

UNIVERSITY OF MINNESOTA

BOARD OF REGENTS

MINUTES

BOARD OF REGENTS MEETING

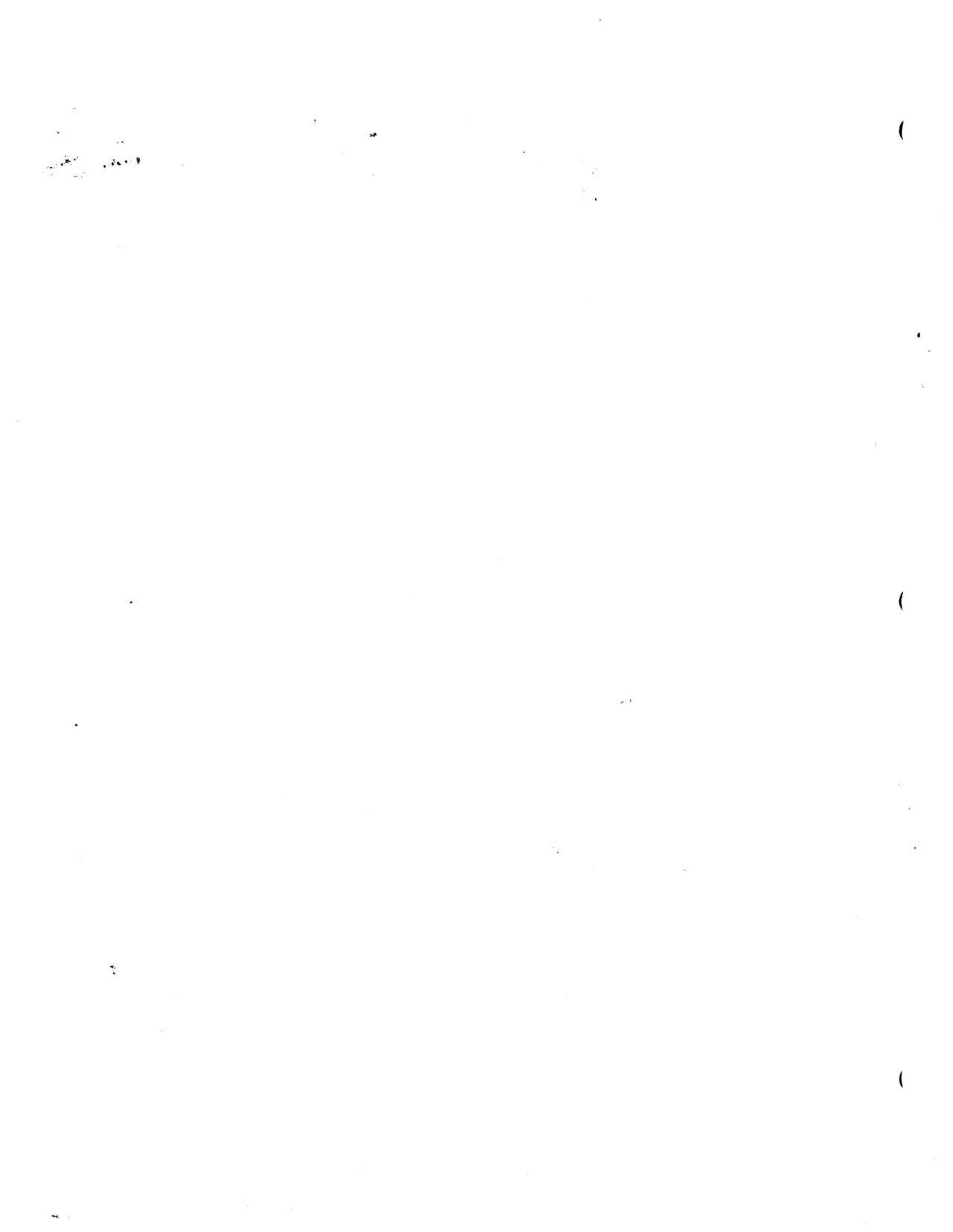
AND

REGENTS COMMITTEE MEETINGS

August 11, 1978

Office of the Board of Regents

220 Morrill Hall



## UNIVERSITY OF MINNESOTA

## BOARD OF REGENTS

Minutes of the Board of Regents Meeting  
and Regents Committee Meetings

August 11, 1978

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Year 1978-79

UNIVERSITY OF MINNESOTA

BOARD OF REGENTS

Committee of the Whole

August 11, 1978

A meeting of the Committee of the Whole of the Board of Regents was held on Friday, August 11, 1978, at 9:30 a.m. at the University of Minnesota Freshwater Biological Institute.

Regents present: Regent Moore, presiding; Regents Goldfine, Krenik, Latz, Lebedoff, Lee, McGuiggan, Peterson, Schertler, Sherburne, Unger, and Utz.

Staff present: President Magrath; Vice Presidents Brown, French, Koffler, Stein, and Wilderson; Deputy Vice President Hueg; Secretary Wilson; Messrs. Borgestad, Frederick, Lukermann, Preston, Robb, Sahlstrom, Staehle, Tall, Thomas, Tierney, and Zander; Mmes. Lupton and Williams.

Student Representative present: Jeanne Hvass.

APPOINTMENT OF DEAN OF THE COLLEGE OF LIBERAL ARTS  
AND DEAN OF THE INSTITUTE OF TECHNOLOGY

President Magrath presented for approval the appointment of Fred E. Lukermann as Dean of the College of Liberal Arts and Roger Staehle as Dean of the Institute of Technology.

The committee voted unanimously to recommend the appointments of Dr. Lukermann as Dean of the College of Liberal Arts and Dr. Staehle as Dean of the Institute of Technology.

APPROVAL OF CIVIL SERVICE COMMITTEE NOMINEES

Assistant Vice President William Thomas submitted for approval the following people who have accepted nomination to the Civil Service Committee for three-year terms commencing in September, 1978:

Myra Battenfeld, Senior Account Clerk, Business  
Office, Waseca Campus  
Gary Donovan, Principal Student Personnel Manager,  
Career Planning & Placement Service, Morris Campus

Assistant Vice President Thomas stated that this is the first time in the history of the University that there has been representation on the Civil Service Committee from the outstate campuses.

The committee voted unanimously to recommend approval of the Civil Service Committee nominees.

TITLE CHANGES: ASSISTANT VICE PRESIDENT  
TO ASSOCIATE VICE PRESIDENT

President Magrath presented for approval title changes for the following:

Clinton Johnson - from Assistant Vice President  
for Business Administration to  
Associate Vice President, Finance

Donald Zander - from Assistant Vice President  
for Student Affairs to Associate  
Vice President for Student Affairs.

The committee voted unanimously to recommend approval of the title changes.

MASTER OF ARTS DEGREE IN RUSSIAN, TWIN CITIES

Vice President Koffler recommended approval of the proposed Master of Arts Degree in Russian, Twin Cities. He also stated that the funds for this program would come partly from reallocation within the College of Liberal Arts and partly from reallocation within the department.

Regent McGuigan suggested that in the future the Educational Policy and Long-Range Planning Committee be advised of programmatic reallocations within units, especially when new programs are proposed to be funded from reallocations of resources from present programs.

The committee voted unanimously to recommend approval of the proposed Master of Arts Degree in Russian.

PH.D. IN HISTORY OF SCIENCE AND TECHNOLOGY, TWIN CITIES

Vice President Koffler recommended approval of the proposed Ph.D. in History of Science and Technology, Twin Cities. He noted that there would be no additional direct costs to the University to implement this program.

The committee voted unanimously to recommend approval of the proposed Ph.D. in History of Science and Technology, Twin Cities.

CONSTITUTION  
COLLEGE OF LETTERS AND SCIENCE, DULUTH

Vice President Koffler recommended approval of the proposed constitution for the College of Letters and Science at the University of Minnesota, Duluth.

The committee voted unanimously to recommend approval of the proposed constitution of the College of Letters and Science at the University of Minnesota, Duluth.

CONSTITUTION  
COLLEGE OF PHARMACY

Vice President Koffler recommended approval of the proposed constitution for the College of Pharmacy.

The committee voted unanimously to recommend approval of the proposed constitution of the College of Pharmacy.

CONSTITUTION  
SCHOOL OF NURSING

Vice President Koffler recommended approval of the proposed constitution for the School of Nursing.

The committee voted unanimously to recommend approval of the proposed constitution for the School of Nursing.

PH.D. IN PATHOBIOLOGY, TWIN CITIES

Vice President Koffler presented for information the proposed Ph.D. Degree in Pathobiology, Twin Cities. He stated that presently there is no post-baccalaureate Ph.D. program in Pathology at the University of Minnesota and that a number of programs throughout the nation have adopted the term "Pathobiology" in preference to "Pathology". He further stated that the primary reason for this designation is to separate the basic science research degree from the medical specialty of pathology. It was also noted that this program is not necessarily job related, although students of pathology programs generally find opportunities in research or teaching in institutions of advanced standing in the health sciences.

ACCOUNTS RECEIVABLE PLANNING

Vice President Brown submitted for approval the proposed student accounts receivable system which had been thoroughly reviewed by the committee in July.

The committee voted unanimously to recommend approval of the proposed student accounts receivable system.

## INVESTMENTS ACTIVITY REPORT

Vice President Brown reviewed the Investments Activity Report for June, 1978.

### PROPOSED LEGAL ACTION - BMS POLICIES

Vice President Stein indicated that the imposition of a rule by the Bureau of Mediation Services prevented the University Administration from communicating its views regarding collective bargaining to faculty members eligible to vote. He stated that a clarification of the rights of the Administration in this regard was necessary and presented the following resolution for action:

WHEREAS the Bureau of Mediation Services has issued the following rule in connection with two previous collective bargaining elections involving the University of Minnesota and certain faculty groups:

"Members of the administrative staff shall remain completely neutral throughout this campaign and shall take no part in said campaign.";

WHEREAS application of the rule in connection with pending faculty elections will prohibit the University's administration from communicating its views to faculty members eligible to vote;

RESOLVED that, on the recommendation of the President, the appropriate administrative officers are authorized to take the necessary legal actions to require the Bureau of Mediation Services to declare the rule null and void and to enjoin the director from applying the rule in connection with the pending faculty elections.

After discussion, the committee unanimously voted to recommend approval of the resolution.

Vice President Stein further indicated that the University has been advised that the adoption, by the Board of Regents, of needed revisions in the regulations concerning faculty tenure, the consulting policy, and the faculty grievance procedures during collective bargaining proceedings might be considered an unfair labor practice and recommended the adoption of the following resolution to clarify the issue:

WHEREAS pending collective bargaining elections regarding faculty members on the Twin Cities campus have delayed for four years the adoption of needed revisions in regulations concerning faculty tenure, the policy regarding faculty consulting, and the faculty grievance procedure, and;

WHEREAS collective bargaining elections concerning faculty members are now pending regarding only faculty on the Duluth Campus and in the Law School, and;

WHEREAS certain of the employee organizations which are petitioners in those elections have objected to the consideration for adoption by the Regents of the said needed revisions;

RESOLVED that, on the recommendation of the President, the appropriate administrative officers are authorized to take the necessary legal actions to determine whether or not said revisions may be legally considered for adoption by the Regents.

After discussion, the committee unanimously voted to recommend approval of the resolution.

#### PRIORITIES WITHIN THE BIENNIAL REQUEST

President Magrath reported that questions were raised about the priorities in the Biennial Request during the last session of the Minnesota Legislature and that consequently he had promised at the July meeting to submit a proposed list of priorities within the 1979-81 Biennial Request for Regents to review. He stated that he has met with several groups within the University as well as with the administration but that a specific list had not been developed and further discussion with various groups was desired before any list could be reviewed by Regents.

Regent Schertler stated that she had been one of the individuals who had asked for a priority listing but did not feel that it had to be presented right away.

After a lengthy discussion regarding the need to list priorities, it was decided that further discussion on this matter would be continued over the next few months.

#### SOCIAL SECURITY FOR PART-TIME FACULTY

Vice President Stein reported that the Biennial Request contains a request for funds to provide social security for part-time academic employees. He stated

that Regents raised a question about this policy issue regarding the kind of academic employees that will be included, percent of time worked, and other details associated with this recommendation. He also noted that the Senate Committee on Faculty Affairs has recommended that this item be included in the Biennial Request.

Regent Latz expressed concern that this item had been included in the Biennial Request without being reviewed first by a budget committee. Regent Latz also requested information on the demographics of the part-time faculty who would be brought under social security coverage.

Regent Sherburne stated that he thought the Board had taken this item up several years ago and that a policy had been made at that time. He suggested that previous actions and policies of the Board be reviewed.

Regent Unger requested that this item be brought back next month at the Faculty and Staff Affairs Committee.

#### IMPACT OF BAKKE DECISION ON ADMISSIONS POLICIES AT THE UNIVERSITY OF MINNESOTA

President Magrath reported that on June 28, 1978, the United States Supreme Court issued its opinion in a landmark case of Regents of the University of California vs. Allan Bakke. The decision in this case was a complicated one which produced six lengthy opinions and which could have an affect on admissions programs at universities all over the country. He stated that as a result of this decision, the Regents had asked for a legal discussion of the impact of the decision on the admissions policies of the various units within the University of Minnesota. He further stated that the University of Minnesota interprets the Bakke decision as reaffirming the University's strongly-held commitment to expanded educational opportunities for minorities and other disadvantaged citizens. He noted that a review of the special admissions programs at the University had been completed and that virtually every college and department in the University has a policy of recruiting and encouraging applications from minority students. Under the direction of Vice President Wilderson and the Office of Student Affairs, the admissions policies of every college and department will be reviewed by their admissions deans and committees to insure that the program is in full compliance with the law.

Regent Moore made the following statement with regard to the Bakke decision:

"I would like to ask the Board this morning to consider making a statement affirming this Institution's commitment to equal educational opportunity. We have heard Vice President Stein and President Magrath talk about the impact on this institution of the Bakke decision. That is, in fact, the reality of this Supreme Court decision. I guess what I would like to implore this Board to consider this morning is not only the reality but the perception in the minority community of the impact of this decision. When the Supreme Court made its decision, the headlines in the newspapers read "BAKKE WINS". That was a red flag in the minority community. It meant slamming of doors that have just barely begun to open. It meant that this society was beginning to renege on a commitment to equal educational opportunity. And I guess what I'm saying today is that while we understand after perusing this decision that race can in fact be involved as a criteria for admissions, the perception out in the minority community is that the Bakke decision has made a change in what is going on at the University of Minnesota. It seems to me if that perception is going to require minority youngsters, those who counsel minority youngsters, the parents of minority youngsters to compromise their aspirations for their children, then we must address ourselves to that perception. And it seems to me we need to speak in a strong and positive voice this morning, reaffirming this Institution's commitment to equal educational opportunities for all its citizens. So I would ask this morning that we consider such a statement."

Regent Sherburne moved that the Board reaffirm its position on equal educational opportunity.

The committee voted unanimously to recommend affirmation of the University's position on equal educational opportunity and affirmative action.

#### LIABILITY INSURANCE REVIEW

Vice President Brown reported that changes had been made in the University's Comprehensive Liability Insurance coverage so that the University is now carrying a lower amount of insurance at a greatly reduced premium. He

reported that the medical faculty of the University now carries individual liability in lieu of being included in the University of Minnesota general coverage and that because of this, the University's coverage was reduced from \$25 million to \$10 million. He also reported that \$2 million of the \$10 million was now carried directly by the University wholly-owned subsidiary, RUMINCO, and that the \$8 million excess insurance was carried with St. Paul companies. He also reported that the estimated annual premium had been reduced over a three year period from an estimated \$4 million to an estimated \$1.8 million for the next year.

The committee considered the following delegation of authority:

WHEREAS, the Regents of the University of Minnesota is a party to certain transactions with Ruminco, LTD., the Insurance Company of North America, and SAFECO Insurance Company of America and these transactions are necessary business of the University of Minnesota and require the execution of various written agreements and documents by the Board of Regents; and

WHEREAS, the Regents have been fully advised as to the nature of the transactions with the companies mentioned above and being in complete agreement that all necessary documents be executed;

RESOLVED, that the Regents of the University of Minnesota authorize and empower the President or the Vice President for Finance or the Associate Vice President for Finance and Treasurer to act for and on behalf of the University of Minnesota and its Regents to execute and sign on their behalf any and all such documents or agreements including the following:

- (1) Premium payment agreement(s) between the Regents of the University of Minnesota and the Insurance Company of North America.
- (2) Reinsurance agreement(s) between Ruminco, Ltd. and Insurance Company of North America.
- (3) Guaranty agreement(s) between the Regents of the University of Minnesota and the Insurance Company of North America.
- (4) Financial Guaranty Bonds with SAFECO Insurance Company of America as surety and the University of Minnesota and possibly others as Principal.

- (5) Indemnity agreements binding the University of Minnesota to certain duties including the full indemnification of SAFECO Insurance Company of America for any loss that SAFECO may sustain under any bond issued for the benefit of the University of Minnesota.

This is an authorization for the President or the Vice President for Finance or the Associate Vice President for Finance and Treasurer to execute or sign any of the above described documents for this University and is also a complete ratification and authorization of any such documents or agreements they have executed or signed in the past.

The committee voted unanimously to recommend approval of the above delegation of authority.

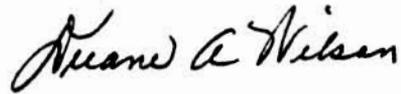
After a further discussion on University insurance coverage, the University Attorney, R. Joel Tierney, indicated that he would include a short report on Officers' and Directors' Liability Insurance in his next quarterly report to the Board of Regents.

#### USE OF CAMPUS FOR MOVIE PRODUCTION

President Magrath reported that a major motion picture is scheduled for production in the Twin Cities and that a good portion of the filming would be on the Twin Cities Campus of the University of Minnesota. He reported that negotiations are in process for the University to receive some contribution, as yet undetermined, to be used for student financial aid. He further stated that the film company has been advised that the University of Minnesota would not be identified in the film in any way in terms of captions and credits, unless the Regents approved; that the film company would not be allowed to interfere with the students and faculty; and, that all shooting plans are to be detailed to the Administration well in advance.

In answer to a question, President Magrath stated that the University has been assured that the production would have a rating of "G" (General) or "PG" (Parental Guidance). After discussion, it was the consensus of the committee that the University should not be identified in the film unless such a request were to be made after completion and review of the film.

Deputy Vice President Hueg informed the Board of the death of William Matalamaki who was the Superintendent of the North Central School & Experiment Station in Grand Rapids, Minnesota.

A handwritten signature in cursive script that reads "Duane A. Wilson".

DUANE A. WILSON, Secretary

UNIVERSITY OF MINNESOTA

BOARD OF REGENTS

August 11, 1978

A meeting of the Board of Regents of the University of Minnesota was held on Friday, August 11, 1978, at 11:50 a.m. at the University of Minnesota Freshwater Biological Institute.

Regents present: Goldfine, Krenik, Latz, Lebedoff, Lee, McGuiggan, Moore, Peterson, Schertler, Unger, and Utz. President Magrath presided.

Staff present: Vice Presidents Brown, French, Koffler, Stein, and Wilderson; Deputy Vice President Hueg; Secretary Wilson; Messrs. Borgestad, Frederick, Preston, Robb, Sahlstrom, Tall, Thomas, Tierney, and Zander. Mmes. Lupton and Williams.

APPROVAL OF MINUTES

The Board of Regents voted unanimously to approve the minutes of the following meetings:

Special Committee of the Whole Meeting - July 6, 1978  
Physical Plant & Investments Committee - July 6, 1978  
Faculty & Staff Affairs Committee - July 6, 1978  
Student Concerns Committee - July 6, 1978  
Educational Policy & Long-Range Planning - July 6, 1978  
Committee of the Whole Meeting - July 7, 1978  
Board of Regents Meeting - July 7, 1978

REPORT OF THE PRESIDENT

President Magrath reported that the University of Minnesota's Assembly Committee on Intercollegiate Athletics has created a subcommittee to investigate alleged violations of National Collegiate Athletic Association and Big Ten rules in the University's football program. He further reported that the subcommittee was hard at work under the direction of Vice President Stein and Paul Giel, Director of Men's Intercollegiate Athletics. He stated that the report of the subcommittee will be presented to the Board of Regents.

President Magrath further reported on the conflict in the Department of Psychiatry in the School of Medicine. He stated that he and Vice President French were working on the matter and that normal procedures were being used to evaluate the charges of double billing and fraud that have surfaced. He further reported that the resignation of Dr. William Hausman as Head of Psychiatry had been accepted effective at the end of 1979 or when a successor is named.

Regent McGuiggan stated that he did not approve of the acceptance of a resignation when the resignation date was over a year away. He further inquired about the University's policy of accepting resignations of Departmental Chairmen.

President Magrath stated that the appointment of Departmental Chairmen, and consequently accepting resignations of same, was an administrative decision and that his administration had approved of Dr. Hausman's resignation effective at the end of 1979 or sooner if a successor is named. He further observed that the search committee process took time and that it very often takes one year before a new appointee is on the job.

Regent Schertler stated that she was concerned about the fact that the Regents were not notified of any conflict in the Department of Psychiatry and that she first learned about it in the newspapers.

President Magrath stated that he thought a memo was sent out to the Regents when the conflict first came to light and that he would check his files to see if and when the memo was sent.

Regent Latz stated that when the investigation is complete, a statement should be issued putting to rest the allegations of double billing and fraud.

#### GIFTS

Vice President Henry Koffler presented the monthly list of gifts to the University of Minnesota. The Board of Regents voted unanimously to approve all gifts. Documentation is filed supplement to the minutes, No. 21,328.

## CONTRACT AND GRANT AWARDS

The Board of Regents voted unanimously to approve the contract and grant awards. Documentation is filed supplement to the minutes, No. 21,329.

## APPLICATIONS FOR CONTRACTS AND GRANTS

Vice President Koffler submitted for approval the applications for contracts and grants. Regent Moore stated that during the Regents Retreat interest was expressed by Regents to receive more information regarding the internal procedures for reviewing proposals for contracts and grants. She suggested that further discussion of the internal procedures be on the agenda in September or October for the Educational Policy and Long-Range Planning Committee.

After further discussion, the Board of Regents voted unanimously to approve the applications for contracts and grants.

## REPORT OF THE COMMITTEE OF THE WHOLE MEETING

Regent Moore, Chairman of the Committee, reported that the committee voted unanimously to recommend the following actions and/or resolutions:

- (a) Approval of Fred E. Lukermann as Dean of the College of Liberal Arts.
- (b) Approval of Roger Staehle as Dean of the Institute of Technology.
- (c) Approval of Myra Battenfeld, Senior Account Clerk, Business Office, Waseca, and Gary Donovan, Principal Student Personnel Manager, Career Planning & Placement Service, Morris Campus, to the Civil Service Committee for three-year terms commencing in September, 1978.
- (d) Approval of title changes for the following:
  1. Clinton Johnson from Assistant Vice President for Business Administration to Associate Vice President, Finance.
  2. Donald Zander from Assistant Vice President for Student Affairs to Associate Vice President for Student Affairs.

- (e) Approval of the proposed Master of Arts Degree in Russian, Twin Cities.
- (f) Approval of the proposed Ph.D. Degree in History of Science and Technology, Twin Cities.
- (g) Approval of the proposed constitution of the College of Letters and Science at the University of Minnesota, Duluth.
- (h) Approval of the proposed constitution of the College of Pharmacy, Twin Cities.
- (i) Approval of the proposed constitution for the School of Nursing, Twin Cities.
- (j) Approval of the proposed student accounts receivable system.
- (k) Approval of the two following resolutions re Collective Bargaining:

1. WHEREAS the Bureau of Mediation Services has issued the following rule in connection with two previous collective bargaining elections involving the University of Minnesota and certain faculty groups:

"Members of the administrative staff shall remain completely neutral throughout this campaign and shall take no part in said campaign.";

WHEREAS application of the rule in connection with pending faculty elections will prohibit the University's administration from communicating its views to faculty members eligible to vote;

RESOLVED that, on the recommendation of the President, the appropriate administrative officers are authorized to take the necessary legal actions to require the Bureau of Mediation Services to declare the rule null and void and to enjoin the director from applying the rule in connection with the pending faculty elections.

2. WHEREAS pending collective bargaining elections regarding faculty members on the Twin Cities campus have delayed for

four years the adoption of needed revisions in regulations concerning faculty tenure, the policy regarding faculty consulting, and the faculty grievance procedure, and;

WHEREAS collective bargaining elections concerning faculty members are now pending regarding only faculty on the Duluth Campus and in the Law School, and;

WHEREAS certain of the employee organizations which are petitioners in those elections have objected to the consideration for adoption by the Regents of the said needed revisions;

RESOLVED that, on the recommendation of the President, the appropriate administrative officers are authorized to take the necessary legal actions to determine whether or not the said revisions may be legally considered for adoption by the Regents.

- (l) Approval of the reaffirmation of the University's position on equal educational opportunity and affirmative action.
- (m) Approval of the following resolution re liability insurance:

WHEREAS, the Regents of the University of Minnesota is a party to certain transactions with Ruminco, LTD., the Insurance Company of North America, and SAFECO Insurance Company of America and these transactions are necessary business of the University of Minnesota and require the execution of various written agreements and documents by the Board of Regents; and

WHEREAS, the Regents have been fully advised as to the nature of the transactions with the companies mentioned above and being in complete agreement that all necessary documents be executed;

RESOLVED, that the Regents of the University of Minnesota authorize and empower the President or the Vice President for Finance or the Associate Vice President for Finance and Treasurer to act for and on behalf of the University of Minnesota and its Regents to execute and sign on their behalf any and all such documents or agreements including the following:

- (1) Premium payment agreement(s) between the Regents of the University of Minnesota and the Insurance Company of North America.
- (2) Reinsurance agreement(s) between Ruminco, Ltd. and Insurance Company of North America.
- (3) Guaranty agreement(s) between the Regents of the University of Minnesota and the Insurance Company of North America.
- (4) Financial Guaranty Bonds with SAFECO Insurance Company of America as surety and the University of Minnesota and possibly others as Principal.
- (5) Indemnity agreements binding the University of Minnesota to certain duties including the full indemnification of SAFECO Insurance Company of America for any loss that SAFECO may sustain under any bond issued for the benefit of the University of Minnesota.

This is an authorization for the President or the Vice President for Finance or the Associate Vice President for Finance and Treasurer to execute or sign any of the above described documents for this University and is also a complete ratification and authorization of any such documents or agreements they have executed or signed in the past.

The Board of Regents voted unanimously to approve the recommendations of the Committee of the Whole.

Regent Moore further reported that the Committee received a report on the proposed Ph.D. in Pathobiology, Twin Cities; reviewed the investments activity report for June, 1978; held a discussion on the listing of priorities in the Biennial Request; heard a report on social security for part-time faculty; discussed the impact of the Bakke decision on admissions policies at the University of Minnesota; and, discussed the use of the Minneapolis Campus for a movie production.

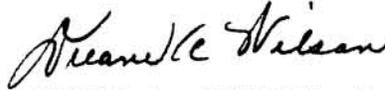
NEW BUSINESS

Regent Schertler stated that she and Regent McGuiggan visited the Hormel Institute at Austin, Minnesota on Thursday, August 10.

Regent Goldfine expressed his thanks to Chairman Moore for asking him to represent the Board of Regents at the Hospital Governing Board's retreat. Regent Goldfine stated that it is his observation that the Governing Board is performing in a very capable and responsible manner.

Regent Moore stated that Friday afternoon, September 8, the Board of Regents is invited to participate in the naming of the Freshwater Biological Institute to the Gray Freshwater Biological Institute.

Meeting adjourned at 12:10 p.m.



DUANE A. WILSON, Secretary

