

UNIVERSITY OF MINNESOTA
UNIVERSITY SENATE MINUTES
FACULTY SENATE MINUTES

May 5, 1983

The third meeting of the University Senate for 1982-83 was convened in 25 Law Building, Minneapolis campus, on Thursday, May 5, 1983, at 3:45 p.m. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 136 voting members of the faculty, 39 voting members of the student body, 2 members of the Council of Academic Officers, and 22 nonmembers.

President C. Peter Magrath presided.

I. MINUTES FOR FEBRUARY 17
Action (3 minutes)

MOTION:

That the minutes be amended to indicate that the 1981-82 annual report of the Business and Rules Committee was withdrawn.

MOTION:

That the abstract (p.47) be amended (additions underlined; deletions have lines through them) ". . . Mr. Keller responded that units had been asked for an optional optimal plan for units which would be programmatic in character. However, deans had indicated that were constraints that could not be ignored . . ."

MARILEE WARD
Clerk

The two motions were approved; the minutes as amended were approved.

II. ELECTION OF VICE CHAIR FOR 1983-84
Action (5 minutes)

The constitution provides that a vice chair shall be elected by the Senate at its first meeting in the spring of the academic year from among its members for a term of one year starting July 1, 1983.

John Turner, Regents' professor of political science, was elected.

III. BUSINESS & RULES COMMITTEE
ACADEMIC PROFESSIONAL REPRESENTATION IN THE
SENATE STRUCTURE
(10 minutes)

MOTION:

That the University Senate Constitution, Bylaws, and Rules be amended to provide for academic professional representation in the Senate structure subject to the following conditions:

1. Academic professional representation would be limited to academic professionals holding continuous, probationary, or fixed terms of two years' or more length.
2. Academic professionals eligible to serve in the Senate would be eligible to vote for senators in their unit. Such academic professionals would count in the allocation of seats to the respective units.
3. Academic professionals eligible to vote may serve on committees of the Senate. For purposes of committee membership quotas, academic professionals will count as faculty members.
4. Academic professionals will not serve on the Faculty Senate or on committees that report to the Faculty Senate. A faculty alternate may replace the academic professional on the Faculty Senate.
5. In the event that the faculty of one or more of the units eligible to elect senators votes to unionize, the academic professionals meeting Senate membership requirements but not included in the union contract will become members of a single academic professional unit and be entitled to representation using the usual allocation rules.

DISCUSSION:

If the motion is adopted, the Senate Constitution, Bylaws, and Rules will be modified to reflect the above conditions. Academic professionals will be allowed to vote in the election of new senators for 1983-84. The term faculty/academic professional will be used to denote the augmented group. Since Senate membership depends on the actual number of eligible voters and varies from year to year, one can only suggest the change in membership that will result from this motion. Business and Rules feels that the change will be minimal, perhaps one or two additional senators in units such as Continuing Education and Extension or Libraries. It does provide representation for a group of colleagues.

DAVID L. GIESE
Chair

The motion was approved 151 to 4, which fulfilled the requirement that two-thirds of the voting membership of the Senate cast affirmative votes for amendments to the constitution.

IV. CONSULTATIVE COMMITTEE
OPEN MEETING BYLAW
(10 minutes)

MOTION:

That the Bylaws (Article II, General Rules for Committees of the University Senate, Section 6) be amended as follows (new language underlined):

Committees of the Senate shall have a policy of open meetings. Closed or executive sessions may be held only after approval by a two-thirds majority of the committee members present and voting and only when personnel matters are discussed, when quasi-judicial functions are carried out, or when closed sessions

are required to protect the rights of individuals. Under this rule, all regular sessions of the All-University Honors Committee shall be considered closed or executive sessions. As an exception to this rule, the Faculty Consultative Committee is granted the right to close a portion or all of a given meeting, after approval by a two-thirds majority of its members. The chair shall keep a listing of all topics discussed in closed meetings, making it available upon request, and including this list each year in the annual report to the Senate along with an evaluation of the role these meetings have played in consultation with the president. The right of the FCC to close meetings shall not be extended beyond the end of the academic year 1985-86 unless there is a vote of the Senate to do so.

COMMENT:

The FCC has discovered after considerable experimentation that at times it cannot discharge effectively *some* of its consultative (as opposed to its steering and executive) duties and responsibilities in open meetings. The FCC believes that its ability to represent faculty interests and influence administrative policy, planning, and decision-making requires candid consultation, often during the earliest stages of policy formation.

PATRICIA SWAN
Chair

The motion was approved 112 to 39, which fulfilled the requirement that a majority of the voting membership of the Senate cast affirmative votes for amendments to the bylaws.

V. SERVICES FOR THE HANDICAPPED COMMITTEE

SERVICES FOR THE HANDICAPPED POLICIES

(10 minutes)

MOTION:

That the University Senate approve policies listed below on access for the handicapped at the University.

INFORMATION:

This report of the Senate Operations Committee on Services for the Handicapped sets forth recommendations for policy that will offer needed and appropriate direction to University efforts to provide access to persons with handicaps. The Committee believes that these recommendations meet policy development needs that have increased in significance over the last several years as a result of improvements in access for students with handicaps. The number of students with handicaps in many programs has significantly increased, and students with severe disabilities are being admitted to courses of study which they have not often pursued in the past. Because of these improvements, there is a greater need than ever for the University to adopt system-wide policies providing direction to programs and faculty who work with these students.

These recommendations are presented as a significant step toward meeting this need. They are intended to clarify the University's teaching mission as it applies to students with handicaps. These recommendations recognize the importance of serving students in integrated settings and effectively accommodating their special needs. They set forth an approach to providing services that emphasizes accommodation rather than remediation of disabilities. Needs are to be identified on an individual basis and accommodated through the flexible adjustment of academic requirements and teaching methods. In addition, these recommendations protect the privacy rights of students and ensure that appropriate accommodations are made available in ways that respect the resourcefulness and independence of students.

These recommendations have been written so as to provide basic policies that the University can build upon as programs gain experience in addressing problems encoun-

tered by students with handicaps. The Committee has considered the practicability of implementing the recommendations. Criteria used in evaluating the recommended policy provisions include economic feasibility and reasonableness of efforts to accommodate special needs.

Five years of faculty and student committee work on developing policies for students with handicaps has resulted in this carefully considered set of recommendations. They are clearly needed. They are workable in an administrative sense, feasible from an economic standpoint, compatible with general University policies, and socially responsible.

POLICY RECOMMENDATIONS

RECOMMENDATION 1: To realize its commitment to equal opportunities and to fulfill legal requirements, the University should organize its support programs for persons with handicaps in a decentralized service system. That is to say, that services for persons with handicaps should be organized essentially like the general organization of the University. Some services will need to be centralized, but emphasis should be given to the broad decentralization of services.

RECOMMENDATION 2: The president and the central officers group should continue to give leadership in the area of improving access for persons with handicaps at the University of Minnesota. The delivery of necessary services to persons with handicaps requires a special coordinating authority at a high administrative level, i.e., a person who has direct links with the central officers group concerned with the academic, health-related, physical plant, and student personnel units of the University. Such a coordinating authority should be responsible for implementing the principles of equal access to the University for all persons with handicaps, in the sense of providing general leadership and coordination within the University over the broad domains of services that affect persons with handicaps.

RECOMMENDATION 3: Because of continuing problems of physical and program access by persons who have handicaps, a broad-based Senate operations committee on services to persons with handicaps should continue for the foreseeable future.

RECOMMENDATION 4: Programs for students with handicaps should emphasize self-reliance in order to enhance such students' capabilities to benefit from educational opportunities.

RECOMMENDATION 5: Participation in programs for students with handicaps should be voluntary on the part of students. However, every effort, including the use of alternative modes of communication, should be employed to provide information about programs to students.

RECOMMENDATION 6: The University should treat data on individuals with handicaps with maximum confidentiality. No information should be collected for administrative purposes except that essential for student accommodation or required by law. Information for planning and monitoring should be collected in a form that addresses the kind and number of programs and services meeting special needs. Case information collected for the purpose of providing medical or psychological treatment should not be released unless required by law or freely authorized by the individuals concerned.

RECOMMENDATION 7: Members of the University community should resist the labeling of students according to traditional categories of handicap. Emphasis should be on the development of the necessary resources and skills to serve students who have such problems as limited hearing, vision, and mobility, without attaching labels to the persons.

RECOMMENDATION 8: The focus of efforts to meet the needs of persons with handicaps should be on accommodation of disabilities and not on identification or remediation of disabilities. Academic adjustments should be made on a flexible and individual basis. Faculty members are expected to encourage students to make needs for accommodations known and make academic adjustments for all students with documentable disabilities.

RECOMMENDATION 9: Where needed accommodations in academic assessment procedures cannot be provided or the effectiveness of a given accommodation is questionable, decisions should err on the side of increasing rather than decreasing the educational opportunities for students with handicaps.

RECOMMENDATION 10: University administrators and faculty should actively foster inter-institutional cooperation in the development and dissemination of knowledge about educational accommodations for students with handicaps.

RECOMMENDATION 11: The University should maintain a firm commitment to support departments and units that provide appropriate accommodations for students with handicaps. The University should make every reasonable effort to provide financial supports to both students with handicaps and programs serving such students on the basis of an "excess cost" principle, that is, financial support that will offset extra costs connected with accommodating educational needs related to disability.

EXPLANATIONS

This appendix provides explanations of the concepts set forth in the recommendations.

Concerning Policy Recommendation 1: This recommendation sets forth a new plan for organizing services for students with handicaps in such a way that these students will have the opportunity to participate to the maximum extent possible in regular services provided by University programs. This plan suggests a mainstreaming philosophy: Persons with handicaps should be served by and in academic departments and other units that are normally responsible for providing these services. This approach assumes that students with handicaps can be best served along with other students in integrated settings. To achieve this end, programs need to make sure that students with handicaps receive appropriate cooperation. Although some resources can best be provided centrally, staff and faculty of decentralized programs need to work with students who have handicaps to remove or reduce the impact of barriers to the use of alternative methods of learning, communicating, traveling, performing manual tasks, or carrying out other functions for which unimpaired physical ability is generally used.

Concerning Policy Recommendation 2: The Committee notes the importance of according high-level administrative attention and leadership to access considerations that involve all units of the University and to access problems that often cross vice presidential and campus lines. The Committee believes, further, that this recommendation is currently implemented fully as the result of action by President Magrath in his December 26, 1979, memorandum to the central officers group. According to the provisions of this memorandum, the vice president for student affairs serves as the coordinating authority, and an administrative steering committee, comprised of representatives from the vice presidential offices and the coordinate campuses, assists this officer in considering and coordinating University-wide access efforts.

Concerning Policy Recommendation 3: The establishment of the Senate Operations Committee on Services for the Handicapped is responsive to this recommendation. In anticipation of the need for policy extension and revision that will surface as these policies are implemented, we are proposing that there will be need for such a committee in the foreseeable future.

Concerning Policy Recommendation 4: Often, progressively decreasing staff involvement in organizing student services and increasing student responsibility in seeking and using student services may be desirable. Implementation of this policy requires careful, individualized, flexible programming to meet a full range of needs and abilities that vary over time, even for individual students.

Concerning Policy Recommendation 5: The Committee notes that the provision for voluntary rather than mandatory participation in special programs respects the independence and rights of those qualified persons who may wish to pursue educational or employment opportunities at the University without requesting special assistance or identifying themselves as having a handicap.

Concerning Policy Recommendation 6: To further safeguard privacy rights, this policy restricts the collection of information for internal administrative purposes to that which is essential and it also places limits on the purposes for which information can be collected, that is, "for student accommodation."

Concerning Policy Recommendation 7: The Committee notes that it hardly seems necessary to refer to studies on the subject to recognize that stereotyping results from the

practice of attaching labels or imposing categories on individuals who have physical or psychological differences. This policy would discourage the discrimination that follows from such stereotyping.

Concerning Policy Recommendation 8: The Committee believes that University policy on meeting needs of persons with handicaps should focus on accommodating rather than identifying or remediating disabilities. That is, the accommodations policy should not hold the University responsible for providing services (such as mobility training, speech therapy, teaching sign language to deaf students, etc.) whose purpose is remedial or rehabilitative in nature (that is, designed to diagnose impairments and provide the training and tools needed by persons with disabilities to function independently).

Furthermore, the Committee believes that an effective approach toward planning and providing accommodations does not require identifying or acquiring special resources to meet all possible adjustment needs that may arise. Setting up screening procedures for identifying all handicaps students, staff, and faculty may have is not a necessary service for which the University should assume responsibility. In addition, to put in place services and modifications meeting needs of all handicaps in all situations before they are needed would not be economically feasible.

The accommodations policy recommended for the University sets forth an approach for ensuring access to programs which would be responsive by determining needs on an individual basis and providing accommodations flexibly and appropriately suited for particular circumstances. The Committee feels this approach is effective and feasible. It encourages faculty to develop the readiness to provide academic adjustments and expects them to respond affirmatively when the need arises while seeing no need for them to arrange adjustments that might not be used or needed.

Concerning Policy Recommendation 9: Accommodations are intended to offset the limitations of disabilities and facilitate the use of alternative approaches so that students with handicaps can pursue educational opportunities in a position of equity with other students. The purpose of this recommendation is to ensure that students with handicaps are not placed at a disadvantage because knowledge of workable accommodations or technical expertise with their precise application may be lacking.

Concerning Policy Recommendation 10: The Committee notes that, in order to help develop and disseminate such knowledge, University programs should encourage their representatives to participate in inter-institutional efforts to expand educational opportunities for students with handicaps. Programs promoting this goal are carried out by such organizations as the Trace Research Center at the University of Wisconsin at Madison, the American Association for the Advancement of Science, the American Council on Education, and the College and University Personnel Association.

Concerning Policy Recommendation 11: Programs may need supports of several kinds: making physical accommodations, developing techniques for accommodating disability-related instructional needs, training staff, providing effective student supports, and budgeting for costs of providing modified materials and adaptive equipment. Students may need financial supports that will relieve them of any excess or extra education-related costs they may incur over and above those of other students as a result of disability. In order to prevent general service levels of particular programs from being significantly affected, it is desirable for the University to provide funding supplements to cover the costs of accommodations whenever feasible and reasonable. In some cases (where costs are extremely high), it may be necessary for central resource officers, program directors, department heads, and other responsible personnel to work cooperatively to see if contributions can be obtained from a variety of sources that may have a responsibility or interest in making available needed accommodation.

JACK MERWIN
Chair

Approved

VI. INTERNATIONAL EDUCATION COMMITTEE

ANNUAL REPORT, 1981-82

The Senate Committee on International Education consists of 8 members of the faculty, 4 students, and ex officio representation from the Office of International Programs and the International Students Adviser's Office. Serving on the committee in 1981-82 were Frank Braun, James Butcher, Vernon Cardwell, Changhee Chae, Richard Christenson, Vincent Icke, Josef Mestenhauer (ex officio), Jeffery Moser, Karen Olness, Philip Porter (ex officio), Paul Schulte, Deon Stuthman, Katie Susag, and Mark Workman.

The committee held 7 meetings, focusing its efforts on policy items concerning the anticipated greater number of foreign students in the U.S. in the future and the University of Minnesota's readiness to meet this challenge. The committee worked closely with the International Student Study Group chaired by Carol Pazandak to assist that group by reviewing issues contained in the draft of the report "International Students at the University of Minnesota." During the year, the committee continued its efforts on the draft statement "Proposed Policy and Guidelines Statement Relating to the University's Worldwide Mission and Responsibility." It is anticipated that this statement will go forward to the Senate in the 1982-83 year.

FRANK BRAUN
Chair

Accepted

VII. EQUAL EMPLOYMENT OPPORTUNITY FOR WOMEN COMMITTEE

ANNUAL REPORT, 1981-83

Since December of 1981, the Committee on Equal Employment Opportunity for Women has met 14 times in full session. The agenda of the committee has included issues directly related to the implementation of the consent decree as well as issues concerning University policies and practices that appear to have a negative impact on women. Actions of the committee included recommendations to Judge Miles Lord regarding the February, 1982, amendment of the decree—including a statement of support of the ruling to eliminate the \$6,000 limit on attorney's fees for claimants, a request to the Board of Regents to adopt unisex retirement tables, suggested changes in the University's parental leave policy, a recommendation to the special masters to refund the Faculty Advisory Committee for Women, and a request to President Magrath to consider the extension of the consent decree to include minorities. Issues under continued study by the committee include allegations of harassment of claimants during hearings and following the settlement of their cases, unmet affirmative actions goals in some academic units of the University, salary discrepancies between men and women faculty members, and inadequacies in faculty tenure and promotion guidelines. Other issues related to policies, procedures, and practices in faculty affairs undoubtedly will emerge as Rajender claims are heard and resolved.

In May, 1982, the committee expressed its apprehension to the Regents, to the Senate Consultative Committee, and at the May 20th Senate meeting, about the University's lack of preparedness for decision-making in the event of a financial emergency. We particularly expressed our conviction that the interests of women should be represented in decisions to reduce, reorganize, or eliminate programs. The committee also wrote to the Board of Regents in May, pointing out that retrenchment of tenured track, non-tenured faculty will indeed have a disproportionate impact on women and minorities recently recruited through affirmative action. In January, 1983, committee members met with Vice President Nils Hasselmo to discuss again the effect of retrenchment on gains made in the hiring of women and minorities through affirmative action. We requested that the University maintain an

explicit policy stating that the achievement of goals in the hiring of women and minorities must be given careful consideration in planning and be an integral part of the decision-making process. Further, we recommended that the implications of decisions for women and minorities must be reported, and be justified in those instances in which decisions could have a negative impact on these groups. Our concerns about this issue were also brought to the attention of President Magrath. Recently the committee has discussed two federal cases in which consent decrees were modified to accommodate situations in which layoffs and retrenchment posed a threat to gains made through affirmative action; this issue will continue to occupy the attention of the committee during the present cycle of University planning and future periods of retrenchment.

This year EEOC published and disseminated to 1200 plaintiff class members, a brochure entitled *The Rajender Consent Decree*. The material was prepared by a group of faculty women in Duluth and reviewed by members of the EEOC Committee. The brochure provides background information about the decree, describes the procedures for filing and processing claims, and lists campus resources for further information. Copies are available from the EEOC Committee chair upon request.

The consent decree stipulates that two of its seven voting members must be elected by the plaintiff class in a manner designated by the special masters. One of the two members (Professor Patricia Faunce) and alternate (Clare Woodward) recently completed their terms of office. In an election conducted in January/February, 1983, Professor Charlotte Striebel (Mathematics) was elected to replace Professor Faunce, and Professor Woodward was reelected alternate for a second term.

Progress has been made at the University of Minnesota in affirmative action hiring, and in the resolution of claims of sex discrimination in faculty affairs. Information recently brought to the attention of our committee suggests that the University of Minnesota has progressed in the implementation of its decree to a far greater extent than has been the case in other places and is considered a worthy model for others. We can all be proud of this accomplishment, yet acknowledge the considerable task that lies ahead.

EEOC Committee members: Laura Cooper, Law, interim co-chair, Jan.-June, 1982; Sara Evans, History, interim member and co-chair, Jan.-June, 1982; Patricia Faunce, Psychology and Women's Studies; John Kralewski, Center for Health Services Research; Barbara McGinnis, Library UMM; Shirley Moore, Child Development, chair; Geneva Southall, Afro-American Studies; Janet Spector, Anthropology; Betty Robinett (ex officio), Assistant Vice President for Academic Affairs; Lillian Williams (ex officio), Director, Office of Equal Opportunity and Affirmative Action; and Jane Maddy (ex officio), special member, UMD. EEOC Committee alternates: Lois Erickson Psychoeducational Studies; Clare Woodward, Biochemistry; Patricia Mullen (ex officio) Office of Equal Opportunity and Affirmative Action.

SHIRLEY G. MOORE
Chair

Accepted

VIII. BUSINESS AND RULES COMMITTEE

ANNUAL REPORT, 1981-82

Academic professional staff representation on the Senate was the primary business of the 1981-1982 committee. While committee members agreed that the academic professional staff should be represented in the Senate and that the academic professional should vote with their colleagues at the collegiate unit level, the members disagreed on the issue of the academic professional staff being included in the determination of the number of faculty/academic staff representatives in the Senate. This issue was not resolved during 1981-1982.

The committee was also concerned with the agenda of the Senate, the interpretation of consecutive years of service on the Senate, and the responsibility of Senate committees

reporting significant policy changes to the Senate. In addition, the committee began working on a report from the Human Subjects Committee and reviewing a policy change approved by the Library Committee but not reported to the Senate.

DAVID L. GIESE
Chair

Accepted

IX. EXTENSION AND COMMUNITY PROGRAMS COMMITTEE

ANNUAL REPORT, 1981-82

The committee met 6 times over the academic year 1981-82 for the purpose of disseminating information to and exchanging ideas among the members in regard to University outreach.

The committee reviewed the Report of the Study Group on University Outreach and found it extremely useful.

In addition, the committee had discussion around reports by Hodapp, Miller, and Robinett on the impact of fiscal constraint on outreach, administrative structure to support outreach programs designed to meet changing needs, and a "what-if" analysis of long-range needs and resource use.

GERALDINE GAGE
Chair

Accepted

X. ALL-UNIVERSITY HONORS COMMITTEE

ANNUAL REPORT, 1982-83

The All-University Honors Committee met on October 27, 1982 and February 1, 1983. Recommendations made by the committee included one for an honorary doctorate degree and four for Outstanding Achievement Awards. The committee also recommended the naming of the following buildings and facilities:

Twin Cities campus: Veterinary Hospital Building No. 371 and Phase II facility Building No. 427 to be named Veterinary Teaching Hospital; new Building to house programs of the Department of Civil and Mineral Engineering to be named Civil and Mineral Engineering Building; University of Minnesota Golf Course to be named the Les Bolstad University of Minnesota Golf Course.

Crookston campus: new gymnasium in UMC Sports Center to be named Lysaker Gymnasium.

The committee is presently reviewing the Proposed Revision of Regents' Policy on Lectureships and Fellowships, and Professorships and Chairs, and re-evaluating procedures of the University honors and recognition program.

CAROLINE M. CZARNECKI
Chair

Accepted

XI. QUESTIONS TO THE PRESIDENT

(15 minutes)

See abstract of the discussion

XII. OLD BUSINESS

none

XIII. NEW BUSINESS (10 minutes)

See abstract of the discussion

XIV. TRIBUTE TO DECEASED FACULTY MEMBERS

JESSE ERNEST FANT

1917-1982

Jesse E. Fant, professor and associate head of the Department of Civil and Mineral Engineering, died November 22, 1982, at the University Hospital, Minneapolis, Minnesota. Joining the University of Minnesota as a graduate student in 1945, he was appointed assistant professor in 1953, associate professor in 1961, professor in 1973, and associate head in 1978.

Jesse Fant was born July 9, 1917, in Newcastle, Indiana. Graduated from high school in 1935, he enrolled in civil engineering at Purdue University, September 1937. After two years he transferred for one year to the University of Arizona, but returned to complete his bachelor of science in civil engineering in May 1942. After one year as a junior civil engineer with the Pennsylvania Railroad, Columbus, Ohio, he joined the U.S. Geological Survey, Tucson, Arizona, where he remained through 1945, as assistant hydraulic engineer, Water Resources Branch. It was while with the U.S.G.S. in Tucson that Jesse met Dr. George Schwartz, renowned professor of geology at the University of Minnesota, who convinced him to pursue graduate study at the St. Anthony Falls Hydraulic Laboratory under the guidance of Dr. Lorenz Straub, director of the Laboratory. Thus it was in December 1945 that Jesse Fant, graduate research assistant, began a life-long association with the University of Minnesota.

Although he continued to pursue research at the Hydraulic Laboratory, for which he received the master of science in civil engineering degree in June 1950, Jesse was assigned also to assist Professor Tom Klingel, as instructor for courses in surveying. When Professor Klingel resigned in 1951, Jesse assumed sole responsibility for all teaching and research in surveying, geodesy and photogrammetry.

The only faculty member involved in surveying, Jesse faced a major challenge. Surveying, both as taught at the University and as practiced in the state, needed to change dramatically to keep pace with developments in instrumentation, to rectify serious inadequacies in land title records, and to establish higher professional standards in general. He set himself the task, as he put it, of "preparing surveyors for the twenty-first century" and established himself not only as the unquestioned intellectual leader of the surveying profession in Minnesota, but an important figure in national professional organizations of surveying and civil engineering. In 1970 he received the Surveyor of the Year Award of the Minnesota Land Surveyors Association; in 1972 the first Earle Fennell Award of the American Congress on Surveying and Mapping (ACSM) for his contributions to continuing education; and in 1975 a Presidential Citation of ACSM for contributions as chairman of the education committee.

As surveyor-photogrammetrist-mapper, Jesse was an important and enthusiastic participant in the University of Minnesota Messenia Expedition led by Professor McDonald of the Classics Department. This involved several trips to Greece throughout the 1960's and early 1970's. In 1963, he was an instructor to the Peace Corps.

It was to the Minnesota Department of Highways that Jesse Fant made one of his most important contributions. Beginning in the summer of 1957 he conducted six annual surveying training schools and, from these, developed a major program of education in land surveying and reorganization of survey procedures which occupied a major part of his time in the late 1960's and early 1970's. His efforts produced a corps of highly trained land surveying professionals in the Highway Department, all committed to high standards, and all grateful to the outstanding and caring teacher from whom they were privileged to learn! These students form the backbone of the present high calibre surveying groups serving the state.

Although surveying was the center of Professor Fant's professional interests, his concerns as an educator were much broader. Deeply committed to excellence in teaching, he was especially conscious of the responsibility of the University to serve the community at all levels, and took a special interest in undergraduate students, extension division courses, and continuing education. This man of erect bearing and forthright manner, somehow in keeping with his professional concern for precision and order, this man with a keen sense of humor, fairness and compassion, made a lasting impression on generations of students and attracted a wide circle of faculty and professional colleagues.

Beyond the University and his profession, Jesse was actively involved in community affairs. He was a trustee of the St. Anthony Park United Methodist Church, St. Paul. He played several sports, including tennis, squash, and golf, and was a long-time member of faculty bridge groups.

The qualities of this remarkable man were revealed nowhere more poignantly than during his struggle with the illness to which he finally succumbed. On September 15, 1981, Jesse became the oldest person ever to undergo a liver transplant operation, performed at the University of Minnesota Hospitals. Expressions of goodwill poured in from all sectors of the University and professional colleagues and friends worldwide. Defying all expectations, Professor Fant's faith and determination to be well contributed to a remarkable recovery, and he returned to teaching in January 1982. Though the transplant itself was judged a complete success, other organs were later affected, and the end came November 22, 1982.

Professor Jesse Fant spent a lifetime in dedicated service to Minnesota. An important and good influence on many students and faculty of the University, the effects of his efforts continue to spread to the great benefit also of many others. Saddened by his departure from our midst we are comforted in the knowledge of the privilege that was ours in being among his friends. He is survived by his wife Dorothy, son David and daughter-in-law Sue, sisters Doris and Lela, brothers Lyle and Karl. To all of them we offer our condolences.

WILLIAM MENZHUBER

1924-1983

The University of Minnesota at Crookston suffered a great loss in the passing of William Menzhuber on April 3, 1983. Professor Menzhuber served as director of Plant Services and as a faculty member in mechanized agriculture. He made significant contributions during the 18 years of his service in both roles. As director of Plant Services he was a key figure in planning for new facilities and in maintaining a beautiful campus at UMC.

In addition to his key role at the University, he will be remembered for his remarkable commitment to his family, to his church, to his community, and to his fellow workers.

CHARLES V. NETZ

1897-1983

Charles V. Netz, professor emeritus of the College of Pharmacy, died on February 5, 1983, at the age of 85.

Dr. Netz was born in Owatonna, Minnesota, on October 13, 1897. His father was a pharmacist and Charles elected to follow in his footsteps and thus devoted his entire life to his profession. It was during his early years in the college that he found his niche—"simply teaching students." He entered the college in 1916 and received his pharmaceutical chemist degree in 1920 while assisting as a senior student helper in the college. He was a graduate teaching assistant in 1919 while pursuing a bachelor of science degree in 1921, a master of science in 1924, and his doctor of philosophy degree in 1940. His Ph.D. was obtained at a time when not many faculty in colleges of pharmacy in the country had such a degree. In 1928 he was appointed as a full-time instructor and rose through the ranks becoming a professor and department head of pharmacy in 1946.

In 1960 Professor Netz was appointed associate dean of the college and served as acting dean in 1966 until a new dean was appointed.

In the course of his life-long association with the University, Charles Netz belonged to a number of professional, scientific, social, and honor societies. Among them were the American Pharmaceutical Association; the American Chemical Society; American Association of University Professors; Minnesota State Pharmacy Association; Minnesota Public Health Association; Phi Lambda Upsilon; Rho Chi; Sigma Xi; Gamma Alpha; and Phi Delta Chi.

In addition to his contributions to the college and the University as a member of numerous committees he served the profession for as many years through his activity with the Minnesota State Pharmaceutical Association. A life-long member, he also served as their field representative, editor of the Proceedings of the M.S.Ph.A. 1938-65, secretary 1943-48, acting executive secretary 1943-1944, president 1950, member of the executive committee 1952-54, and served as its chairman in 1953. It was through this association with the M.S.Ph.A. that the close relationship was maintained between the college and the practitioners of pharmacy in Minnesota. This relationship was initiated in 1883 when the M.S.Ph.A. pressed to have a college of pharmacy established within the University of Minnesota.

In 1947 Professor Netz was appointed to fill the unexpired term of Professor G. Bachman on the Minnesota Board of Health. His appointment was extended until 1954.

As a teacher, he developed in 1936 a course in cosmetics. The college was one of three that had this offering at the time. The students used the products they made in the laboratory and thus were able to judge their handwork. Among the preparations made were lipsticks, face and shaving creams, hand creams, lotions, toothpastes, face powder, rouges, and bath salts. The formulations were patterned after those manufactured by industry. Dr. Netz also worked with Dr. F. Whiting of the University's Theatre Department in developing make-up used by the actors.

Two important changes he observed in the college during his teaching career were the introduction of graduate study and more specifically chairing the newly established graduate program in pharmaceutical technology. The other great change was the gradual expansion and growth of the faculty.

Upon retiring in 1966, fifty years after entering the University as a student in 1916, Dr. Netz continued his association with the college through the task given him to write the *History of the College of Pharmacy*. This excellent work, which represented the attainment of a long-term goal, is an amazingly detailed compilation of the first 78 years of the University of Minnesota College of Pharmacy (1892-1970). The book is a valuable, interesting, and sometimes humorous account of the people and events important in pharmacy education in Minnesota.

Dr. Netz spent part of his retirement traveling with his wife Gladys until her untimely death in 1969.

Charles V. Netz has helped pave the way for past, present, and future progress in Minnesota pharmacy through his unselfish, meticulous, and voluminous contributions

throughout most of this century. He was a hard working dedicated teacher, researcher, historian, and pioneer, whose service has been of tremendous benefit to the College of Pharmacy and the entire profession of pharmacy in the state of Minnesota. Truly he was "Mr. Minnesota Pharmacist." Those of us who knew him will so revere him.

ROY A. SCHUESSLER

1910-1982

Roy A. Schuessler, faculty member and former chairman of the Departments of Music and Music Education, was internationally recognized for his work as an educator, scholar, and vocalist. He was a member of the University's faculty from 1946 until his untimely death on October 22, 1982, and he served as chairman from 1965 to 1975. For 30 years, Professor Schuessler was also active as a performer, making a variety of concert, oratorio, and opera appearances. Among his performances was the Brahms' *Requiem*. His contributions to the University and to music are numerous and serve as testimony to his abilities and his talent. He will surely be missed.

XV. ADJOURNMENT

FACULTY SENATE MINUTES

The third meeting of the Faculty Senate for 1982-83 was convened in 25 Law Building, Minneapolis campus, on Thursday, May 5, at 5:25 p.m. following the University Senate meeting. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 136 voting members of the faculty, 2 members of the Council of Academic Officers, and 22 nonmembers.

President C. Peter Magrath presided.

I. MINUTES FOR FEBRUARY 17

Action (3 minutes)

Approved

II. OLD BUSINESS

none

III. NEW BUSINESS

none

IV. ADJOURNMENT

ABSTRACT

The meeting of the University Senate was called to order at 3:45 p.m. in 25 Law Building, Minneapolis campus, by President C. Peter Magrath. Minutes of the last meeting were approved after being amended to show that the Business and Rules Committee 1981-82 annual report had been withdrawn and two editorial changes had been made in the abstract.

Vice Chair. Patricia Swan, professor of food science and nutrition and chair of the Consultative Committee, placed in nomination the name of John Turner, Regents' professor of economics, for vice chair of the Senate next year. Mr. Turner had served in that capacity this past year and by virtue of that role was a member of the Consultative Committee. She indicated he had worked hard and diligently in both capacities. No other persons were nominated and a unanimous ballot was cast for Mr. Turner.

Academic Professional Representation. David Giese, professor in General College and chair of the Business and Rules Committee, introduced an amendment to the constitution, bylaws, and rules to provide for representation of academic professionals in the Senate and on its committees, with a few exceptions. It was a parallel document to that presented earlier at the Assembly meeting. He noted that about five years ago the definition of "E" appointments at the University had been clarified, and that his committee had given a lot of thought to opening the way for those staff members who fulfilled certain requirements, including a two-year continuous appointment, to be represented in the Senate. His proposal had been presented to the Senate at its last meeting for information and now, he said, was brought to the floor for action. He explained that, if a unit should elect to unionize, the academic professionals who would meet Senate requirements but were not included in the

union contract would become members of a single academic professional unit. He also called attention to the provision that such personnel would not serve on the Faculty Senate or on committees reporting to the Faculty Senate; a faculty alternate could replace them in the Faculty Senate.

Eleanor Fenton, professor and associate dean, Continuing Education and Extension, pointed out that her unit would be the most affected. Going back 30 years, she said, only tenured professors sat in the Senate and there were guards at all doors. Later associate and assistant professors were added on the basis of certain ratios. In 1969, students were added and the doors unlocked. During this long period of transition, she said, her unit had been reduced to two senators and now, with the unit not allowed to hire faculty members, representation had been reduced to one. She cited the large size of the CEE student body and the fact that the unit provides an important interface between students and the faculty. Shirley Clark, associate professor of educational policy studies, indicated that approval would amount to keeping faith with at least several hundred academic professionals who had been very patient about their role in University governance. The recommendation was then approved 151 to 4, which was sufficient to meet the "2/3 at one meeting" rule.

Open Meeting Law. Patricia Swan, Consultative Committee chair, presented a bylaws amendment to exclude from the open meeting law meetings of the Faculty Consultative Committee, where two-thirds of its members approve. She said that 30 years ago the Senate had had a committee that met periodically with the president with no reporters present, and that continued for 28 years. Two years ago the constitution and bylaws were changed to require all Senate committees to notify the Minnesota Daily of their meetings and to meet in open session, except for discussion of judicial or personnel matters. Since then Daily reporters have attended meetings of the Faculty Consultative Committee with the president.

In January, she said, the FCC voted to close its next meeting so it could take up matters related to legislative concerns, and a useful exchange took place with Vice President Kessler and Professors Phillips Shively and Peter Robinson. At the February 17 meeting, in the presence of a Daily reporter, she said, the committee voted to close the FCC meeting scheduled with the president for March 3, where it was anticipated that the rapidly developing events and pressures related to the University's biennial request and certain leadership problems within the University would have been discussed. The committee's concern was that a story in the Daily on the day following would have been premature. The Daily challenged the action on the grounds that FCC was operating in opposition to the Senate constitution and that closed meetings were illegal. FCC then cancelled the meeting and asked the University counsel for an opinion. The reply was that the Minnesota open meeting law had been interpreted to include governing boards and commissions and some of their committees but it had not been extended to advisory or consulting groups: "It is my opinion that the Minnesota Open Meeting Law, MS S471.705, does not require Faculty Consultative Committee meetings to be open to the public."

Ms. Swan said her committee thus concluded that under state law closed meetings between the FCC and the president were legal; however, it noted that Senate bylaws greatly restricted what could be discussed in closed meetings. That is why the issue was being brought to the Senate, she said. There are matters that the 10 elected faculty members of the committee thought needed to be talked about; however, they found they were unable to do so because, before any committee member raised a topic, she said, she or he must ask themselves if a discussion of that topic in the Daily the next day would do more harm than good and, if the answer is yes, then the topic could not be raised. As examples she cited isolated problems in the early stages of development that often were worsened and people polarized by holding conversations in the press where only a small part of the discussion could be presented. Also, she said, matters for exploratory discussion could not be introduced because they would be publicized in necessarily incomplete form and "shot down" without adequate examination.

Ms. Swan denied that the committee simply wanted private exchange of confidences with the president. Ten faculty members meeting with the president and some vice presidents do not constitute a private, confidential meeting, she said. Those faculty members, elected from across the University with a broad range of perspective and the

caliber of individuals involved, ensure that communication is responsible. The lack of a reporter, she said, could help to assure that they talk to each other.

Another fear, Ms. Swan said, was that the media would be shut out of Senate business and out of the active process of debate and policy formulation. She assured the Senate that no change was being proposed in that area—Senate Consultative Committee meetings, including those with the president, would be open, as would those of the Tenure, Planning, and other Senate committees.

There had been a suggestion, Ms. Swan reported, that one-to-one conversations with the committee members could be held and the chair asked to convey the sense of these conversations to the president. That, she said, is very time consuming and inefficient, as the committee found when it tried the idea.

In conclusion, she stated that the FCC was unanimous in its recommendation and believed it provided the following safeguards to the Senate: a "sunset" clause that called for a Senate vote in three years on whether to continue the rule; a two-thirds majority of the FCC must vote to close; and a list of topics discussed at any closed meeting must be maintained and provided to any inquirers as well as reported annually to the Senate. She said that, unless the proposal were approved, the FCC could no longer perform effectively in its consulting role and the faculty would be deprived of an "adequate consultative voice at a time in the University's history when a faculty voice was most needed."

George Hage, professor of journalism and mass communication, presented a resolution as follows: "Whereas, in a time of financial stringency, many well intentioned persons understandably become intensely concerned with the fiscal health of the institution, and whereas in a climate of such concern, certain other values of equal importance to the health of the institution may be subject to erosion, and whereas among such values are commitments to: due process; openness in communication; and access to information of overriding concern to individuals, as well as to the institution; therefore be it resolved that the executive committee of the Twin Cities chapter of the American Association of University Professors express to the Faculty Senate the committee's opposition to closing of Consultative Committee meetings and urge that the amendment be defeated."

David Lenander, student and Consultative Committee member, said he had been asked how he could support the motion. He emphasized that certain kinds of consulting would not occur if the present rule were continued for the FCC, and he stressed that the committee was an executive, steering, and consultative body, where full and productive consultation was hampered by open meetings. He believed that the University as a whole would benefit if the proposal were adopted, and that the safeguards offered sufficient protection. He said the FCC members had indicated a willingness to brief students; however, the Student Consultative Committee had taken no position on the recommendation. In conclusion, he asked whether the Senate should offer the administration its best advice or just turn the initiative over to the administration, adding that the administration was not compelled to consult with the faculty—that that is not the way it is done in all states.

At this point a Crookston senator called the question; the chair ruled that the debate should continue.

Gerald Kline, professor and head of journalism and mass communication, rose to oppose the action, responding to various arguments put forth by Ms. Swan. He said the examples she cited were the very reasons for the open meeting law—to prevent secret dealing with politically sensitive topics. As to closing meetings to protect discussion of topics in the early stages of development, he believed that was the very time when there was more need for debate. On the matter of whether reporting on a specific topic might damage the University, he asked whether the University was more concerned with such matters as tenure with its related issue of financial exigency or with public relations. He noted that there was no provision for taking minutes of closed meetings and therefore concluded there was no point in making a list. He called for minutes from which public disclosures could be made. He said the state and the institution had a reputation for openness, that other Senate committees dealt with politically sensitive topics, and he urged the Senate to vote down the amendment.

Peter Robinson, associate professor of French and Italian and Senate legislative

lobbyist, supported the motion, indicating there were times when he had refrained from bringing sensitive issues before the FCC because they could not be discussed in an open meeting. Paul Murphy, professor of history and former SCC chair, supported the motion reluctantly, saying he was no enemy of the Daily and that he had chaired a committee of concerned professors who supported the Daily in its recent conflict with the administration. He said he was concerned about first amendment issues and the public's right to know. He asked if it were best served by this action, and said that he would prefer more information than just a list of topics. He urged that the operation be watched carefully over the next three years. Kathy Watson, student and SCC member, thought it was unfortunate that there was so much distrust for the FCC and indicated that informal meetings between student leaders and the president where the press was not present had been very productive. Phillip Tichenor, professor of journalism and mass communication, opposed the motion on the grounds that the University already had a problem of lack of information of what was going on. As an example he cited the forthcoming revision of the tenure code, charging there had been no notice of contemplated changes. Further, he said, the SCC would be in danger of being co-opted by the administration, and he found it hard to believe that a community of scholars would agree to set aside a commitment to openness. In response, Ms. Swan pointed out that the meetings of the Tenure Committee, where proposed changes were being considered, are open and that its recommendations would be forwarded to the Faculty Affairs Committee, where meetings also are open. The final draft would then go the FCC, where there would be an open forum. Scott Singer, student, was concerned that future Student Consultative Committee members might not prove to be as good student advocates as those currently serving. Also, he believed that the sunset clause was inadequate in that there was no way to evaluate the process if others were closed out of the meetings.

Chris Ison, Daily editor, maintained that, if the FCC were allowed to close its meetings, other boards and committees would do the same thing. Also, he said, a list would not tell anyone anything about the meeting. He contended that the committees play an active and influential role in shaping major policies, and that closed meetings held deep seated legal implications. He said that an institution of higher education has an obligation to conform to the same standards of openness as the rest of the state. He warned the Senate that it would be lowering those standards by voting for the motion, a message the University should not want to send to the public.

The debate concluded, Ms. Swan asked for a rising vote on the issue: 112 favored the motion, 39 opposed it. Amendments to the bylaws requiring a simple majority of the voting membership, the motion was approved. Ms. Swan then reported that both SCC and FCC were concerned about communication and did not know what to do. However, she said, she had planned to invite two faculty members of the School of Journalism and Mass Communication to a committee discussion of the matter, and she urged senators and others with ideas for improving communication to write her committee. When asked whether any FCC member would be constrained from talking to another faculty member about any matter that would come up at a closed meeting, Ms. Swan said her committee had never asked for a binding promise of that sort and that committee members used their own judgment. She said she had found that her colleagues generally were willing to talk. Leonid Hurwicz, Regents' professor of economics, said he had at first supported the proposal but had changed his mind. He saw it as a clash of conflicting values, each of which had validity. The discussion had convinced him that there would be negative fallout, and he suggested making a genuine effort to encourage the faculty to list topics they would like to be informed about if those topics are taken up in closed session, and that the faculty should be provided an opportunity to question the meeting participants.

Services for the Handicapped. Jack Merwin, professor of education and chair of the Services for the Handicapped Committee, presented 11 policy recommendations on access for the handicapped at the University. He indicated that, as an Operations committee of the Senate, his committee had reported the proposals to the Consultative Committee. When asked whether Extension students would be included, Mr. Merwin said he assumed it covered all students. He noted that the policy specified the University should make "every reasonable effort to provide financial support." The policies were then approved.

At this point, Ms. Swan reported that for the first time all committees had submitted annual reports to the Senate and Assembly. David Lenander led the applause in recognition of Ms. Swan's efforts.

Faculty Retirement Contribution. Mariah Snyder, associate professor of nursing, had asked the president what decision had been made on whether the state mandate that all state employees should contribute two percent of retirement to help in the financial crisis applied to faculty members. President Magrath responded that the civil service staff had already had such a reduction applied and that, after consulting with Senate committees, the administration was accepting their advice. That advice was to make a temporary reduction of two percent of University contributions to faculty retirement funds for a number of months. He said he supported it reluctantly, but viewed it as the least painful choice. Mr. Turner asked whether there would be an option to increase Mills II deductions. The president thought that was a possibility. He emphasized that this was a one-time reduction to get the budget in balance.

Lawrence Goodman, Record professor of civil and mineral engineering, had asked the president for the cost of computing services, including the Computing Center and the Administrative Data Processing unit. President Magrath reported revenues of the former at \$7.6 million and the latter, \$4.4 million; direct 0100 support of \$2.1 million and \$2.7 million; charges to users other than those funded centrally of \$5.5 million and \$1.7 million.

Student Representation in the Senate. Diane Prohofsky, student, asked the Senate to support a motion to require that the number of student senators for each unit to be elected in the spring be determined on the basis of enrollment figures as of the second week of the preceding fall quarter (current practice is to use second week figures for spring quarter), and to make it retroactive to this year's elections. She said it would give adequate time to collect materials that are needed for the election. However, specifically, she said, she wanted to have assurance of the number of senators from the School of Management that would be recognized by the Senate: fall figures would allow two; spring, one. David Giese, chair of Business and Rules, and Kathy Watson, MSA speaker, assured her that no one would challenge the elections for 1983-84 for the School of Management that assigned two slots. The clerk was asked to give her written confirmation.

There being no further business, the Senate rose in silent tribute to deceased colleagues and the meeting was adjourned at 5:25 p.m.

The Faculty Senate then convened, approved the minutes of the last meeting, and adjourned without further ado.

MARILEE WARD
Abstractor