

UNIVERSITY OF MINNESOTA
FACULTY SENATE
MINUTES

April 12, 1973

The eleventh meeting of the Faculty Senate for the year 1972-73 was convened in Room 325 of the Science Classroom Building on Thursday, April 12, 1973. Checking or signing the roll as present were 74 voting members of the faculty, 2 members of the Administrative Committee, and 5 nonmembers. Vice Chairman Frank J. Sorauf presided.

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

Prior to convening in formal session, the chairman of the Tenure Committee requested informal discussion of Section 16.1 (a) of the revised code. The consensus of the Faculty Senate was that before the termination or suspension of an appointment with continuous tenure or any other appointment before the end of its specified term, there should be a meeting of the tenured faculty of the unit to make a decision.

There was also discussion of the attendance of members of the Faculty Senate and the difficulty in reaching a quorum. Various recommendations were made, including publication of the attendance in the *Daily*, and relieving members of the Senate whose other duties conflict with their obligations to the Senate.

At this point, the Faculty Senate convened in formal session.

The following resolutions were introduced:

1. It is resolved that the "Comments" to the tenure regulations represent the interpretation of the Tenure Committee of the tenure regulations as passed by the Senate and do not necessarily reflect, in any way, the interpretation given to the tenure regulations by the members of the Senate as a whole.
2. It is resolved that the "Comments" be appended as a separate report by the Tenure Committee.

Approved

The Senate then resumed discussion of Section 7. A motion was made to amend Section 7.1 by striking out lines 3, 4, 5, and 6 on page 30 and inserting the following language:

7.1 Probationary ranks; exception.

Every regular appointment at the rank of instructor or assistant professor is a regular probationary appointment, except that regular appointments with continuous tenure may be made at these ranks in the University's Libraries.

Disapproved

A motion was made to add to Section 7.4, after the last sentence, page 32 after line 5;

The assistant professor normally will move through his maximum six years of probationary service by a pattern of 3 two-year appointments, subject to annual review by his department.

(in comments on page 33, then, delete last paragraph)

Disapproved

Section 7 then was *reported favorably*.

Section 8 was returned to the Tenure Committee to be redrafted after the following motion was made and seconded; to insert on page 36, line 4, after the word Professor "where the University appointment is not an initial appointment, shall. . . ."

Section 9 was introduced. A motion was made to amend Section 9.1 by adding the following language after line 4 on page 37, as part of the same paragraph:

4a. It is also appropriate to make an appointment which requires less than two-thirds time a regular appointment.

Approved

A motion was made to add a Section 9.5 on page 42 after line 2:

9.5 Review of special contracts. The Tenure Committee shall review the form of standard special contracts to insure adherence to the principles of these Regulations. It shall report any deviation to the Faculty Senate.

The Tenure Committee shall also annually review all other special contracts which have been made. It shall report to the Faculty Senate any deviation from these Regulations which do not appear to be justified by the special circumstances of the individual case. The report shall be made in a manner to protect the identity of the faculty member. This review and report do not impair the validity of the contract in question.

Approved

Section 9 was then *reported favorably*.

A motion was then made to extend the time for another 10 minutes. The motion *carried*.

Sections 10, 11, and 12 were then *reported favorably*.

The Faculty Senate adjourned.

W. DONALD BEATTY
Clerk of the Faculty Senate

Appendix

Abstract of Discussion

The meeting was called to order at 2:30 p.m. by Frank Sorauf, professor of political science and vice chairman of the Senate. The meeting had been called to continue the second reading of the proposed tenure regulations, and the chair ruled that an informal discussion could take place until a quorum was reached.

Fred Morrison, professor of law and chairman of the Tenure Committee, introduced for informal consideration a proposal to amend the section on termination for causes related to the fitness of the faculty member. He explained that the committee wanted to ensure that an academic administrator would consult with the tenured faculty before instituting proceedings under that section. He suggested several mechanisms for consultation, such as a meeting for the purpose of taking a vote to be forwarded to the dean or provost; requesting all department faculty members to transmit their views in writing to a neutral party; or requiring that the dean or provost could not start proceedings until there had been adequate consultation with the faculty, leaving the con-

sultative method up to that administrative officer. Samuel Krislov, professor of political science, suggested that a person outside the unit could be appointed to carry out the consultative procedure with individual tenured faculty members of the unit. A faculty member from the College of Pharmacy agreed that faculty members should have early input in any proceedings, citing lack of consultation in a recent case in his college. Thomas Bacig, assistant professor of English, UMD, and member of the Tenure Committee, was concerned that the administration might be able to obscure the vote of the faculty. Morton Hamermesh, professor and head of physics and astronomy, contended that the department and not the dean or chairman was the appropriate level for instituting proceedings. Mr. Morrison asked the Senate if it favored a meeting of departmental tenured faculty members where a secret ballot would be taken on whether to proceed. He said the affected person should not be present at the meeting, for it would then become a hearing. Peter Lock, professor of French and Italian, pointed out that excluding the faculty member from making any presentation to the faculty before initiation of proceedings could be prejudicial to him. Mr. Morrison suggested that the dean or provost should meet with the faculty member before the faculty meeting, thus providing the opportunity for resolving the issue at that time. At this point an advisory vote was taken and the proposal for a tenured faculty meeting and secret ballot, with the results to be conveyed to the dean or provost, was approved. Mr. Krislov said he would move at the next meeting of the Faculty Senate that the vote taken as advisory be approved.

There followed a brief discussion about the best way to increase attendance at the rest of the meetings on tenure. Suggestions included more publicity in the *Daily* and a return to the 3:30 p.m. starting time because of teaching commitments at the earlier hour. A count then revealed that a quorum existed and the chair proceeded with the agenda.

P. R. Sethna, professor and head of aerospace engineering and mechanics, introduced a resolution on the comments to the tenure regulation which declared that they represented the interpretation of the Tenure Committee and not necessarily that of the Senate. It called for separation of the comments from the regulations so that they could be appended as a separate report by the committee. In response to a query as to what form the legislative intent of the Faculty Senate would take, Mr. Sethna said that the regulations would have various interpretations depending on who served on the Tenure Committee. John Wertz, professor of chemistry, urged that the comments be separated before the next meeting of the Faculty Senate; Mr. Morrison indicated that would be difficult because of time and financial limitations. The Sethna resolution was then approved.

Section 7 on Tenure of Instructors and Assistant Professors on Regular Probationary Appointments was next on the agenda. Walter Lehn, professor and chairman of linguistics, introduced an amendment to require that a faculty member given tenure must be promoted to the rank of associate professor. He argued that the tenure decision was of greater consequence than the promotion decision, and he held that his measure would end the abuse of granting tenure too readily and force faculties to face up to promotion decisions. Mr. Krislov opposed the motion, contending that criteria for making tenure decisions were different from those considered for promotion, where past achievements were important. George Shapiro, professor of speech and communications, spoke against the motion, indicating that a faculty member approved for tenure might not necessarily have had time to develop sufficient scholarly activity to warrant promotion. An opposing view, that the teaching enterprise

would be debased if the motion were defeated, was voiced by John Darley, professor and head of psychology. Asked whether research associates were included, Mr. Lehn said there would have to be a special provision for them. Mr. Wertz was opposed, taking the view that in the future it would become more difficult for a young person to acquire tenure, and that requiring promotion would present an additional hurdle. Mr. Lock said there never would be agreement on the relative merit of research and teaching in evaluating performance and that each department would have its own views. The Lehn amendment was then defeated 32-40.

Toni McNaron, associate professor of English, presented an addition to the section on Advancement of Assistant Professors and a deletion from its comments. She explained that her amendment would relieve the pressures on new faculty members of an annual review of their performance. Mr. Bacig was concerned that departments be made aware of their responsibility to counsel new faculty members. Mr. Morrison referred him to Section 13 on Appointment of Faculty Members holding Regular Probationary Appointments, which had a requirement that the head of the department communicate with the faculty member. When David Vose, vice provost for academic administration, UMD, suggested that the policy might preclude the 1-year terminal appointment, it was decided that addition of "normally" to the McNaron amendment would suffice. Mr. Morrison explained that his committee wanted to make it clear that the intermediate review was to be made by the department, not by the chairman alone, and there was some danger that the McNaron proposal would lead those on probationary status to believe that they would not be voted upon. The McNaron amendment was then defeated 33-37, and Section 7 was approved.

Moving on to Section 8, Tenure of Associate Professors and Professors on Regular Appointments, the Senate considered an amendment by Carl Jessen, assistant professor of veterinary surgery and radiology. His concern was the promise of tenure for all professors and associate professors, except as provided under the special contract section. He felt there should be protection from errors in judgment by search committees so that granting of tenure would not be automatic. The Tenure Committee agreed to write in a statement that a new appointment at the professor or associate professor rank could be a probationary appointment under Section 9 but that, if it were to be an appointment with tenure, the tenured faculty should be consulted, just as it would be for a promotion involving tenure.

An amendment to Section 9, Special Contracts, to indicate that an appointment of less than two-thirds time could be a regular appointment was proposed by the Tenure Committee at the suggestion of Shirley Clark, associate professor of history and the philosophy of education and chairman of the Faculty Affairs Committee. Mr. Krislov suggested that such arrangements should have concurrence at some level; Mr. Morrison noted that all special contracts were approved centrally. Ms. Clark said that the amendment would be helpful to those persons who wanted to work less than full time and had no outside commitments as well as to those who did have outside commitments. Paul Rosenblatt, associate professor of family social science, pointed out that there was nothing to compel the administration to use special contracts. Mr. Morrison responded that, until such time as the Faculty Affairs Committee would recommend another procedure, the Tenure Committee felt such appointments were best accommodated through special contracts, and the amendment was approved.

Mr. Krislov proposed an addition to Section 9 calling for Tenure Committee review of the form of special contracts to ensure that they adhered to the principles of the regulations, and for annual review of all other contracts. Deviations would be reported to the Faculty Senate, he said. In response to an inquiry by Mr. Terrell as to why reports would involve deviations from the principles of the regulations instead of from the regulations themselves, Mr. Krislov agreed to specify the latter for the annual review procedure. Mr. Vose was troubled by the amount of time involved in making an annual review of all special contracts. Mr. Krislov felt it could be accomplished by checking only those where special problems may have come up. There appeared to be no immediate answer to the question of the number involved annually. The Krislov amendment was then approved, following which Section 9 was approved as amended.

Section 10, Tenure of Non-Regular Faculty, and Section 11, Specifications for Written Notice, were approved without change. The Senate proceeded to Section 12, Resignation of Position by Faculty Member. William Zimmerman, professor of physics, pointed out that usually the notice of appointment was received by a faculty member after the academic year had begun. Mr. Morrison said the University would have the responsibility of getting appointment forms out on time. Mr. Darley indicated it would be impractical to try to meet such a timetable during a legislative year. The section was then approved, and the meeting adjourned at 5:10 p.m., an extension of 10 minutes having been agreed to during the meeting.

MARILEE WARD
for Jeanne Lupton, Abstractor