

UNIVERSITY OF MINNESOTA
FACULTY SENATE
MINUTES

February 22, 1973

The eighth meeting of the Faculty Senate for the year 1972-73 was convened in the Auditorium of Nicholson Hall on Thursday, February 22, 1973. Checking or signing the roll as present were 78 elected members of the faculty and 7 nonmembers.

Vice Chairman Frank J. Sorauf presided.

The following items were considered and action was taken as indicated.

Prior to beginning discussion of the agenda, the chairman of the Consultative Committee moved that determination of the vote necessary to establish tenure (Section 13) should be postponed until the end of the meeting together with two proposed revisions to be introduced by Kent Bales. The motion *carried*. The chairman of the Consultative Committee also mentioned the possibility of a mail ballot to decide these critical matters.

The chairman of the Consultative Committee also proposed that of the time available, 1 hour should be devoted to Section 13, ½ hour to Section 18, and the remainder of the time reserved for other items. *Carried*.

I. MINUTES OF JANUARY 11, 1973

Reported for Action

Approved

II. CONTINUED DISCUSSION OF THE TENURE CODE

The Faculty Senate then began consideration of Section 13 of the proposed Regulations Concerning Faculty Tenure.

A motion to delete item "c" in Section 13.2 (page 44) of the proposed Regulations Concerning Faculty Tenure was *defeated*.

A stylistic change for lines 3 and 4 of Section 13.2, (page 45) was *accepted* by the committee.

A motion to appoint an ad hoc committee to define critical terms (e.g., "mission") as used in the proposed regulations and to report to the Faculty Senate was *defeated*.

A motion to modify Section 13.2.c. by adding the words "repeated conduct" was *defeated*.

At this point, the chairman of the Consultative Committee moved to discontinue discussion of Section 13.2 and turn to Section 13.5. The motion was *approved*.

The vice chairman requested the chairman of the Committee on Tenure to introduce Section 13.5.

A motion was made to add to line 10 and 11 after the words "ad hoc committee," the words ". . . the composition of which to be made known." The motion *carried*.

In order to continue the discussion of Section 13.5 and subsequent subsections, a motion was made to extend the time previously allocated another 15 minutes. The motion *carried*.

At the expiration of the additional time, the vice chairman requested the chairman of the Tenure Committee to introduce Section 18.

Following presentation of Section 18, the chairman of the University Appeals Committee on Academic Freedom and Responsibility moved to delay consideration of Section 18 until the Appeals Committee could resolve points of difference with the Committee on Tenure. Included in the motion was the recommendation that Section 18 would eventually be presented as a supplement to the Tenure Code.

After discussion, the vice chairman ruled that the previous motion should be presented to the Faculty Senate in two parts. Part 1 was to postpone consideration of Section 18 to a time certain. The motion *carried*. Part 2 was to discuss Section 18 after adoption of the Tenure Code. There was *no vote* on this second part of the motion.

Instead, the Faculty Senate decided to adjourn and to convene again as if in committee of the whole on March 1, 1973, at 3:30 p.m.

The Faculty Senate adjourned.

W. DONALD BEATTY
Clerk of the Faculty Senate

Appendix

ABSTRACT OF DISCUSSION

The meeting was called to order at 3:30 p.m. Frank Sorauf, professor of political science and vice chairman of the body sitting as a committee of the whole to consider the tenure document, presided.

Samuel Krislov, professor of political science and chairman of the Consultative Committee, introduced two proposals for change in Section 13 involving the percentage vote in tenure-granting decisions and the base of eligible voting faculty members used in computing that percentage. He moved that discussion of the proposed options be postponed until the end of the meeting. His motion was approved. He also mentioned the possibility of a mail ballot to decide the issues. A second proposal to allocate 1 hour to discussion of Section 13, 30 minutes to Section 18, and 30 minutes to the remainder of the document was also approved, after which minutes of the January 11 meeting were accepted.

Michael Perlman, associate professor of statistics, requested deletion, under criteria for initial recommendations, of the requirement of such working relations with colleagues as are essential to effectively accomplish the unit's mission. Mr. Krislov held that it was an important consideration at some stage of review of a faculty member, and the Perlman motion was defeated. John Dahler, professor of chemical engineering and materials science, suggested that an ad hoc group be appointed to define terms used in the regulations, particularly what was meant by "mission." Carl Auerbach, acting dean of the Law School and chairman of the Tenure Committee, suggested substituting "tasks" for "mission." Burnham Terrell, professor of philosophy, took the view that faculty members would not necessarily have the same view of their missions as might be outlined by a committee and that they should not be locked into any such statement. The Dahler proposal was then defeated.

Lewis Levang, professor of English, UMD, called attention to the procedure for reappointments on probationary appointments. He noted that it called for annual review, but that recommendation on tenure was not necessarily a yearly procedure. The committee indicated that regulations would provide for annual reconsideration from the first to the sixth year. Mr. Perlman suggested bringing the Section 13 criterion on working relations with colleagues into agreement with the wording approved at the January 25 meeting for Section 17.1.b. by indicating that there must be evidence of repeated unreasonable conduct destructive of the academic freedom of other members of the academic community. His motion was defeated.

Mr. Auerbach commenced the discussion of the administrative review procedure proposed in Section 13. He described the role of the academic administrator, the Graduate School dean, and the academic vice president, as well as new provisions outlining the functions of the Judicial Committee in hearing appeals. Leon Green, professor of mathematics, objected to the proposal for the academic administrator's use of advisory committees consisting entirely of persons outside the unit making the initial recommendations. Messrs. Fred Morrison, professor of law, and Auerbach held that it would be improper for those who had voted on the original decision to provide advice, but that they could serve as witnesses. Mr. Wertz moved that such advisory

committees should not be anonymous; Mr. Krislov proposed that the decision be left to the individual colleges. The Faculty Senate favored the Wertz amendment.

Thomas Bacig, assistant professor of English, UMD, and member of the Tenure Committee, said UMD faculty members had disputed the proposed role of the academic vice president in tenure decisions on the coordinate campuses. He said the major concern was that a provost should have the power to appeal a decision directly to the president, and that it was hoped that the comments could include an outline of the lines of such campus appeals, which would bypass the Judicial Committee. Mr. Morrison responded that the problem was one of structure for coordinate campuses, and that the committee had drawn up a uniform system-wide policy. Another UMD faculty member felt that, inasmuch as the constitution provided for separate assemblies for each campus, a separate tenure regulation could be developed by each campus. UMD faculty were planning to do so. Mr. Morrison indicated that the instructions to the Tenure Committee had called for a University-wide policy.

Leonid Hurwicz, professor of economics, was concerned about the effect of publicity on a faculty member whose case was being reviewed. He said that, where a person's name had been cleared, the proposed regulations provided for making that information public only when the Judicial Committee was involved. Mr. Auerbach pointed out that the administrator must provide a statement of reasons for disagreeing with an initial recommendation and that reasons for terminating a faculty member were required to be in writing.

Taking up Section 18, Complaints Committees and Procedures, Mr. Auerbach explained that it outlined different grievance procedures from those now in existence for cases of complaints (other than termination or suspension) by faculty members against the University or its academic administrators. He said it would relieve the Judicial Committee of the burden of hearing "first instance" cases and reserve them for an academic unit's faculty complaints committees. He said such committees would consist of faculty members only, and procedures would be established by the committee itself. Fred Amram, associate professor and director of HELP Center, and chairman of the University Appeals Committee on Academic Freedom and Responsibility, proposed that, since Section 18 concerned appeals procedures and his committee was working out University-wide grievance procedures, the section should be separated from the tenure document and voted on after his committee could work out a parallel structure on grievance procedures. In response to a question concerning its presentation, he said it should be brought before the University Senate, but that certain sections which pertained exclusively to the faculty could be separated for Faculty Senate debate. Mr. Auerbach answered that the principle involved was whether complaints against administration should be heard by an all-faculty body, or whether others, such as students and civil service personnel, should be included. Following a suggestion that the Faculty Senate should have access to the dialogue which had taken place between the Appeals Committee and the Tenure Committee, the motion to postpone consideration of the section to a definite date with the Faculty Senate sitting as a committee of the whole was approved.

Mr. Amram then proposed that Section 18 be discussed after the final tenure document had been adopted, at which time the Appeals Committee would report to the University Senate. Mr. Morrison held that the section was an integral part of the tenure document, and that the Amram motion would result in severe curtailing of the rights of faculty members. At this

point a motion to adjourn to a week hence, sitting as if in a committee of the whole, was approved, and the meeting was adjourned at 5:30 p.m.

WILBERT AHERN
Abstractor, pro tem