

Minutes\*

**Senate Committee on Faculty Affairs**  
**Tuesday, September 13, 2005**  
**2:30 – 4:15**  
**238A Morrill Hall**

Present: Morris Kleiner (chair), Matthew Bribitzer-Stull, Arlene Carney, Carol Carrier, Dann Chapman, Vladimir Cherkassky, A. Saari Csallany, Penny Edgell, Janet Ericksen, Patricia Frazier, Darwin Hendel, Theodor Litman, Steven McLoon, Kelly Risbey, Larry Wallace, Timothy Wiedmann, Lori-Anne Williams, Virginia Zuiker

Absent: Will Durfee, John Fossum, Oriol Valls, Aks Zaheer

Guests: none

[In these minutes: (1) welcome and introductions; (2) post-tenure review; (3) issues for the Committee for the year]

**1. Welcome and Introductions**

Professor Kleiner convened the meeting at 2:30 and welcomed everyone to the first meeting of the year. He noted that this has been an active committee and that it sent three items to the Faculty Senate last year, all of which were approved. This will be another interesting year in which the Committee will have to deal with significant issues. He called for a round of introductions.

**2. Post-Tenure Review**

Professor Kleiner turned then to Vice Provost Carney to report on post-tenure review. He reported that he had asked her to comment because there was a Board of Regents' discussion of the subject in recent months; one Regent was concerned that not enough faculty had gone through post-tenure review and that the numbers were too low. This goes back to an issue raised in 1996 when the Regents were considering post-tenure review; Professor Kleiner read an excerpt from a history of the tenure debate, when the Regents met at a retreat in August:

On post-tenure review, Chait [Harvard Professor Richard Chait, a consultant on tenure to the Board of Regents in 1996] said the regents must decide what they want. The Faculty Senate had developed a mechanism that was tougher than what he had seen, because it had enforcement mechanisms as well as a review, but it was basically a human resources model intended to help faculty improve. Chait said the regents needed to decide how they wanted to measure success in post-tenure reviews, whether it should be by an improvement in quality or by the number of faculty body bags that resulted from the reviews. Morrison [Professor Fred Morrison, who attended the retreat] said the majority of the regents appeared to want quality improvements, but [then-Regent Jean] Keffeler commented that in any organization at any time, there are 1/2% or 1% or 3% of employees who should be fired.

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\* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

What are the current views of the Board, Professor Kleiner asked?

Vice Provost Carney reported that she had spoken at length with Senior Vice President Robert Jones on the subject (because he was the one who presented the report to the Board and provided her an analysis of the meeting). He reported that less than 1% of faculty had gone through post-tenure review, out of over 2000 faculty, and had been evaluated as having unsatisfactory performance. In previous years, the number had been about 2%. The decrease led the Regents to ask several questions:

- are the criteria rigorous?
- is implementation rigorous?
- is the process uniform across colleges?
- is there a relaxation in the view about post-tenure review?

Dr. Carney said her office would provide data on the number of faculty who have gone through post-tenure review, the number who have been deemed to perform below a satisfactory level, and what resulted from the review (e.g., a professional improvement plan).

Dr. Jones suggested that perhaps it is appropriate to look at how uniform post-tenure review procedures are across campuses, Dr. Carney said, and it seems reasonable that her office would send a request to colleges to ask what procedures they use. She reported that she has been reviewing all of the departmental 7.12 statements, which has been an interesting exercise in seeing what is similar and what is different; she said she would like to do the same with collegiate post-tenure review procedures. She said she would bring the results to the Committee and then to the Board of Regents. It may be that some procedures will need to be streamlined because they are too cumbersome, she said. The literature about post-tenure review nationally suggests that faculty and administrators have different views on how effective post-tenure review is; perhaps it is time to ask the faculty their views on its effectiveness. There are also differences in the way departments conduct post-tenure review: some do it every year for everyone, some only do a portion of the faculty each year, but they have not collected information on the procedures used.

What does the Board and administration think is the purpose of post-tenure review, Professor McLoon asked? Is it supposed to be punitive, in order to get rid of "dead wood," or evaluative, something that helps faculty improve? The stated purpose of the process is a human resources development model, Dr. Carney responded, and she has not heard any suggestion that that approach should change. If a faculty member is deemed to be performing unsatisfactorily, he or she is given a year to respond to a plan developed by the department chair and department committee. The outcome might, for example, be to steer the faculty member into a better path or reallocate time. The Tenure Committee has said the process is developmental and that there can be change in the balance of a faculty member's work if agreed to by the department and the faculty member. There is no movement to set up a punitive model, she said; the Board was just struck by the decline in the percentage of faculty who have gone through post-tenure review.

Vice President Carrier concurred with Dr. Carney. Questions always come up when they revisit post-tenure review, she said. Since it only comes up every 18-24 months at Board meetings, Board members have to re-acquaint themselves with the issues. This is a faculty-framed process, Dr. Carney

added; faculty in a unit must vote on post-tenure review and there should be a consensus on the standards to which faculty are held and the procedures that will be followed.

Professor McLoon said that while he would not discourage Dr. Carney from collecting the information on post-tenure review in the colleges, he is doubtful that it would be very useful. Faculty members have very different jobs in the different colleges, so the review process should vary considerably from college to college. Also, the review itself is highly subjective, and there is no way to collect information on the subjective aspect of the process. Thus, two colleges could present similar review criteria on paper, and yet apply them very differently. He also maintained, apropos former Regent Keffeler's comment, that if the University fired everyone in the bottom 2-3%, there would simply be a new bottom. His department conducts post-tenure reviews of faculty every year, but he contends that the most valuable part of the process is the self-assessment done by the faculty that are performing well.

Dr. Carney said she did not see her inquiry as policing but rather seeking information. She would like to have the information since she is responsible for the process across the University. She agreed that the process is subjective, but it is framed by faculty who are evaluating themselves, as it should be.

In looking at the human resources versus the body-bag model, are there any data to reassure the Board that there are improvements in the performance of faculty who go through post-tenure review, Professor Kleiner asked? Are faculty given additional resources to improve? Or are they just told "do better next year"? There are about 12-13 faculty in this position; they should be given help, Dr. Carney said; simply being told to do better is not very helpful. Are there any data on what has been done, Professor Kleiner asked? There are examples, not a complete list because there are so few cases, Dr. Carrier said. They do receive information from departments on how they help to address the concerns.

Is there any information about when the faculty, department head, and faculty committee could be in conflict, Professor Wiedmann asked? Dr. Carney said they have not seen any conflict between the department head and faculty committee. She said that what needs to be stressed to the Board is that the process is rigorous—and that the tenuring process is rigorous, and if it is done right, there should not be a large percentage of faculty who fall below expected standards.

There is some variability in the process due to faculty being evaluated by tenured, tenure-track, and P&A faculty, Professor Wallace said. That depends on department practice, Dr. Carney said; there is a range of people who evaluate faculty, depending on the department. Evaluating faculty do not know anything about the work and responsibilities of the person (faculty member) they are evaluating, such as PA faculty evaluating tenured faculty, Professor Wallace added. That would be a problem, Dr. Carney said.

Professor Csallany contended that annual post-tenure review evaluations are not valid because, for example, they will not take into account a paper that is "in press." She said she believed a 3-year evaluation was a more accurate reflection of what happens in a faculty member's life. Dr. Carney said that different departments handle that issue differently; in her department, the review is annual but including a moving three-year window. That decision is under the control of the unit.

The Regents are concerned about the decline in the number of faculty who are put into the post-tenure review process; are there any data on those who have gone through the process with a resultant increase in productivity, Professor Kleiner asked? There are, Dr. Carney said. It is important to collect

that data in order to confirm the validity of the human-resources approach to steering valuable faculty members into more productive activities.

Professor Kleiner thanked Dr. Carney for her report.

### **3. Issues for the Committee for the Year**

Professor Kleiner next asked Committee members to review the list of "issues pending" that had been distributed earlier to them and to identify those issues they believed should be of high priority during the upcoming year.

-- Professor Wallace pointed to "Look at the practice of using grant money to hire faculty, thus mortgaging the University." Professor McLoon said he would guess that in his department the money from the dean (the O&M funds) would cover less than one-half of the payroll, so the department is totally dependent on grant funds. But the University has a salary obligation to the faculty because of tenure. If there were no federal grant funds, the University would still have to pay. There seems to be no oversight of departments, which keep on hiring faculty on soft funds. Departments should recognize there is a financial responsibility that goes with such hires. There are a number of departments that receive only a small amount of state funding, so they raise money to hire faculty, Professor Kleiner pointed out. Is this a national phenomenon, Ms. Williams asked? It is, Professor McLoon said. Departments were hiring more and more people as the federal government was increasing research funding; now those funds are not increasing, so schools are fighting over a limited pool of grant funds.

-- Professor Wiedmann suggested that the item "Look at data on the percentage of classes taught by tenured and tenure-track faculty" should receive Committee attention. If there is a problem in knowing who is teaching the course, at least the course director could be identified. This is a fuzzy issue, Professor Kleiner said; in a 600-student lecture class with a lot of TA's, who is delivering the instruction? Professor Litman observed that the instructor of record could also be coordinating a number of adjuncts. Dr. Carney said that she and Dr. Carrier would work together to see if they could develop data that would respond to the issue.

-- There was interest in "Identification of the number of the various titles used and the funding sources that are attached to each position (i.e., endowed chairs)." Professor Kleiner asked if the Committee should propose a policy establishing criteria for people being appointed to, and exiting from, endowed or named positions. In some cases, units are clear about this; in others, it is very nebulous. There are about 700 faculty in these kinds of positions. Even if the Committee cannot obtain information about the precise number and the varieties of funding available to the chairs, the Committee can still develop guidelines and see what the response is, Professor Wiedmann said.

Is it appropriate for the Committee to suggest guidelines, Professor McLoon asked? It could recommend whether there be University-wide standards or there be unit-developed guidelines, Professor Kleiner said. But there should be guidelines, Professor Wiedmann maintained. Professor Wallace said it would be helpful to have information on the number of the endowed/named positions whose incumbent can be reappointed. Professor Wiedmann said it would also be helpful to know if any of the University's peer institutions had guidelines.

It was agreed that the Committee would take up this issue at its next meeting.

-- Professor Kleiner said the Committee might want to take up "How to allocate fairly funds for faculty salaries in a way that is transparent and includes faculty involvement (per Senate policy) as deans may make salary decisions in order to move toward the goal of being among the top 3 public research universities." Professor McLoon responded that there is no equity in salaries and no logic to them so it is not clear what the Committee could do. Professor Kleiner said the point is that given the "top 3" goal, is there anything the Committee can recommend that would assist in achieving the goal?

-- Professor Csallany asked that the item "Inconsistency across departments in allowing/providing maternity/paternity leave and "makeup" work when faculty parents return. A larger question is the uniform application and interpretation of University rules" be on the agenda. Dr. Carney said there will be a new Women's Cabinet that will report to the Provost through her. It will have six members, tenured and tenure-track faculty; it is being appointed because faculty women do not feel that their issues are being addressed. The Cabinet will be appointed in the near future and she is asking for self-nominations. She agreed to a suggestion from Professor Kleiner that it would be helpful if there were an ex officio representative from this Committee on the Cabinet.

-- Another issue that the Committee should consider is "Return to the issue of post-retirement health care." It was noted that the Faculty Consultative Committee is interested in this as well and will hear from Ms. Singer about the information she presented to this Committee last spring. What does early retirement mean at the University, Professor McLoon asked? If one is vested in the retirement plan, cannot he or she leave anytime? (Yes.) There are specific provisions about when one qualifies to be a retiree, Mr. Chapman said, but it primarily means eligibility to stay in the pool for purchase of health care coverage. Some employee classes have defined benefits and must meet a standard before retiring, but that is not true of those covered by the Faculty Retirement Plan.

Is there any information on what other universities are doing with respect to post-retirement health care, Professor Cherkassky asked? There is anecdotal information, Professor Kleiner said. Many are moving toward a defined contribution plan, but in some cases university employees are state employees so are covered by a defined benefit plan. Is there a correlation between different programs and faculty profiles, Professor Cherkassky asked? There are clear implications, Professor Kleiner said; one would expect faculty to retire earlier when they have reached their maximum defined benefit, under such plans, he said.

Professor Kleiner thanked everyone for coming and adjourned the meeting at 3:45.

-- Gary Engstrand