period, the University of Minnesota failed at an institutional level to support adequately these now mature disciplines. The University chose to pretend that previously important departmental structures could embrace the newly emerging disciplines. However, some faculty who were convinced by the excitement of the new disciplines desperately sought a foothold here at the University of Minnesota and found that our Graduate School was willing in some instances to support what had become *bona fide* disciplines at other institutions as "interdisciplinary" graduate programs here at Minnesota. Although the support of the Graduate School was warmly received, its financial resources and influence were not sufficient to grow and protect the new disciplines. In contrast, substantial support was generated for the new disciplines in the biological sciences at our competing institutions.

The overall approach for the reorganization of biology is to reduce the barriers that currently prevent realization of our potential as a community of biologists. Further, we propose discrete mechanisms, each of which requires further examination and shaping prior to implementation, that will lead to the unification of the faculty into entities that can deliver significantly greater quality to our teaching, research and outreach.

For the purposes of this discussion, the non-professional, core disciplines of biology include the following:

- animal biology
- behavioral biology
- biochemistry
- cell biology
- developmental biology
- ecology
- evolutionary biology
- general biology
- genetics
- microbiology
- molecular biology
- neurobiology
- physiology
- plant biology

2. Undergraduate education in the core disciplines of biology

At present, undergraduate education in biology is confusing to potential and matriculated students because of the myriad of entry points and the plethora of courses with similar titles. Second, the University of Minnesota Twin Cities is not regarded as an institution that provides a high quality undergraduate education in biology by potential students and their families. If they are seeking a high quality education at a Big Ten institution they

are likely to enroll at either Madison or Ann Arbor. The University of Minnesota is simply not viewed as a national contender in high quality undergraduate education in biology - a fault that is exemplified by the few non-residents that we attract to our programs. Of the state residents that we do attract, too few of them decide to major in a biological discipline. This situation is pitiful, given that the State of Minnesota, with its "10,000" lakes and outdoor-oriented populace, probably inspires more budding biologists per capita than any other state. We seem to either export that enthusiasm to our competitors or drown it in our institutional confusion. This is unfortunate because CBS has distinguished itself in different aspects of undergraduate education in biology, for example, in General (introductory) Biology and with its programs for under-represented students. Interestingly, the institutions in the NRC's roster of highly-regarded *graduate* programs in the biological disciplines turn out to be institutions that are also magnets that attract *undergraduate* students into biology (or, *vice versa*).

The following measures are proposed to strengthen the curriculum for undergraduates. The expected outcome is to increase the profile for the University of Minnesota as a major research university with a focus of high quality instruction and research opportunities in core disciplines in biology as well as an unusually comprehensive access to the professional disciplines in biology.

A. A single corridor into the undergraduate curriculum in biological sciences will be developed. This corridor will be the College of Biological Sciences (CBS), and therefore CBS will become a freshman admitting college.

B. Courses in the core disciplines that are fundamental and prerequisites for courses in the core and the professional disciplines in biology (typically 1000- and 3000- level) will be coordinated by CBS and offered by Master Professors. As a group, these courses will be referred to as "Fundamentals in Biology" followed by further descriptors (i.e., Fundamentals in Biology: Biochemistry 1234).

C. The aforementioned courses will be organized and taught by a group of "Master Professors in Biology" that will be drawn from the faculty of CBS as well as faculty from all other colleges offering degrees in the professional disciplines of biology. This faculty will be selected for their prior accomplishments in scholarship and teaching, and will therefore be mid-career and senior faculty. The distinction of Master Professor will carry an augmentation to salary in the amount of \$3000 annually (or, an equivalent sum available for discretionary research spending by the Master Professor).

D. Each college with programs that rely upon the Fundamentals in Biology courses will assign a prorated share of FTEs for inclusion in the group of Master Professors in Biology. Prorating will be based upon the number of students predicted to flow through the courses in the Fundamentals in Biology. Faculty appointments will remain within their home college. Under RCM, the unit of instruction will receive 75% of the tuition revenue for each course. If RCM is not instituted, some comparable method will be used to achieve that same result. Participation in the Master Professors program by each college will ensure that the curriculum meets the needs of students who will track into each of those colleges.

E. The present undergraduate majors in the non-professional core disciplines of biology (i.e., Biology, Biochemistry, Ecology, Evolution & Behavior, Genetics and Cell Biology, Microbiology, Physiology, Plant Biology) will be expanded to include Human Biology and Neurobiology. The curriculum in Human Biology will focus on those aspects of biology that interface with the social sciences (i.e., psychology, child development, sociology, geography) and the human condition (i.e., philosophy, medicine). The curriculum in Neurobiology has been developed by a committee chaired by Professor Richard Poppele.

F. The teaching facilities for General Biology, currently housed within Kolthoff Hall (principally occupied by the Department of Chemistry), will be relocated to be within the community of biologists on the Minneapolis portion of the Twin Cities Campus.

G. A major outpost of the present Office of Student Services (CBS) will be created within the community of biologists on the Minneapolis portion of the Twin Cities Campus.

H. A unified and vigorous recruiting program for prospective undergraduate students in both the professional

and non-professional disciplines of biology will be developed. In particular, emphasis will be placed on the central role played by the Master Professors for the Fundamentals in Biology courses.

3A. Graduate education in the core disciplines (doctoral training)

Graduate education at major research universities is the most important activity in perpetuating and advancing the core disciplines through the scholarship of graduate students and the faculty. However, many of the core disciplines in biology at the University of Minnesota suffer by mistakenly being considered "interdisciplinary" while others have not received attention commensurate with our competition for reasons outlined above in Part I. The goal of reorganization of graduate programs in the core disciplines of biology is to *bring clarity to the leading disciplines in the core of biology* in a manner such that they can be recognized as such by prospective students, and so that they can be nurtured by a faculty and administration committed to excellence and achievement.

The configuration of graduate programs at the University of Minnesota reflects to a large extent, the historical, departmental structure of the professional disciplines of biology as well as varied attempts to codify the disciplines that emerged in the core of biology during the last three decades. As such, the list of graduate programs is long (38 programs in the Biological Sciences Policy and Review Council) as well as confusing in names of programs and in the claims of intellectual coverage. Intellectually, biology is unifying at an unprecedented rate in part because genomic analysis has revealed key relationships between simple and complex organisms. Organizationally, biology is unifying at competing universities. Thus, it is imperative that consolidation of graduate programs in the biological sciences at the University of Minnesota occurs, and that the basis for such unification be rational. The following approach brings about clustering of graduate programs where the basis for clustering is a core knowledge deemed to be common to the involved programs. A further principle for unification is a broadening of the core curriculum for students in a given program, so that their background will be sufficient to allow for flexibility in career options upon completion of the graduate degree.

The following programs that contain elements of the core disciplines in biology will be asked to consider seriously the option of clustering:

Cellular, Molecular and Biomedical Sciences

- Biochemistry, Molecular Biology and Biophysics
- Cell & Integrative Physiology
- Microbiology, Immunology and Molecular Pathology
- Molecular, Cellular, Developmental Biology & Genetics
- Neuroscience
- Pharmacology
- Plant Biological Sciences

Plant Sciences

- Agronomy
- Horticulture
- Plant Breeding
- Plant Pathology
- Plant Biological Sciences

Environmental Sciences

- Conservation Biology
- Ecology
- Fisheries
- Wildlife Conservation
- Zoology

One potential model for the clustering of graduate programs is appended to this report ("Proposal: Formation of the Graduate Program in BioMedical Sciences").

3B. Graduate education in the core disciplines (Professional Masters in Biology program)

A further opportunity and responsibility for the community of biologists at the University of Minnesota is to provide options for "lifelong" learning. Some years ago graduate education was a sequential process, with the Master's degree usually or often preceding the Ph.D. During the last two decades in the core disciplines of biology, the number of traditional Master's degrees awarded has fallen dramatically while the number of Ph.D. degrees has risen. With few exceptions, the traditional Master's degree in core disciplines of biology has disappeared. We seek to address a clear need in this area.

A significant trend in American higher education has been the return to the universities of students who obtained BA/BS degrees some years previously. These students have typically been employed in technical positions in industry or have been teachers at the K-12 level and from their work experience and station in life have found renewed energy for academic pursuits. At present, the core disciplines in biology at the University of Minnesota have little to offer these individuals. We propose the creation of a Professional Masters in Biology Program which will offer terminal Masters degrees in some of the fields of biology. This program will be administered by the College of Biological Sciences and will involve faculty from several of the biologically-oriented colleges.

The final two portions of the proposal for the reorganization of the biological sciences have not yet been thoroughly explored by the deans of the Biological Sciences Policy Council. Only a preamble is given for each. These items will be the focus of a retreat of these deans, the purpose of which will be to arrive at a consensus concerning these matters. They will then be made available for discussion and comment prior to formulating final recommendations. In the meantime, faculty are encouraged to caucus, develop position papers on these matters and forward these ideas to the deans.

4*. Recognition and reconfiguration of research foci in the core disciplines in the biological sciences

It is recognized by the deans that the intensity and quality of research in the core disciplines in biology are enhanced dramatically by the physical and intellectual environment in which the studies are conducted. Thus, physical relocation of individuals and groups of faculty (both within and between campuses) should be explored. It would be helpful for faculty who see the value of regrouping to express their interest.

5*. Administrative streamlining necessary to accomplish and sustain the above.

It is recognized by the deans that the core disciplines in the biological sciences can be adequately supported in these times of limited and possibly dwindling resources only by the unification of faculty into single, discipline-based departments. The deans remain open to all suggestions on these matters.

TABLE 1

Biochemistry & Molecular Biology

1	Univ. of CA-San Francisco
2	Massachusetts Inst. of Tech.
2	Stanford University
4	Univ. of California-Berkeley
5	Harvard University
6	Yale University
7	California Institute Technology
8	Univ. of Wisconsin-Madison
9	Univ. of California-San Diego
10	Johns Hopkins University
10	Columbia University
12	University of Colorado
13	Washington University
14	Univ. of California-Los Angeles
15	Duke University
16	University of Pennsylvania
17	Brandeis University
18	University of Washington
19	Baylor College of Medicine
20	U of TX-Southwestern Med. Ctr.
39	University of Minnesota

Physiology

1	Yale University
2	Univ. of California-San Diego
3	University of Pennsylvania
4	Univ. of California-Los Angeles
5	Univ. of CA-San Francisco
5	Baylor College of Medicine
7	University of Washington
7	Stanford University
9	University of Virginia
9	Columbia University
11	University of Chicago
12	University of Iowa
13	California Institute Technology
14	New York University
15	University of Michigan
15	Vanderbilt University
17	Albert Einstein College of Med.
18	Mayo Graduate School
19	John Hopkins University
20	U of Illinois Urbana-Champaign
20	Univ. of Alabama-Birmingham
72	University of Minnesota

Neurosciences

1	Univ. of California-San Diego
2	Yale University
3	Harvard University
4	Univ. of CA-San Francisco
5	Stanford University
6	Columbia University
7	Johns Hopkins University
8	Washington University
9	Univ. of California-Berkeley
10	California Institute Technology
10	University of Pennsylvania
12	University of Washington
13	Rockefeller University
14	Massachusetts Inst. of Tech.
15	Univ. of California-Los Angeles
16	Duke University
16	Case Western Reserve Univ.
18	University of Michigan
19	Baylor College of Medicine
19	Brandeis University
34	University of Minnesota

Molecular and General Genetics

1	Massachusetts Inst. of Tech.
2	Univ. of CA-San Francisco
3	Harvard University
4	California Institute Technology
5	Stanford University
6	Univ. of California-San Diego
7	Univ. of Wisconsin-Madison
8	Yale University
9	Johns Hopkins University
10	Univ. of California-Berkeley
11	University of Chicago
12	Columbia University
13	University of Utah
14	Baylor College of Medicine
15	Duke University
16	Washington University
17	University of Washington
18	U of TX-Southwestern Med Ctr.
19	University of Pennsylvania
20	U of NC--Chapel Hill
34	University of Minnesota

Ecology, Evolution & Behavior

1	Stanford University
1	University of Chicago
3	Duke University
4	Cornell University
5	Univ. of California-Davis
6	Princeton University
7	University of Washington
8	Univ. of California-Berkeley
9	Univ. of Wisconsin-Madison
10	State U of NY-Stony Brook
10	Univ. of Texas at Austin
12	University of Michigan
13	Washington University
14	University of Pennsylvania
15	University of Minnesota
16	University of Georgia
17	Yale University
18	Univ. of California-Los Angeles
18	Univ. of California-San Diego
20	Univ. of CA-Santa Barbara

Pharmacology

1	Yale University
2	U of TX-Southwestern Med Ctr
3	Univ of California - San Diego
4	Johns Hopkins University
5	Duke University
6	Vanderbilt University
7	Harvard University
8	U of NC-Chapel Hill ¹
9	University of Washington
9	University of Pennsylvania
11	Massachusetts Inst of Tech
12	Univ of Wisconsin-Madison
13	University of Michigan
14	New York University
15	Emory University
16	U of NC-Chapel Hill ²
17	Stanford University
17	University of Colorado
19	University of Rochester
19	University of Iowa
21	University of Minnesota

Cell & Developmental Biology

1	Massachusetts Inst. of Tech.
2	Rockefeller University
3	Univ. of CA-San Francisco
4	California Institute Technology
5	Harvard University
6	Stanford University
7	Univ. of California-San Diego
8	University of Washington
9	Washington University
10	Yale University
11	Princeton University
11	Stanford University
13	Univ. of California-Berkeley
14	Duke University
15	University of Chicago
16	Univ. of Wisconsin-Madison
17	Univ. of California-Los Angeles
18	U of TX-Southwestern Med Ctr.
19	Columbia University
20	John Hopkins University
37	University of Minnesota

¹ School of Arts and Sciences² Interdisciplinary with the Schools of Medicine, Pharmacology, and Public Health

TABLE 2

**30 Medical Schools Receiving 5-Year Awards from HHMI
to Enhance Basic Sciences (Annual Amounts)**

\$3,600,000

Columbia University College of Physicians and Surgeons

\$3,400,000

John Hopkins University School of Medicine

Stanford University School of Medicine

\$3,000,000

Albert Einstein College of Medicine

Univ. of California, Los Angeles, School of Medicine

Washington University School of Medicine

\$2,800,000

Univ. of New Mexico School of Medicine

Univ. of Washington School of Medicine

Univ. of Wisconsin Medical School

\$2,600,000

Univ. of California, San Diego, School of Medicine

Univ. of Chicago Pritzker School of Medicine

\$2,400,000

Case Western Reserve Univ. School of Medicine

Univ. of Alabama School of Medicine

Univ. of Colorado School of Medicine

Univ. of Iowa College of Medicine

Univ. of North Carolina, Chapel Hill, School of Medicine

Univ. of Utah School of Medicine

Univ. of Vermont College of Medicine

Vanderbilt University School of Medicine

\$2,400,000

Duke University School of Medicine

Harvard Medical School

Northwestern University Medical School

Oregon Health Sciences Univ. School of Medicine

Univ. of Florida College of Medicine

Univ. of Massachusetts School of Medicine

Univ. of Pennsylvania School of Medicine

Univ. of Southern California School of Medicine

Univ. of Texas Medical School at San Antonio

PROPOSAL:**Formation of the Graduate Program in BioMedical Sciences**

leading to a Ph.D. degree in any of the following disciplines:

Biochemistry, Molecular Biology & Biophysics

Cell & Integrative Physiology

Microbiology, Immunology and Molecular Pathology

Molecular, Cellular, Developmental Biology & Genetics

Neuroscience

Pharmacology

Introduction

The granting of the Ph.D. degree is central to the teaching mission of the University of Minnesota. As such, research based graduate education will continue to be the cornerstone of the research enterprise at the University. However, we must realize that the face of graduate education is rapidly changing and that our responsibilities in the educational venue leading toward the Ph.D. degree are much broader than they ever have been. Graduates in the biological sciences are being asked to enter a job market which emphasizes career skills not only at the research bench, but also in public policy, law, ethics and finance, but to name a few. While our responsibilities to train students has broadened, we are faced with the realization that the funding of biomedical sciences in this country will be at best a zero-based enterprise. Consequently, we must develop mechanisms which foster new initiatives in the biological science research with the potential to develop into long-term stable lines of financial support. Mechanisms to maximize faculty interactions which may synergize into collaborations should be identified. In order to respond to these changing parameters, the formation of a common graduate program in BioMedical Sciences is proposed. This program would provide for an integrated curriculum for the biomedical sciences which would serve to bring disparate faculty groups together. The net effect would be to train Ph.D.'s more effectively for today's climate while increasing the interactions between faculty with common research goals.

The General Outlines

The graduate program in BioMedical Sciences (BMS) would be an umbrella graduate program and single entry port for students interested in careers in the biological sciences as they apply to contemporary problems in molecular medicine. The BMS program would advertise world-wide as the entry point for students interested in research/teaching careers in the biomedical sciences. However, the BMS program would not grant a Ph.D. degree in BioMedical Sciences. Instead, this graduate program would serve to funnel students into one of several existing Ph.D. granting programs termed divisions. The BMS program would serve to coordinate the recruiting of students who would indicate which of the degree program(s) they would like to be considered for. A primary goal would be to not dismantle existing strong graduate programs but to meld the programs under a single administrative umbrella which would facilitate the identification and training of students while bringing faculty together.

To establish the BMS program, a coordinating committee comprised of department heads, directors of graduate study and elected members at-large would be formed. This would be the primary governing body for the entire BMS program and would interface with the Graduate School on administrative matters. This committee would have oversight responsibility for all facets of the program. The BMS coordinating committee would establish numerical goals and standards for student recruitment, the method of recruitment, develop and implement policies relating to the monitoring student progress during the degree, formulate an integrated core curriculum common to all BMS students and establish criteria for selection and periodic evaluation of BMS faculty. A central tenet of the BMS proposal is that there be a common entrance standard for all Ph.D. candidates. This standard should be equivalent to the highest now in place to ensure that top-notch students are admitted and trained. For BMS to be excellent, all divisions must recruit the best students around the country. If a division cannot attract enough top students, its graduate pool should diminish rather than accept lower academic quality. What is not wanted is for the graduate pool to become the average of all programs but for the total graduate pool to become equivalent to or better than the best we have. If a particular division cannot recruit enough high-caliber students, then faculty in that program would rotate support from graduate student lines into either postdoctorals or technicians. A division would not lower its standards to attain its recruiting numbers.

Recruiting and Training of Students

The training of graduate students starts with the willingness of faculty to work hard and invest time and energy into the recruitment and training process. It is important for individual divisions to retain control of the selection of students into their discipline. The BMS program would provide administrative and organization assistance in the advertising and recruitment of students into each division. BMS responsibilities could include lodging and transportation services relating to hosting prospective students, arranging for faculty interviews and tours of the campus and Twin Cities. Divisional responsibilities would include establishment of recruitment goals, the selection of students and identification and assignment of individual recruiters for each prospective student. Ultimate responsibility for the recruitment process would rest with the division. It is anticipated that the BMS program would admit between 60-75 students annually. The establishment of the BMS program does not preclude other groups from independently recruiting students to Minnesota. For example, training and center grants would still continue to advertise for their particular focus. However, such recruitment methods should indicate that interested students should apply via the BMS entry port.

An additional difference between our current method of training and BMS would be in the teaching and laboratory rotation requirements of BMS graduate students. All BMS students would perform laboratory rotations during their fall semester. Rotation projects would be less intense and would last only 3-4 weeks in any individual laboratory. This would allow 3-4 rotations per semester, perhaps as many as 8 during the year. The purpose of the rotations would be for the student to gather some knowledge about a particular lab, perhaps assisting a current postdoctoral or graduate student. The rotations would not have performance in the laboratory, insofar as accomplishing a research project, as a primary goal. With far less emphasis and time on the rotation project, first year graduate students would have time to perform their teaching duties. The goal would be to have all student complete their teaching requirements during the first year, prior to joining a research laboratory and beginning thesis research. Research grants would therefore not be penalized by having students leaving during the second and third year to perform teaching duties. This would translate into increased productivity by students who are supported by training grants and individual investigator-initiated grants.

Along with performing their teaching duties, all BMS students would take a common core curriculum consisting of 4 semester-long courses to be completed during the first year. These core courses would be:

Fall Semester:

- Biochemistry and Biomolecular Structure
- Molecular Cell Biology and Genetics

Spring Semester:

- Regulatory Biology, Microbiology and Molecular Immunology
- Developmental Biology and Neuroscience

Identification of instructors from the BMS faculty for the core series would be determined by the coordinating committee. At the end of the first year, students may opt to change divisions (degree programs) depending upon their laboratory rotations and classroom experiences. In the second year, each division would augment the core with specialty courses to develop a more in-depth curriculum in any particular area. Alternatively, students may take a combination of courses establishing a broadly based foundation in basic biology. In addition, the basic sciences core would be augmented with lectures from clinical faculty to provide a perspective on contemporary issues in molecular medicine. Once admitted into BMS, a graduate student may rotate in any laboratory in the program and enter any laboratory. A correlate to this is that any student may transfer within the BMS program without being administratively burdened. This should be simple if BMS uses a common entrance standard and students take a common core curriculum. The BMS program may also consider establishing mini-courses in order to train students broadly in career path choices. Topics for mini-courses could be scientific ethics, legal aspects of biological sciences research, biology and public policy, financial and accounting management, and career counseling. In addition, all BMS should have some common teaching experiences to acquaint them with the organization of the classroom.

Faculty could be a member of only a single division or multiple divisions. The Ph.D. degree that a student receives would be dependent upon a declaration of intent at the end of the first year in the program. The preliminary written and oral exams would be defined by the BMS coordinating committee. Annual student progress reviews would be handled uniformly across the BMS program and organized by the administrative committee. In addition, all graduate students in a particular division would have an equivalent teaching responsibility. The BMS coordinating committee would facilitate coordination between divisions to ensure that graduate students teaching experience is similar between divisions.

Mechanisms of Support for Students in BMS

All financial support for students in their first academic year in the BMS program would come from a common pool. Funding of students from a common pool eliminates the parochial nature of "ownership" of students and eliminates DSGs having to bargain each year with different academic units for support money. Options for support include funding by the Graduate School, by CBS or by the Medical School. Alternatively, some combination of funds may be used to support the program. The Graduate School would be asked to provide funds for recruiting and administration of the Program. The objective of this financial arrangement would be to ensure that students are not the financial "property" of a particular division or department and therefore are not administratively "locked". Boundaries between divisions should be transparent, leading to a community of graduate students. In the second and subsequent years of graduate training, students would be supported by any combination of historical methods, individual research grants, fellowships, training or center grants or private scholarships.

Summary

It is important to reiterate that the BMS program would strive not to be the numerical average of all divisions but a mechanism for raising the collective whole based upon increased interaction between faculty and students and the ability to attract high-quality Ph.D. candidates. The advantages for the student would be:

- A broadly-trained educational experience with the ability to enter a wide variety of laboratories without administrative penalty.
- A common core curriculum.
- Administrative procedures for recruiting and student monitoring that would streamline the graduate process.
- Teaching in the first year to allow 100% effort in the research laboratory during the second and subsequent years.
- Increased number of rotations to allow students more possible choices for a thesis advisor

The advantages for the faculty are numerous, they include:

- Reduction in administrative and recruiting overlap between different graduate programs
- Ability to attract and recruit high-quality graduate students
- Dissociation of financial ties to students and their first year training, elimination of parochialism in graduate training
- Common core curriculum to more effectively educate students
- Increased interaction between faculty leading to program project/center/training grants
- Elimination of graduate students being supported on research grants while performing teaching duties
- Reduction in budgetary pressures on departments for first year student support

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Office of the Provost*

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612-626-3700
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September 30, 1996

DRAFT

*Offices located at:
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MEMORANDUM

TO: Academic Health Center Faculty, Staff, and Students

FROM: Frank B. Cerra, M.D.
Provost for the Academic Health Center
Professor of Surgery

SUBJECT: Progress Report

This communication is the first of what I plan to be periodic updates to you regarding activities of the Academic Health Center and Provost Office. I want to address seven topics: strategic plan development, Provost Office appointments, QRTC Phase II teams, research support services, this year's promotion and tenure process, school visits, and Provost Consultative Committees.

Strategic Plan:

In July the AHC Dean's Council drafted a three-year strategic plan. It has been sent to the AHC Faculty Consultative Committee, the AHC Student Consultative Committee, and governance processes in each of the AHC schools. A copy of the plan can be found on the AHC's new webpage at <http://www.ahc.umn.edu>. I urge you to review the draft plan and give us your feedback and suggestions.

We have received many thoughtful and constructive responses. The AHC Dean's Council will begin to review the responses and "finalize" the strategic plan in early October. We will coordinate the strategic plan with the AHC-wide financial and human resources plans for the next three years and for developing our workplan complete with endpoints, benchmarks, and performance expectations. The strategic plan will also guide the AHC investment process. We will give you updates on our progress and opportunities for input and participation.

Appointments in Provost Office:

I have made two full-time appointments in the Provost Office. In all cases, the University prescribed appointment process has been used, including posting, search committee, Form 16 and 17, and personal interviews.

I have appointed **Katherine Johnston** as the AHC's Chief Financial Officer. Katherine assumed her duties on September 15. For the past year, Katherine has worked as a financial planning and management consultant. Between 1979 and 1995, she held several senior financial management positions at Virginia Tech. The search committee was chaired by David Thawley. Its members included Terry Bock, Ron Franks, Nina Graves, JoAnne Jackson, Katherine James, Jeanette Loudon, and Steve Schondelmeyer.

I have appointed **Terry Bock** as Associate Provost and my chief of staff. Terry will be responsible for managing AHC administrative support services, directing AHC external and legislative relations, coordinating AHC strategic planning and management improvement efforts, and managing the Provost's office and staff. For the past year, Terry has served as a special assistant to the provost. Between 1984 and 1995, he held senior executive level positions in Minnesota state government, including chief operating officer of the state Department of Administration and director of the state's in-house management consulting unit. The search committee was chaired by Ron Franks. Its members included Sandy Edwardson, Nina Graves, Vince Gutierrez, Jeanne Markell, and Donna Peterson.

We are currently recruiting for a **Vice Provost for Clinical Affairs**. A notice was sent to AHC faculty and staff on September 16 inviting applications. Alfred Michael is chairing the committee. Other members include James Cloyd, Harvey Coleman, Jean Hicks, William Jacott, Nellie Johnson, Katherine Johnston, and Sharon Norling. A student member will be added.

QRTC Phase II Teams:

The Phase II teams are completing their work and submitting their draft reports to the Provost's Office. I'm currently reviewing the reports and will be discussing their ideas with the deans over the coming month. We will make the reports available once we have had a chance to discuss them and consider the teams' deliberations and considerations. There will also be opportunities for consultation and public discussion of all the reports. John Fetrow has been appointed as a vice provost on a temporary one-year basis to help complete the Phase II activity and to work with me and the deans in developing the strategic plan. Dr. Fetrow's appointment also followed University protocol as previously described. Ron Franks chaired the search committee with the AHC Deans serving as the search committee.

Research Support Services:

I have asked Leo Furcht to continue to work half time for the next six to nine months as vice provost in the Provost's Office. He is working on three specific tasks: developing an AHC research support services organization to facilitate collaboration with the private sector for research development and technology transfer; developing recommendations for establishing and managing interdisciplinary programs in the AHC; and providing management oversight of certain AHC-wide research programs, centers, and institutes such as the Cancer Center and the Molecular and Cellular Therapeutics program.

Richard Bianco (Institutional Official on Use of Animals in Research), Daniel Canafax (Professor of Pharmacy), and Robert Morrison (Associate Professor of Veterinary Medicine) are working with Leo half time on the research services proposal. I have appointed a faculty/staff committee to work with Leo to develop recommendations about AHC interdisciplinary programs. These recommendations and the research services proposal will be reviewed by the AHC Dean's Council along with appropriate consultation.

Promotion and Tenure Process for 1996-1997

We will be using the current tenure code and the normal AHC process. A resource manual has been completed by AHC Human Resources, reviewed by the AHC Dean's Council, and is now available in the dean's office of each of the schools.

School Visits:

I have completed one day visits to all AHC Schools with the exception of Dentistry, which is now scheduled for October 31. I have thoroughly enjoyed these visits and have found them informative and productive. Thank you all for taking the time to educate me about your school and its programs, faculty, staff, students, achievements, and challenges.

Provost Consultative Committees:

I am now meeting with both the faculty and student consultative committees on a monthly basis. The Faculty Consultative Committee is chaired by Judy Garrard from Public Health. Its members include: Muriel Bebeau from Dentistry, Peter Bitterman and David Hamilton from the Medical School, Daniel Feeney from Veterinary Medicine, Cynthia Gross from Pharmacy, Fred Hafferty from the School of Medicine in Duluth, and Sheila Corcoran-Perry from Nursing.

The Student Consultative Committee members are Michael Armstrong and Katie McIntosh from the Twin Cities Medical School, Tom Caravello from Nursing, Ami Claxton from Public Health, Susan Giovengo and Jeannine Pluhar from the Student Senate Consultative Committee, Vicki Habegger from Pharmacy, Albert Nakano from the Graduate School, Jeff Steele from Dentistry, and Tim Strauss and Sean Ohms Winnie from Veterinary Medicine. A chair has not yet been chosen.

From: Nils Hasselmo <hasselmo@mailbox.mail.umn.edu>
Date: Mon, 9 Sep 1996 12:17:41 CDT
To: Multiple recipients of list UMN-FAC <umn-fac@tc.umn.edu>
Subject: TENURE

The following letter and research document prepared by Dan Farber is my formal response to the Board of Regents with regard to the tenure code revision.
Nils Hasselmo

September 3, 1996

The Honorable Thomas R. Reagan
Chair, Board of Regents
4743 Ponderosa Drive
Gilbert, Minnesota 55741

Dear Tom:

As President of the University of Minnesota, I appreciate the opportunity to review the August 30 draft of the Regulations Concerning Faculty Tenure. I am thankful for the opportunity to react because I believe that, without question, the University will be poorly served by the tenure policy and procedures it envisions, and putting it forward may badly rupture relations between the faculty and the Board.

Quite some time ago, your consultant, Professor Richard Chait, emphasized the importance of forming a consensus regarding the University's goals and thereafter to revise the tenure regulations in ways which will move us toward these goals. In my view, we have endorsed and rallied behind the University's U2000 plan, and its core vision that the University of Minnesota be a great, land-grant, research university in the league of other first-class public and private universities such as California, Illinois, Michigan, Northwestern, and Wisconsin. These universities, and twenty-five or so other comparable universities, are striving to maintain positions of scholastic leadership. They, as we, know that the pace of change at the frontiers of knowledge and technology is increasing, and that, in turn, the programmatic (i.e., delivery) contours of our education and outreach structures are also changing at an increasing rate. The competition for academic leadership is, if anything, more severe today than in years' past.

The Faculty Senate's revisions of the Tenure Regulations, as modified by the Administration, preserve the University's long-held philosophy and practice of faculty consultation, participative decision-making, and peer review while changing the Tenure Regulations in ways that will permit the University to realize its U2000 vision through measures that will enhance our financial flexibility while preserving our academic flexibility. With the Faculty Senate's modified revisions of the Tenure Regulations, the University is in the mainstream of comparable institutions with respect to such provisions as the management of programmatic change. The revisions ensure that we can meet the ever present need to change delivery structures to change our programmatic contours, and do so with full faculty participation and support. Further, the revisions preserve the University's ability to successfully compete for first-class faculty -- to remain on the frontiers of knowledge. The new draft of the Tenure Regulations, as the attached memorandum from Dan Farber indicates, would substantially weaken tenure at the University of Minnesota, and move us far to the right of the mainstream of comparable universities. I encourage each of you to consider, as I have, that the draft, in effect:

% exposes tenured faculty to the specter of termination with any change in the University's academic programs;

% seriously limits any meaningful guarantee in base pay;

% threatens to cut the base pay of some faculty, when the draft goes into effect;

% establishes a post-tenure review policy that limits peer involvement;

% broadens and permits great subjectivity in discharging or suspending tenured faculty, while introducing new, but lesser forms of discipline without redress before the Judicial Committee; and

% severely weakens the role of the Judicial Committee as a guardian of academic freedom.

The University of Minnesota neither needs nor deserves the Tenure Regulations proposed in the draft. With this draft, tenure at Minnesota will be weakened -- appearing to rest on little more than a notion of "at will" employment. Further, the University will not be able to successfully compete in the academic market place, at a time when we face many retirements and will need to recruit significant numbers of new faculty. A high price will also be paid in terms of the faculty's willingness to participate in programmatic change. Still further, the faculty will predictably be shocked and dismayed with this draft, and they will be further surprised because it contains several ideas that appear now for the first time. For example, at no prior point has anyone suggested that (1) an individual faculty member's base pay could be cut by direct action of the Board or through an administrative action without prior hearing, or (2) that faculty could be laid off as a result of a programmatic restructuring (as opposed to the closing of a department or college.)

The proposed draft will harm the University. It will also rupture cooperative relationships with the faculty for the foreseeable future, and perhaps change University governance as we know it. In these difficult times, some may believe this to be a desirable change. My own view is that the result will be serious, unnecessary, and lasting damage to our University. More than simply the issue of tenure is at stake.

I, therefore, recommend that the draft revisions not be considered in their present form. I recommend that the Board of Regents endorse the Faculty Senate's modified revisions.

I am, of course, available to you for any further discussions of these issues you may wish to have with me.

Cordially,
Nils Hasselmo
President

NH:kb

c: Members of the Board of Regents
Steve Bosacker

Attachment: Dan Farber's Review of Issues (see below)

The Consultants' Tenure Proposal: A Preliminary Analysis

Daniel A. Farber

At the request of the President, I have analyzed the consultants' draft tenure proposals as they impact five key areas: programmatic change, base pay, post-tenure review, grounds for discharge, and judicial committee. In all these areas, the proposal substantially reduces or eliminates tenure guarantees. Overall, the proposal also expands the Board's role in the daily administration

of the University's human resources policies.

Programmatic Change

Any change in the University's curriculum or priorities could potentially lead to the termination of tenured faculty. Restrictions on this power are either vague and undefined, or else subject to the sole discretion of the University.

Upon 60 days notice, the University may terminate or restructure a program. None of the critical terms -- "discontinue," "restructure," or "program" is defined, and restructuring is not, to my knowledge, a well-understood term in the context of other tenure codes. The implication, however, seems to be that the University can use layoffs to downsize portions of its activities at will.

The University undertakes to attempt reassignment or retraining for another U of M position, but may terminate the employee, paying modest severance pay, if "in the University's judgment" such reassignment or retraining is "not practicable" or is "not successful." The University's judgments on these matters would be very difficult for a faculty member to challenge. It is unclear whether the University would have the right to offer more generous severance benefits or would be limited to those provided in the Code or in other existing programs.

Based on the August, 1996, report prepared by Cathy Trower, it appears that this proposal is significantly out of the mainstream for Big Ten schools. According to Trower's findings, Illinois, Iowa, Indiana, Ohio State, and Michigan guarantee continued tenure after a program termination. Michigan State has university-wide tenure. Penn State, Wisconsin, and Northwestern do not have guarantees against layoffs but seem to offer more protection than the proposal. >From the Trower report, only Purdue's tenure code seems possibly comparable to the consultant's proposal regarding programmatic changes.

Base Pay

Under the proposal, base pay will no longer represent a clear commitment on the part of the University.

Section 4.4 of the proposal provides that "it is expected" that a faculty member's salary will not be reduced except as otherwise specified in the tenure code "absent reasons found to be compelling by the Board of Regents or its delegate." Note that the Board or its delegate is apparently free to find such compelling reasons on an individual case-by-case basis. It is unclear what would qualify as a compelling reason or whether any recourse exists for a faculty member who argued that particular reasons in his or her case are not sufficiently weighty.

Whatever expectation of continuing base pay does exist, is also explicitly conditioned on the University's sweeping right to decrease base pay for disciplinary reasons (subject to grievance) and on the post-tenure review process. Given the existence of at least three separate mechanisms for reducing base pay, it is surprising that the draft gives no clue of how they relate to each other. Base pay has been deleted from the list of employment terms which can only be changed through actions "expressly authorized by these regulations." It seems possible that other changes in base pay could be made outside of the three mechanisms mentioned in the consultants' proposal.

When the proposal goes into effect, there will be a one-time reduction in base pay for some faculty.

The proposal provides that base pay will be changed at the time the new regulations go into effect if any of it represents a special award, clinical compensation, or administrative service. This is the one-time change in base which Provost Cerra decided he did not want in the AHC because our current levels of base pay already compare poorly with competitor schools.

Post-Tenure Review

The proposal on post-tenure review provides less protection to the faculty than any previous proposal.

The proposed provision calls for colleges to adopt peer review policies, but does not specify any faculty role in this process. The provisions must be approved by the provost. Unlike the Senate proposal, there is no explicit provision regarding faculty control of the review (except for a statement that the review must be consistent with the principles of peer evaluation). Regarding salary cuts, there are two key changes: First, the Senate proposal (following the original Task Force proposal) limits the total cumulative amount of cuts to 25% of base. This limitation has been dropped. Second, even in cases involving academic freedom, it appears that the only recourse may be a grievance (not a judicial committee action). This leaves protection of academic freedom uncertain.

Grounds for Discharge

The basis for discharging a tenured faculty member has been broadened.

Eliminating the current list of grounds for dismissal except as examples, section 10.1 provides that "it is necessary to take disciplinary action when commonly held standards of conduct are violated" and that such action may be taken "where adequate cause for such action exists." The proposal seems to link "adequate cause" not only to conduct, but to a faculty member's "attitude of cooperation with others."

Section 10.21 provides a partial (but not exclusive list) of grounds for dismissal, including "other grave misconduct." Grave misconduct is intended to include misbehavior that is arguably not job related, such as criminal offenses. "Adequate cause" and "just cause" are not defined, nor is it clear how the two terms relate to each other.

Also, note that previously the University had to prove that a job assignment was reasonable before failure to perform could be punished, whereas the proposal requires the faculty member to show that the assignment was unreasonable.

Judicial Committee

The Judicial Committee will lose control over its own proceedings.

The Board must review all rule changes involving Judicial Committee procedure, however minor. The requirement of Board (as opposed to Administration) approval is not found in any prior proposal, and would apparently prevent even trivial changes in deadlines without Regental approval.

The Judicial Committee's legal officer is appointed with the President's approval, and most importantly, "presides at all hearings" and regulates the procedure in all cases. This hearing officer concept is more or less the original Task Force proposal. The Task Force did not pursue the proposal because it became persuaded that it was unwise to enshrine an experimental and controversial procedure in the tenure code. The hearing officer proposal was strongly opposed by many faculty, and it is unclear whether a hearing officer would be able to function effectively if panel members regard him or her as an unwelcome presence foisted upon them from outside.

The Committee's decisions will receive less deference.

The President is no longer required to meet with the Committee before overruling it, nor is the President required to provide specific "compelling reasons" for his disagreement. (The proposal also sets up a process to petition the Board for an appeal; this probably only formalizes something that faculty members would have tried to do anyway.) Thus, apart from the requirement of written notice that it has been overruled, the Committee will not be entitled to receive any deference. It will be considered simply an additional source of input into the final administrative decision. Obviously, this lessens the practical value of the Committee as a guardian of academic freedom.

Administrators will gain the power to punish faculty members severely without any prior right to a review of the decision.

After termination proceedings are begun, if a majority of the faculty in a unit support termination, the Dean can suspend pay (subject to 30 days notice and review by the President, who can order backpay with interest). Thus, even if a charge violates academic freedom, the faculty member may go months without pay before it is resolved or even before the faculty member can confront the witnesses against him or her.

For the first time, administrators will also have the power to impose sanctions such as a three-day suspension or a permanent cut in base salary without a prior hearing. (Prior to the sanction, the faculty member is entitled to notice and an opportunity to respond, but the proposal specifically states that the faculty member will have no right to "formal proceedings of any kind.") The faculty member's only explicit remedy is through the grievance process (note that even in academic freedom cases, no provision is made for an appeal to the Judicial Committee). Thus, although a faculty member would be entitled to a Judicial Committee hearing before being terminated, in theory his/her pay could be permanently reduced to virtually zero without allowing any recourse to the Committee. (Also note that the new Interpretation 8 does not provide any assurance of access to the Judicial committee if a course assignment violates academic freedom.)

One final feature of the proposal should be noted. The provisions are not carefully tied together, nor are they fully integrated into the existing Code. For example, the existing section governing financial exigency seems totally superfluous given the sweeping powers which the proposal gives the Board. Similarly, if "adequate cause" for a pay decrease includes substandard performance, the post-tenure review process seems unnecessary. Also, as we have seen, key terms are left undefined. Consequently, the proposal seems as yet unready for formal consideration.

Nils Hasselmo

From: "Judith Garrard" <jgarrard>
Date: Mon, Sep 9, 1996 9:41 AM
To: facall@greg2.sph.umn.edu
Subject: Tenure Code Changes

Monday, Sept 9

To: SPH Faculty
From: Judy Garrard, SPH representative to the AHC-FCC
RE: Proposed changes to the Tenure Code

I will pull together a more comprehensive memo for our faculty by the end of today, but in the meantime, you may want to know the following. I've stated this in the form of questions you may be asking yourselves. Certainly, not all of the obvious questions have been covered here. More to come.

PLEASE SHARE THIS E-MAIL WITH YOUR COLLEAGUE WHO DO NOT HAVE OR ACCESS THEIR E-MAIL ON A REGULAR BASIS. THANK YOU.

Q. COULD THE CHANGES APPLY TO ME IF I CURRENTLY HOLD A TENURED POSITION AT THE U OF M?

A. YES, there will be no 'grandfathering' of anyone. These changes represent a change in employment conditions.

Q. HOW DID THIS HAPPEN? I THOUGHT THAT THE FACULTY SENATE HAD A PLAN THAT WAS SENT TO THE REGENTS IN JUNE?

A. Yes, a faculty senate and administration supported plan was sent to the Regents. They apparently ignored that plan and had a group of east coast lawyers draw up another plan which they are now considering.

Q. WHAT ARE THE CHANGES PROPOSED BY THE REGENTS?

A. There are a number of changes, including the following 5 major changes. The following statement was sent by University FCC leaders that summarizes these 5 major changes:

1. FIRING FACULTY IN CASE OF PROGRAM CHANGE. The proposal eliminates the tenure protection currently available in cases of program change. It provides:

--60 days' notice of programmatic change. (There is no other provision for faculty participation in these decisions.)

--reassignment or retraining of tenured faculty, unless "in the University's judgment" this would be "not practicable." (Note that it does not require that reassignment or retraining be "impracticable," but only that the "University's judgment" be such. Give the distinction of the Regents' Washington lawyers who prepared this language, it is apparent that the intent was to exclude any subsequent review of the decision.)

--one year's notice of termination be given.

--there is no definition of "program," so a single faculty member could be targeted by defining that individual's specialization for elimination.

2. REDUCTIONS IN BASE PAY. The proposal eliminates the guarantee of base pay contained in the current regulations. Instead, it would provide that "Absent reasons found to be compelling by the Board of Regents or its delegate," "it is expected that" base pay would be protected. Again, carefully note the drafting. The first of these clauses does NOT require "compelling reasons" before reducing base pay; it only requires that the

administrator STATE that his reasons are compelling. The second clause does not guarantee base salary, but only articulates a general and vague expectation in that regard. The language eliminates any legal claim to base pay.

The language, as drafted, would permit reductions of salary targeted at single individuals. (The statement in the Star-Tribune this morning that such pay cuts could only be imposed on groups of faculty, not on individuals, was apparently based on the oral statements of the Regents' lawyer in describing the plan. An examination of the actual text reveals no such limitation.) Indeed, the new language provides no effective protection of salary. The provision also cuts off any review of such issues by the Judicial Committee, even in cases of alleged violation of academic freedom.

3. POST TENURE REVIEW. The post tenure review process has been substantially rewritten. Rather than the remedial process we proposed, seeking to improve the performance of faculty experiencing difficulties, the provision is now primarily punitive in orientation, emphasizing dismissal and salary reduction. It now permits annual 10% salary reductions ad infinitum. Many of the procedural protections have been removed.

4. FACULTY DISCIPLINE. The faculty discipline section represents a radical departure from existing rules. It introduces surprising new language. For example, faculty members may be punished if they do not "maintain . . . a proper attitude of industry and cooperation with others within and without the University community." Discipline, including dismissal may be imposed when "commonly held standards of conduct" (not further specified) are violated. A new ground for firing a faculty member, "other grave misconduct" is added.

A whole new category of "lesser sanctions" is created, including PAY CUTS (which may be permanent and are not limited in amount) and suspensions from duty. These may be imposed by the administrator after notice and an opportunity to respond, but the discipline "need not involve formal proceedings of any kind." For example, this would authorize a dean to impose a permanent 50% pay cut without a hearing before an impartial body. The Judicial Committee is also excluded from review of these actions, although the faculty member might file a grievance with an outside arbitrator.

5. JUDICIAL COMMITTEE PROCEDURES. Although access to the Judicial Committee has been cut off in many cases--including many possible cases involving academic freedom issues--new major restrictions are imposed upon the operation of the Judicial Committee. These include:

--Judicial committee proceedings will be presided over by a law officer, who must not be a faculty member.

--The President will no longer be required to respect the Judicial Committee's report and recommendation. The current regulations contain a legal limitation (he can overrule the committee only for "compelling reasons") and a procedural check (he can do so only after meeting with the Judicial Committee). The Regents' draft deletes both provisions, giving the President total freedom to ignore the hearing panel's report.

--The new draft permits a dean to suspend a faculty member without pay, in certain circumstances, while a proceeding to dismiss is underway.

Q. WHERE CAN I GET A COMPLETE COPY OF THE PROPOSED CHANGES THAT WERE DISTRIBUTED BY THE REGENTS AT THEIR RETREAT SEPT 5-6, 1996?

A. The information is available on the World Wide Web at the following address:

<http://www.umn.edu/urelate/newsservice/PolFacultyTenure.html>

Q. WHAT CAN BE DONE TO STOP THIS ACTION BY THE REGENTS?

A. See the second e-mail that is being sent: Faculty Union

```
*****  
* Judith Garrard, Ph.D. *  
* Professor *  
* Institute for Health Services Research *  
* School of Public Health *  
* 420 Delaware Street S E *  
* University of Minnesota *  
* Minneapolis, MN 55455 *  
* Telephone: (612) 625-9169 *  
* FAX: (612) 624-2196 *  
*****
```

From: "Judith Garrard" <jgarrard>
Date: Mon, Sep 9, 1996 10:41 AM
To: facall@greg2.sph.umn.edu
Subject: FACULTY UNIONIZATION

Monday, Sept 9, 1996

To: SPH faculty
From: Judy Garrard, SPH representative to AHC-FCC
RE: Faculty unionization

This is a continuation of an earlier memo sent regarding proposed changes in the tenure code by the REgents. If you did not get it, or wish to have another copy of that earlier memo (sent today), please contact me.

Please share this memo with whomever you wish, especially faculty colleagues who do not use or do not access their e-mail on a regular basis.

The following is stated in question and answer format. Send me additional questions if you wish and I'll try to find the answers. Thank you.

Q. WHAT'S THE EARLIEST THAT THE REGENTS WOULD MAKE THIS CHANGE?

A. They can make the change itself by the first week of October, 1996 -- less than a month from now.

Q. WHAT CAN BE DONE TO STOP OR SLOW DOWN THIS RAPID MOVE BY THE REGENTS TO CHANGE THE TENURE CODE?

A. The faculty of the U of M could vote to hold an election for a faculty union. If 30% of the faculty vote for such an election, then a 'Cease and desist' order would be issued by the State Mediation Board that would freeze all efforts by anyone -- Regents, Administration, faculty -- to make any changes in employment conditions until an election for a union has been held.

I don't know how long it would take to mount an election, perhaps several months, perhaps longer. But that would effectively put the Regents on 'Hold' until the faculty decided (1) if there was to be a union, and (2) who the union representative would be. If there was a union, then all faculty governance would cease and the union representatives would negotiate with the Regents directly.

Q. HOW CAN I, AS AN INDIVIDUAL FACULTY MEMBER, TAKE ACTION?

A. Sign and date a union authorization card. A blank copy is given at the end of this memo. Send the authorization card to the address given on the form NOW. Do not delay.

Q. IF I SIGN SUCH AN AUTHORIZATION CARD, THEN DOES THAT MEAN I'M JOINING A UNION?

A. NO, you are not joining a union -- not yet. All you are authorizing is the call for an election. The issues that are yet to be worked out include WHICH union representative the faculty will then vote on and whether or not there is sufficient interest in choosing a union representative. The vote for the CALL for an election could succeed and then the election for a representative itself could fail in the future due to lack of sufficient faculty vote. The call for an election is only the first step.

Q. WHY SUCH A HURRY IN SIGNING THE AUTHORIZATION CARD. SHOULD'NT WE TAKE TIME TO TALK THIS OVER MORE?

A. Yes, but don't take too much time. Talk to your SPH FCC members from your on divisions, talk to your SPH senators, and call or contact me by e-mail with your questions. There are other faculty within your divisions who are also knowledgeable about this. We are holding an emergency meeting of the SPH FCC and the SPH Senators (all together) this week if at all possible. The notice has been sent out.

The reason for the rush in signing union authorization cards is that the faculty have ONLY until Sept 20 to get the cards signed and have a 'cease and desist' order handed down. The 'cease and desist' order can only apply to employment conditions that exist at the time the order is given. If the regents vote to have this change, and the order is given after such a vote, then the new proposed changes (or whatever they have declared as the new Tenure Code) will be the employment conditions.

Q. WHAT IF THERE ISN'T A 30% VOTE FOR A CALL FOR AN ELECTION?

A. Then the terms that the REGents set in any revisions they choose will go into effect. When these would go into effect is not clear; perhaps immediately.

Q. WHY ISN'T "SOMEONE" DOING SOMETHING ABOUT THESE PROPOSED CHANGES? WHY HAVEN'T "YOU" DONE SOMETHING ABOUT THIS ALREADY?

A. Many of us involved in this HAVE been doing something all summer. The Regents did not release this proposed draft until Thursday, Sept 5, and we are working on this intensively. BUT, the "someone" who has to do something now is the faculty. It is time for each of you, individually, to consult your conscience, think about your future, and take action, one way or the other. The union authorization card is given below. Print this out, sign it, and send it to the address given at the end of the Statement.

Authorization Statement

University Faculty Alliance

I hereby authorize the University Faculty Alliance to represent me in matters relating to my terms and conditions of employment.

PRINT

Last Name

First Name

Middle Initial

Address (home or campus)

City

State

Zip

Department or Unit

Academic Rank

Signature

Date Signed

e-mail

phone

Return to Professor Robert P. Sonkowsky, Classical and Near Eastern Studies,
Univeristy of MN, 330 Folwell Hall, Pleasant St., S.E. Minneapolis, MN
55455

* Judith Garrard, Ph.D. *
* Professor *
* Institute for Health Services Research *
* School of Public Health *
* 420 Delaware Street S E *
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ACADEMIC HEALTH CENTER PROVOSTAL FACULTY CONSULTATIVE COMMITTEE

1996-1997

List compiled on: 8/27/96

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1:00-2:30
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Moos Tower

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Vickie Courtney

University Senate

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East Bank

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fax: 626-1609

625-4805

SEND ALL INFORMATION TO:

Andrea Greham

Call for Peter Bitterman

Medicine

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East Bank

barsn001@maroon.tc.umn.edu

624-4407

Received: from mhub0.tc.umn.edu by mailbox.mail.umn.edu; Fri, 12 Jul 96 21:28:54
Return-Path: <dwh@lenti.med.umn.edu>
Received: from lenti.med.umn.edu by mhub0.tc.umn.edu; Fri, 12 Jul 96 22:18:58 -0
Received: from default (dialup-11-b-161.gw.umn.edu) by lenti.med.umn.edu; Fri, 12
Message-Id: <2.2.32.19960713031840.006a5f20@lenti.med.umn.edu>
X-Sender: sperm@lenti.med.umn.edu
X-Mailer: Windows Eudora Pro Version 2.2 (32)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Fri, 12 Jul 1996 22:18:40 -0500
To: courtney
From: "David W. Hamilton" <dwh@lenti.med.umn.edu>
Subject: Re: Meeting with the AHC PFCC re Reorganization of Biology
Cc: Judith M Garrard <jgarrard@maroon.tc.umn.edu>

Vicky,

Over to you.

David

>Date: Fri, 12 Jul 96 17:22:32 CDT
>From: "Robert Elde" <elde@lenti>
>Reply-To: "Robert Elde" <elde@lenti>
>To: dwh@lenti
>Subject: Re: Meeting with the AHC PFCC re Reorganization of Biology

>David,

>
>Thanks for your comments and yes, I would welcome an opportunity to meet with
>the AHC FCC. The other "regular" deans of the BSPC are Mark Brenner, Mike
>Martin, and now, Al Michael (Frank has said that he, rather than Al, will
>represent the Med School on reorganization matters, at least for the time
>being). Previously Dick Elzay was the "rotating" dean on the BSPC, and now Al
>Sullivan (College of Natural Resources) is the rotator. I think that in the
>context of the AHC FCC that Frank, Mark Brenner and I are probably most
>logical
>to include but I would leave that to your discretion. Also, summer schedules
>make meetings next to impossible to pin down, and the more invitees the worse
>that problem becomes.

>
>As for my schedule, I am here next week and the following Monday, but then I
>have a series of out of town meetings.

>
>Vickie Courtney should call Sue Hendrickson at 4-2244 (or if contact is made
>after next week, Julie Ulrich) who can figure out my schedule.

>
>Best regards,

>
>Bob

>
>Robert Elde
>Cell Biology & Neuroanatomy
>University of Minnesota

>
>
>
David W. Hamilton, Ph.D.

Received: from mhub0.tc.umn.edu by mailbox.mail.umn.edu; Thu, 25 Jul 96 09:02:41
Return-Path: <jgarrard@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub0.tc.umn.edu; Thu, 25 Jul 96 09:52:10 -0
Received: from x244-58.hsr.umn.edu by maroon.tc.umn.edu; Thu, 25 Jul 96 09:52:09
From: "Judith Garrard" <jgarrard@maroon.tc.umn.edu>
Reply-To: "Judith Garrard" <jgarrard@maroon.tc.umn.edu>
To: courtney
Subject: Re: AHC FCC Business
Message-Id: <31f78a1a59a3819@mhub0.tc.umn.edu>
Date: Thu, 25 Jul 96 09:52:10 -0500

Vickie,

Be sure to check with David Hamilton about the timing of the meeting with Elde. I'll be out for almost all the month of August, but if there are crucial issues to discuss with Elde, then David might need to chair an August meeting with him and the FCC. Thanks, Judy

In message <48308.courtney@mailbox.mail.umn.edu> "Vickie Courtney" writes:

> Judy: Thanks.

>

> On Wed, 24 Jul 96 12:02:39 -0500,

> Judith Garrard <jgarrard@maroon.tc.umn.edu> wrote:

>

> >

> >> Judy, I received a message from David Hamilton about inviting Robert

> >> Elde to a meeting - do you want a separate meeting with him or add

> >> on to one of the meetings currently scheduled, if it works for him?

> >> Include Frank Cerra and Mark Brenner? Let me know how you would like

> >> me to proceed.

> >

> >

> >Vickie,

> > I assume the meeting with Robert Elde concerns the merger of the

> > biological

> >sciences programs. That should be a separate meeting, not related to either

> > of

> >the other 2 meetings. We should schedule that one separately. We might

> > have a

> >Sept meeting (if that's not too late) in which we talk with Elde in one

> >30-minute block and Mark Brenner in another 15-30 minute block. I assume

> > that

> >the purpose of meeting with each of these people will be overview and q and

> > a.

> >At that Sept meeting, we also need to have time to discuss as a committee

> > (1)

> >update on current issues, (2) address questions that Cerra will raise with

> > us in

> >his meeting on Aug 1, (3) define a list of issues that we need to address in

> >

> >the coming year.

> >Thanks, Judy

> >

> >

> >

> >*****

> > * Judith Garrard, Ph.D. *

> > * Professor *

Received: from mhub0.tc.umn.edu by mailbox.mail.umn.edu; Fri, 12 Jul 96 13:48:12
Return-Path: <dwh@lenti.med.umn.edu>
Received: from lenti.med.umn.edu by mhub0.tc.umn.edu; Fri, 12 Jul 96 14:38:16 -0
Received: from dwh (dwh.med.umn.edu) by lenti.med.umn.edu; Fri, 12 Jul 96 14:38:
Message-Id: <2.2.16.19960712193924.2bff8f1a@lenti.med.umn.edu>
X-Sender: sperm@lenti.med.umn.edu
X-Mailer: Windows Eudora Pro Version 2.2 (16)
Mime-Version: 1.0
Content-Type: text/plain; charset="us-ascii"
Date: Fri, 12 Jul 1996 14:39:24 -0500
To: elde@lenti.med.umn.edu
From: "David W. Hamilton" <dwh@lenti.med.umn.edu>
Subject: Meeting with the AHC PFCC re Reorganization of Biology
Cc: Muriel J Bebeau <bebea001@maroon.tc.umn.edu>,
Daniel A Feeney <feene001@maroon.tc.umn.edu>, bhsa@d.umn.edu,
Peter B Bitterman <bitte001@maroon.tc.umn.edu>,
Judith M Garrard <jgarrard@maroon.tc.umn.edu>, dwh@lenti.med.umn.edu,
Sheila A Corcoran-Perry <corco001@maroon.tc.umn.edu>,
Cynthia R Gross <gross002@maroon.tc.umn.edu>,
Frank B Cerra <cerra001@maroon.tc.umn.edu>, courtney

Bob,

I have read your treatise on reorganization of biology. There are many extremely positive aspects of it and as usual you present clear arguments.

As you may know, I have been elected to the Academic Health Center FCC and one of the agenda items we have identified is analysis of your report.

We would very much like to meet with you and Frank, and any other dean you feel may be appropriate, in the near future.

I have sent a copy of this e-mail to Vickie Courtney, who provides staff assistance to the group. She will contact you soon.

David

David W. Hamilton, Ph.D.
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UNIVERSITY OF MINNESOTA

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308 Harvard Street S.E.
Minneapolis, MN 55455-0374*

August 1, 1996

MEMORANDUM

TO: Academic Health Center Provostal Faculty Consultative Committee Members

FROM: Frank B. Cerra, M.D.
Provost for the Academic Health Center

RE: Consultative process for development of AHC strategic goals and initiatives

It is time to initiate the consultative process as we develop the strategic goals and initiatives for the AHC. There are two documents attached. These documents were developed in a planning process involving the provost and the Deans' Operations Council over the past several months, including a retreat in July 1996.

- 1) The first document is a draft of the strategic goals and initiatives for the AHC. There are two parts. The first concerns the specific plan for 1996-97 that builds the AHC infrastructure and initiates the strategic investments. The second part presents general goals and investments for 1997-1999.

Your input and advice is now critical to this process. I am interested in your feedback, concerns, and recommendations. I need your input by August 30 so that it can be considered by me and the Deans' Operations Council right after Labor Day. I want to finalize the plan by the middle of September, so that we can initiate financial and human resources planning and begin the investment process.

- 2) The second document presents a pictorial summary of the AHC operating model and a description of the investment pool and process.

I look forward to working with you.

FBC:kva

Enclosures

**COMPREHENSIVE PLAN
FOR
ACADEMIC HEALTH CENTER**

1996-1999

FIVE STRATEGIC GOALS

- 1) Improve competitive position of clinical/outreach functions for all health professional schools and AHC
- 2) Address size, type and training of healthcare provider workforce to enhance leadership and be more relevant to the marketplace
- 3) Enhance competitive position and relevance of AHC education and research services
- 4) Strengthen financial management to promote flexibility, investment, and healthy reserve resources
- 5) Enhance recognition, facilitation, and rewards for faculty and staff creativity, excellence, and productivity.

OPERATING PRINCIPLES

- 1) Increased market responsiveness
- 2) Enhanced community leadership
- 3) Prospective, participatory programmatic planning
- 4) More efficient and effective management infrastructure to support education, research and community service
- 5) Financial planning and management that is integrated into strategic and programmatic decision-making
- 6) More effective human resources planning and operations

**1996-1997: BUILDING THE INFRASTRUCTURE AND
INITIATING THE INVESTMENTS**

A. GOALS

- 1) Establish an efficient and effective service infrastructure across the AHC using a distributed management model
- 2) Establish effective information platform across AHC
- 3) Establish effective internal and external communication
- 4) Establish an effective process for strategic planning and decision-making across AHC
- 5) Establish timely and effective financial planning and budgeting across AHC that is integrated with programmatic and human resources development
- 6) Initiate programmatic investment

B. EXPLANATION OF GOALS

Goal 1: Establish an efficient and effective service infrastructure across the AHC using a distributed management model

- 1) Services: finance, human resources, public relations, information technology, facilities
- 2) Process: consultative
- 3) Model: distributed to schools/programs
- 4) Time-Line: operational by June 1997
- 5) Cost: cost neutral and enterprise accounted by June 1999

Goal 2: Establish effective information platform across AHC

- 1) Connectivity across AHC
- 2) Support service infrastructure and expand to education and research
- 3) Support distance technology
- 4) Support faculty and staff education and training
- 5) Time-line: operational in 1997
- 6) Cost: will require an investment; offset by greater efficiencies and productivity

Goal 3: Establish effective internal and external communication

- 1) Mechanisms: direct people-to-people
media
information technology
- 2) External: constituent based advisory groups
- 3) Internal: faculty, student, staff consultative processes

Goal 4: Establish an effective process for strategic planning and decision-making across AHC

- 1) Process: consultative, internal and external
- 2) Model: Deans' Operations Council
faculty/student governance
- 3) Time-line: operational 1996

Goal 5: Establish timely and effective financial planning and budgeting across AHC that is integrated with programmatic and human resources development

- 1) Financial systems for planning, modeling, budgeting, reporting and management
- 2) Integrated with a human resources plan
- 3) Integrated with the programmatic decision-making
- 4) Seed AHC investment pool and initiate programmatic investment
- 5) Time-line: operational 1997
- 6) Cost: investment required; offset by efficiencies and productivity

Goal 6: Initiate Programmatic Investment

- 1) Curriculum/Education
 - a. Rural Health Training Program
 - b. Managed Care Curriculum for health professionals and graduate students
 - c. Team Care curriculum
 - d. Managed Care Center for healthcare policy, education and research
 - e. Primary Care program
 - f. Geriatrics program
 - g. Initiate taskforce on graduate education

*17 Dec 2011
MSO
Management*

- 2) Research
 - a. Initiate research service ISO/MSO for enhanced private sector access and service
 - b. Clinical Science
 - 1. Cancer Center
 - 2. Neuroscience programs
 - 3. Human genetics
 - 4. Biotherapy
 - 5. Geriatrics Center
 - c. Basic Science
 - 1. Neuroscience programs
 - 2. Developmental biology
 - 3. Animal comparative genetics
 - 4. Drug development program
 - 5. Center for Immunology
 - d. Biomedical Engineering

- 3) Clinical Practice
 - a. Medical School FPO operational
 - b. Fairview relationship operational
 - c. Enhance Pharmaceutical Care Program
 - d. Enhance Nurse Practitioner Program
 - e. Enhance utilization of Dental Clinic

1997-1999: CONTINUED INVESTMENT IN EXCELLENCE

Strategic Goal 1: Improve competitive position of clinical/outreach functions for all health professional schools and AHC

- 1) Professional school group practices operational
- 2) Fairview relationship operational
- 3) Competitive contracting; decreased cost of patient care
- 4) Clinical revenue investment in new programs
- 5) Information systems and distance technology for clinical care operational
- 6) Community outreach development
- 7) Innovative program development

1997-1999

Strategic Goal 2: Address size, type and training of healthcare provider workforce to enhance leadership and be more relevant to the marketplace

- 1) Decreased medical student/GME class size
- 2) Expansion of Advanced Practice Nursing Program
- 3) Expansion of Pharmaceutical Care Program
- 4) New curricula for health professional trainees, e.g. managed care, team care
- 5) Shift in clinical educational paradigm to community based, nonhospital focus with community integration
- 6) Coordinated health professional and research workforce planning
- 7) Reduced cost of education/training

1997-1999

Strategic Goal 3: Enhance competitive position and relevance of AHC education and research services

- 1) Rural Health Training School with integrated Greater Minnesota Network
- 2) Managed Care Center for healthcare policy, education and research
- 3) Distance technology based education
- 4) Research Services ISO/MSO to facilitate and promote clinical research and technology transfer
- 5) Community partnerships in education and research

1997-1999

Strategic Goal 4: Strengthen financial management to promote flexibility, investment, and healthy reserve resources

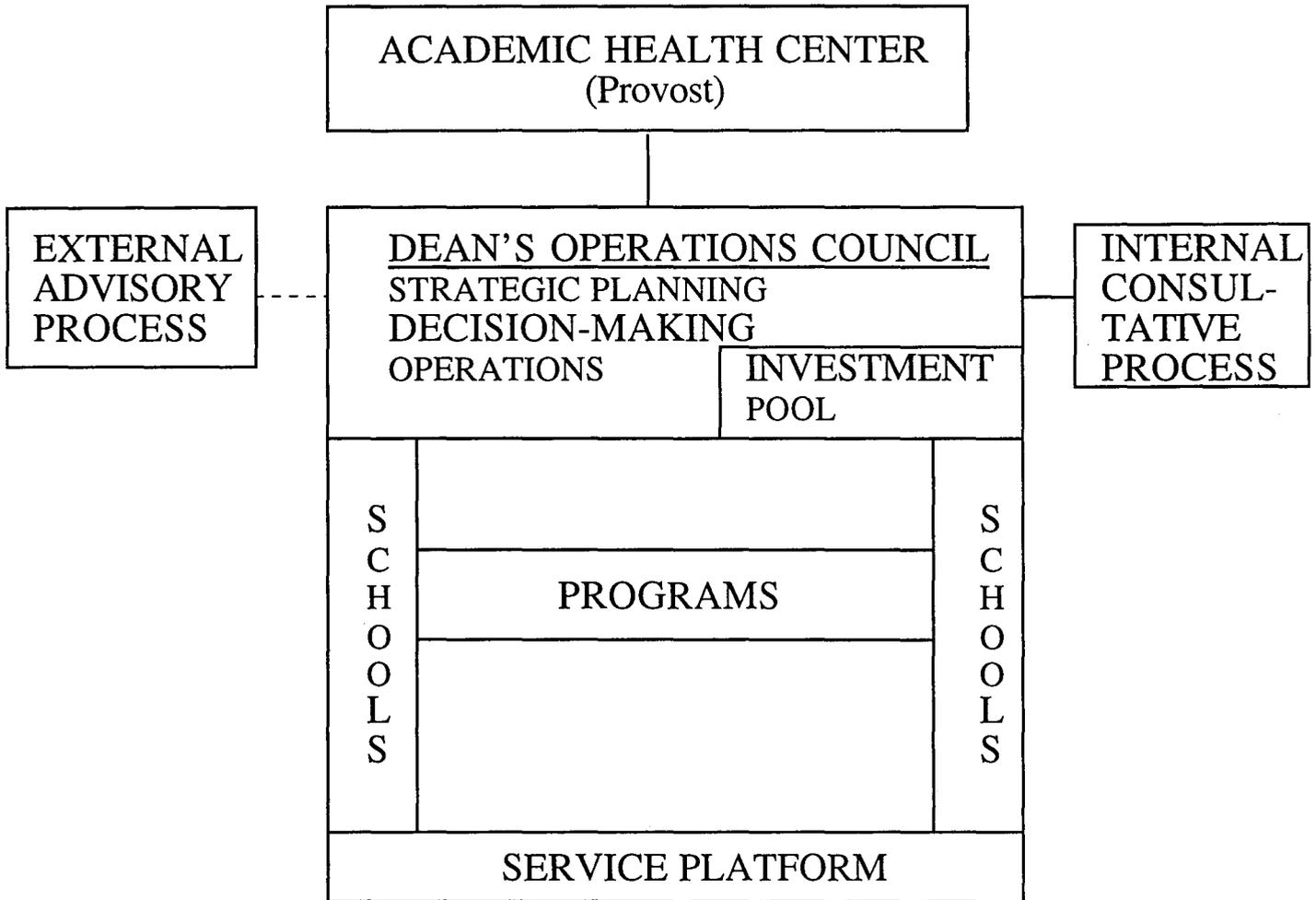
- 1) Strategic planning and resource allocation via Deans Operating Council utilizing the consultative process
- 2) New revenue sources from programs, healthsystems, Fairview, government, and private fundraising
- 3) Infrastructural efficiencies across AHC
- 4) Productivity based compensation
- 5) Investment resources for education and research
- 6) Workforce adjustments in all categories via hiring practices, reassignment/retraining, incentives and exit strategies
- 7) Goal directed best practices evaluation based on performance outcomes and benchmarks

1997-1999

Strategic Goal 5: Enhance recognition, facilitation, and rewards for faculty and staff creativity, excellence, and productivity

- 1) Effective support services
- 2) Productivity based compensation
- 3) Merit reward system
- 4) Promotion and tenure
- 5) Enhanced faculty development programs
- 6) Enhanced staff enrichment programs

AHC: FUNCTION



INVESTMENT POOL

A. GOALS

- 1) To establish a pool of resources for investment in programs of the AHC and its schools
- 2) To provide resources to the programs of the AHC and its schools in accord with the strategic development plan
- 3) To invest the pool in a way that provides a reasonable return over a planned time-period so that the pool becomes self-sustaining over time
- 4) To use an investment model, whenever possible, that shares both risks and rewards

B. POTENTIAL REVENUE SOURCES FOR INVESTMENT POOL

- 1) Efficiencies in establishing the service platform
- 2) Re-allocation of O&M dollars, with a planned rate of return to the source
- 3) Use of AHC reserves applicable to this process
- 4) Philanthropy
- 5) Revenue generated by programs
- 6) State funds from AHC appropriation and new biennial request
- 7) Fairview relationship

C. INVESTMENT PROCESS

- 1) Define areas of investment during a yearly strategic planning process that is coordinated with the budgeting process. This planning process will occur in the Deans' Operating Council with appropriate consultation from the faculty, staff and students.
- 2) Once the areas are defined, a programmatic and business proforma will be developed. Performance criteria and metrics, needed resources, budget, and expected benefits will be part of the plan requirements.

DRAFT

- 3) Review and approval will be made via AHC Deans' Operating Council with funding recommendations then sent to the provost for final action.
- 4) Oversight of active programs will be performed by a member of the AHC Deans' Operating Council
- 5) School specific investments will be the responsibility of individual deans

Preliminary Ideas from Student Leaders in GAPSA on the structure of the AHC Senate
Monday July 15, 1996

1. We favor the idea of one combined Senate for the AHC. Duplicating the separate and combined model of the U Senate would be complex, and we could identify no student needs that would not be met by a combined faculty/student AHC Senate and our current college board/assembly structure.
2. We believe that Senators elected from the AHC student constituencies that serve in the U-wide Senate and as Senators to GAPSA can also serve as AHC Senate student senators. We believe this will allow us to avoid a potentially serious communication breakdown that would occur between the AHC Senate, full U Senate, and GAPSA that would occur if these were different students. With only 1 student fulfilling both roles, AHC student input to the University as a whole should be improved.
3. The students now identified as Senators would seem to provide an appropriate number of students for a Senate of approximately 40-50 people total. Current student Senators for AHC are as follows:

Medical School	2	
Dentistry	1	
Nursing	1	(currently with MSA, but probably changing to GAPSA)
Pharmacy	1	
Public Health	1	
Vet. Med.	1	
Graduate	1	(COGS recently switched to elect its Senators along provostal lines, AHC has approx. 1000 graduate students)

With the exception of Nursing, which has a Senator thru MSA, all other AHC undergraduate students are represented through professional student college boards (and thus through GAPSA). Dental Hygiene is represented through the Dental School college board and its elected Senator. Medical Technology, Mortuary Science, OT & PT are represented through the Medical School college board. OT and PT are admitting their last undergraduate classes this year. In two years they will have only graduate students, represented by COGS. We don't believe they have enough students to raise the AHC graduate student numbers sufficiently to earn the AHC an additional graduate school Senator. In so far as we know, Duluth Medical students are represented in their campus assembly. We assume they are eligible to be elected as Senators in 1 of the slots allocated to Duluth in the U Senate. We doubt they now participate. We would assume 1 additional slot would be needed for them in the AHC Senate. This would bring the total for student senators to 9. We would also propose inclusion of language that would permit AHC students who are Senators by virtue of their appointment to University Senate SCC be ex-officio members of the AHC Senate in those years when that happens to occur.

4. As would be implied by #3 above, we believe and faculty/PA to student ratio of no more than 4 to 1 would be appropriate for the AHC Senate. Thus we favor 9 students and approximately 36 faculty/PA for a total senate of about 45 members.
5. We would like to propose that the AHC Senate have 2 Vice Chairs, one faculty and one student. The faculty member would lead and coordinate the efforts of the faculty/PA members and the student Vice Chair would lead and coordinate the efforts of the student members. These two people would lead the steering=consultative committee (the faculty member would chair the group's meetings) and would work together to set the agenda of the steering committee. These two people would also determine if issues arise where the

student contingent or faculty/PA contingent of the steering committee might more appropriately meet separately. We favor completely redoing the provostal consultative committee structure that was hastily thrown together this year. We favor a combined committee and will propose a specific composition after we outline our thoughts on a committee structure and composition.

6. The Committee on Committees structure has not worked well for students in the full U Senate. Students will probably be changing to an entirely different system next year. Students would prefer to delegate the assignment of committee appointments to GAPSA, who would work through its college boards to identify students for committees. The student Vice Chair could join a faculty Committee on Committees to provide input only for those meetings where committee chairs are being selected. With that exception, students would prefer to let the faculty select its committee members and would suspect the faculty might prefer to let the students do the same.

7. We would suggest that the AHC Senate have the following standing committees:

- Clinical Affairs
- Educational Policy
- Faculty Affairs
- Faculty C on C
- Finance and Planning
- Research and Graduate Education
- Student Affairs
- Tuition, Financial Aid, and Fees

We will comment on a suggested number of representatives and the rationale for our changes to the list in the draft.

Clinical Affairs: We think there should be 2 residents and 2 professional students on this committee assuming a total committee size of approximately 12.

Educational Policy: Because of this committees central interest to students, we would propose that this committee have a professional student co-chair. Bylaws would stipulate that this student must be a Senator (as is U Senate practice, general student members of committees need not be Senators). We would propose that 4 additional professional students be included. This assumes that all schools are represented by faculty members from each curriculum committee and perhaps a few at large members. We would assume a total committee size of perhaps 15.

Faculty Affairs: Analogous to SCFA, we propose this committee have one graduate student member (who must be a graduate assistant when appointed) and one professional student member.

Faculty C on C: Student Vice-Chair would join this committee when chair nominations are considered. Otherwise, we would prefer if the student could use a different system.

Finance and Planning: We think 1 graduate student and 1 professional student would be sufficient for this committee unless it is quite large.

Research and Graduate Education: We believe that educational policy issues for graduate students are sufficiently different to those of professional students so as to warrant considering their educational needs separately. We believe a committee that deals with both research issues and graduate education issues makes a good fit, rather like finance and

planning going together well. This does not imply that the committee would deal only with graduate education issues that concern research specifically; the committee should consider all aspects of graduate education. Again because the purview of this committee is of central importance to students, we believe the graduate student Senator should co-chair this committee. We think there should be 3 additional student members all graduate students. We would suggest that the Dean of the Graduate School/VP Research and the chair of the HS P&R council be ex-officio members. We would also suggest that issues relevant to Professional Masters programs, in that they are not research degrees, be considered by the Educational Policy committee along with the other professional programs.

Student Affairs: We believe this committee also warrants a student co-chair and a total membership where student members are equivalent in number to non-student members. We believe all 7 schools plus the graduate students should be represented. We would suggest that the student chair of CHIP be an ex-officio member.

Tuition, Financial Aid and Fees: After a lengthy discussion, we agreed that this committee should be a separate standing committee independent from Finance and Planning for several reasons. We believe that the tuition issues should be considered separately from the context of the entire budget. We think decisions about tuition rates should not always be dependent variables in a revenue equation that balances the budget. Instead we believe that the interrelated issues surrounding tuition, financial aid, and fees should be considered in their own right and, therefore, shape the rest of the budget discussion which follows. We also believe that the addition of this committee will facilitate the discussion of processes, for such things as financial aid and tuition remission for grad assistants, in addition to just dollars and policy. We also think this would offer the AHC a unique opportunity for discussions of how to increase available scholarship and financial aid moneys, discussions that have usually been relegated to ad hoc committees historically. This committee would also have a student co-chair in our model. We did consider that faculty might be reluctant to serve on a such a student issue centered committee. Representation by members of the administration could be considered in higher numbers than on most committees; however, we would be disappointed if there was not faculty interest in topics of such profound impact to students.

Steering/Consultative Committee: We would suggest that the 4 student co-chairs and the student Vice-Chair of the AHC Senate would serve as student members of the steering committee. All would necessarily be Senators since they would be selected from that group. Since leadership of committees should comprise a steering committee, we would suggest that faculty committee chairs also comprise the faculty side of the steering committee. In that there are 8 committees, it would possible to have all schools represented at the faculty level, provided committee chairs are selected with that in mind. We believe a committee of more than 12 or 13 total would be unwieldy. This structure is more heavily weighted toward faculty than is University SCC.

8. Once the numbers of students on the various committee had been decided we would develop a rotating priority system for appointment. Because student interest from each school would not be represented on each committee each year, we would design a system for taking turns. This is done now with student P&R chair representation on the Graduate School Executive Committee. We will design a similar system.

9. We would like to suggest that student senate positions be stipended. If students have commitments to U Senate meetings, AHC Senate meetings and GAPSA meetings they will need to forego a considerable number of potential employment hours. In order to make student leadership opportunities available to all, not just those with the good financial resources, stipends are important. Based on acceptable levels of attendance, we might

suggest a workload based system such as \$300 to Senators, \$400 to committee co-chairs, \$500 to the student Vice-chair of the AHC Senate. Such a plan would cost about \$3300 dollars, but we strongly believe it should be considered if participation is to be high and equal access.

10. We also discussed the problem that could arise for students should an issue arise that divides people strictly along faculty/PA versus student lines. Because the majority for faculty in the Senate is so lop-sided for faculty, the students would like to explore possible contingencies should an issue arise that divides the group. Although the decision on any issue would ultimately rest with the Provost, we would like to consider some system whereby the Senate might achieve a compromise without having to appeal to the higher power. One idea that we considered was a contingency such that any vote where all the students voted the same way and on the losing side of a vote, such actions would automatically be referred to a committee (perhaps a new one if it came from a committee in the first place) for further discussion and reconsideration prior to its being an officially recognized position of the AHC Senate. Other alternatives that would involve steering committee procedures might work as well.

Thank you for allowing us to offer these suggestions.

Susan Giovengo, SSCC, GAPSA
Jeannine Pluhar, SSCC, GAPSA
Sean Ohms Winnie, Legislative Liaison, GAPSA
Kathy James, Immediate past president, GAPSA

UNIVERSITY OF MINNESOTA

MEMORANDUM

TO: See Distribution Attached

FROM: Independent Faculty Coalition of the University of Minnesota

SUBJECT: Faculty Tenure Code

The members of an independent coalition of faculty of the University of Minnesota have carefully analyzed the amendments to the University's *Regulations Concerning Faculty Tenure* proposed by the Faculty Senate and forwarded to the Board of Regents with the endorsement of the University's President.

The Faculty Senate amendments purport to update the faculty tenure code by (a) the clarification of such items as the use of contract appointments and the assignment of faculty teaching duties and by (b) the incorporation of new provisions for post-tenure review and potential faculty salary reductions for poor performance. In fact, these provisions are either drawn so narrowly or are so encumbered with procedural requirements as to be rendered virtually meaningless.

In actual practice, under the amendments proposed by the Faculty Senate the University will see little or no change in the use of contract appointments or in the faculty's behavior with regard to teaching. By the same token, under these amendments, unproductive tenured faculty members will continue to be insulated from meaningful performance reviews and the sanction of salary a reduction for poor performance.

In our judgment, the Faculty Senate and President have not met the needs of the vast majority of the University's faculty who are highly productive in their teaching and research endeavors and fully dedicated to the University and its role within Minnesota.

Under the Senate's proposed amendments:

- Faculty members will continue not to be held accountable for their performance. Unproductive tenured faculty members will continue to be an embarrassment to their productive colleagues as well as a drain on the University's financial resources and reputation.
- University's ability to raise faculty pay levels will be severely curtailed. Overall faculty compensation levels will continue to fall behind national

norms as the University is forced to provide ongoing support to the tenured faculty members in outdated departments or programs that are no longer relevant to the needs of the citizens of the State.

- University compensation programs will continue to be inequitable and not related to individual performance. Serious inequities in salary levels that now exist among faculty members with similar duties, responsibilities and skills will be maintained. Also, highly productive faculty members will not have the opportunity to earn additional merit based compensation for their professional excellence and contributions to the University and the State of Minnesota.
- University's reputation and that of its faculty will decline into mediocrity. The adoption of an even more bureaucratic set of faculty dominated procedures for the protection of employment will drain away critical faculty and administrative time and financial resources that the University should devote to meeting its future academic, financial and strategic challenges.

We believe that the University's *Regulations Concerning Faculty Tenure* can and should be amended both (1) to ensure academic freedom and (2) to ensure ongoing teaching and research excellence for this University into the next century. To achieve these ends, the faculty tenure code must ensure five (5) fundamental requirements.

1. Protection of Academic Freedom. An effective, efficient, and timely process to resolve grievances in the area of academic freedom with balanced administration and faculty participation.

2. Guaranteed income. A guaranteed base salary, market based and internally consistent across the University.

3. Protection of employment rights. An effective, efficient, and timely process to resolve grievances in the area of employment rights with balanced administration and faculty participation.

4. Faculty accountability. Administrative authority to assign faculty duties and responsibilities, career long annual faculty performance reviews by peers, students and administrators, and a productivity based contingent compensation augmentation to base salary.

5. Fiscal management. The ability to make contract appointments to meet any University mission requirement, and the ability to terminate faculty appointments without declaring a general financial emergency when eliminating a department or program for strategic or fiscal reasons.

To this end, we have prepared the attached Independent Amendments to the University's *Regulations Concerning Faculty Tenure* for consideration. We believe these amendments are in the best interest of the vast majority of the University's faculty and that they responsibly balance the interests of the University's faculty with those of the University and the citizens of the State of Minnesota. We ask for your support in this matter and urge the adoption of the attached Independent Amendments by the Board of Regents.

Finally, we need to address the reasons that we have chosen to submit this proposal anonymously. The reasons relate to both personal concerns and to the proposal itself. The issue of tenure is emotionally laden and highly politicized in this university. Last year, a faculty committee was appointed by President Hasselmo at the request of the Regents to consider changes in the code. The proposal they developed was discarded with no broad discussion. Instead, the people who were working on the proposal were ruthlessly attacked by other faculty members.

Next, the Faculty Senate took over the process and a second, faculty protective proposal was developed and submitted to the Regents. Unfortunately, the President has gone on record as saying that the proposed changes are sufficient. We disagree strongly. With both the faculty political body and the President in opposition to a more balanced and reasonable code, we are concerned that being connected to presenting an alternative will damage our effectiveness at the University by subjecting us to personal animosity and a hostile working environment.

Separate from our personal reasons, we have elected to remain anonymous for a larger reason as well. The tenure code is an important issue with broad effects on our university and its contribution to Minnesota. We want the broad community to consider this proposal on its own merit. We want the focus to be on the proposal, not on the source or personalities of its authors. The tenure code is a critical component of our university's culture. We believe that our proposed alternative code will preserve our fundamental values, and at the same time will strengthen the institution and enhance its ability to respond to the serious challenges we face.

We thank you for your consideration. As University and community leaders (and non-faculty members), we urge you to speak out openly in support of this proposal.

Distributed to:

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UNIVERSITY OF MINNESOTA

Independent Recommended Amendments

to

**REGULATIONS CONCERNING
FACULTY TENURE**

**(NOTE: ~~Deletions~~ / ADDITIONS -
To Faculty Tenure Code of November 10, 1994)**

1
2
3 **Regulations Concerning Faculty Tenure**

4
5 **(NOTE: Deletions / ADDITIONS)**

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1 **University of Minnesota**

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3 **Regulations Concerning Faculty Tenure**

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5 **(NOTE: Deletions / ADDITIONS)**

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7
8 **PREAMBLE:**

9
10 THE BOARD OF REGENTS ADOPTS THESE REGULATIONS WITH THE CONVICTION THAT A WELL-
11 DEFINED STATEMENT OF RULES IS ESSENTIAL TO THE PROTECTION OF ACADEMIC FREEDOM AND THE
12 PROMOTION OF EXCELLENCE IN THIS UNIVERSITY. A WELL DESIGNED PROMOTION AND TENURE
13 SYSTEM ENSURES THAT CONSIDERATIONS OF ACADEMIC QUALITY WILL BE THE BASIS FOR ACADEMIC
14 PERSONNEL DECISIONS, AND THUS PROVIDES THE FOUNDATION FOR ACADEMIC EXCELLENCE.

15
16 TENURE IS ESSENTIAL FOR SAFEGUARDING THE RIGHT OF FREE EXPRESSION AND FOR ENCOURAGING
17 RISK TAKING INQUIRY AT THE FRONTIERS OF KNOWLEDGE. TENURE SERVES IMPORTANT PUBLIC
18 PURPOSES AND BENEFITS SOCIETY. THE PEOPLE OF MINNESOTA ARE BEST SERVED WHEN FACULTY
19 ARE FREE TO TEACH, CONDUCT RESEARCH, AND PROVIDE SERVICE WITHOUT FEAR OF REPRISAL AND
20 TO PURSUE THOSE ACTIVITIES WITH REGARD FOR LONG TERM BENEFITS TO SOCIETY RATHER THAN
21 SHORT TERM REWARDS. IN RETURN, FACULTY HAVE THE RESPONSIBILITY TO ENSURE EXCELLENCE IN
22 THE INSTITUTION'S PROGRAMS OF RESEARCH, TEACHING, AND SERVICE AND ARE PERSONALLY
23 ACCOUNTABLE FOR THEIR PERFORMANCE OF THESE RESPONSIBILITIES.

24
25 ADDITIONALLY, A WELL DESIGNED TENURE SYSTEM ATTRACTS CAPABLE AND HIGHLY QUALIFIED
26 INDIVIDUALS AS FACULTY MEMBERS, STRENGTHENS INSTITUTIONAL STABILITY BY ENHANCING
27 FACULTY MEMBER'S INSTITUTIONAL LOYALTY, AND ENCOURAGES ACADEMIC EXCELLENCE.
28 TENURE AND PROMOTION IMPLY SELECTIVITY AND CHOICE; THEY ARE REWARDED FOR ACADEMIC
29 AND PROFESSIONAL MERIT, NOT FOR SENIORITY. THE LENGTH AND INTENSITY OF THE REVIEW
30 LEADING TO THE GRANT OF TENURE PROMOTES THE RETENTION ONLY OF WELL-QUALIFIED FACULTY
31 COMMITTED TO THE UNIVERSITY'S MISSION.

32
33 THE IDEAL ATTRIBUTES OF THE COLLECTIVE FACULTY OF ANY UNIT ARE SCHOLARLY CREATIVITY,
34 PROFESSIONAL COMPETENCE AND LEADERSHIP, INTELLECTUAL DIVERSITY, SOCIETAL RELEVANCE,
35 THE ABILITY AND DESIRE TO TEACH EFFECTIVELY AND THE WILLINGNESS TO COOPERATE WITH OTHER
36 UNITS IN PROMOTING THE WORK AND WELFARE OF THE UNIVERSITY AS A WHOLE. THE
37 ADMINISTRATION AND FACULTY SHOULD ENSURE, WITHIN EACH UNIT, NOT ONLY A PROPER
38 BALANCE AMONG THESE ACTIVITIES BUT ALSO THE MAINTENANCE OF EACH AT THE HIGHEST LEVEL,
39 TOGETHER WITH ACCOUNTABILITY AND SUITABLE RECOGNITION OF INDIVIDUAL ACHIEVEMENTS AND
40 SERVICE.

1 regulations, whether or not their appointments are appropriate for such status under these
2 regulations.

3 4 5 SECTION 3. FACULTY RANKS AND TYPES OF APPOINTMENTS

6
7 3.1 *In General.* The faculty ranks are Professor, Associate Professor, Assistant
8 Professor, and Instructor. Appointments at these ranks are either regular TENURED OR TENURE-
9 TRACK APPOINTMENTS or ~~non-regular~~ TERM APPOINTMENTS. An appointment must be designated
10 AS A regular or ~~non-regular~~ TERM APPOINTMENT when it is made.

11
12 3.2 *Regular TENURED OR TENURE-TRACK Appointments.* A regular appointment is either
13 with indefinite tenure or is probationary, leading to a decision concerning indefinite tenure within a
14 specified period of time. A faculty member with indefinite tenure is entitled to retain that position
15 until retirement in accordance with University regulations or until the appointment is terminated
16 pursuant to the provisions of Sections 10 ~~or 11~~. A faculty member on probationary appointment
17 (a) is entitled to considerations for indefinite tenure, and (b) is entitled to timely notice of
18 termination. In accordance with Section 6, a regular appointment may only be held in an academic
19 unit of a degree-granting college or similar unit. A regular appointment must be for two-thirds time
20 or more over the academic year.

21
22 3.3 *Non-regular TERM Appointments.* A TERM ~~non-regular~~ appointment is date-specific;
23 that is, the appointment terminates at the end of a period specified in the appointment without
24 further notice to the appointee. The ~~Vice-President~~ SENIOR ACADEMIC ADMINISTRATOR FOR THE
25 CAMPUS OR AREA must give every person appointed to a TERM ~~non-regular~~ faculty position a
26 statement in writing setting forth the conditions of the term appointment, including the fact that it
27 terminates without further notice. No number of renewals of a TERM ~~non-regular~~ appointment
28 creates a right to further renewals or to a decision concerning tenure. ~~Every renewal of a term~~
29 ~~appointment for the seventh or succeeding year must be reported to the Tenure Committee with a~~
30 ~~justification of the reasons for term status.~~

31
32 3.4 *Limitation on Use of TERM Non-Regular Appointments.* Faculty appointments must
33 be regular (either probationary or with indefinite tenure) unless one or more of the following
34 conditions is met, in which case the appointment may be classified as TERM ~~non-regular~~.

35
36 (a) The duration, the percentage of time, or both require less than service for two-thirds
37 time for the academic year.

38 (b) The appointment is designated a Visiting appointment because the faculty member is
39 from another educational institution or is a qualified professional from a government or private
40 agency on a leave of absence to accept a temporary appointment at this University.

41 (c) The appointment is designated a term appointment because the faculty member is a
42 clinician in the community who gives service to the University part-time.

43 (D) THE APPOINTMENT CONCERNS A FACULTY MEMBER WHO PRINCIPALLY IS ENGAGED IN
44 AND PRIMARILY IS SUPPORTED BY CLINICAL ACTIVITIES OR BY DISCIPLINE RELATED SERVICE, I.E.
45 PERFORMANCE WITHIN THE FACULTY MEMBER'S EXPERTISE OTHER THAN TEACHING OR RESEARCH.

- 1 (e) The appointment is designated an Adjunct appointment because the faculty member's
2 primary employment is outside the University or is in another unit of the University.
3 (f) The appointment extends courtesy faculty rank without salary.
4 (g) The position is subject to the joint control of the University and another institution.
5 (h) The specific funding for the position is subject to the discretion of another agency.
6 (i) The funding for the position is for a limited time.
7 (j) The appointment is in a unit or program that is experimental or otherwise restricted in
8 duration.

9 (k) The person is enrolled in a University of Minnesota degree program. A regular faculty
10 member on a probationary appointment may transfer to TERM ~~non-regular~~ status during enrollment
11 in such a program if the faculty member and the SENIOR ACADEMIC ADMINISTRATOR ~~Vice~~
12 ~~President~~ agree. This transfer suspends the running of the maximum period of probationary
13 service, but the faculty member retains other rights of regular appointment, including annual
14 review, the right to timely notice and a terminal appointment period as provided in Section 6.

15 (L) OTHER APPOINTMENT NEEDS AS DETERMINED BY THE SENIOR ACADEMIC
16 ADMINISTRATOR.

17
18 3.5 *Administrators' Appointments.* Academic administrators may hold regular or TERM
19 ~~non-regular~~ faculty appointments. Administrative titles and duties are distinct and severable from
20 such individuals' faculty appointments. Removal from an administrative position does not impair
21 any rights the individual holds as a faculty member. UPON LEAVING AN ADMINISTRATIVE POSITION,
22 THE INDIVIDUAL RETURNS TO FACULTY STATUS, WITH COMPENSATION AND TERM OF APPOINTMENT
23 REDUCED BY THE AMOUNT OF THE ADMINISTRATIVE AUGMENTATION, IF ANY.

24
25 3.6 *Special Contracts.* These regulations do not bar a faculty appointment pursuant to a
26 special contract specifying terms or conditions of employment which are different from those
27 prescribed in these regulations. All other provisions of these regulations apply to such
28 appointments. Every special contract must be in writing and must state that it is a special contract
29 entered into pursuant to this Subsection. It must be signed by the faculty member concerned, by
30 the dean of the collegiate unit in which the faculty member will be employed and by the SENIOR
31 ACADEMIC ADMINISTRATOR ~~Vice-President~~ and must be authorized by the Board of Regents or its
32 expressly authorized delegate. ~~In addition, the Vice-President will annually report to the Tenure~~
33 ~~Committee the terms of all special contracts and the reasons for their use.~~

34
35 A special contract may be used to reduce the minimum time of a regular appointment to
36 one-half time in order to permit a faculty member to devote more time to family responsibilities.
37 Such a contract must provide for the mutual responsibilities of the faculty member and the
38 academic unit, including the type and percent time of the appointment, if any, to which the faculty
39 member is entitled at the expiration of the special contract. In the case of a probationary faculty
40 member, the contract will regulate the length of the probationary period, but the total probationary
41 period may be extended by no more than a total of two years pursuant to this Section and Section
42 5.5.

43
44 3.7 *DEFINITIONS:*
45

1 As used in these Regulations, "academic unit" means a department or other basic unit in
2 which tenure is held. It may be a division, school, or college which is not further subdivided. The
3 "head" of an academic unit is the academic administrator immediately responsible for it, such as a
4 chair, head, or director.

5
6 As used in these Regulations, "collegiate unit" or "college" means a major academic entity
7 of the University. It may be a college, school, institute or campus. The "academic administrator"
8 or "dean" of a collegiate unit is a dean, provost, or similar officer.

9
10 ~~As used in these regulations, "Vice President" means the Vice President for Academic~~
11 ~~Affairs. THE PRESIDENT WILL DESIGNATE ONE OR MORE "SENIOR ACADEMIC ADMINISTRATORS~~
12 ~~"(VICE PRESIDENTS, CHANCELLORS, PROVOSTS, ETC.) TO HAVE RESPONSIBILITY FOR ACADEMIC~~
13 ~~MATTERS FOR ALL OR PART OF THE UNIVERSITY, AND WILL DEFINE THEIR RESPECTIVE~~
14 ~~JURISDICTIONS.~~

15 16 17 SECTION 4. TERMS OF FACULTY EMPLOYMENT

18
19 4.1 *Written Notice of Appointment.* Each faculty appointment or change of status is
20 specified in a written notice of appointment issued by or on behalf of the Board of Regents. The
21 notice must include the following:

- 22
23 (1) whether the appointment is regular or ~~TERM non-regular~~
24 (2) whether it is full or part-time and the percentage of time involved;
25 (3) if for a fixed term, its expiration date;
26 (4) if regular, whether it is probationary or with indefinite tenure;
27 (5) whether it is on a twelve-month, academic year or other specified annual basis;
28 (6) the rank of appointment;
29 (7) the academic unit or units to which the individual is being appointed; ~~and~~
30 (8) the BASE salary; AND
31 (9) OTHER COMPENSATION OR AUGMENTATION AS DESCRIBED IN SECTION 4.4

32
33 The notice is only evidence of the appointment; clerical or computer errors in a notice of
34 appointment do not affect the terms of the appointment unless the faculty member reasonably relied
35 upon the mistake and suffered an injustice because of that reliance. Notices required by this
36 Section should be delivered before the effective date of the appointment or change of status, or as
37 soon thereafter as is administratively feasible. A probationary appointee must also be given notice
38 of the applicable maximum probationary period.

39
40 4.2 *Action by the Board of Regents.* Faculty appointments and renewals or changes of
41 status become effective when approved by the Board of Regents or its authorized delegate.

42
43 4.3 *Changes in Terms of Appointment.* ~~Except for raises in rank or salary and except~~
44 ~~for action expressly authorized by these regulations,~~ No changes of any of the items listed in
45 Subsection 4.1 may be made during the term of an appointment except with the agreement of the

1 faculty member and the Board of Regents or its authorized delegate, EXCEPT AS AUTHORIZED IN
2 THIS DOCUMENT.

3
4 4.4 *FACULTY COMPENSATION*: EACH FACULTY MEMBER SHALL RECEIVE A BASE SALARY,
5 WHICH SHALL NOT BE DECREASED EXCEPT AS EXPRESSLY AUTHORIZED IN THESE REGULATIONS. THE
6 BASE SALARY SHALL CONSIST OF THE INITIAL BASE SALARY PLUS ANY SUBSEQUENT INCREASE IN
7 BASE SALARY. THE UNIVERSITY MAY ALSO PROVIDE A FACULTY MEMBER WITH ADDITIONAL
8 CONTINGENT COMPENSATION THAT IS NOT PART OF THE BASE SALARY. THE ADDITIONAL
9 CONTINGENT COMPENSATION MAY BE (A) FOR QUANTITY OR QUALITY OF PERFORMANCE OF
10 REGULAR ROUTINE FACULTY RESPONSIBILITIES, OR (B) FOR ACTIVITIES IN ADDITION TO REGULAR
11 ROUTINE FACULTY RESPONSIBILITIES SUCH AS CLINICAL PRACTICE, ADMINISTRATIVE SERVICE,
12 OVERLOAD DUTIES, SUMMER SCHOOL TEACHING, AND SUMMER RESEARCH SUPPORT. THE FACULTY
13 MEMBER DOES NOT HAVE A RIGHT TO CONTINUATION OF THIS ADDITIONAL CONTINGENT
14 COMPENSATION BEYOND THE TIME OR PURPOSE FOR WHICH IT IS GRANTED.

15
16 AT THE TIME AN APPOINTMENT IS MADE, THE OFFER AND WRITTEN NOTICE OF APPOINTMENT
17 SHALL SEPARATELY STATE THE BASE SALARY AND ANY ADDITIONAL CONTINGENT COMPENSATION,
18 AS DESCRIBED ABOVE, THAT THE FACULTY MEMBER MAY RECEIVE. EACH YEAR THE FACULTY
19 MEMBER SHALL BE PROVIDED WITH A WRITTEN NOTICE SEPARATELY STATING ANY INCREASE IN BASE
20 SALARY AND ANY CHANGES IN THE ADDITIONAL CONTINGENT COMPENSATION FOR THE FOLLOWING
21 ACADEMIC YEAR. UNLESS SPECIFIED AS AN INCREASE IN BASE SALARY, ANY INCREASE WILL BE
22 PRESUMED TO BE IN CONTINGENT COMPENSATION.

23
24 4.5 *MAXIMUM BASE SALARY*. THE BOARD OF REGENTS SHALL ESTABLISH A MAXIMUM
25 BASE SALARY FOR THE POSITIONS OF PROFESSOR, ASSOCIATE PROFESSOR, ASSISTANT PROFESSOR,
26 AND INSTRUCTOR FOR EACH ACADEMIC UNIT. SUCH MAXIMUM BASE SALARIES SHALL BE
27 REVIEWED ANNUALLY BY THE BOARD OF REGENTS AND MAY BE ADJUSTED TO REFLECT CHANGES IN
28 EXTERNAL CONDITIONS AND/OR INFLATION OR DEFLATION.

29 30 31 **SECTION 5. MAXIMUM PERIOD OF PROBATIONARY SERVICE**

32
33 5.1 *General Rule*. To give the University ample opportunity to determine the
34 qualifications of those faculty members whom it is considering for regular appointments with
35 indefinite tenure, the maximum period of probationary service of a faculty member is normally six
36 academic years, whether consecutive or not. THE DEAN OF A COLLEGIATE UNIT MAY PROPOSE TO
37 ALTER THE MAXIMUM PROBATIONARY PERIOD FOR ALL OF THAT COLLEGE, OR FOR CERTAIN UNITS
38 WITHIN IT, TO NO MORE THAN NINE YEARS AND NO FEWER THAN SIX YEARS. THE TENURED FACULTY
39 OF A COLLEGE, BY SIMPLE MAJORITY VOTE TAKEN BY SECRET BALLOT, MAY ADOPT SUCH A CHANGE,
40 WITH THE APPROVAL OF THE SENIOR ACADEMIC ADMINISTRATOR. ANY SUCH CHANGE IN THE
41 MAXIMUM PROBATIONARY PERIOD APPLIES TO ALL PROBATIONARY FACULTY HIRED IN THAT
42 COLLEGE (OR THOSE UNITS) AFTER THE DECISION, BUT ANY INCUMBENT PROBATIONARY FACULTY
43 MEMBER MAY CHOOSE TO BE CONSIDERED UNDER THE NEW RULE. At the end of this probationary
44 period, the faculty member must either be given a regular appointment with indefinite tenure or a
45 one-year terminal appointment

1
2 **5.2 Early Decisions Permitted.** These regulations do not prevent the granting of
3 indefinite tenure prior to the expiration of the maximum period of probationary service and do not
4 prevent a decision to terminate an appointee's probation prior to the end of the appointee's
5 maximum probationary service, if timely notice is given.
6

7 **5.3 Definition of Academic Year.** A faculty member is considered to have served an
8 academic year if the appointee serves at least two-thirds time for three quarters or full-time for two
9 quarters of the nine month academic year or any equivalent combination. An academic year during
10 which the faculty member serves for less than this amount is not counted in computing the number
11 of years for purposes of this section.
12

13 Unless otherwise agreed in writing, periods during which a faculty member is on paid leave
14 for professional development (single quarter leave, sabbatical furlough, etc.) or on leave to teach or
15 conduct research at another academic institution count as service, but periods in which the faculty
16 member is on sick or disability leave or on leave in some non-faculty capacity do not count as
17 service.
18

19 If a faculty member transfers to a position in the non-regular faculty, the time spent in the
20 non-regular position does not count for the purpose of this section.
21

22 **5.4 Prior Service**

23
24 **5.41 In this University.** Every academic year during which a faculty member has
25 previously served at least two-thirds time under a regular appointment at this University reduces
26 the maximum period of probationary service by one year.
27

28 **5.42 Elsewhere.** If a faculty member has previously served in regular faculty positions, as
29 defined in these regulations, in one or more accredited universities or colleges, every academic year
30 of such service (not exceeding three) reduces the maximum period of probationary service by one
31 year.
32

33 **5.43 Exceptions Permitted.** If the prior service was in a different discipline, was in an
34 academic unit or institution with teaching or research goals not comparable to those of the present
35 appointment, or was too long ago to provide good evidence of the appointee's current professional
36 development the Board of Regents or its expressly authorized delegate may make an exception in
37 writing at or near the beginning of the probationary period.
38

39 **5.5 Exception for New Parent or Caregiving.** The maximum period of probationary
40 service will be extended by one year at the request of a probationary faculty member (1) on the
41 occasion of the birth of that faculty member's child or adoptive/foster placement of a child with that
42 faculty member, or (2) when the faculty member is a major caregiver for a family member (includes
43 a blood relative, or marital partner, or a domestic partner registered with the University, or an
44 adoptive/foster child) who has an extended serious illness, injury, or debilitating condition. A
45 faculty member may use this provision no more than two times. The request for extension must be

1 made in writing within three months of the events giving rise to the claim and no later than June 30
2 preceding the year a final decision would otherwise be made on an appointment with indefinite
3 tenure for that faculty member.
4

5 6 SECTION 6. TENURE OF FACULTY ON REGULAR 7 PROBATIONARY APPOINTMENTS 8

9 6.1 *In General.* A regular probationary appointee is a candidate for indefinite tenure. A
10 probationary appointment continues until it is superseded by an appointment with indefinite tenure
11 or until terminated by timely notice or by resignation. Regular probationary appointments are
12 generally made at the rank of Assistant Professor, but may be made at any rank.
13

14 6.2 *Notice Requirements.* Except as provided below, a probationary appointment may
15 be terminated at the end of any academic year by giving notice of termination (in the form provided
16 in Section 16 47) not later than May 15 of the preceding academic year. The notice must inform
17 the faculty member of the right to request a hearing ON THE MATTER AS SET OUT IN SECTION 14 45
18 ~~before the Judicial Committee~~ and must advise the faculty member of the applicable time limit for
19 making such a request.
20

21 6.21 *Associate Professors and Professors on Probationary Appointments.* An initial
22 probationary appointment at the rank of Associate Professor or Professor may specify in writing
23 that it is for a minimum period of three years. In that case, the earliest time at which notice of
24 termination can be given is before May 15 of the, second year of service, to take effect at the end of
25 the third year of service.
26

27 6.22 *Instructors on Probationary Appointments.* An initial probationary appointment at
28 the rank of Instructor may specify in writing that it is only for a minimum period of one year. The
29 appointment may be terminated at the end of the first year by notice given not later than March 1 of
30 that year, or at the end of the second year by notice given not later than December 15 of that year.
31 In all other respects such appointments are governed by Subsection 6.2. A promotion of an
32 Instructor to the rank of Assistant Professor without a grant of tenure does not affect the operation
33 of this subsection.,
34

35 6.3 *Promotions.* The promotion of a probationary appointee to the rank of Associate
36 Professor or Professor must be accompanied by an appointment with indefinite tenure. A
37 promotion to Assistant Professor does not affect the faculty member's tenure status.
38

39 6.4 *Rank of Appointees with Indefinite Tenure.* The grant of tenure to an Instructor
40 must be accompanied with a promotion to Assistant Professor. Since the standards for granting
41 tenure are ordinarily at least as rigorous as those for promotion to Associate Professor, the granting
42 of tenure to an Assistant Professor will ordinarily be accompanied by a promotion to Associate
43 Professor. Otherwise, a grant of indefinite tenure need not be accompanied with a promotion in
44 rank.
45

1 6.5 *Effect of Failure to Comply with this Section.* No one is entitled to an appointment
2 with indefinite tenure merely because the University failed to comply with this section. If an
3 individual is given an extension of appointment beyond the maximum probationary period or is
4 not given timely written notice, the University may either:

- 5
6 (1) grant an appointment with indefinite tenure; or
7 (2) grant a further probationary appointment, if this would not exceed the maximum
8 probationary period; or
9 (3) grant a terminal appointment ending at the end of the first full academic year which
10 follows the May 15 th after proper notice is given.

11
12
13 **SECTION 7. PERSONNEL DECISIONS**
14 **CONCERNING PROBATIONARY FACULTY**

15
16 7.1 *Criteria for Decisions.*

17
18 7.11 *General Criteria.* The basis for awarding indefinite tenure is the determination that the
19 achievements of an individual have demonstrated the individual's potential to continue to contribute
20 significantly to the mission of the University^A and to its programs of teaching, research, and service
21 over the course of the faculty member's academic career.^B The primary^C criteria for demonstrating
22 this potential are effectiveness in teaching^D and professional distinction in research^E; outstanding
23 discipline-related service contributions^F will also be taken into account where they are an integral
24 part of the mission of the academic unit. The relative importance of the criteria may vary in
25 different academic units, but each of the criteria must be considered in every decision.^G

26 The individual's participation in the governance of the institution and other services to the
27 University and service to the academic unit may be taken into consideration, but are not in
28 themselves bases for awarding tenure.

29 Indefinite tenure may be granted at any time when the candidate has satisfied the
30 requirements. A probationary appointment must be terminated when the appointee fails to satisfy
31 the criteria in the last year of probationary service and may be terminated earlier if it appears that
32 the appointee is not making satisfactory progress toward meeting the criteria within that period.

33
34 7.12 *Departmental Statement.* Each academic unit must have a document that articulates
35 with reasonable specificity the indices and standards which will be used to evaluate whether
36 candidates meet the criteria of Section 7.11. The document must comply with those standards, but
37 should make their application more specific. Each such document is subject to review AND
38 APPROVAL by the Dean AND THE SENIOR ACADEMIC ADMINISTRATOR ~~or other appropriate~~
39 ~~academic administrator and by the Vice President.~~ Each academic unit must provide each
40 probationary faculty member with a copy of the document at the beginning of the probationary
41 service.
42

43 -----
44 --

45 **Footnotes**

1
2 ^A THE MISSION OF THE UNIVERSITY INCLUDES, WHERE APPROPRIATE, OUTREACH ACTIVITY
3 THAT EXTENDS A FACULTY MEMBER'S TEACHING, RESEARCH AND SERVICE BEYOND THE CAMPUS OR
4 TO NONTRADITIONAL GROUPS OF STUDENTS AND CITIZENS. NOT EVERY FACULTY MEMBER WILL
5 HAVE OUTREACH RESPONSIBILITIES.

6
7 ^B For interpretation and possible applications, see the interpretative comment that will be
8 provided in accordance with the provisions of Section 15.2 ~~16.2~~

9
10 ^C Criteria other than those expressly listed in this sentence must be explicitly stated and
11 justified in terms of the mission of the University. Such additional criteria may not impinge upon
12 the academic freedom of the probationary faculty member.

13
14 ^D "Teaching" is not limited to credit-producing classroom instruction. It encompasses other
15 forms of communication of knowledge (both to students registered in the University and to other
16 persons in the community) as well as the supervision or advising of individual graduate or
17 undergraduate students.

18
19 ^E "Research" is not limited to the publication of scholarly works. It includes activities which
20 lead to the public availability of products or practices which have a significance to society, such as
21 artistic production or the development of new technology or scientific procedures.

22
23 ^F "Service" means performance within the faculty member's academic expertise and the
24 mission of the academic unit. It does not include performance of quasi-administrative functions
25 such as membership on faculty or Senate committees or other similar activities; those activities are
26 relevant only to the limited extent set forth in the following paragraph OF THE TEXT.

27
28 Where service is not an integral part of the mission of the academic unit, a faculty member's
29 service may be considered, but is not a prerequisite to the awarding of tenure.

30 7.2 *Annual Review.* The tenured faculty^H of each academic unit annually reviews the
31 progress of each probationary faculty member toward satisfaction of the criteria for receiving
32 tenure. The head of the unit prepares a written summary of that review and discusses the
33 candidate's progress with the candidate, giving a copy of the report to the candidate.

34
35 7.3 *Formal Action by the Faculty.* The tenured faculty of the academic unit may
36 recommend that a probationary faculty member be granted indefinite tenure or that the appointment
37 be terminated. If it does neither, it is presumed to recommend a renewal of the appointment. In
38 the final probationary year, if the tenured faculty does not recommend an appointment with
39 indefinite tenure, it must recommend termination of the appointment. The recommendation is made
40 by a vote of the regular faculty with indefinite tenure in the unit. The presiding officer is not
41 disqualified from voting merely because of office.

42
43 7.4 *Procedures for Taking Formal Action.* The academic unit must observe University
44 procedures established as provided in Section 15.3 ~~16.3~~. These procedures will provide that:

1 (1) There is a good faith effort to gather all relevant information necessary to the decision.
2 The PROBATIONARY FACULTY MEMBER HAS ~~academic units have~~ the primary obligation to assemble
3 the file, but the ACADEMIC UNIT HEAD ~~faculty member~~ also has the right to add any material the
4 UNIT HEAD ~~faculty member~~ considers relevant.
5

6 (2) The decision is made by vote, by written unsigned secret ballot, at a meeting of the
7 regular faculty who have indefinite tenure in the academic unit. The rules may provide for absentee
8 ballots by informed absent faculty members.
9

10 (3) Persons who have or have had a family or similar relationship to the candidate do not
11 participate in the decision. The procedures may establish methods for raising and ruling on such
12 questions in advance of the decision.
13

14
15 --
16 **Footnotes**

17
18 ^G Because of the special mission of the Crookston and Wasaka campuses CAMPUS,
19 disciplined inquiry in their field of endeavor may be substituted for research in appraising faculty
20 members there.
21

22 Other exceptions may be made only in exceptional circumstances by means of special contract, as
23 provided in Section 3.6.
24

25 ^H AS USED IN THESE REGULATIONS, "TENURED FACULTY" MEANS THOSE MEMBERS OF THE
26 FACULTY WHO HOLD INDEFINITE TENURE.
27

28 (4) Action is taken by majority vote. An academic unit may adopt a uniformly applicable
29 rule that a motion to recommend tenure must achieve a specified exceptional majority in order to
30 constitute an affirmative recommendation of that unit. In such case a motion which achieves a
31 majority, but not the required exceptional majority, must be sent forward for review by the
32 appropriate review process despite the absence of the unit's affirmative recommendation.
33

34
35 (5) The unit reports the vote of the faculty, together with the reasons for the action taken.
36 This statement of reasons must take the form of a summary of both majority and minority views
37 which have substantial support which were expressed in the course of formal consideration of the
38 action. All statements must be made without personal attribution. A preliminary draft is open to
39 members of the faculty eligible to vote so they may comment and suggest changes. The final draft
40 is sent to the affected faculty member and is open to the faculty eligible to vote.
41

42 (6) In academic units which are widely scattered geographically so that collegial
43 deliberation is difficult, the rules may specify special procedures which, to the maximum extent
44 practicable, conform to the procedures generally required.
45

1 (7) Before submitting a formal recommendation for an appointment with indefinite tenure or
2 for termination of a probationary appointment, the Head of the academic unit informs the appointee
3 of the recommendation and gives the appointee a copy of the final report. The appointee may
4 submit any comments upon the report to the academic administrator (WITH A COPY TO THE HEAD OF
5 THE ACADEMIC UNIT) who will review the report.
6

7 **7.5 Non-disclosure of grounds for recommendation of termination.** The reasons for a
8 recommendation to terminate a probationary appointment may not be disclosed, except as part of
9 the review process, unless the faculty member requests such disclosure or makes a public statement
10 concerning the reasons for termination.
11

12 **7.6 Review of Recommendations.** Recommendations of academic units to grant
13 indefinite tenure or to terminate probationary appointments are reviewed at the collegiate and
14 University levels.
15

16 **7.61 Procedures.** The review must be conducted according to University procedures,
17 established as provided in Section 15.3 ~~16-3~~. These procedures must provide for review and
18 recommendations by the Head of the academic unit, by the Dean of the collegiate unit, by faculty
19 committees at the collegiate or University level, BY THE SENIOR ACADEMIC ADMINISTRATOR and
20 when appropriate, by other academic administrators. THE SENIOR ACADEMIC ADMINISTRATOR
21 CONSIDERS ALL INPUT FROM THE PROCESS AND MAKES A RECOMMENDATION TO THE REGENTS
22 REGARDING THE CASE. The review must be conducted on the basis of the standards and criteria
23 established by subsections 7.11 and 7.12 and the applicable rules and procedures.
24

25 The rules may permit an administrator to refer the matter back to the unit for
26 reconsideration, but if the administrator and the unit do not agree after such reconsideration, both
27 the recommendation and the administrator's comments must be sent forward for final administrative
28 action. A copy of each review or recommendation must be supplied to the faculty member. The
29 faculty member may comment thereon in writing to those who will review the matter further.
30

31 **7.62 Conflict of Interest.** No one may participate both in an initial recommendation by an
32 academic unit and in a subsequent review of that recommendation, except that the Head of the
33 academic unit may make the initial administrative review. No one who has participated in a
34 recommendation or review may thereafter serve as a member of the Judicial Committee in further
35 consideration of that case.
36

37 Members of the Judicial Committee may not serve on collegiate or University review
38 committees. Members of the Judicial Committee may participate in initial recommendations by
39 their own academic units, but are disqualified from thereafter participating in Judicial Committee
40 consideration of those decisions.
41

42 **7.63 Final Administrative Action.** The University may not act contrary to the
43 recommendation of the academic unit which made the initial recommendation except for
44 substantive reasons which must be stated in writing by the SENIOR ACADEMIC ADMINISTRATOR
45 vice-president (or a person designated by the SENIOR ACADEMIC ADMINISTRATOR vice-president) to

1 the faculty member, to the members of the academic unit which made the recommendation, and to
2 the president. The fact that participants in the review process have recommended against the unit's
3 initial recommendation is not, by itself, a substantive reason.

4
5 FINAL RECOMMENDATIONS FOR THE GRANTING OF INDEFINITE TENURE SHALL IDENTIFY THE
6 ACADEMIC UNIT IN WHICH SUCH TENURE WOULD BE BASED AND SHALL BE FORWARDED TO THE
7 BOARD OF REGENTS FOR APPROVAL.

8
9 The SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ takes the steps necessary to make
10 appointment or to give notice of termination.

11
12 **7.7 *Improper Termination of Probationary Appointments.*** A person holding a regular
13 probationary appointment who has been given notice of termination may petition the Judicial
14 Committee to review that action. The Judicial Committee will not base its ruling on the merits of
15 the decision itself, but will review allegations that the decision was based in significant degree upon
16 any of the following:

17
18 (a) Personal beliefs, expressions or conduct which fall within the liberties protected by
19 law or by the principles of academic freedom as established by academic tradition and the
20 Constitution and laws of the United States and the State of Minnesota;

21
22 (b) Factors prescribed by applicable federal or state law regarding fair employment
23 practices;

24
25 (c) Substantial and prejudicial deviation from the procedures prescribed in Subsections
26 7.4 and 7.6 and the procedural rules promulgated pursuant to those subsections;

27
28 (d) Failure to consider data available at the time of decision bearing materially on the
29 faculty member's performance;

30
31 (e) Demonstrable material prejudicial mistakes of fact concerning the faculty member's
32 work or conduct;

33 (f) Other immaterial or improper factors causing substantial prejudice; or

34
35 (g) Other violations of University policies or regulations.

36
37 Such proceedings are governed by Section ~~15~~-14.

38
39
40 **SECTION 8. IMPROPER REFUSAL OF A NEW**
41 **APPOINTMENT TO A TERM ~~NON-REGULAR~~ FACULTY MEMBER**

42
43 A person holding a TERM ~~non-regular~~ faculty appointment who has been refused a renewal
44 of that appointment or has applied for and been refused a regular or a different TERM ~~non-regular~~
45 faculty appointment within six months of the end of that appointment may petition the Judicial

1 Committee to review the refusal, but only on the ground that the decision was based in significant
2 degree upon one or more of the following:

3 (a) Personal beliefs, expressions or conduct which fall within the liberties protected by
4 law or by the principles of academic Freedom as established by academic tradition and the
5 Constitutions and laws of the United States and the State of Minnesota;

6 (b) Factors proscribed by applicable federal or state law regarding fair employment
7 practices;

8 (c) Essential and substantial written misrepresentation of the nature of the original
9 appointment; or

10 (d) Other violation of University policies or regulations.

11
12 Such proceedings are governed by Section 15.
13
14
15
16
17
18
19

20 **SECTION 9. APPOINTMENT OF ASSOCIATE PROFESSORS**
21 **AND PROFESSORS WITH INDEFINITE TENURE**
22

23 Initial appointments with indefinite tenure may only be made at the rank of Associate
24 Professor or Professor. Such appointments may be made only after ~~receiving the recommendation~~
25 ~~of the regular faculty holding indefinite tenure in the academic unit concerned.~~ HAVE CONSIDERED
26 THE CANDIDATE AND VOTED WHETHER OR NOT THEY RECOMMEND THE APPOINTMENT WITH TENURE.
27
28

29 **SECTION 10. UNREQUESTED LEAVE OF ABSENCE FOR DISABILITY;**
30 **TERMINATION, OR SUSPENSION OR REDUCTION IN BASE SALARY**
31 **OF A FACULTY APPOINTMENT FOR CAUSE**
32

33 10.1 *Unrequested Leave of Absence for Disability.* A faculty member who is physically
34 or mentally unable to perform reasonably assigned duties may be placed on unrequested leave of
35 absence. The faculty member is entitled to sick pay and disability insurance payments in
36 accordance with University policy. The faculty member has a right to return to the faculty upon
37 termination of the disability or upon cessation of disability payments.
38

39 10.2 *Termination or Suspension of a Faculty Appointment Before Its Expiration OR*
40 *REDUCTION IN BASE SALARY:* A faculty appointment may be terminated or suspended before its
41 ordinary expiration, OR A FACULTY MEMBER MAY HAVE THEIR BASE SALARY REDUCED only for one
42 or more of the following causes:
43

44 (a) Sustained refusal or failure to perform reasonably assigned duties adequately.

1
2 (b) Unprofessional conduct which severely impairs a faculty member's fitness in a
3 professional capacity.
4

5 (c) Egregious or repeated misuse of the powers of professional position to solicit
6 personal benefits or favors.
7

8 (d) Sexual harassment or any other egregious or repeated unreasonable conduct
9 destructive of the human rights or academic freedom of other members of the academic
10 community.
11

12 (e) DISCONTINUATION OR CLOSURE OF THE ACADEMIC UNIT OF THE FACULTY MEMBER.
13 IN THESE CASES, THE UNIVERSITY MAY REASSIGN FACULTY TO OTHER UNITS IN THE
14 UNIVERSITY, BUT IS UNDER NO REQUIREMENT TO DO SO.
15

16
17 10.3 *Procedures.* A faculty member may be placed on unrequested leave of absence, or a
18 faculty appointment may be terminated or suspended, OR A FACULTY MEMBER'S BASE SALARY MAY
19 BE REDUCED for these reasons only in accordance with the procedures set forth in Section 13 14.
20

21 22 SECTION 11. ~~FISCAL EMERGENCY~~ PROGRAMMATIC CHANGES 23

24 11.1 *PROGRAMMATIC CHANGE.* THE UNIVERSITY AND FACULTY RECOGNIZE THAT
25 CHANGES IN ACADEMIC PROGRAMS ARE AN ESSENTIAL PART OF THE DEVELOPMENT AND GROWTH OF
26 AN INSTITUTION. THESE CHANGES SHOULD REFLECT LONG-TERM POLICY AND PLANNING.
27

28 11.2 ~~11.1~~ *Faculty Rights.* The Board of Regents, if faced with the necessity of
29 STRATEGIC REDIRECTION OF PROGRAMS OR of ~~drastic reduction~~ REALLOCATION in the University
30 budget, has the power to suspend or abolish positions, or even entire departments, divisions, or
31 other administrative units. If confronted with such ~~adverse contingency~~ REQUIREMENTS, the Board
32 will consult with and secure the advice of faculty ~~representatives~~ IN THE AFFECTED UNIT SO THAT
33 THE FACULTY ARE INFORMED OF THE DECISION AND ITS REASONS, ~~as provided in this section.~~
34 ~~Faculty members have the right to full access to information about the situation and the alternatives~~
35 ~~being considered. In effecting retrenchment because of financial necessity, the Regents will make~~
36 ~~reductions in faculty positions only to the extent that, in their judgment, is necessary after exploring~~
37 ~~various alternative methods of achieving savings. The Regents fully intend that the tenure system~~
38 ~~as a whole and the tenure rights of each individual faculty member be protected in every feasible~~
39 ~~manner during periods of such retrenchment~~
40

41 11.2 *General Principles of Priority.* ~~The following general principles of priority apply in~~
42 ~~any financial crisis:~~

43 ~~First, the University must fully utilize all means consistent with its continued existence as~~
44 ~~an institution of high academic quality to reduce expenses or to increase income which do not~~
45 ~~involve the termination of faculty positions or the impairment of faculty rights.~~

1 ~~—Second, the University may consider alternatives which involve only the temporary~~
2 ~~reduction or postponement of faculty compensation or the reduction of fringe benefits.~~

3 ~~—Only thereafter may the University suspend or terminate faculty positions in accordance~~
4 ~~with this section.~~

5
6 ~~11.3 First Stage: Alternative Approaches. If there has been a serious reduction in the~~
7 ~~University's income, the President will report the matter to the Senate Consultative Committee.~~
8 ~~The President will identify the magnitude of the shortfall, the measures which might be taken to~~
9 ~~alleviate it (which must not involve impairment of faculty rights), and alternative measures which~~
10 ~~have been rejected. The President will give the Committee full access to all available information~~
11 ~~and will respond specifically to additional proposals suggested by the Committee. At this stage, the~~
12 ~~University will consider reductions of non-faculty staff, allowing non-regular appointments to lapse~~
13 ~~in accordance with their terms, and reductions in other expenses. It will also consider increases in~~
14 ~~tuition, sales of assets, and borrowing. These steps will be implemented by the President or the~~
15 ~~Board of Regents as is appropriate.~~

16
17 ~~11.4 Second Stage: Reduction or Postponement of Compensation. If the University has~~
18 ~~implemented all of the measures which are required to be considered in the first stage, which are~~
19 ~~consistent with its continued operation as an institution of high academic quality, and they are~~
20 ~~inadequate to meet the shortfall, the President may, after consultation with the Faculty Consultative~~
21 ~~Committee, propose the temporary reduction or postponement of faculty compensation for a~~
22 ~~predetermined period not to exceed one year, according to a mathematic formula or similar device.~~
23 ~~The Faculty Consultative Committee will report on the adequacy of the steps taken in the first stage~~
24 ~~and make its recommendations on the proposal. If the Faculty Senate approves the proposed~~
25 ~~action (or any modification of it) by an absolute majority of its membership or by a two-thirds vote~~
26 ~~of the members present and voting (a quorum being present), the Board of Regents may take that~~
27 ~~action (or any less stringent action) and, to that extent, modify the terms of the appointments of all~~
28 ~~faculty members. The Board of Regents may rescind the action at any time thereafter. Such~~
29 ~~actions may be repeated by the same procedures.~~

30
31 ~~11.5 Third Stage: Fiscal Emergency. If there has been a reduction of the University's~~
32 ~~income which is so drastic as to threaten its survival, and this threat cannot be alleviated by the~~
33 ~~measures specified above, the Board of Regents may declare a fiscal emergency. During such an~~
34 ~~emergency, the Board of Regents may terminate or suspend faculty appointments as provided in~~
35 ~~this section. 11.51 Preliminary Procedures. Before recommending to the Board of Regents~~
36 ~~that it declare a fiscal emergency, the President must meet with the Senate Consultative~~
37 ~~Committee to examine alternatives to and the consequences of such a declaration. The President~~
38 ~~must provide the Committee access to all available information. The President must provide a~~
39 ~~written report identifying the dollar amount to be saved by reducing faculty positions. This report~~
40 ~~must also identify the dollar amount proposed to be saved by any other measures to be taken,~~
41 ~~including the level of any concurrent reductions in non-faculty staff during the emergency. The~~
42 ~~Faculty Consultative Committee will prepare a written report on the President's proposal, to which~~
43 ~~the Senate Consultative Committee may add additional comments. The Faculty Senate will first~~
44 ~~consider and act on the proposal and reports. Thereafter, the University Senate may consider~~
45 ~~them. The President must attend both Senate meetings to explain the proposal and to answer~~

1 questions. After receiving the President's recommendation and the resolutions of the Senates, the
2 Board of Regents may declare a state of fiscal emergency. Before action contrary to the
3 recommendation of the University Senate is subsequently taken, the President must report in
4 writing and in person the reasons for this action to the Senate Consultative Committee. The
5 Board of Regents' resolution states the maximum amount to be realized from termination or
6 suspension of faculty appointments.

7
8
9
10
11 ~~11.52 Duration.~~ A fiscal emergency lasts no longer than 12 months unless renewed by the
12 same procedure. A fiscal emergency may be rescinded at any time by the Board of Regents.

13
14 ~~11.53 Allocation of Shortfall.~~ After consultation with the Faculty Consultative Committee
15 and the Senate Consultative Committee, the President proposes an initial allocation of the shortfall
16 to the various collegiate units, which need not be prorated. The Committee must obtain the views
17 of the faculty in the affected units and must hold an open meeting at which anyone may comment
18 upon the proposed action. It may also request the assistance of other University or Senate
19 committees in studying all or particular aspects of the educational policies and priorities involved in
20 the action. The colleges and campuses then allocate the shortfall to the various academic units after
21 similar consultation with the representative bodies and academic units in the colleges and similar
22 open meetings. The plans must reflect the principles and priorities established in Subsection 11.6.
23 The colleges and campuses return their plans to the Vice President, who prepares a comprehensive
24 plan for the University, including a list of the persons whose appointments will be suspended or
25 terminated. This plan is submitted to the University Senate and the Faculty Senate for their
26 recommendation. The recommendations of the Senates and the Vice President's plan will be
27 presented to the President and the Board of Regents for action.

28
29 ~~11.6 Principles Governing Termination or Suspension~~

30
31 ~~11.61 General Principles.~~

32
33 (a) — Savings achieved through resignations, retirements, renegotiation of contracts,
34 inloading or other measures must be credited to the assigned shortfall before terminating or
35 suspending faculty appointments. A good faith effort should be made to use temporary suspensions
36 or voluntary furloughs rather than terminations. In this third stage, the Board of Regents may
37 impose the temporary or permanent reduction of faculty compensation or the reduction of fringe
38 benefits, in excess of those approved in the second stage. Suspensions without pay for one quarter
39 in any year may be ordered in accordance with objective criteria, provided that faculty members are
40 given at least six months notice.

41 (e) — Terminations may not be used in case of a short-term financial crisis, but only if the
42 circumstances are such that the shortfall is reasonably expected to continue over a substantial
43 number of years.

1 ~~(d) A good faith effort must be made to cover as much of the shortfall as possible by~~
2 ~~allowing nonregular appointments to lapse and by giving notice to probationary faculty in~~
3 ~~accordance with the terms of their appointments.~~

4 ~~(e) A good faith effort must be made to cover as much of the shortfall as possible by~~
5 ~~transferring faculty members to other positions for which they are qualified or by offering them~~
6 ~~retraining for available positions.~~

7 ~~(f) The selection of faculty members within an academic unit for termination must be made~~
8 ~~on objective criteria. It may not involve a comparative evaluation of the relative merits of~~
9 ~~individuals or a repetition of the tenure granting process;~~

10
11
12 ~~11.62 *Priorities.*~~

13
14 ~~(a) Unless the unit can demonstrate that essential functions could not otherwise be~~
15 ~~performed. All non-regular faculty within an academic unit must be suspended or terminated before~~
16 ~~any regular faculty may be suspended or terminated in that unit. All probationary faculty within an~~
17 ~~academic unit must be suspended or terminated before any tenured faculty may be suspended or~~
18 ~~terminated in that unit.~~

19
20 ~~(b) Care must be taken to protect the employment of women and minorities entitled to~~
21 ~~affirmative action. The Vice President must insure that for the University as a whole the plan which~~
22 ~~is submitted does not reduce the proportion of appointments with indefinite tenure held by women~~
23 ~~and minorities entitled to affirmative action, does not reduce the proportion of probationary~~
24 ~~appointments held by women or minorities entitled to affirmative action, and does not reduce the~~
25 ~~proportion of non-regular appointments held by women or minorities entitled to affirmative action.~~

26
27 ~~11.3 63 *Notice and Severance Pay.* A faculty member whose appointment is to be~~
28 ~~terminated or suspended is entitled to a minimum of one full academic year's notice or to one year's~~
29 ~~salary as severance pay in lieu of notice, unless the appointment would otherwise expire earlier.~~

30
31 ~~11.64 *Reemployment Rights.* The University will not fill any faculty position for which a~~
32 ~~faculty member with indefinite tenure who has been terminated is qualified for five years after~~
33 ~~notice of termination, unless it first offers the position to each such faculty member and gives a~~
34 ~~reasonable time for the faculty member to accept or reject it.~~

35
36 ~~11.7 *Judicial Committee Review.* A faculty member whose appointment is terminated or~~
37 ~~suspended may make a written request for review by the Judicial Committee. The review will be~~
38 ~~conducted in accordance with Section 15. The Judicial Committee will not reexamine the~~
39 ~~determination that a fiscal emergency exists, nor will it reexamine the educational policies and~~
40 ~~priorities pursued unless it finds a substantial failure to follow the procedures established in this~~
41 ~~section. It will only examine whether the action was taken in accordance with the procedures and~~
42 ~~standards set forth in this section, whether the action was based on a violation of academic freedom~~
43 ~~or constitutional or legal rights, or was substantially based on immaterial or improper factors. It~~
44 ~~may consolidate cases involving common issues for a single hearing.~~

1
2 **SECTION 12. PROGRAMMATIC CHANGE**
3

4 ~~12.1 Programmatic Change. The University and faculty recognize that changes in~~
5 ~~academic programs are an essential part of the development and growth of an institution. These~~
6 ~~changes should reflect long-term policy and planning.~~
7

8 ~~12.2 Faculty Rights and Duties. In the event that programmatic change leads to~~
9 ~~discontinuation of a program in which a member of the faculty is employed, the University~~
10 ~~recognizes the obligation to continue the employment of regular faculty in accordance with the~~
11 ~~terms of their employment, and to continue the employment of non-regular faculty for the term of~~
12 ~~appointment. In case of fiscal emergency, the provisions of Section 11 apply.~~

13 ~~Regular faculty members who are so retained have the responsibility to accept teaching or~~
14 ~~other assignments for which they are qualified, and to accept training to qualify them for~~
15 ~~assignment in other fields. The University has the responsibility to assign such faculty members to~~
16 ~~responsibilities as closely related to their original field of tenure as is practicable, to allow them time~~
17 ~~in which to continue scholarship in their original field if they wish, and to recognize scholarly~~
18 ~~contributions in that field as valuable in assessing their contribution to the University for pay,~~
19 ~~promotion and other purposes. In addition to the steps mentioned above, the University has the~~
20 ~~right to offer inducements to faculty members voluntarily to change fields of study, to seek~~
21 ~~employment elsewhere, or to accept early retirement.~~
22
23

24 **SECTION 12 13. JUDICIAL COMMITTEE**
25

26 ~~12.1 13-1~~ *Membership.* The Judicial Committee IS FORMED TO SERVE AS A REVIEW
27 BODY FOR CASES RELATING TO FACULTY EMPLOYMENT AND ACADEMIC FREEDOM. THE COMMITTEE
28 PROVIDES PANELS OF FACULTY AND ADMINISTRATORS TO HEAR THOSE CASES. THE FACULTY
29 MEMBERS ON THE COMMITTEE ARE IS COMPOSED OF AT LEAST NINE MEMBERS OF THE REGULAR FACULTY
30 WHO FORM THE STANDING MEMBERSHIP OF THE COMMITTEE. The number of FACULTY members and
31 manner of THEIR appointment is governed by the University Senate Bylaws. IN ADDITION TO THE
32 FACULTY MEMBERS, JUDICIAL COMMITTEE PROCEEDINGS WILL INCLUDE ACADEMIC
33 ADMINISTRATORS (HEADS, DEANS, OR MORE SENIOR ADMINISTRATORS) SELECTED BY THE SENIOR
34 ACADEMIC ADMINISTRATOR OF THE ACADEMIC UNIT REPRESENTING THE FACULTY MEMBER WHOSE
35 CASE IS BEING HEARD. THE PANEL HEARING A PARTICULAR CASE WILL BE MADE UP OF THREE
36 FACULTY MEMBERS AND TWO ADMINISTRATORS.
37

38 ~~12.2 13-2~~ *Procedures.* Proceedings before the Judicial Committee will be conducted in
39 conformity with these regulations. The Judicial Committee may adopt additional rules with the
40 approval of THE FACULTY SENATE AND THE PRESIDENT ~~Tenure Committee~~. In every case before
41 the Judicial Committee the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ may designate the
42 academic administrator ("PRESENTING ADMINISTRATOR") who will represent the University as
43 respondent
44

1 12.3 ~~13.3~~ *Duty to Testify.* Faculty members and administrators have an obligation to
2 appear before the Judicial Committee to give testimony in matters pending before it.
3

4 12.4 ~~13.4~~ *Panels.* The Judicial Committee ~~will~~ *may* sit in panels OF FIVE PEOPLE to
5 hear individual cases. ~~In cases under Sections 10 and 14, the panel must consist of at least five~~
6 ~~members. In all other cases, the panel must consist of at least three members. The rules of the~~
7 ~~Judicial Committee will establish the respective functions of the Committee as a whole and of the~~
8 ~~individual panels.~~ DECISIONS OF THE PANEL MUST INCLUDE THE RESULTS OF THE VOTE OF THE PANEL
9 REGARDING THE CASE AND WILL SERVE AS RECOMMENDATIONS TO THE ADMINISTRATOR WHO MUST
10 MAKE THE FINAL DECISION REGARDING THE CASE.
11

12 12.5 ~~13.5~~ *LEGAL OFFICER.* THE JUDICIAL COMMITTEE SHALL BE ASSIGNED THE
13 SERVICES OF A LEGAL OFFICER APPOINTED BY THE PRESIDENT IN CONSULTATION WITH THE GENERAL
14 COUNSEL OF THE UNIVERSITY. THE LEGAL OFFICER IS A MEMBER OF THE GENERAL COUNSEL'S
15 STAFF AND ASSISTS THE JUDICIAL COMMITTEE AND THE UNIVERSITY ADMINISTRATION IN THE
16 EFFICIENT CONDUCT OF DELIBERATIONS AND IN THE PREPARATION OF ITS REPORTS AND PERFORMS
17 ADDITIONAL FUNCTIONS AS AUTHORIZED BY THE GENERAL COUNSEL. THE LEGAL OFFICER MAY BE
18 PRESENT AND PARTICIPATE IN THE DELIBERATION OF A PANEL, BUT SHALL HAVE NO VOTE. IN THE
19 CASE OF THE ABSENCE OR DISQUALIFICATION OF THE LEGAL OFFICER, A DEPUTY MAY PERFORM THE
20 FUNCTIONS OF THE OFFICE.
21

22
23 **SECTION 13 14. PROCEDURES IN CASES OF UNREQUESTED LEAVE OF**
24 **ABSENCE, REDUCTION IN BASE SALARY, OR TERMINATION OR SUSPENSION**
25 **OF A FACULTY APPOINTMENT FOR CAUSE**
26

27 13.1 ~~14.1~~ *Preliminary Proceedings.* Only a Dean or an academic administrator
28 specially designated by the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ may initiate
29 preliminary proceedings leading to unrequested leave of absence or to suspension or removal. ~~The~~
30 ~~administrator must first attempt to discuss and resolve the matter with the faculty member involved.~~
31 The administrator must then submit the matter to the tenured faculty of the academic unit involved
32 for their recommendation. ~~(The tenured faculty may decide to submit the issue to the entire regular~~
33 ~~faculty of the unit.)~~ If the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ and the Faculty
34 ~~Senate~~ have expressly DIRECTS approved the submission of allegations of the violation of a
35 specified policy to another body for preliminary recommendation, in place of submission to the
36 tenured faculty of the academic unit, the PRESENTING administrator must submit the matter to that
37 body for its recommendation.
38

39 Both the PRESENTING administrator and the faculty member may submit their views, in
40 person or in writing, to the body making the recommendation, but neither of them may participate
41 in the deliberation or vote. The body making the recommendation makes a written report to the
42 PRESENTING administrator, indicating the number of votes for and against the proposed action and
43 the reasons articulated. After considering the report the PRESENTING administrator makes a written
44 recommendation to the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~. The recommendation

1 must include a copy of the report of the panel or of the tenured faculty, as the case may be. A copy
2 of the report must be sent to the faculty member.

3
4 13.2 ~~14.2~~ *Formal Action IN CASES OF UNREQUESTED LEAVE OF ABSENCE, SUSPENSION,*
5 *AND TERMINATION.* After receiving the PRESENTING administrator's recommendation, and giving the
6 faculty member an opportunity to comment, the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~
7 will decide whether to proceed. If the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ decides
8 not to proceed, the charges are dropped and the faculty member and the academic unit are so
9 notified in writing. If the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ decides to proceed
10 with formal action, the SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ must give written notice
11 to the faculty member. The notice must specify the action proposed, identify the specific grounds
12 upon which it has been taken, and summarize the evidence in support. It must inform the faculty
13 member of the right to request a hearing before the Judicial Committee and advise the faculty
14 member of the applicable time limit for making such a request.

15
16 If the faculty member does not request a hearing within 30 days, the President may take the
17 action proposed in the SENIOR ACADEMIC ADMINISTRATOR'S ~~vice-president's~~ notice, without
18 farther right to a hearing.

19
20 13.21 ~~14.21~~ *REDUCTIONS IN BASE SALARY.* REDUCTIONS IN BASE SALARY MAY BE
21 RECOMMENDED BY THE DEAN. THE FACULTY MEMBER MAY APPEAL THESE DECISIONS TO THE
22 JUDICIAL COMMITTEE. THE RECOMMENDATION FROM THE DEAN AND THE REPORT FROM THE
23 JUDICIAL COMMITTEE PANEL (IF ANY) ARE FORWARDED TO THE SENIOR ACADEMIC
24 ADMINISTRATOR FOR A FINAL DECISION.

25
26 13.3 ~~14.3~~ *Judicial Committee Hearing.* The faculty member may request a hearing
27 before the Judicial Committee by written request to the Chair of the Committee, filed within 30
28 days of the notice. The Judicial Committee may extend the 30 day period for good cause. The
29 SENIOR ACADEMIC ADMINISTRATOR ~~vice-president~~ designates the PRESENTING administrator who
30 will present the case. ~~The administrator has the burden of proving the case for the proposed action~~
31 ~~by clear and convincing evidence and also has the burden of demonstrating the appropriateness of~~
32 ~~the proposed action, rather than some lesser measure.~~

33
34 The Judicial Committee PANEL makes written findings of fact, conclusions, and a
35 recommendation for the disposition of the case. If the Judicial Committee Panel finds that action is
36 warranted, it may recommend action which is less severe than that requested in the written notice,
37 including action which does not involve the termination or suspension of an appointment. It may
38 ~~not~~ recommend more severe measures than those proposed in the SENIOR ACADEMIC
39 ADMINISTRATOR'S ~~vice-president's~~ notice. The Judicial Committee PANEL sends its report to the
40 PRESIDENT (UNREQUESTED LEAVE OF ABSENCE, SUSPENSION, TERMINATION) OR SENIOR ACADEMIC
41 ADMINISTRATOR (REDUCTION IN BASE SALARY) with copies to the faculty member and the
42 administrator.

43
44 13.4 ~~14.4~~ *Action by the SENIOR ACADEMIC ADMINISTRATOR / President.* The SENIOR
45 ACADEMIC ADMINISTRATOR / president must give the faculty member and the administrator the

1 opportunity to submit written comments on the report and to make oral presentations. In
2 determining what action to take, the SENIOR ACADEMIC ADMINISTRATOR / president may ALSO
3 consult privately with any administrators, including attorneys, who have had no previous
4 responsibility for the decision at issue in the case and have not participated in the presentation of
5 the matter to the Judicial Committee. ~~The President may not discuss the case with any~~
6 ~~administrator who was responsible for the decision at issue in the case or who participated in the~~
7 ~~presentation of the matter to the Senate Judicial Committee. Such administrators may~~
8 ~~communicate with the President in writing, but only if the full text of the communication is given to~~
9 ~~the faculty member and the faculty member is given a reasonable opportunity to respond to it.~~

10
11 ~~The President shall not take action materially different from that recommended by the panel~~
12 ~~unless, prior to the action, the President has consulted with the committee. The parties and their~~
13 ~~representatives shall not be present at any meeting between the president and the committee nor~~
14 ~~shall their consent be required for such meeting.~~

15
16 In addition, the SENIOR ACADEMIC ADMINISTRATOR / president may request the Judicial
17 Committee PANEL to make further findings of fact, to clarify its recommendation or to reconsider
18 its recommendation. The reconsideration will be made by those who have heard all of the evidence
19 in the case. ~~but the full Judicial Committee may consult with them on questions of general policy.~~

20
21 The SENIOR ACADEMIC ADMINISTRATOR / president may impose the action recommended
22 by the Judicial Committee PANEL, or any action more or less favorable to the faculty member. The
23 SENIOR ACADEMIC ADMINISTRATOR / president may impose action less favorable to the faculty
24 member only for compelling reasons, which must be stated in writing, with specific detailed
25 reference to the report of the Judicial Committee, the evidence presented, and the policies involved.
26 The SENIOR ACADEMIC ADMINISTRATOR / President's written statement must be given to the
27 parties and to the Judicial Committee. ~~If the Judicial Committee decides that the president has~~
28 ~~imposed an action that is less favorable to the faculty member than it had recommended, it shall~~
29 ~~inform the faculty by publication of the President's action in the docket of the Faculty Senate. If the~~
30 ~~faculty member waives rights to confidentiality, the full text will be published. Otherwise a~~
31 ~~summary of the statement will be published without identification of the faculty member or~~
32 ~~information that may indirectly identify the faculty member.~~

33
34 13.5 ~~14.5~~ *Appeal to the Board of Regents.* THE FACULTY MEMBER HAS THE RIGHT TO
35 SUBMIT A WRITTEN APPEAL TO THE REGENTS FOR THEIR CONSIDERATION PRIOR TO FINAL ACTION ON
36 THE CASE. THE WRITTEN APPEAL MUST BE FILED WITH THE BOARD OF REGENTS BY THE FACULTY
37 MEMBER WITHIN 30 DAYS OF NOTIFICATION OF THE DECISION OF THE SENIOR ACADEMIC
38 ADMINISTRATOR / PRESIDENT. ~~If the action involves removal or if the action involves a sanction~~
39 ~~more severe than that recommended by the Judicial Committee, the faculty member may appeal to~~
40 ~~the Board of Regents. In cases in which the President imposes a sanction more severe than that~~
41 ~~recommended by the Judicial Committee, the faculty member and the President may present to the~~
42 ~~Board evidence with respect to issues on which the President differs from the recommendation of~~
43 ~~the Judicial Committee. The request for a hearing must be made to the Secretary of the Board~~
44 ~~within 10 days of the President's action.~~

1 In cases involving Section 7 (Termination of Probationary Appointment) OR 8 (Refusal of
2 New Appointment to a Non-Regular Faculty Member), ~~or 11 (Fiscal Emergency)~~, the Judicial
3 Committee PANEL hears the merits of the case, as provided in those sections. In other cases, if
4 there is an appropriate University body to review the matter, the Judicial Committee PANEL will
5 only determine whether that body has given the faculty member due process and whether, on the
6 basis of the facts found by that body, there has been a violation of these regulations or of the faculty
7 member's academic freedom. If there is no appropriate University body to hear such a case, or if
8 the Judicial Committee PANEL finds that the body which heard the case did not provide due
9 process, the Judicial Committee may RETURN THE CASE TO THE SENIOR ACADEMIC ADMINISTRATOR
10 WITH RECOMMENDATIONS FOR FURTHER STEPS TO RESOLVE THE SITUATION. ~~hear the merits or may~~
11 ~~appoint an ad hoc tribunal to hear them.~~

12
13 14.4 ~~15.4~~ *Action by the Judicial Committee PANEL.* The Judicial Committee PANEL
14 makes written findings of fact, conclusions, and a recommendation for the disposition of the case. If
15 the Judicial Committee PANEL finds that the action complained of was improper, it also specifies the
16 respects in which it finds the action to have been improper and recommends appropriate remedial
17 action. ~~If it recommends reconsideration, it may specify the manner in which reconsideration will~~
18 ~~be undertaken to avoid the influence of improper factors.~~ If a probationary faculty member has
19 reached the maximum probationary period, the Committee may recommend a non-regular
20 appointment for an additional academic year to provide for reconsideration.

21
22 The Judicial Committee PANEL sends its report to ~~President~~ THE SENIOR ACADEMIC
23 ADMINISTRATOR. THE SENIOR ACADEMIC ADMINISTRATOR MUST CONSIDER ALL INPUT AND
24 DECIDE WHAT STEPS ARE TO BE TAKEN. THE SENIOR ACADEMIC ADMINISTRATOR'S
25 RECOMMENDATIONS ARE PRESENTED TO THE PRESIDENT. RECOMMENDATIONS MUST BE IN WRITING,
26 with copies to the faculty member and the PRESENTING administrator who appeared as respondent.

27
28 14.41 *TIME LIMITS FOR THE REVIEW*

29
30 THE JUDICIAL COMMITTEE PANEL MUST PRESENT ITS CONCLUSION TO THE FACULTY MEMBER
31 AND THE ADMINISTRATION WITHIN 90 DAYS OF RECEIVING THE COMPLAINT.

32
33 14.5 ~~15.5~~ *Action by the ADMINISTRATOR President.* The SENIOR ACADEMIC
34 ADMINISTRATOR (*IN CASES OF REDUCTION IS BASE SALARY*) OR THE President (*IN CASES OF NON-*
35 *RENEWAL, SUSPENSION OR TERMINATION*) must give the faculty member and the PRESENTING
36 administrator the opportunity to submit written comments on the report OF THE JUDICIAL
37 COMMITTEE PANEL. In determining what action to take, the ADMINISTRATOR / president may
38 consult privately with any administrators, including attorneys, who have had no previous
39 responsibility for the decision at issue in the case and have not participated in the presentation of
40 the matter to the Judicial Committee. ~~The President may not discuss the case with any~~
41 ~~administrator who was responsible for the decision at issue in the case or who participated in the~~
42 ~~presentation of the matter to the Senate Judicial Committee. Such administrators may~~
43 ~~communicate with the President in writing, but only if the full text of the communications is given~~
44 ~~to the faculty member and the faculty member is given a reasonable opportunity to respond to it.~~

1 ~~The President shall not take action materially different from that recommended by the panel~~
2 ~~unless, prior to the action, the President has consulted with the committee. The parties and their~~
3 ~~representatives shall not be present at any meeting between the President and the committee nor~~
4 ~~shall their consent be required for such meeting.~~

5
6 In addition, the ADMINISTRATOR / president may request the Judicial Committee PANEL to
7 make further findings of fact, to clarify its recommendation or to reconsider its recommendation.
8 The reconsideration will be made by those who have heard all of the evidence in the case, ~~but the~~
9 ~~full Judicial Committee may consult with them on questions of general policy.~~

10
11 The ADMINISTRATOR / president may impose the action recommended by the committee or
12 any action more OR LESS favorable to the faculty member. The ADMINISTRATOR / president may
13 impose action less favorable to the faculty member only for important substantive reasons, which
14 must be stated in writing, with specific detailed reference to the report of the Judicial Committee,
15 the evidence presented, and the policies involved. The ADMINISTRATOR / president's written
16 statement must be given to the parties and to the Judicial Committee PANEL. ~~If the Judicial~~
17 ~~Committee decides that the President has imposed an action that is less favorable to the faculty~~
18 ~~member than it has recommended, it shall inform the faculty by publication of the President's action~~
19 ~~in the docket of the Faculty Senate. If the faculty member waives rights to confidentiality, the full~~
20 ~~text of the statement will be published. Otherwise, a summary of the statement will be published~~
21 ~~without identification of the faculty member or information that may indirectly identify the faculty~~
22 ~~member.~~

23
24 ~~15.6 Actions Requiring Reconsideration. If the Judicial Committee recommends~~
25 ~~reconsideration of an action, that reconsideration will be undertaken under the supervision of the~~
26 ~~Vice President, unless otherwise specified. The Judicial Committee may retain provisional~~
27 ~~jurisdiction of the matter to review allegations that the reconsideration itself was improper, and may~~
28 ~~make supplementary findings, conclusions, and recommendations in this regard.~~

29
30 ~~15.7 Recommendations for Changes in University Policies and procedures. As a result~~
31 ~~of judicial~~

32 ~~Committee proceedings, the Judicial Committee, the Tenure Committee or the Vice~~
33 ~~President may initiate steps to clarify or improve University rules or policies involved. The changes~~
34 ~~will not affect the outcome of the case before the Committee~~

35 36 37 SECTION 15 16. TENURE COMMITTEE

38
39 15.1 ~~16.1~~ Membership. The ~~Tenure Committee~~ TENURE SUBCOMMITTEE OF THE
40 SENATE FACULTY AFFAIRS COMMITTEE (REFERRED TO ELSEWHERE IN THESE REGULATIONS AS THE
41 TENURE COMMITTEE) is composed of at least seven members of the faculty and such other persons
42 as the University Senate Bylaws shall provide. The manner of appointment is governed by the
43 University Senate Bylaws.

44 15.2 ~~16.2~~ Interpretations. The SENIOR Vice President FOR ACADEMIC AFFAIRS and
45 the Tenure Committee may propose formal interpretations of these regulations, consistent with

1 their terms. Such interpretations must be reported to the Faculty Senate and the Board of Regents.
2 If adopted by the Board of Regents. such interpretations will be binding in all cases subsequently
3 arising.

4
5 15.3 ~~16.3~~ *Procedures.* The SENIOR Vice President FOR ACADEMIC AFFAIRS and the
6 Tenure Committee may jointly RECOMMEND ~~adopt~~ the procedures provided by Sections 7.4 and
7 7.61. Such procedures must be reported to the Faculty Senate and APPROVED BY the Board of
8 Regents before they go into effect.

9
10 15.4 ~~16.4~~ *Additional Functions.* The Tenure Committee also advises the University
11 and makes recommendations concerning the interpretation and amendment of these regulations, but
12 such advice and recommendations are not binding on the Judicial Committee.

13 14 15 SECTION 16 ~~17~~. WRITTEN NOTICE

16
17 Notices of termination of a probationary appointment, of suspension or termination of an
18 appointment or of placement on unrequested leave of absence for disability, must be sent by
19 registered or certified mail to the last known residence address of the faculty member concerned
20 and also by campus mail to the faculty member's campus address, if any. The written notice
21 satisfies the applicable time requirement if it is postmarked at or before midnight of the applicable
22 date.

23 Failure to comply fully with this section is immaterial if, in fact, the faculty member was not
24 prejudiced by such failure.

25 26 27 SECTION 17 ~~18~~. PUBLICATION

28
29 These regulations, and the interpretations referred to in Section 15 ~~16~~, will be published and
30 made available to all faculty members. Every faculty member who holds a regular or non-regular
31 appointment, except for courtesy faculty appointments without salary, must be given a copy of the
32 current regulations and copies of subsequent amendments or published interpretations.

33 34 35 SECTION 18 ~~19~~. AMENDMENT

36
37 These regulations are subject to amendment by the Board of Regents. Proposed
38 amendments from any source will be submitted BY THE BOARD OF REGENTS to the Faculty Senate
39 for its advice and recommendation before final action by the Board of Regents. The Faculty Senate
40 will PROMPTLY solicit the recommendations of the Faculty Affairs Committee, the Judicial
41 Committee, and the Tenure Committee, before giving its advice and recommendation.

42 43 44 APPENDIX

1
2
3 **ACADEMIC FREEDOM**
4

5 The University of Minnesota was founded in the faith that men are ennobled by
6 understanding; it is dedicated to the advancement of learning and the search for truth; it is devoted
7 to the instruction of youth and the welfare of the state. These purposes, carved in stone upon the
8 facade of its stately building, embody the tradition of scholarship upon which rests the development
9 of higher education and the continuous progress of democratic society. It is this tradition that
10 sustains the mind and spirit when beset by human passions and prejudices. It is to this tradition that
11 the Board of Regents of the University of Minnesota reaffirms its adherence. In doing so, it
12 reiterates its acceptance of the corollary principles of academic freedom. The Board of Regents of
13 the University of Minnesota bears witness to its faith by entering upon its record the following
14 statements concerning academic
15
16

- 17 1. The University of Minnesota should not impose any limitation upon the teachers freedom in
18 the exposition of his own subject in the classroom or in addresses and publications.
19 2. No teacher may claim as his right the privilege of discussion in his classroom controversial
20 topics that am not pertinent to the course of study that is being pursued
21 3. The University of Minnesota should not place any restraint upon the teacher's freedom in the
22 choice of subjects for research and investigation undertaken on his own initiative.
23 4. The University of Minnesota should recognize that the teacher in speaking or writing outside
24 of the institution upon subjects beyond the scope of his own field of study is entitled to the
25 same freedom and is subject to the same responsibilities as attach to all other citizens but in
26 added measure.
27 5. It is clearly understood that the University of Minnesota assumes no responsibility for views
28 expressed by members of its staff, and the faculty members themselves, should, when
29 necessary, make it clear that they are expressing their personal opinions.
30 6. If the conduct of a teacher in his classroom or elsewhere should give rise to doubts
31 concerning his fitness for his position, the question should in all cases be submitted first to a
32 committee of the faculty, and in no case should any member of the teaching staff be dismissed
33 before the normal termination of his period of appointment without full and open hearing
34 before the Board of Regents, should he desire it, and only upon sufficient notice.
35
36

37 APPROVED BY THE BOARD OF REGENTS - January 18, 1938
38
39

40 **ACADEMIC FREEDOM**
41

42 ~~We as the Board of Regents, are responsible to the public for the health and vitality of the~~
43 ~~University. It is our responsibility to inquire continuously into the conduct of the University to~~
44 ~~make sure this health and vitality are preserved.~~
45

1 The University community is a city of more than fifty thousand people, they come from every
2 part of the country; of the undergraduates, 94 percent come from somewhere in Minnesota. They
3 represent a cross section of our population, differing from a random cross section only because they
4 are especially selected for intellectual interests and intellectual competence. We assume that almost
5 every type of political conviction is to be found among them, just as in any city of fifty thousand
6 adults one would expect to find the complete variety of political, social, economic, and religious
7 beliefs.

8 The University, the city, and the state do have facilities to ensure order in such a community.
9 For varying problems of public safety we have provided for us a University security staff, a city
10 police, and the Federal Bureau of Investigation. We have confidence in the effectiveness of these
11 law enforcement agents, and we cooperate with them. We believe the American community is
12 fundamentally law abiding; that it abhors both resort to violence in the affairs of men, and the use of
13 extra legal methods in the examination of alleged violations of law.

14 Of all crimes or violations, the American philosophy and tradition require that we assume the
15 citizen innocent until proven guilty. We believe it proper that the University leave the law
16 enforcement role in American society to established law enforcement agencies. The University's
17 tasks are learning, research, constructive criticism, and intellectual inquiry. By fulfilling its role, the
18 University makes its contribution to public order by nourishing devotion to the rule of reason in the
19 conduct of human affairs.

20 It cannot be too strongly stated that the only atmosphere in which a university can fulfill its
21 assigned role is the atmosphere of freedom. Nor is it surprising that in America, where free
22 discussion is the first principle of our political faith, universities have flourished best, and have at
23 the same time made the most remarkable contribution to the public good.

24 Those universities contributing most have been those which are most free. From the first
25 days of our independence, the giants of American history have revered the principle of free speech;
26 they have had enough faith in our form of government to state affirmatively that if truth and error
27 were allowed to contest in free debate, truth would triumph. They have also recognized that any
28 effort to close by force a free discussion is destructive of the dictator and of those dictated to. The
29 first is poisoned by power, the latter is denied a share in the public dialogue. The man denied
30 participation in free discussion loses, at the very least, his participating right as a citizen, but he may
31 also be robbed of the dignity and self which Freedom encourages.

32 The inherent validity of free competition among ideas is as apparent in the economic community as
33 in the educational community. No one who has observed the development of the American
34 economy can deny the efficiency of freedom. But perhaps an example of the creativity of freedom
35 in the economic marketplace will serve to clarify the importance of freedom to the marketplace of
36 ideas. As recently as forty years ago, the typical market was a corner grocery store. Whether
37 found in the country or city it was heated by a potbellied stove, its aisles were crowded, its shelves
38 crammed. Its proprietor helped each customer through the wilderness of items one by one.
39 Gradually, in a kind of merchandising conversation, the entire enterprise was changed. One
40 merchant, to increase the attraction of his business, widened the aisles; he was answered by a
41 competitor who lowered shelves to put all items within easy reach; he in turn was answered by
42 another who encouraged self service. Step by step the modern supermarket was born. But no one
43 firm jumped directly from the narrow, crowd corner grocery store of 1920 to the specially
44 supermarket of today. It required a merchant's conversation in which free men challenged and
45 answered each other in a free and competitive atmosphere.

1 ~~The marketplace of ideas is comparable, but even more dependent upon a completely free~~
2 ~~conversation. The student and the professor must live in an atmosphere where questioning is~~
3 ~~encouraged; where every alternative can be explored; where their free minds may be allowed to test~~
4 ~~the validity of each idea, and where they feel free to follow wherever truth may lead. Such a free~~
5 ~~atmosphere is not only merely necessary to university freedom; it is also the way of life which we~~
6 ~~have a right to associate with America. To ask that the University be respected in its right to this~~
7 ~~freedom is not to ask for special privilege, but whether to ask for the opportunity to demonstrate~~
8 ~~the efficiency of the freedom in which we all believe and for which so many brave Americans have~~
9 ~~died. The most American activity of them all is to think, to speak and to inquire freely. The un-~~
10 ~~American activity is to deny such freedom.~~

11 ~~A university must cherish freedom or be untrue to its own nature. Equally it cherishes~~
12 ~~responsibility, the natural corollary of freedom. In this connection the Regents endorse the~~
13 ~~following statement adopted by the Association of American Universities in 1953 and reprinted in~~
14 ~~1962:*~~

15 ~~"Historically the word 'university' is a guarantee of standards. It implies~~
16 ~~endorsement not of its members' views but of their capability and integrity. Every scholar~~
17 ~~has an obligation to maintain this reputation. By ill-advised, though not illegal, public~~
18 ~~acts or utterances he may do serious harm to his profession, his university, to education,~~
19 ~~and to the general welfare. He bears a heavy responsibility to weigh the validity of his~~
20 ~~opinions and the manner in which they are expressed. His effectiveness, both as scholar~~
21 ~~and teacher, is not reduced but enhanced if he has the humility and the wisdom to~~
22 ~~recognize the fallibility of his own judgment. He should remember that he is as much a~~
23 ~~layman as anyone else in all fields except those in which he has special competence.~~
24 ~~Others, both within and without the university, are as free to criticize his opinions as he is~~
25 ~~free to express them."~~

26
27 ~~University teachers, as teachers, are judged for scholarly competence by their peers from the~~
28 ~~moment they aspire to membership on a faculty. The demands of such judgement are heavy, for the~~
29 ~~academic professional insists that its members be both skillful and devoted in their search for truth.~~
30 ~~The profession grants status and tenure to its members in proportion to their publicly demonstrated~~
31 ~~competence within a given academic discipline. And just as the medical profession must assume~~
32 ~~responsibility for establishing the standards of competence which admit members to the practice of~~
33 ~~medicine, so must the academic profession assume responsibility for establishing the standards of~~
34 ~~competence which qualify its members for the practice of teaching.~~

35 ~~Just as the atmosphere of freedom within a university is the best guarantee of productive and~~
36 ~~responsible instruction, so also is it the best guarantee that students will grow toward responsible~~
37 ~~citizenship. A free society calls for citizens well schooled in the wisdom traditional to that society.~~
38 ~~It also calls for citizens accustomed to grappling with new ideas, to participating in the give and~~
39 ~~take of public discussion, and to assuming public responsibility for one's own thinking. Students~~
40 ~~properly assert their right to learn responsibilities of choice and decision which they must bear as~~
41 ~~citizens, and the free university properly provides the most Appropriate setting for such learning.~~

42
43 ~~* The Rights and Responsibilities of Universities and their Faculties.~~
44

1 We cannot emphasize too strongly the importance of a free university to the development of
2 citizens able to carry responsibility in a free society. The dangers of fanatic, angry and irrational
3 behavior were brought home to every American with the assassination of President Kennedy. It is
4 time for Americans to draw closer together in dedication to our national goals. These include
5 continued freedom, concern for the rights of others, political and spiritual tolerance, equality of
6 opportunity, equality before the law and protection from the law's delays, and access to the
7 blessings of justice and public order. These goals will not be won through angry and emotional
8 outbursts which divide our people.

9 They can be won by systematic, rational and thoughtful analysis of the obstacles to our
10 national purposes. The university is of paramount importance to our nation as it seeks to bring the
11 methods of reason to bear upon our problems — to find better means to public peace, as well as
12 more effective ways to deter threats of violence which may be directed toward our nation. To do
13 its rational work wisely, a university by its very nature requires freedom to inquire.

14 The people of Minnesota have been wise in their support of education. Their agricultural
15 and industrial economy as well as their public peace and safety, are the better because of this
16 wisdom. The University, operating in an atmosphere of freedom, has made great contributions to
17 the healthy, stable society of which we are all now so proud. We as Regents are satisfied that to a
18 very high degree the faculty of the University, and its administration, understand the mission of the
19 University and are using their freedom responsibly. We are satisfied that the existing agencies for
20 enforcement of law and for protection of national peace and safety are alert and adequate to their
21 tasks. We are also sure that the University officials are prepared to and do cooperate with them in
22 assuring national safety. We are impressed by the great responsibilities related to national safety
23 and prosperity that are continuously entrusted to University personnel, and we wish to take this
24 opportunity to reaffirm our faith in the University and in the efficiency of freedom.

25
26
27
28 ~~APPROVED BY THE BOARD OF REGENTS — December 14, 1963~~

29 30 31 32 INTERPRETATIONS

33 1. Interpretation of 5.5: Retroactive Application

34
35 A probationary faculty member may elect to extend his or her probationary period
36 by one year if s/he (1) became a parent, by birth or by adoptive/foster placement, within five
37 years before the effective date of Subsection 5.5 and (2) has not been given notice of
38 termination.
39
40

41 2. Interpretation of Section 5.5: Major Caregiving Responsibilities

42 A request for extension of the maximum probationary period for major caregiving
43 responsibilities should be made only if those responsibilities are very substantial and
44
45

1 continue over an extended period of time. The probationary faculty member must submit a
2 written application to the head of the academic unit, who will forward it for action and
3 approval through the appropriate University channels. If an administrator does not approve
4 the request the faculty member may file a grievance under applicable University policies.

5 **3. Interpretation of 7.11: Consideration of Factors Other than Primary Tenure Criteria**

6
7 The use of any factor other than teaching, research, and service in making the
8 decision about a probationary faculty member must be specifically stated and justified at the
9 time of the decision. This rule applies both when that factor is a criterion for judging the
10 candidate's progress and when it is an element in establishing or modifying the standard
11 which the faculty member should achieve.

12
13 A change in the program of a unit or college may be used as a factor in a decision
14 only when the change has been adopted in accordance with the established procedures of
15 the University, after consultation as required by those procedures. It must be explicitly
16 identified. If such changes affect the prospects of probationary faculty members to achieve
17 tenure, the faculty members should be given the earliest possible notice of the potential
18 impact of such changes.

19
20 **4. Interpretation of 7.11: Discipline Related Service**

21
22 Discipline-related service, as one of the primary criteria for tenure evaluation, is
23 limited to those endeavors specifically related to the individual's academic expertise and
24 faculty appointment in accordance with the academic unit's Mission Statement. This service
25 must be defined in the Mission Statement as central and necessary to the operation of the
26 academic unit. An equivalent term might be "unit mission-related service" - for example,
27 clinical service in a teaching hospital situation that does not involve students directly.
28

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University of Minnesota
Proposed Amendments to Regulations
Concerning Faculty Tenure

AN ANALYSIS

by

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and

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July 2, 1996

Introduction

This document has been prepared pursuant to the terms of a Consulting Agreement (May 23, 1996) between the Board of Regents of the University of Minnesota and Dr. Richard Chait. Section 1, Services to be Provided, paragraph b, stipulates that "You will review and advise the Board on various proposals to amend the Tenure Code and, if appropriate, suggest alternative amendments, and prepare and deliver to the University your written assessment of the proposals and recommended alternatives."

The analysis that follows concerns the "Proposed Amendments to the Regulations Concerning Faculty Tenure," as approved by the Faculty Senate on May 30 and June 6, 1996, and as transmitted to the Board by President Hasselmo along with a memorandum dated June 11, 1996. We provide an analysis of each Motion, A through L. In addition, we analyze Interpretations 1 and 2 offered by the Faculty Senate and Revised Interpretation of Section 10.2 presented by the Administration. We then offer some summary observations.

MOTION A. "Housekeeping" in nature and requires no comment.

MOTION B incorporates verbatim the Board's most recent affirmation of the principles of academic freedom and responsibility.

We note that present language specifies that "*every member of the faculty is entitled to due process and academic freedom...* (emphasis added)." We mention this proviso not to recommend any changes, but to address the question raised by some Regents about the inextricable link between academic freedom and academic tenure. While the experiences of colleges that do not have tenure, yet pledge fealty to the principles of academic freedom, may seem irrelevant or imprudent to some members of the University of Minnesota community, perhaps the University's own policy statements should be further reviewed to clarify the intended relationship between academic tenure and academic freedom. Since not "every member of the faculty" holds a tenured appointment, the language, as currently written, implies that academic freedom can nonetheless be provided without benefit of tenure. How else could the academic freedom of "every member of the faculty" be ensured?

MOTION C defines the categories of faculty eligible for tenure. New language substitutes the designation, "Term Appointment" for the more pejorative "Non-Regular" appointment,

and acknowledges the appropriateness of term appointments for faculty primarily "engaged in and supported by clinical activities or discipline-related service." These are constructive changes for the reasons cited in the "Comment" section of Motion C.

Current policy requires that the continuation of any term appointment beyond a seventh or succeeding year be reported to the Tenure Committee with a justification. The Tenure Committee presumably reviews and monitors such actions although without, as far as we can determine, the authority to overturn such appointments. If that is correct, then perhaps, the nature of the "justification" and the role and scope of the Tenure Committee vis-a-vis individual appointments should be clarified to avoid added paperwork.

The growth in non-tenure track appointments has been substantial nationwide. Between 1981 and 1991, there was a 42% increase, according to EEOC surveys. In 1992, the National Center for Education Statistics reported that 12.6% of all full-time faculty were not on the tenure track. In light of these numbers and trends, the annual review of individual appointments beyond the seventh year could impose a significant and, we think, unnecessary burden on the Tenure Committee as well as on the units that initiate such appointments.

MOTION D differentiates between base salaries, which are guaranteed, and additional, variable compensation for specified purposes such as clinical activity, overload, summer school, or performance bonuses. The motion clarifies, rather than changes, current policy and practice.

The clear implication is that tenure entitles a faculty member to a base salary and not to additional, variable income. This is an important consideration and underscores the need to state plainly the base salary for all faculty, and especially clinical faculty. In a 1994 survey of 142 American and Canadian Medical Schools, 98 defined tenure to include a financial guarantee, and 89 had a clear policy that excluded clinical income from the guarantee. (At Northwestern University Medical School, where clinical faculty can earn tenure, the base salary has been set at \$ 0.)¹

¹ Robert F. Jones and Susan C. Sanderson. "Tenure Policies in U.S. and Canadian Medical Schools." Academic Medicine, Vol. 69, No. 9, September 1994. At many institutions, medical schools or academic health centers have entirely separate promotion, tenure, and compensation policies.

MOTION E allows collegiate units to extend the pre-tenure probationary period from six to nine years. The decision rests with the colleges, and does not preclude early consideration of individual cases.

While probationary periods at research universities have typically been seven years with a decision in the sixth year, there has been much variation. For example, in a survey by the U.S. Department of Education in 1987, 15% of all research universities reported a probationary period of six years, 67% seven years, and 18% more than seven years. The AAUP has not censured any institution for probationary periods that exceed the recommended seven-year limit.

In recent years, there has been a distinct trend, especially pronounced among professional schools, to lengthen the trial period. Among medical schools, 16% have extended probationary periods such as Harvard (11), Yale and the University of Pennsylvania (10), Duke and University of California (8), and the University of Texas (9). Eleven percent of all medical schools, including the University of Nebraska, have no fixed probationary period and no mandatory "up or out" provision. On the other hand, the Vanderbilt School of Medicine just replaced an indefinite probationary period with a seven-year limitation. Among business schools, 11 of the top 40, as ranked by U.S. News & World Report, have probationary periods of 8-11 years. These include Yale, Harvard, Columbia, Stanford, MIT, and the University of Chicago.

The rationales for this change nationally closely parallel the reasons cited in the Comment section of Motion E. Faculty often need more time to establish laboratories and research agendas, to write grants and pursue external funds, and to conduct, analyze, and publish results--all this while junior faculty also develop and teach new courses and manage family responsibilities.

We regard Motion E as a particularly attractive, "win-win" amendment. There are adequate protections for faculty: the requirement that the extension be approved by a majority of the faculty assembly; the option to be considered for tenure early; and the right of incumbent probationary faculty to select either the current or new probationary period.

The proposed policy will afford junior faculty a greater and, one would hope, less stressful opportunity to establish a performance record. At the same time, a longer probationary period should slow the rate of promotion to tenure, a possible benefit to institutions concerned about high tenure levels. The downside appears to be minimal: longer probationary periods may make separation more difficult and a two-tier tenure-track may arise if some faculty are required to complete a nine-year

probationary period while others are "fast-tracked" to a tenure decision. In all, the benefits far outweigh the drawbacks.

More important than the length of the trial period is the use of probationary time. The probationary period should not be one experience seven or nine years in a row. Rather, every effort should be made to ensure that assignments are varied throughout the probationary period so as to afford faculty members maximum opportunity to demonstrate proficiency and to afford the University maximum opportunity to assess performance. At different stages of the probationary period, faculty workloads could be configured to emphasize different skills sets such as undergraduate instruction, graduate and doctoral education, and research.

MOTION F provides that the Judicial Committee shall have its own legal officer.

We are not qualified to comment on the legal implications of this amendment. University Counsel and other lawyers retained by the University should review this provision to determine whether the presumed advantages of "independent" counsel for the Committee offset the possible problems that could arise when various lawyers advise different members of the campus community. With little or no coordination and, indeed, the potential for conflict, the University will underwrite legal counsel for faculty and administrative review processes.

MOTION G modifies procedures in cases of faculty termination, suspension, or salary reduction for cause. As with Motion F, we shall not comment on the legal aspects of intramural judicial procedures.

While the effort to streamline the process should be commended, we wonder whether the procedure could be even more efficient. Actions to terminate, suspend, or reduce salary first require the recommendation, by secret ballot, of the tenured faculty of the academic unit. This assigns significant weight to the senior faculty, as should be the case. It is difficult to imagine that a majority of the tenured faculty of an academic unit would recommend unwarranted actions against a colleague. It is equally difficult to imagine that a Dean and a Senior Academic Administrator would elect to proceed despite a recommendation to the contrary from the majority of the senior faculty. In the event of such anomalies, is it necessary to provide a hearing before the Judicial Committee? Is it not possible, under these circumstances, to empower the president to reach a final decision?

MOTION H establishes a process for the peer review of faculty performance, including the performance of tenured faculty.²

In a recent survey of 280 colleges and universities, 23% reported that a post-tenure review (PTR) had been installed and another 6% have such a policy under consideration.³ PTRs have been mandated for public universities in Arizona, California, Colorado, Maryland, Texas, Virginia, and Wisconsin, among others. The PTR proposal for the University of Minnesota thus falls within the mainstream of national trends.

These initiatives are a response to several concerns. Some legislators and regents (and some academics) contend that tenured faculty are not sufficiently accountable, that universities do not periodically and methodically assess the performance of senior faculty. A post-tenure review process addresses that concern directly. Others, largely within the academy, believe that faculty should enjoy the benefits of a more systematic approach to professional development, and regular occasions to reflect on one's progress, performance, and ambition. This concern too can be addressed through PTRs.

Section 7A.1. This section requires that each academic unit establish goals and expectations for all faculty members with respect to teaching, scholarly, productivity, service, and outreach. These goals and expectations provide the foundation and precondition for a successful post-tenure review. As designed, there can be no effective PTRs without clear goals and expectations.

The proposed language requires that each academic unit set goals and expectations that meet five stipulations: (1) address each major area of activity (e.g., teaching, scholarly productivity); (2) take into account stages of faculty career development; (3) allow for flexible assignments and differential emphases vis-a-vis a unit's mission; (4) respect each faculty member's academic freedom; and (5) include reasonable indices or measures of acceptable performance in each area.

We are uncertain as to whether such goals and expectations, which satisfy all five stipulations of the new policy, already

² For this section of the report, we conferred with Christine Licata, Associate Dean of Academic Affairs at Rochester Institute of Technology, and a national expert on post-tenure review systems. However, only the authors are responsible for the views expressed here.

³ Cathy A. Trower. Tenure Snapshot. Washington, D.C.: American Association of Higher Education, 1996.

exist for each academic unit. If not, a significant task lies ahead.⁴ Perhaps the load could be lightened and the policies improved to a considerable degree if stipulations (2), (3), and (4) were developed at the College or University level. This would go beyond conformance to "standards established by the University Senate" and provide instead a common, University-wide policy. Unless these stipulations are well-explicated and reasonably consistent across the University, there could be numerous internal grievances and lawsuits based either on contentions that the unit statement does not satisfy all five criteria or on subtle differences of interpretations from one unit to another.

If unit-based statements of goals and expectations that meet all five stipulations do not now exist, perhaps a companion guideline should be adopted to the effect that no unit may recommend a candidate for promotion and tenure unless and until that unit's statement has been promulgated and approved. This would provide a substantial incentive or prod for any laggards among the various units.

Current tenure policy identifies General Criteria (7.11) and indicates that the "relative importance of the criteria may vary in different academic units, but each of the criteria must be considered in every decision." Because this statement mandates that each criterion "must be considered in every decision," there may be a potential conflict with stipulations (2) and (3) of the proposed policy to the extent that career development and flexible assignments may preclude, at least for a period of time, activity relative to one or more of the General Criteria. This potential conflict should be clarified and resolved.

Current promotion and tenure policy already requires that each academic unit "articulates with reasonable specificity the indices and standards which will be used to evaluate whether candidates meet the criteria of Section 7.11." Presumably, this provision satisfies stipulation (5) of the new policy. If so, then (5) becomes redundant and unnecessary.

Section 7A.2. The annual review process serves as the normal mechanism to evaluate performance. Special action will be triggered if and when both the unit head and the peer merit review committee find a faculty member's performance to be "substantially below the goals and expectations adopted by that

⁴ On the other hand, The Ohio State University just enacted a similar policy. "(E)very department, school, and college (must) prepare a document that explains its academic mission and then establishes criteria for appointments, promotion, and tenure appropriate to that mission...and that will define the new reward structure."

unit." This provision raises questions about what constitutes "substantially below" unit goals and expectations. As drafted, the language seems vague. Do the standards vary by rank? Does "substantially below" mean substandard performance in one (or two) of the major performance categories (e.g., teaching, scholarship, service, outreach)? Some greater specificity may be useful to all parties: individual faculty, peer review committees, unit heads, and senior administrators. Clarification seems especially advisable because the Comment section (p.18) notes that these reviews are "intended to deal primarily with cases of substandard, but not totally inadequate, performance." What are the procedures to deal with the "totally inadequate?" Is "substandard" synonymous with "substantially below goals and expectations?"

The basic elements of a written performance improvement plan might be included here or as an addendum to the policy statement. Typically, such plans include: improvement goals and outcomes, suggested strategies to achieve the intended results, sources of assistance from the University, a time line, and a follow-up protocol to monitor progress. If the improvement plan extends beyond a year, then progress toward attainment of the goals should be the basis for any annual reviews that occur in the interim.

Section 7A.3. If the faculty member remains "substantially below the goals and expectations" at the conclusion of the period for improvement, the Head of the Unit and the Peer Merit Review Committee "may," with the Dean's concurrence, jointly request that a special peer review committee be impaneled. Apparently, the Head and the Review Committee may decide not to impanel a special peer review committee. What happens in such instances is unclear.

Again, in the interests of efficiency, we wonder whether yet another peer review committee must be constituted. Is it not sufficient that the Peer Merit Review Committee concluded that there was inadequate progress? Must there be another committee, also composed of tenured faculty from within the unit? What if there are not enough tenured faculty within the unit who were not members of the original or subsequent Peer Merit Review Committees? We would encourage the University to rethink the need for a second review by an altogether new peer committee. In fact, we believe that the original peer review committee may be best equipped to determine whether the improvements have been sufficient to warrant retention.

On procedural grounds, we wonder about the provision that the Tenure Subcommittee "may adopt rules and procedures regulating the conduct of such reviews." What does this mean? Does this apply to individual cases? Should there not be written uniform guidelines for all such reviews?

The special review panel prepares a report on the "teaching, scholarship, service, governance, and (when appropriate) outreach performance....(emphasis added). Why is governance included here, but nowhere else as a performance criterion?

Among the options available to the special review panel, we would note that:

(B) Modifications of allocated effort presents a fair-minded alternative that could serve well the interests of all parties. This option, entirely consistent with stipulations (2) and (3) in Section 7A.1, might be made available as a result of an annual review as well as a special review if both parties agree that a reassignment would be mutually beneficial.

(D) Permits another special review panel at a specified future time. Should this be an option that can be exercised again and again? We would recommend that this option not be available more than twice per faculty member.

(E) Allows limited salary reductions as delineated in Section 7A.4. We have no reservations about this proviso, and indeed respect the faculty's willingness to fashion a policy with "teeth." We would observe that salary reductions as a possible outcome of a PTR are not the norm nationally.

Additional Comments on PTR.

* In a separate transmittal, we prepared a template for a University-wide Tenure Policy Audit. We included a section to provide data on the incidence and outcomes of PTRs. We believe that such data should be collected and analyzed by the academic administration and reported regularly to both the Regents and the Faculty Senate.

* We endorse the Faculty Senate's decision to link PTRs to the normal annual salary review process that encompasses all faculty. This seems far preferable, both as a matter of philosophy and policy, to a system where no tenured faculty are reviewed unless a performance crisis occurs or all tenured faculty are reviewed only once every 5-7 years.

* The policy has an appropriate focus on faculty development and a constructive rationale and tone. At the same time, the Regents might reasonably expect that the process will, in fact, identify some cases where salary reductions or more severe sanctions are deemed necessary. If no such cases materialize, the credibility of the PTR might rightly be questioned by the Board.

MOTION I adds, as a footnote, explicit recognition of "outreach activity" as an element of the University's mission and therefore an appropriate endeavor for some faculty to undertake. For further clarification, a definition of "outreach activity" might be added here or under General Criteria. Recognition of "outreach" as a legitimate activity squares with the effort of the University of Minnesota specifically and research universities generally to acknowledge, encourage, and reward faculty endeavors that extend to nontraditional students and the public-at-large.

MOTION J adds as a preamble to the document a reaffirmation of the Regents' commitment to academic freedom and academic quality constructed on the cornerstone of academic tenure. The statement, no doubt, has philosophical and symbolic import for the University community. We appreciate and understand the faculty's desire to include such an appropriately lofty statement to further reinforce the Board's statement of September 8, 1995, included with Motion B.

We note that the Preamble acknowledges that "TENURE AND PROMOTION IMPLY SELECTIVITY AND CHOICE." We could not agree more. For this reason, tenure levels, overall and by academic units, should be monitored, as an indicator of quality control.⁵

MOTION K, a housekeeping amendment, requires no comment.

MOTION L adds a footnote that provides a cross-reference to the new provisions in Section 7A.3 and requires no comment.

REVISED INTERPRETATION OF SECTION 10.2 (Tab C) clarifies that the head of an academic unit can assign specific courses to particular faculty members and that these individuals shall "carry out the teaching assignment" unless it exceeds normal workload expectations or extends well beyond the professor's sphere of competency. This is a useful clarification and balanced proposal to address the (hopefully) rare case of recalcitrance.

⁵ In a memorandum (January 8, 1996) to Regents Keffeler and Spence, Dr. Infante reported that 84% of the tenure track faculty were tenured. This would place the University toward the upper end of the range among comparable institutions. A 1993 survey by the National Center for Educational Statistics set the average tenure level for public research universities at 60.3%, private research universities at 45.4%. Minnesota's numbers are not in and of itself a cause for alarm, as long as the faculty, the administration, and the Regents are fully persuaded that the high numbers are not due to a low bar.

INTERPRETATION OF SECTION 12.2 (Tab B) provides new text to clarify faculty and University commitments in case of "programmatic changes." Under current policy, the University "guarantees" tenured appointments even when departments, programs, or campuses (e.g., Waseca) are discontinued, absent a bona fide financial exigency.

In a University memorandum (May 24, 1996) to Dan Farber, Robert Kvavik reports that Missouri, Duke, Kansas, Maryland, Nebraska, Purdue, and the University of Washington include program closure as a basis for dismissal. (Kvavik also reports that Michigan State, Tulane, and Toronto only reassign faculty.) Based on the Kvavik memorandum as well as anecdotal data, we believe that most research universities do permit dismissal due to program closure or consolidation, a practice entirely consistent with the AAUP's Recommended Institutional Regulations on Academic Freedom and Tenure.⁶ On the other hand, with a few notable exceptions, most research universities have not actually exercised the option to close programs, let alone dismiss tenured faculty. Most, we suspect, believe that the political costs, both internally and externally, outweigh the economic gains.

At the University of Minnesota, tenured faculty members of discontinued programs would be entitled, as construed by Interpretation 2, to an assignment "as closely related to the original appointment as practicable," and to recall rights for five years to vacancies in the original or successor department. In addition, when such suitable assignments are not feasible, the faculty member may be assigned, dependent upon one's qualifications, to teach in another field, to assume professional or administrative duties, to serve at another institution, or to undertake a course of professional development at the University's expense.

This extraordinary measure of employment security derives principally from the University-wide locus of tenure. Kvavik's informal survey of 29 research universities indicated that "the majority grant tenure at the institutional or system level." The exceptions were Berkeley, Chapel Hill, Duke, Michigan, Missouri, and Virginia. Frankly, we were surprised by these data; we would have expected that only a minority offered institution-wide tenure. If the Regents decide to pursue this matter further, a careful review of stated policies and actual practices at peer institutions would be advisable.

⁶ Discontinuation of Program or Department Not Mandated by Financial Exigency (d) (2) "If no position is available within the institution, with or without retraining, the faculty member's appointment may be terminated, but only with provision for severance salary equitably adjusted to the faculty member's length of past and potential service."

In any event, University-wide locus of tenure, like almost every other personnel policy, presents strengths and weaknesses. On the positive side, faculty leaders with whom we met cited the policy as a major reason why the University was able to close the Waseca campus--namely, the careers of the tenured faculty there were not at risk. Given the resistance to program and campus closures that other universities have encountered, this argument seems quite plausible and not insignificant.⁷ In addition, University-wide locus of tenure promotes a valuable, yet ultimately intangible, social compact between faculty and the University and a concern for the commonweal since all units ultimately share the financial obligations due to tenured faculty. Finally, at least in theory, faculty should be more amenable to interdisciplinary efforts, to the dissolution or consolidation of extant departments, and to the creation of new departments (or centers and institutes) because none of these actions jeopardizes one's livelihood. If, in fact, this policy translates into a readiness to lower organizational barriers and alter organizational structures, then the University may enjoy a strategic advantage.

On the other hand, the policy has some drawbacks. First, the policy would seem to preclude closure of a qualitatively marginal program or department replete with weak faculty. At best, the substandard faculty would be redistributed across the University in the hope that some might be rejuvenated in a more intellectually vibrant environment. Second, the policy limits the University's capacity to close programs in order to redirect resources from low to high priorities. Comparatively little money will be harvested for reallocation from any program closure that does not recapture the dollars attached to faculty salaries, especially the typically higher salaries of tenured faculty.

An alternative to both unit-based and University-wide tenure was recently proposed by Adam Yarmolinsky, Regents Professor of Public Policy in the University of Maryland System.⁸ In brief, Yarmolinsky contends that the locus of tenure should be tied to

⁷ Some faculty leaders asserted that the University-wide locus of tenure provides the institution with a competitive advantage to recruit and retain faculty because the policy offers an extra measure of protection against the threat or reality of layoffs. We are aware of no evidence that institutions with unit-based tenure suffer any disadvantages in the marketplace for new faculty or that newcomers to Minnesota were attracted, to some significant degree, by the presence of such a policy. Indeed, we doubt that many faculty candidates anywhere even inquire about such policies.

⁸ Adam Yarmolinsky, "A Case for the Flexible Contract. Tenure: Permanence and Change." Change Magazine, May/June 1996.

the scope of a professor's competency and the long-term needs of the institution. The threshold question would be "(A)cross what range of the institution's academic mission are the (candidate's) talents likely to continue to be useful throughout an academic career? The answer would then define the locus of the tenure offer...." Tenure could thus reside in a subdiscipline, "a specific program, a department, a school or, in exceptional cases, across the college or university." The locus of tenure could be renegotiated, but only to broaden the scope, so that the renegotiation could never be used punitively. In Yarmolinsky's opinion this approach would "reconcile the positive advantages of tenure and the greater need for institutional flexibility," and also provide faculty with a powerful incentive to become more broadly versed teachers and scholars because one's locus of tenure would extend as one's expertise expanded. If the Regents decide to press the issue of locus of tenure, we think Yarmolinsky's proposal deserves further consideration as the source of a possible compromise.

SUMMARY OBSERVATIONS

As a rule, changes in tenure policies are not easily effected. Discussions of tenure, defined by one professor as "academe's version of the abortion question," often stir intense controversy and entrenched battles. This has not been the case to date at the University of Minnesota; the conversations have been civil and cordial--much to the credit of the faculty, the administration, and the Board.

The proposed amendments, taken together, are progressive and constructive actions. We regard the option of an extended probationary period and the implementation of a Post-Tenure Review, sensitive to career stages and to differential contributions to unit missions, as particularly attractive proposals, although the latter amendment might be refined a bit as discussed earlier. The other amendments, while less dramatic perhaps, are nonetheless sensible and positive.

Proposed Interpretation 2 presents two very consequential and controversial questions. Should the University attempt to undo a policy that: (1) prohibits the dismissal of tenured faculty due to program closure; and (2) assigns the locus of tenure at a University-wide level? If the Regents answer either or both questions affirmatively, faculty leaders believe that the goodwill of many peers will evaporate and that a movement to unionize will accelerate. These are not trivial costs.

Rather than ask "Should we overturn current policy?", or "What price goodwill?," we would encourage the Board to ask "What outcomes do we seek?" To the extent that the Regents, in consultation with faculty and administrators, can identify the

intended results, then the community can determine which policies and practices are most likely to yield the desired outcomes. At the moment, we believe there may be too much focus on policy formulation and too little on policy objectives. Once the objectives are delineated, the University can consider multiple pathways to the intended results. For now, one might ask three questions. If the two policies were overturned,

1. How would these changes enhance the University's capacity to fulfill its mission and realize its strategy?
2. What would the University actually do differently and better?
3. Would the substantive gains offset the political costs?

In the end, academic quality depends far less on policy statements and far more on clear objectives, collective will, and intelligent, stringent personnel decisions. Many colleges and universities, from the most prestigious to the most peripheral, have basically similar tenure policies. While the words do not vary materially, the actions do. In the end, a common purpose, self-enforced rigor by academic communities, and a shared commitment to excel account for distinction.

Announcement to go in BRIEF, KIOSK, This Thursday

The newly elected faculty consultative committee of the Academic Health Center (AHCFC) met for the first time on July 11. The AHCFC is composed of 8 faculty members (2 from the Medical School and 1 each from Dentistry, Nursing, Pharmacy, Public Health, Veterinary Medicine, and the UMD School of Medicine. Members of the committee include: Muriel Bebeau, Dentistry; Daniel Feeney, Veterinary Medicine; Frederick Hafferty, UMD School of Medicine; Peter Bitterman, Medicine; David Hamilton, Medicine; Sheila Corcoran-Perry, Nursing; Cynthia Gross, Pharmacy; and, Judith Garrard, Public Health (chair). Vickie Courtney, University Senate serves as staff.

This is one of the three Provostal Faculty Consultative Committees currently constituted under the Twin Cities Campus Assembly. The AHCFC will meet monthly.

Vickie -

This looks fine. Thank you.

Judith G.

Vickie,

I sent this to all three publications
on 7/15.

Nicole

UNIVERSITY OF MINNESOTA

University Senate

427 MORRILL HALL 100 CHURCH ST. SE MINNEAPOLIS, MN
(612) 625-9369 FAX: (612) 626-1609 E-MAIL: senate@mailbox.mail.umn.edu

FAX COVER SHEET

Date: 7-11 Number of Pages (including this page): 2

Facsimile To: Judith Gerrard

Department: Public Health

Address: _____

Fax Number: 4-2196 Phone Number: _____

Facsimile From: Vickie C

Office Phone: 5-4808

Additional Message (if any): *Judith: please review announcement.
Tax back changes + Nicole will get it
in the publications.
Could not get a mailbox set up this fast -
will work on this when I get back from
some time away. Thanks, Vickie*

Announcement to go in BRIEF, KIOSK, This Thursday

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This is one of the three Provostal Faculty Consultative Committees currently constituted under the Twin Cities Campus Assembly. The AHC FCC will meet monthly.

UNIVERSITY OF MINNESOTA

University Senate

*427 Morrill Hall
100 Church Street S.E.
Minneapolis, MN 55455-0110
612-625-9369
Fax: 612-626-1609
E-mail: senate@mailbox.mail.umn.edu*

June 27, 1996

**TO: Academic Health Center Provostal
Faculty Consultative Committee Members**

**FROM: Vickie Courtney
University Senate**

RE: July 11 Meeting

Thank you for responding to my request for possible dates and times for the Academic Health Center Provostal Consultative Committee.

The committee will meet on Thursday, July 11, 12:00 - 1:30, 114 KE Building. Lunch will be provided. To get to 114 KE enter through the main hospital, going straight through until you reach a "Y" in the hallway. Go to your right and up the ramp. At the top of the ramp is a cash machine - go through the double doors into the Dwan Cardiovascular Building then take the elevator to the first floor.

Enclosed are copies of the charge to the committee and a membership list. If you have any questions you may call me at 625-4805.

I look forward to seeing you on the 11th.

Enclosure

cc: Provost Frank Cerra

Received: from mail.d.umn.edu by mailbox.mail.umn.edu; Tue, 11 Jun 96 15:02:08 C
Received: from ub.d.umn.edu (4709@ub-108.d.umn.edu [131.212.108.3]) by mail.d.umn.edu
Received: (fhaffert@localhost) by ub.d.umn.edu (8.6.12/8.6.12) id PAA06624; Tue,
Date: Tue, 11 Jun 1996 15:52:52 -0500 (CDT)
From: frederic hafferty <fhaffert@d.umn.edu>
Subject: schedule availability
To: courtney
Message-Id: <Pine.3.89.9606111524.A3495-0100000@ub.d.umn.edu>
Mime-Version: 1.0
Content-Type: TEXT/PLAIN; charset=US-ASCII

Dear Vickie: Judy Gerard forwarded your message to me re meeting time availability in June. I'll give you July as well.

June 17th, 18th 19th OK

Fridays are always bad as I work in clinic every Friday afternoon.

June 24,25,27 OK

week of July 1 OK (except Friday) and except that most of that week I'll be doing study section grant reviews of NIH.

July 8th and 9th I'll be in Washington for the study section meeting. Could meet the 11th but that week is a hard one.

July 15th and 16th I'll be at the Robert Wood Johnson Foundation coming back through Minneapolis in the afternoon

Could come back down the 18th

Week of July 22nd OK (except Fridays of course)

Week of July 29th OK (except Friday)

August is real bad after the 7th or so.

I look forward to working with you

Fred Hafferty

Received: from mhub1.tc.umn.edu by mailbox.mail.umn.edu; Tue, 11 Jun 96 11:37:23
Return-Path: <jgarrard@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub1.tc.umn.edu; Tue, 11 Jun 96 12:28:55 -0
Received: from x244-58.hsr.umn.edu by maroon.tc.umn.edu; Tue, 11 Jun 96 12:28:54
From: "Judith Garrard" <jgarrard@maroon.tc.umn.edu>
To: courtney
Subject: Re: provostal faculty consultative committee
Message-Id: <31bdacd7651d433@mhub1.tc.umn.edu>
Date: Tue, 11 Jun 96 12:28:55 -0500

Vickie,

Thanks for doing this. I was in the process of pulling people together also, but only got as far as Fred Hafferty up in Duluth. Come to think of it -- is he on the PFCC? If not, who is the rep from Duluth?

I DO want to meet as soon as possible. Here's my schedule:

AVAILABLE

NOT AVAILABLE

June 13: 8-10 am, 11:30-4:50
June 14: available all day

June 17,18,19 - out of town
June 20: no time available

June 21: available all day

June 24-28 - out of town

July 1: available all day
July 2: 8-11:30, 2-5
July 3: available all day
July 8 - July 12: available all day, every day
July 15: available all day

July 16 - 19 -- out of town

July 22: 8-3
July 23 - 26: available all day, every day
July 29-31: available all day, every day

Thanks, Judy

* ~~Judith Garrard~~, Ph.D. *
* Professor *
* Institute for Health Services Research *
* School of Public Health *
* 420 Delaware Street S E *
* University of Minnesota *
* Minneapolis, MN 55455 *
* Telephone: (612) 625-9169 *
* FAX: (612) 624-2196 *

Received: from mhub0.tc.umn.edu by mailbox.mail.umn.edu; Thu, 13 Jun 96 09:48:27
Return-Path: <bebea001@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub0.tc.umn.edu; Thu, 13 Jun 96 10:39:20 -0
Received: from x27-153.ejack.umn.edu by maroon.tc.umn.edu; Thu, 13 Jun 96 10:39:
From: "Muriel J. Bebeau" <bebea001@maroon.tc.umn.edu>
Reply-To: "Muriel J. Bebeau" <bebea001@maroon.tc.umn.edu>
To: courtney
Subject: Re: provostal faculty consultative committee
Message-Id: <31c036285863026@mhub0.tc.umn.edu>
Date: Thu, 13 Jun 96 10:39:52 -0500

Vickie: I think we should meet this summer, if possible. An organizing meeting is important. My availability this summer is somewhat limited, as I am participating in 3 week-long workshops, plus trying to take a bit of vacation.

I am available June 18 through 21, Juuly 5, 9 through 12, Aug 1,2, and 19 through (p.m.) through 30,

Mickey

In message <49571.courtney@mailbox.mail.umn.edu> "Vickie Courtney" writes:
> As you know by now, the eight of you have been elected to serve as the
> ~~Academic Health Center PACC~~. I am serving as staff to you. Since you
> have neither a chair nor a meeting schedule, I'll take the liberty of
> asking about your calendars for the month of June, finding a date (on
> the assumption you'd at least like to have an organizing session this
> spring), and getting a meeting set.
>
> You may want to consider three issues: 1) elect a chair; 2) decide on
> a meeting schedule; 3) think about whom (perhaps 1-2 people, if
> anyone?) you'd like as ex officio members.
>
> At this point, I need an indication from you (1) IF you wish to try to
> get at least one meeting in this spring, (2) if you wish to meet at
> all during the summer, and (3) in case the majority votes to have a
> meeting soon, the dates and times you would be available for the
> remainder of the month.
>
> Thank you and I look forward to working with you.
>
> Vickie Courtney

~~Muriel J. Bebeau, Ph.D.~~

Professor
Department of Preventive Sciences
School of Dentistry
15-136 Moos Tower
University of Minnesota
515 Delaware S.E.
Minneapolis, Mn 55455
612 625-4633
FAX 612 626-2654
e-mail bebea001@maroon.tc.umn.edu

Received: from mhub2.tc.umn.edu by mailbox.mail.umn.edu; Fri, 14 Jun 96 12:44:00
Return-Path: <gross002@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub2.tc.umn.edu; Fri, 14 Jun 96 13:35:23 -0
Received: from Pharmacy-fastpath-132.hsci.umn.edu by maroon.tc.umn.edu; Fri, 14
From: "Cynthia.R.Gross-1" <gross002@maroon.tc.umn.edu>
Reply-To: "Cynthia.R.Gross-1" <gross002@maroon.tc.umn.edu>
To: courtney
Subject: Re: provostal faculty consultative committee
Message-Id: <31c1b0eb64fc002@mhub2.tc.umn.edu>
Date: Fri, 14 Jun 96 13:35:24 -0500

Vickie, Thanks for your introduction and suggestions. I will be available for
a meeting 6/26, 27 or 28 - most times from 9-5 are possible. cynthia gross

~~Cynthia R. Gross, PhD~~
gross002@maroon.tc.umn.edu
University of Minnesota
College of Pharmacy
School of Nursing
Minneapolis, MN

AMC

Monday June 1996 10	Tuesday June 1996 11	Wednesday June 1996 12	Thursday June 1996 13	Friday June 1996 14	Saturday June 1996 15	Sunday June 1996 16
7	7 <input checked="" type="checkbox"/> 6:30 AM	7	7	7 <input type="checkbox"/>	7	7
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Post-It™ brand fax transmittal memo 7671 # of pages 3
 To UMich Court Mng Co. David Hamilton
 Dept. Phone #
 Fax # 6-1609 Fax # 4-8118

2 / 3
 U OF M - CBN-
 6-12-96 : 9:02AM :
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Monday June 1996 24	Tuesday June 1996 25	Wednesday June 1996 26	Thursday June 1996 27	Friday June 1996 28	Saturday June 1996 29	Sunday June 1996 30
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6-12-96 9:03AM

SENT BY:

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9	9	9 Dr. Hamilton and Dr. Pryor to	9 <input checked="" type="checkbox"/> 9:00 AM	9
10	10	10 Dr. Tindall in	10	10 <input checked="" type="checkbox"/> 10:00 AM
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Academic Health Center
Office of the Provost

Box 501
420 Delaware Street S.E.
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Minneapolis, MN 55455-0374

May 13, 1997

MEMORANDUM

TO: Provostal Faculty Consultative Committee

FROM: Frank B. Cerra, M.D. *FBC*
Provost for the Academic Health Center

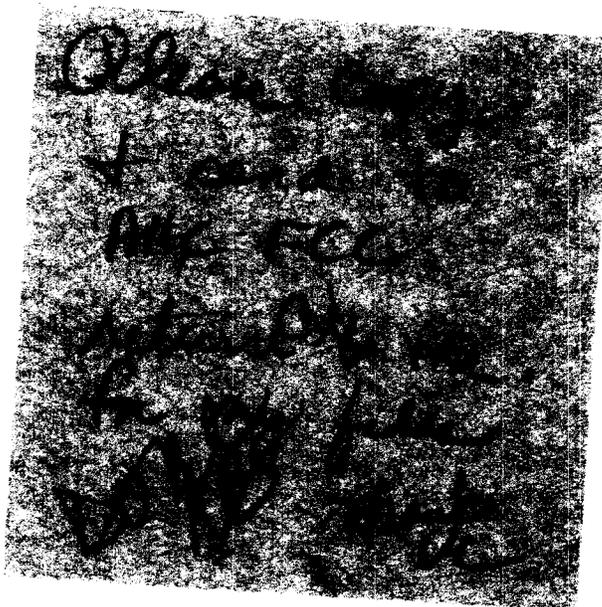
RE: Additional information requested on Promotions and Tenure

At the April 1997 meeting, you had requested additional information on AHC Promotions and Tenure. I have reviewed this request with Cherie Perlmutter, Special Advisor on Faculty Affairs. With the exception of those files that are in the decision year, most of the information you requested is not recorded. Thus, the decision information we have is contained in the Regents docket material you have already received. The Regents approved the docket as written during their meeting on May 9, 1997.

I wish to thank you for your thoughtful proposal for a Faculty Appreciation Day. This is in active planning by Judy Garrard, Jeanette Loudon, and Chris Roberts and will happen in the next 3-4 weeks.

I look forward to the continuance of our work.

FBC/bmg



Received: from mhub1.tc.umn.edu by mailbox.mail.umn.edu; Fri, 18 Apr 97 09:55:17
Return-Path: <feene001@maroon.tc.umn.edu>
Received: from maroon.tc.umn.edu by mhub1.tc.umn.edu; Fri, 18 Apr 97 09:50:01 -0
Received: from x108-40.cvm.openpn.umn.edu by maroon.tc.umn.edu; Fri, 18 Apr 97 0
From: "Daniel A. Feeney" <feene001@maroon.tc.umn.edu>
To: Frank B Cerra <cerra001@maroon.tc.umn.edu>
Cc: marshak@mnhep2.hep.umn.edu, brenner, vgray@polisci.umn.edu,
Fred L Morrison <morri001@maroon.tc.umn.edu>, kvanbeck,
Carol L Chomsky <choms001@maroon.tc.umn.edu>,
dempsey@brain.biochem.umn.edu, fogelman@polisci.umn.edu,
ahcfcc96-97@maroon.tc.umn.edu
Subject: Tenure Rumors
Message-Id: <33578a195787357@mhub1.tc.umn.edu>
Date: Fri, 18 Apr 97 09:50:02 -0500

Frank,

It is not my usual approach to delve into rumors. However, with the tenure situation being what it is (at least 3 codes in effect, one-year interpretation (for Provost-focused decisions) lapsing, no action by the Regents on Faculty Senate proposals, etc.), it seemed wise to at least try to limit rumors. The rumors I'm most concerned about are those that, if inaccurate or overstated, could cause more problems than they are worth including newspaper headlines and end-runs to the legislature.

Rumor has it that the All-AHC (second level) Promotion and Tenure Review Panel has turned down a number of apparently well-supported candidates (e.g. strong dept. vote, Chair's and Dean's support, good peer reviews). My understanding is that this Review Panel is operating for those AHC Schools that do not have departments within them (e.g. Public Health, Pharmacy, Nursing). There are results apparently sifting through e-mail and Deans to affected faculty about the outcomes of their reviews, if unfavorable. I have even heard something about these faculty being given the opportunity to withdraw, which, I presume, would occur before the final decision is made at the level of the Senior Vice-President for Academic Affairs (Because the AHC is operating under the 1985 Tenure Code thanks to the inertia of the Regents).

The limited feedback I have received indicates there by some in the affected departments about how appropriate the decisions were. While not an unexpected reaction, it merits further investigation. Again, I have no names, no relative numbers of candidates affected, etc., so I can't estimate the magnitude of the situation. Something from you about this to the affected schools or a generic statement to all AHC schools (with a copy to SCFA and Tenure Committees) may limit further speculation. I understand that this is a not a good time to make any statements about specifics because of actions that may be taken by affected faculty and because the process has not yet gone to completion. However, some objective information may suppress rumors. For example, the relative number that made it beyond the Dean's recommendation and second-level review in those Schools with second-level reviews held at the all-school level versus the relative number that made it beyond the Dean's recommendation and the second-level review in those Schools (without departments) wherein the second-level reviews were from the All-AHC P & T Review Panel. If the relative numbers look notably different, that may raise some questions??? If the numbers are not notably different, that should suppress the rumor mill. Mary Dempsey and I are willing to help wherever we can.

Thanks for your consideration and best wishes.

Dan Feeney
1996-97 SCFA Chair

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