



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University Senate Consultative Committee
220 Biological Sciences Center
1445 Gortner Avenue
St. Paul, Minnesota 55108
Telephone (612)373-3226

MINUTES
FACULTY CONSULTATIVE COMMITTEE
March 4, 1982

Douglas Pratt, Chairman, convened the Faculty Consultative Committee at 12:15 in the Dale Shephard Room of Coffman Memorial Union. The other members present were Bob Brasted, Marcia Eaton, Virginia Fredricks, John Howe, Paul Quie, Pat Swan, and W. D. Spring.

1. Program priorities: Should the FCC serve in any intermediate capacity between the Board of Regents and the faculty of units targeted for reduction or elimination? Members had copies of President Magrath's letter asking the FCC to consider the question, and Pratt read Wenda Moore's letter to the Regents recommending an appeals role for the FCC.

There was a consensus of opinion that the FCC should not serve as an appeals body.

Discussion. Fredricks observed the FCC or SCC would be hard put to become sufficiently informed. The Finance Committee would be the best equipped of the existing groups, having followed most closely the development of the priorities statements.

Brasted pointed out that the SCC and FCC are consulting bodies, not judicial bodies. Aggrieved persons are best referred to Judicial, Tenure, or existing collegiate grievance bodies.

Howe noted that the lack of preparedness pertains to both the FCC and the Regents. What the FCC can do is inquire into appeals procedures and ascertain that reasonable appeals procedures exist within the collegial framework and that some knowledgeable central body, such as the Budget Executive, remains available for a final appeal.

Eaton added that the FCC should welcome letters from dissatisfied units such as the Library School, spelling out why the consulting process for changes to their program was not adequate at the college level.

Fredricks pointed out that the Library School does not argue primarily that consultation didn't occur (although data used are alleged to have been erroneous or out-of-date), but that the school's value transcends collegiate lines. (If, as we hear discussed, the number of cross-disciplinary programs increases, the problem of assessing them fairly will grow, she noted.)

Swan reported that she had written Vice President Keller asserting that since no Senate committees are sanctioned by the Senate to serve as appeals bodies, having the FCC serve in such a capacity could be seen as invalidating the process. She wants the FCC to be able to assure the Regents that the process

has provided sufficient opportunity for discussions within the units, and that the University's vice presidents have afforded an opportunity for review where that is called for.

Spring said that while the FCC would be ineffectual as an appeals body, there might be benefits in the FCC's receiving written complaints, studying and forwarding them, and then judging whether the response to the complaints is adequate.

The committee also recognizes that the process must reach a conclusion; appeals cannot go on indefinitely.

Fredricks observed that no appeals system was ever publicly defined for the program prioritizing process. Since people need to know there is a legitimate body to which they can protest or appeal, when one is not identified, people will do what looks most efficacious.

Brasted noted that while the FCC has excellent rapport with the President and Academic Vice President, as a body it has little rapport with the faculty. The faculty are now actively seeking the FCC's help. There are mechanisms existing within many colleges to deal with appeals. Where those aren't functioning, the FCC should help to see that they get established and working. IT's constitution, for example, provides for a grievance system, but it has not been applied.

Eaton stressed that the FCC should insist the appeals bodies function at a collegiate level. The FCC wants to know that decisions are being properly handled at that level. FCC wants to be able to assure the Regents we are working hard to learn that consultation is taking place and how well it is functioning.

Spring cautioned that if there has been a procedural error in reaching a decision, the error must have occurred at the collegiate level; hence an individual would need another party to which to appeal.

Swan said there is much evidence that in many units the program prioritizing process prior to January 15 was not open. The question now is whether in the time since then the affected persons have had a chance to be heard and had their points considered. In Agricultural Engineering there have been several meetings for information and consultation following announcements of the priorities.

Howe recommended the FCC write Vice President Keller making three points:

1. The FCC is concerned about consulting and appeals procedures within the units.
2. The FCC is concerned about what procedures exist beyond the college to consider the recommendations regarding university-wide programs such as the library school.
3. The FCC would like to talk with the Vice President about guaranteeing a review system to units whose faculty feel there is no reasonable appeals mechanism internally and who hence have sought the FCC's help.

Fredricks moved the points be incorporated into a letter to President

Magrath, with a copy to the Vice President for Academic Affairs, and be accompanied by a request for a meeting with Keller. The motion carried without dissent.

2. Subcommittee on financial emergency. The FCC had received copies of the subcommittee's draft document.

Subcommittee chair Marcia Eaton asked (1) whether the subcommittee is on the right track, (2) what should be included in the document on procedures to be followed after declaration of a financial exigency, and (3) what the answers are to the questions the subcommittee raised and appended to the draft document. The subcommittee invites calls or notes from the rest of the FCC on what else the subcommittee should be considering, including items or steps missing from the procedures draft.

Fredricks moved the subcommittee move ahead and prepare a document to bring to the FCC for discussion.

Discussion. Spring explained that the subcommittee is trying to develop the basic structure of the procedure. It will bring the budget executive and collegiate consultation to bear upon the procedures in a financial emergency. It will safeguard the collegiate level of consultation. Basically, it incorporates the normal procedure for budget planning into the emergency procedure.

There was general agreement that the document, when developed, should go to the Senate this spring. Spring recommended proposing the procedural document this spring, to assure a consulting and appeals procedure, even in the absence of a fully revised tenure code.

Howe stated that some document on faculty rights is also needed by summer.

The motion that the subcommittee prepare a procedures document to bring to the FCC for discussion carried without dissent.

Other questions. Eaton next asked for help on defining some key words from the document, such as 'program'. The working definition has been "smaller than a college and bigger than an individual." Suppose, the subcommittee asks, a college needs to be eliminated?

Pazandak called attention to the problem of overlapping faculty when programs are merged. The issue will be raised if the composition programs are consolidated, as appears likely.

Eaton asked the FCC to please submit to the subcommittee responses to the questions the subcommittee raises in Section IV of the draft ("Identification of Individuals to be Terminated"), particularly question 4 ("Should non-tenured people always be cut before tenured people?")

Other observations on retrenchment. Eaton observed that any task of retrenchment would be greatly simplified if the current planning documents and their revisions are always kept up-to-date and contain sufficient detail, and if everyone concerned were convinced that this was the case. To retrench, then, the plan those documents contain could simply be speeded up.

3. FCC/Regents meeting, March 11. Agenda.

a. Program priorities. The SCC secretary is to abstract the agenda and presentations described in the February 18 FCC minutes, and send them to Duane Wilson for his approval. Pratt stressed that the FCC wants to avoid discussing with the Regents the merits of individual appeals.

b. Faculty salaries. Pratt introduced the memorandum from Russell Hobbie to the SCC stating the proposal a small faculty group had made in a meeting recently with President Magrath and Vice President Keller: "...If there is not enough salary improvement money next year... we propose that individual faculty members' base salaries be raised by an adequate amount, even though the actual amount paid to them is less. The base would then be there to build upon in subsequent years, and the sacrifice by the faculty would be a matter of record..."

The FCC agreed to add an item on faculty salaries to the agenda with the Regents, in order to be able to express faculty concern over the limited amount of state funding available for '82-'83 increases.

4. Midwest Faculty Governance Conference - information sharing.

(This item was addressed at 2:50, immediately following the SCC meeting.)

The FCC briefly considered what documents and list of current issue studies could appropriately be sent to the Midwest Faculty Governance Conference. In addition to the suggested list, it was decided to send information on studies being undertaken by the Assembly Committee on Intercollegiate Athletics, and any documentation describing the Budget Executive. No tenure code document should be sent.

The meeting adjourned at 1:35 p.m.

Meredith Poppele,
Secretary



UNIVERSITY OF MINNESOTA

Office of the President
202 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455

FEB 24 1982

February 23, 1982

Professor Douglas Pratt, Chairman
Senate Consultative Committee
220 Biological Sciences Building
St. Paul Campus

Dear Doug:

You will recall that at our last FCC/SCC meeting Ken Keller and I discussed with you, and also with Pat Swan, the fact that some academic units and programs affected by the retrenchment are asking the Regents to entertain appeals and, in effect, hold hearings. The specific initial request comes from Professor Simonton on behalf of the Library School, but it is a fair assumption that many other affected programs (not only those slated for possible elimination) will ask to have their case presented to the Regents directly. I know for a fact that many other academic programs affected by the cutbacks have contacted and written the Regents directly -- so that if the Library School is granted a hearing clearly others will follow.

I would appreciate your treating the attached communication from Regent Moore to her colleagues on the Board as a private communication, but Regent Moore's response is clear and follows her judgment and my own as well. My assumption is that the Regents will agree with Regent Moore's suggestion, and indicate to Professor Simonton that, if he has concerns, he can take them to the Faculty Consultative Committee and that, at any point that FCC wishes to pass on concerns or views to the Regents, it is free to do so. I should emphasize that this does not in my view obligate FCC or SCC to hold hearings of any kind either with regard to the current budget cutbacks or other cutbacks and adjustments that are going to inevitably have to be made in the next couple of years.

Of course, as we discussed at our FCC meeting, the Central Administration is very open to trying to develop a simple procedure to provide appeals or hearings (or however we might label this) for units and programs that have concerns as to how the retrenchment decisions are being made. As we know, these concerns may very well include units and programs that are not necessarily slated for reductions, though one would assume that those units and programs are the primary ones that would raise issues. And there is of course a related concern that the processes of consultation and communication are as effective as humanly possible at the various academic unit levels. Ken will be drafting something for you and SCC to consider along the lines of the discussion we had last Thursday morning.

After you have had a chance to digest this letter and Regent Moore's position on the requests for appeals to the Regents directly, please give either Ken or me a call or drop us a note. Thank you very much.

Cordially,

C. Peter Magrath
President

CPM:kb

Enc: Letter from Moore to Board of Regents Dated February 18, 1982



UNIVERSITY OF MINNESOTA

Board of Regents
Office of the Secretary
220 Morrill Hall
100 Church Street S.E.
Minneapolis, Minnesota 55455
(612) 373-0080

February 18, 1982

Honorable Charles H. Casey
Honorable William B. Dosland
Honorable Willis K. Drake
Honorable Erwin L. Goldfine
Honorable Lauris Krenik
Honorable David M. Lebedoff

Honorable Verne E. Long
Honorable Charles F. McGuiggan
Honorable David K. Roe
Honorable Mary T. Schertler
Honorable Michael W. Unger

Dear Board Members:

During the last month the Board of Regents, as individuals and as a body, has received many letters relating to specific programs which have been identified by the administration as possibilities for reorganization, reduction, or elimination. These letters have come from within the University and from non-University groups that have a special interest in a particular program. I would like to relate a specific request, with my recommendations to you for your consideration, with the thought that this might be a procedural policy for the Board during this time of retrenchment.

Professor Wesley Simonton, Director of the Library School, has specifically asked that he be granted the opportunity to appear before the Board (presumably with other faculty of the Library School) to present the case for continuing the Library School which, as you know, is being considered for elimination. In effect, this would put the Board in the position of holding an open hearing on the proposal to eliminate the Library School.

My personal recommendation is that the Board not put itself into the position of holding a hearing on the proposal for two reasons. First, I believe it would set a precedent and the Board would be obligated to consider allowing other units the same opportunity. Second, I believe and recommend that consistent with our philosophy of internal governance, the Faculty Consultative Committee is an appropriate body to consider such requests. The Faculty Consultative Committee is in close communication with the Board, since we meet at least three times per year.

I have discussed the matter with President Magrath and he concurs with these recommendations. He also noted that there will be many opportunities for review of reorganization, reduction and elimination proposals internally and by the Board.

Duane Wilson will call you sometime in the next two weeks to get your reaction to the request from Professor Simonton and my recommendation, or if you wish to call me directly, please feel free to do so.

Cordially,

Wenda W. Moore
Chairman

/cb
cc: President Magrath



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February 26, 1982

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

Thank you for sharing Regent Moore's letter and the suggestion that FCC might play a constructive role in interceding between the Regents and representatives of units dissatisfied with the budget priorities document. I am sure that the FCC wishes to consider the pros and cons of this possibility very carefully.

I will raise the issue at our meeting on March 4. I hope that this schedule is not a problem. Obviously, to function effectively, the committee has to be fully committed to the concept.

Cordially,

A handwritten signature in cursive script, appearing to read 'Doug'.

Douglas C. Pratt, Chair,
Senate Consultative Committee

DCP:mbp

cc: Ken Keller

March 5, 1982

President C. Peter Magrath
202 Morrill Hall

Dear Peter:

The Faculty Consultative Committee yesterday discussed whether it should be the body to consider requests of people in programs targeted for reduction, reorganization or elimination that they be able to present a case for reconsideration. Regent Moore proposed the FCC for this task in her February 18 letter to the Board of Regents, and in your February 23 letter you also asked us to consider it. The Committee concluded that it could not assume an appeals role, for two principal reasons: first, because the FCC, which has not been involved in the decisions affecting units, would not be able to acquire detailed knowledge of all relevant documents and every step of the process in order to justly assess the correctness of the decision reached; and second, because the FCC is a consulting body rather than a judicial body, and was not elected to perform anything like the role now proposed.

Our continuing task, as we see it, is to insist upon adequate consulting within the collegiate units and to encourage improvement where it is less than adequate. We believe that the budgetary decisions are appropriately made at the collegiate level and that appeals generally should be made at that level. We want to feel confident ourselves that the decisions have been reached properly, or are being reviewed carefully when challenged, at the collegiate level. Where program changes were not announced to the affected units until they were part of the Budget Executive's official proposal, we seek assurances that in the succeeding weeks the affected persons have been heard and their arguments considered. Moreover, we recognize the need for the colleges and the Budget Executive to reach closure on the decisions.

We have, in all, three areas of concern in which we seek information and assurances. We would appreciate the opportunity to meet as soon as possible with Vice President Keller to discuss all three:

C. Peter Magrath
March 5, 1982
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1. The consulting and appeals procedures within the collegiate units generally;
2. A University-level procedure to consider the larger question of a unit's value to the University and the state in the case of a trans-collegiate unit such as the Library School; and
3. A route of appeal for persons in targeted programs who still find no reasonable appeals mechanism within their unit.

We appreciate the difficult position of the Regents in having to respond to parties grieving directly to them. They, like the Faculty Consultative Committee, lack any intimate acquaintance with the facts of the cases. The FCC would like to be able to give its own assurances to the Regents when we meet with them on March 11 that careful consultation, review and appeal are occurring within the collegiate units in almost all cases, that some fair review will be provided where the unit has until now not provided it, and that the all-University cases will be afforded a higher review.

If Ken Keller can attend the joint Senate/Finance/Senate Consultative meeting on March 10 as Pat Swan proposes in her March 5 letter to the Vice President, that occasion can provide the opportunity to resolve the issues specified above.

Very sincerely,

Douglas C. Pratt, Chairman,
Faculty Consultative Committee

DCP:mbp

cc: Vice President Keller
Honorable Wenda Moore



UNIVERSITY OF MINNESOTA
TWIN CITIES

Space Science Center
103 Shepherd Laboratories
100 Union Street S.E.
Minneapolis, Minnesota 55455-0128

March 1, 1982

To: Senate Consultative Committee

From: Russell K. Hobbie *RKH*

Re: Salaries

I would like to share with you the concern that Phil Shively, Craig Swan, Deon Stuthman and I have about faculty salaries, a concern which we recently discussed with President McGrath and Vice President Keller.

The fact that the faculty voted against collective bargaining does not mean that we are satisfied with our salaries. This year's increase marks the first time in over a decade that we have kept up with inflation. The extent to which this raise (temporarily) improved faculty morale is encouraging.

Low salary increases are a form of across the board cut and actually tend to drive away the better people. Therefore, it seems to us imperative to continue to improve salaries, even if program cuts are necessary in order to do so.

There is a real danger that there won't be enough salary improvement money available next year. If that proves to be the case, we propose that individual faculty members' base salaries be raised by an adequate amount, even though the actual amount paid to them is less. The base would then be there to build upon in subsequent years, and the sacrifice by the faculty would be a matter of record. The sacrifice could take the form of a "loan" to be repaid in the future or an across the board "furlough" of a few days. This is, of course, a bookkeeping exercise; it is not an excuse for providing faculty less money than is actually available.

RKH:nm



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March 11, 1982

Professor Russell K. Hobbie
Department of Physics
103 Space Science Center

Dear Russ:

Thanks for your note concerning faculty salaries. Several of us on FCC, Finance, and Faculty Affairs have been presented with a number of interesting suggestions for dealing with the problem of eroding faculty salaries.

The Senate Committee on Faculty Affairs and the Faculty Consultative Committee are developing plans for a Senate Forum (possibly following the April 8 Senate meeting) to discuss various alternatives. Assuming that we are able to organize such an event, I hope that you and your colleagues will be able to attend and share your views with the Senate.

Cordially,

Douglas C. Pratt, Chair,
Senate Consultative Committee

DCP:mbp

cc: Phil Shively,
Craig Swan
Deon Stuthman