

# university of minnesota memo

To David Klaassen  
From Mailee Ward

- For your information
- For your approval
- Per your request
- For your attention
- Note and file
- Note and return
- Note and forward
- Please advise
- Please reply
- Send copy
- Please see me

*This item  
was distributed  
at the April 5  
Faculty  
Senate  
meeting.*

Date \_\_\_\_\_

0198-1

Amendments for consideration  
April 5, 1984

Material to be deleted is ~~stricken out~~; material to be added is **PRINTED IN CAPITAL LETTERS**.

The Tenure Committee will move that the following special procedure be adopted:

At the beginning of the meeting on April 5, 20 minutes will be allowed for discussion and explanation of the Tenure Committee's revised version of the standards for granting tenure, which is printed below as Motion 57. No action on that motion will be taken at the April 5 meeting. Further consideration of that issue will be the first order of business on April 26. Motions to amend that proposal, or otherwise to amend Section 7.11, may be filed with the Clerk of the Senate until 4:30 p.m., Monday April 16.

MOTIONS 40 & 41

(Motion 40) The Tenure Committee will move to amend Section 3.6, page 4, line 14, and (Motion 41) Equal Employment Opportunity for Women Committee will move to amend Section 3.6, page 4 after line 22 as follows:

Page 4

12           3.6 Special Contracts. These regulations do not bar a faculty appointment  
13 pursuant to a special contract specifying terms or conditions of employment which  
14 are different from those prescribed in ~~Sections 3, 4, 5, 6 and 9~~ of these regulations. Motion  
15 All other provisions of these regulations apply to such appointments. Every special 40  
16 contract must be in writing and must state that it is a special contract entered into  
17 pursuant to this Subsection. It must be signed by the faculty member concerned,  
18 by the dean of the collegiate unit in which the faculty member will be employed  
19 and by the Vice President and must be authorized by the Board of Regents or its  
20 expressly authorized delegate. In addition, the Vice President will annually report  
21 to the Tenure Committee the terms of all special contracts and the reasons for  
22 their use.

22a           A SPECIAL CONTRACT MAY BE USED TO REDUCE THE MINIMUM TIME  
22b OF A REGULAR APPOINTMENT TO ONE-HALF TIME IN ORDER TO PERMIT A  
22c FACULTY MEMBER TO DEVOTE MORE TIME TO FAMILY RESPONSIBILITIES.

Motion  
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Motion  
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22d SUCH A CONTRACT MUST PROVIDE FOR THE MUTUAL RESPONSIBILITIES OF  
22e THE FACULTY MEMBER AND THE ACADEMIC UNIT INCLUDING THE TYPE  
22f AND PERCENT TIME OF THE APPOINTMENT, IF ANY, TO WHICH THE  
22g FACULTY MEMBER IS ENTITLED AT THE EXPIRATION OF THE SPECIAL  
22h CONTRACT. IN THE CASE OF A PROBATIONARY FACULTYMEMBER THE  
22j CONTRACT WILL REGULATE THE LENGTH OF THE PROBATIONARY PERIOD  
22k BUT NO MORE THAN TWO YEARS MAY BE ADDED TO THE TOTAL  
22l PROBATIONARY PERIOD BY ACTION OF THE SPECIAL CONTRACT.

#### MOTION 42

The Tenure Committee will move that the following resolution be adopted as an additional motion (not part of the text of the Code itself, but to be recorded in the minutes):

RESOLVED, in adopting Section 2.2, the Faculty Senate expressly intends to protect the tenure of individuals who hold faculty appointments in the University libraries or in similar units in which new faculty appointments are not permissible under these regulations. The Faculty Senate also intends that persons who hold probationary appointments with functions which will continue to exist, but which will not be faculty positions in the future, should nevertheless be considered for tenure on the basis of the criteria applicable to their positions at the time of their initial appointment. The Faculty Senate also intends to protect the tenure of persons holding tenure in ranks, such as research associate or research fellow or instructor, in which tenure is not permitted under these regulations. The Faculty Senate also intends to protect the status of persons holding non-regular (T) appointments which would not be appropriate under these regulations, including the

right of such persons to be reappointed to such non-regular appointments on the same basis that such re-appointments took place before the adoption of these regulations. This list of examples is not intended to exclude other cases to which Section 2.2 might apply.

Faculty members who continue to hold such appointments by virtue of their appointment under the old regulation, must not be discriminated against. It would not be proper to withhold salary increases, promotion, or other benefits as an inducement for such faculty members to transfer into another employment category.

The Faculty Senate urges the Board of Regents to adopt a similar clarifying statement upon adoption of the Code.

#### MOTION 43

Norman Kerr, College of Biological Sciences, will move to amend Section 3.2, page 2, line 14 as follows:

3.2 Regular Appointments. A regular appointment is either with indefinite tenure or is probationary, leading to a decision concerning indefinite tenure within a specified period of time. A faculty member with indefinite tenure is entitled to retain that position until retirement in accordance with University regulations or until the appointment is terminated pursuant to the provisions of Sections 10. or 11. A faculty member on probationary appointment (a) is entitled to consideration for indefinite tenure, and (b) is entitled to timely notice of termination in accordance with Section 6. A regular appointment may only be held in an academic unit<sup>1</sup> of a degree-granting college,<sup>2</sup> LIBRARY or similar unit. A regular appointment must be for two-thirds time or more over the academic year.

Page 2

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MOTION 44

Hans Weinberger, Institute of Technology, will move to delete Section 11.6 and 11.7, page 20, line 19 as follows:

Page 20

19

~~11.6 Principles Governing Termination or Suspension.~~

20

~~11.6.1 General Principles.~~

21

(a) Savings achieved through resignations, retirements, renegotiation of contracts, inloading or other measures must be credited to the assigned shortfall before terminating or suspending faculty appointments.

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(b) A good faith effort should be made to use temporary suspensions or voluntary furloughs rather than terminations. Suspensions without pay for one quarter in any year may be ordered in accordance with objective criteria, provided that faculty members are given at least six months' notice.

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Page 21

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(c) A good faith effort must be made to cover as much of the shortfall as possible by allowing non-regular appointments to lapse and by giving notice to probationary faculty in accordance with the terms of their appointments.

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(d) A good faith effort must be made to cover as much of the shortfall as possible by transferring faculty members to other positions for which they are qualified or by offering them retraining for available positions.

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(e) The selection of faculty members within an academic unit for termination must be made on objective criteria and may not involve the reevaluation of the professional attributes of those individuals.

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~~11.6.2 Priorities.~~

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(a) Unless the unit can demonstrate that essential functions could not otherwise be performed:

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12           -- All non-regular faculty within an academic unit must be suspended  
13 or terminated before any regular faculty may be suspended or terminated in that  
14 unit.

15           -- All probationary faculty within an academic unit must be suspended  
16 or terminated before any tenured faculty may be suspended or terminated in that  
17 unit.

18           (b) Care must be taken to protect the employment of women and  
19 minorities. The Vice President must insure that the final plan does not reduce the  
20 proportion of appointments with indefinite tenure held by women, the proportion of  
21 probationary appointments held by women, or the proportion of non-regular  
22 appointments held by women, in the University as a whole. Groups entitled to  
23 affirmative action must be similarly protected.

24           **11.63 Notice and Severance Pay.** A faculty member whose appointment is to  
25 be terminated or suspended is entitled to a minimum of one full academic year's  
26 notice or to one year's salary as severance pay in lieu of notice, unless the  
27 appointment would otherwise expire earlier.

28           **11.64 Reemployment Rights.** The University will make a good faith effort to  
Page 22   1 employ a faculty member whose position has been terminated in any position for  
2 which that faculty member is qualified, which is vacant at the time of notice of  
3 termination or which becomes vacant within two years after actual termination.

4           The University will not fill any faculty position for which a faculty member  
5 with indefinite tenure who has been terminated is qualified for five years after  
6 notice of termination, unless it first offers the position to each such faculty  
7 member and gives a reasonable time for the faculty member to accept or reject it.

8           **11.7 Judicial Committee Review.** A faculty member whose appointment is  
9 terminated or suspended may make a written request for review by the Judicial  
10 Committee. The review will be conducted in accordance with Section 14. The  
11 Judicial Committee will not reexamine the determination that a fiscal emergency  
12 exists, nor will it reexamine the educational policies and priorities pursued unless it  
13 finds a substantial failure to follow the procedures established in this section. It  
14 will only examine whether the action was taken in accordance with the procedures  
15 and standards set forth in this section, whether the action was based on a violation  
16 of academic freedom or constitutional or legal rights, or was substantially based on  
17 immaterial or improper factors. It may consolidate cases involving common issues  
18 for a single hearing.

MOTION 45

Page 18      The Tenure Committee will move to amend section 11.2, page 18, line 5 as follows:

3           **11.2 General Principles of Priority.** The following general principles of  
4 priority apply in any financial crisis:

5           -- First, the University must fully utilize all means CONSISTENT WITH  
6 ITS CONTINUED EXISTENCE AS A QUALITY INSTITUTION to reduce expenses or  
7 to increase income which do not involve the termination of faculty positions or the  
8 impairment of faculty rights.

8           -- Second, the University may consider alternatives which involve only the  
8a ~~postponement of temporary reduction~~ THE TEMPORARY OR PERMANENT  
8b REDUCTION OR POSTPONEMENT of faculty compensation or other rights.

9           -- Only thereafter may the University suspend or terminate faculty  
10 positions in accordance with this section.

MOTION 46

The Tenure Committee will move to amend Section 11.3, page 18, line 22 as follows:

11.3 First Stage: Alternative Approaches. If there has been a serious reduction in the University's income, the President will report the matter to the Senate Consultative Committee. The President will identify the magnitude of the shortfall, the measures which might be taken to alleviate it (which must not involve impairment of faculty rights), and alternative measures which have been rejected. The President will give the Committee full access to all available information and will respond specifically to additional proposals suggested by the Committee. At this stage, the University will consider reductions of non-faculty staff, allowing non-regular appointments to lapse in accordance with their terms, and reductions in other expenses. It will also consider increases in tuition, sales of assets, and borrowing. THESE STEPS WILL BE IMPLEMENTED BY THE PRESIDENT OR THE BOARD OF REGENTS, AS IS APPROPRIATE.

MOTION 47

The Tenure Committee will move to amend Section 11.61(b), page 20, line 25 as follows:

11.61 General Principles.

\* \* \*

(b) A good faith effort should be made to use temporary suspensions or voluntary furloughs rather than terminations. IN THIS THIRD STAGE, THE BOARD OF REGENTS MAY IMPOSE THE TEMPORARY OR PERMANENT REDUCTION OR POSTPONEMENT OF FACULTY COMPENSATION OR OTHER RIGHTS, IN EXCESS OF THOSE APPROVED IN THE SECTION STAGE. Suspensions without pay for one quarter in any year may be ordered in accordance with objective criteria, provided that faculty members are given at least six months' notice.

\* \* \*



MOTION 48

The Tenure Committee will move to insert a new paragraph between paragraphs 11.61(b) and 11.61(c), page 20, after line 27 as follows:

11.61 General Principles.

(a) Savings achieved through resignations, retirements, renegotiation of contracts, inloading or other measures must be credited to the assigned shortfall before terminating or suspending faculty appointments.

(b) A good faith effort should be made to use temporary suspensions or voluntary furloughs rather than terminations. Suspensions without pay for one quarter in any year may be ordered in accordance with objective criteria, provided that faculty members are given at least six months' notice.

(B') TERMINATIONS MAY NOT BE USED IN CASE OF A SHORT-TERM FINANCIAL CRISIS, BUT ONLY IF THE CIRCUMSTANCES ARE SUCH THAT THE SHORTFALL IS REASONABLY EXPECTED TO CONTINUE OVER A SUBSTANTIAL NUMBER OF YEARS.

(c) A good faith effort must be made to cover as much of the shortfall as possible by allowing non-regular appointments to lapse and by giving notice to probationary faculty in accordance with the terms of their appointments.

(d) A good faith effort must be made to cover as much of the shortfall as possible by transferring faculty members to other positions for which they are qualified or by offering them retraining for available positions.

(e) The selection of faculty members within an academic unit for termination must be made on objective criteria and may not involve the reevaluation of the professional attributes of those individuals.

MOTION 49

The Tenure Committee will move to amend Section 11.62(b), page 21, line 18-23, as follows:

9           11.62 Priorities.

10           (b) Care must be taken to protect the employment of women and  
10a minorities ENTITLED TO AFFIRMATIVE ACTION. The Vice President must insure  
10b that FOR THE UNIVERSITY AS A WHOLE the final plan WHICH IS SUBMITTED  
11 does not reduce the proportion of appointments with indefinite tenure held by  
11a women OR MINORITIES ENTITLED TO AFFIRMATIVE ACTION DOES NOT  
12 REDUCE, the proportion of probationary appointments held by women OR  
12a MINORITIES ENTITLED TO AFFIRMATIVE ACTION, DOES NOT REDUCE, or the  
13 proportion of non-regular appointments held by women OR MINORITIES ENTITLED  
13a TO AFFIRMATIVE ACTION, in the University as a whole. Groups entitled to  
14 affirmative action must be similarly protected.

MOTION 50

The Tenure Committee will move to amend Section 12.2, page 22, line 27 as follows:

Page 22  
23           12.2 Faculty Rights and Duties. In the event that programmatic change  
24 leads to discontinuation of a program in which a member of the faculty is  
25 employed, the University recognizes its obligation to continue the employment of  
26 regular faculty in accordance with the terms of their employment, and to continue  
27 the employment of non-regular faculty for the term of appointment. IN CASE OF  
27a FINANCIAL EMERGENCY, THE PROVISIONS OF SECTION 11 APPLY.

28           Regular faculty members who are so retained have the responsibility to  
Page 23  
1 accept teaching or other assignments for which they are qualified, and to accept

2 training to qualify them for assignment in other fields. The University has the  
3 responsibility to assign such faculty members to responsibilities as closely related  
4 to their original field of tenure as is practicable, to allow them time in which to  
5 continue scholarship in their original field if they wish, and to recognize scholarly  
6 contributions in that field as valuable in assessing their contribution to the  
7 University for pay, promotion and other purposes.

(Previously  
added)

8 The University has the right to offer inducements to faculty members  
9 voluntarily to change fields of study or to change place of employment or to accept  
10 early retirement.

#### MOTION 51

Harold Alexander, Home Economics, will move to amend Section 13A.2 (originally  
printed as Section 10.4), page 15, lines 21-22 as following:

Page 15

19 13.A.2 Formal Action. After receiving the administrator's  
20 recommendation ~~and the report of the faculty,~~ and giving the faculty member an  
21 opportunity to comment, ~~the Vice President may initiate formal action by giving~~  
21a ~~written notice to the faculty member-~~ THE VICE PRESIDENT WILL DECIDE  
21b WHETHER TO PROCEED. IF THE VICE PRESIDENT DECIDES NOT TO  
21c PROCEED, THE CHARGES ARE DROPPED AND THE FACULTY MEMBER AND  
21d THE ACADEMIC UNIT ARE SO NOTIFIED IN WRITING. IF THE VICE PRESIDENT  
21e DECIDES TO PROCEED WITH FORMAL ACTION, THE VICE PRESIDENT MUST  
21f GIVE WRITTEN NOTICE TO THE FACULTY MEMBER. The notice must specify  
22 the action proposed, identify the specific grounds upon which it has been taken, and  
23 summarize the evidence in support. It must inform the faculty member of the  
24 right to request a hearing before the Judicial Committee and advise the faculty

25 member of the applicable time limit for making such a request.

26 If the faculty member does not request a hearing within 30 days, the  
27 President may take the action proposed in the Vice President's notice, without  
28 further right to a hearing.

MOTION 52

Alfred Aepli, Institute of Technology, will move to amend Section 14, page 25,  
line 25 by adding a new Section 14.7, as follows, and by renumbering the  
subsequence provisions:

Page 25

25a 14.7 THE FACULTY MEMBER MAY APPEAL TO THE BOARD OF  
25b REGENTS. THE REQUEST MUST BE MADE TO THE SECRETARY OF THE  
25c BOARD WITHIN 10 DAYS OF THE PRESIDENT'S DECISION.

MOTION 53

The Tenure Committee will move to amend Section 18, page 27 as follows:

**SECTION 18. AMENDMENT**

Page 27

3 ~~Before any proposed amendment to these regulations is submitted to the~~  
4 ~~Board of Regents or adopted by the Board, it must be considered by the Tenure~~  
5 ~~Committee, the Faculty Affairs Committee and the Judicial Committee, or by~~  
6 ~~such committees which have succeeded to their functions. These Committees will~~  
7 ~~present their respective recommendations on each proposed amendment to the~~  
8 ~~Faculty Senate for its consideration. The Board of Regents will not take final~~  
9 ~~action on any proposed amendment until it has received the recommendation of the~~  
9a ~~Faculty Senate.~~ THESE REGULATIONS ARE SUBJECT TO AMENDMENT BY THE  
9b BOARD OF REGENTS. PROPOSED AMENDMENTS FROM ANY SOURCE WILL  
9c BE SUBMITTED TO THE FACULTY SENATE FOR ITS ADVICE AND  
9d RECOMMENDATION BEFORE FINAL ACTION BY THE BOARD OF REGENTS.

**MOTIONS 54 & 55**

**Background:**

At the February 21 meeting, the Faculty Senate adopted Motion 28, which added a new Section 13.4, relating to panels of the Judicial Committee. As adopted, that section provides:

Page 23

- 23a           13.4 Panels. The Judicial Committee may sit in panels to hear individual
- 23b           cases. In cases under Section 10, the panels must consist of at least five members.
- 23c           In all other cases, the panel must consist of at least three members.

**Motion 54:**

The Judicial Committee will now move to amend the above language as follows:

Page 23

- 23a           13.4 Panels. The Judicial Committee may sit in panels to hear individual
- 23b           cases. ~~In cases under Section 10, the panels must consist of at least five members.~~
- 23c           ~~In all other cases, the~~ THE panel must consist of at least three members.

Motion  
54

**Motion 55**

The Tenure and Judicial Committees will move to add the following additional sentence at the end of Section 13.4 as follows:

Page 23

- 23d           THE RULES OF THE JUDICIAL COMMITTEE WILL ESTABLISH THE
- 23e           RESPECTIVE FUNCTIONS OF THE COMMITTEE AS A WHOLE AND OF THE
- 23f           INDIVIDUAL PANELS.

Motion  
55

**MOTION 56**

Mariah Snyder and Sheila Corcoran, Nursing, will move to amend sections 10.5 (now 13A.3) 10.6 (now 13A.4) page 16, 14.4 and 14.5, as follows:

1           **10.5 Judicial Committee Hearing.** The faculty member may request a  
2 hearing before the Judicial Committee by written request to the Chair of the  
3 Committee, filed within 30 days of the notice. The Judicial Committee may  
4 extend the 30 day period for good cause. The Vice President designates the  
5 administrator who will present the case. The administrator has the burden of  
6 proving the case for the proposed action by clear and convincing evidence and also  
7 has the burden of demonstrating the appropriateness of the proposed action, rather  
8 than some lesser measure.

9           The Judicial Committee PANEL makes written findings of fact, conclusions,  
10 and a recommendation for the disposition of the case. If the ~~Committee~~ PANEL  
11 finds that action is warranted, it may recommend action which is less severe than  
12 that requested in the written notice, including action which does not involve the  
13 termination or suspension of an appointment. It may not recommend more severe  
14 measures than those proposed in the Vice President's notice.

15           The Judicial Committee PANEL sends its report to the President with copies  
16 to the faculty member and the administrator.

17           **10.6 Action by the President.** The President must give the faculty member  
18 and the administrator the opportunity to submit written comments on the report  
19 and to make oral presentations. The President may not discuss the case with the  
20 Vice President or with any other academic officer, except in the presence of the  
21 faculty member or the faculty member's representative.

22           The President may request the Judicial Committee PANEL to make further  
23 findings of fact, to clarify its recommendation or to reconsider its interpretation.  
24 The reconsideration will be made by those who have heard all of the evidence in  
25 the case, but the full Judicial Committee may consult with them on questions of  
26 general policy.

27           The President may impose the action recommended by the ~~Committee~~  
28 PANEL or any lesser measure which appears to be appropriate.

Page 24  
18           **14.4 Action by the Judicial Committee.** The Judicial Committee PANEL  
19 makes written findings of fact, conclusions, and a recommendation for the  
20 disposition of the case.

21           If the Judicial Committee finds that the action complained of was improper,  
22 it also specifies the respects in which it finds the action to have been improper and  
23 recommends appropriate remedial action. If it recommends reconsideration, it  
24 may specify the manner in which reconsideration will be undertaken to avoid the  
25 influence of improper factors. If a probationary faculty member has reached the  
26 maximum probationary period, the ~~Committee~~ PANEL may recommend a non-  
27 regular appointment for an additional academic year to provide for  
28 reconsideration.

The Judicial Committee sends its report to the President with copies to the faculty member and the administrator who appeared as respondent.

**14.5 Action by the President.** The President must give the faculty member and the administrator the opportunity to submit written comments on the report. The President may not discuss the case with the Vice President or with any other academic officer, except in the presence of the faculty member or the faculty member's representative.

The President may request the Judicial Committee PANEL to make further findings of fact, to clarify its recommendation or to reconsider its interpretation. The reconsideration will be made by those who have heard all of the evidence in the case, but the full Judicial Committee may consult with them on questions of general policy.

The President may impose the action recommended by the Committee PANEL or any action more favorable to the faculty member. The President may impose action less favorable to the faculty member only for compelling reasons, which must be stated in writing, with specific detailed reference to the report of the Committee PANEL, the evidence presented, and the policies involved. The President's written statement must be given to the faculty member, to the Judicial Committee, and to the Faculty Senate. Its full text must be published in the docket of the Faculty Senate.

**14.6 Actions Requiring Reconsideration.** If the Judicial Committee PANEL recommends reconsideration of an action, that reconsideration will be undertaken under the supervision of the Vice President, unless otherwise specified. The Judicial Committee may retain provisional jurisdiction of the matter to review allegations that the reconsideration itself was improper, and may make supplementary findings, conclusions, and recommendations in this regard.



MOTION 57

The Tenure Committee will move to amend Section 7.11, page 8, line 26, as follows:

Page 8  
Page 8

26            ~~7.11 General Criteria.~~ Indefinite tenure will be granted only to these  
27 persons who demonstrate (a) effectiveness in teaching and advising students, and  
Page 8 (b) professional distinction in research and writing or artistic production. The  
1 relative importance of these primary criteria may vary in different academic units  
2 but neither may be disregarded in any decision. Probationary appointments must  
3 be terminated whenever appointees fail to satisfy these criteria in their last year  
4 of maximum probation and may be terminated earlier if it appears that they are  
5 not making sufficient progress toward satisfying these criteria.  
6

7            A probationary faculty member's service contributions to the University, the  
8 community, the state and nation may also be relevant to a decision, though it  
9 should not be expected that faculty members will have made significant  
10 contributions of this kind during their probationary period. Performance as a  
11 member of the academic unit may also be relevant.

12            Although the decision will be based primarily on the faculty member's  
13 qualifications, it may also be based upon program area needs and priorities of the  
14 academic unit.

14a           7.11 GENERAL CRITERIA. THE PRIMARY CRITERIA FOR AWARDING  
14b INDEFINITE TENURE ARE EFFECTIVENESS IN TEACHING\* AND  
14c PROFESSIONAL DISTINCTION IN RESEARCH.\*\* QUALITY DISCIPLINE-  
14d RELATED SERVICE CONTRIBUTIONS\*\*\* MAY ALSO BE TAKEN INTO  
14e ACCOUNT. THE RELATIVE IMPORTANCE OF THE CRITERIA MAY VARY IN  
14f DIFFERENT ACADEMIC UNITS. BOTH OF THE TWO PRIMARY CRITERIA MUST  
14g BE CONSIDERED IN EVERY DECISION,\*\*\*\* BUT IN SOME ACADEMIC UNITS, A  
14h FACULTY MEMBER WILL NOT BE EXPECTED TO HAVE MADE SIGNIFICANT

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n1            \*"Teaching" is not limited to credit-producing classroom instruction. It  
n2 encompasses other forms of communication of knowledge (both to students  
n3 registered in the University and to other persons in the community) as well as the  
n4 supervision or advising of individual graduate or undergraduate students.

n5            \*\*"Research" is not limited to the publication of scholarly articles. It  
n6 encompasses other activities such as artistic production.

n7            \*\*\*"Service" means high quality performance within the faculty member's  
n8 academic expertise and the mission of the academic unit rendered to the  
n9 community at large. As a criterion for faculty tenure, it does not include the  
n10 rendering of routine professional services, even if those are within the faculty  
n11 member's job description. It also does not include service in quasi-administrative  
n12 functions such as service on faculty or Senate committees; those activities are  
n13 relevant only to the limited extent set forth in the following paragraph.

n14           \*\*\*\* Because of the special mission of the Crookston and Waseca faculty members  
n15 these need show only effectiveness in teaching and disciplined inquiry in their  
n16 fields of endeavor. (Other exceptions may be made only in exceptional  
n17 circumstances by means of special contract, as provided in Section 3.6).

14i SERVICE CONTRIBUTIONS DURING THE PROBATIONARY PERIOD.

14j THE INDIVIDUAL'S PARTICIPATION IN THE WORK OF THE ACADEMIC  
14k UNIT AND OTHER SERVICE CONTRIBUTIONS TO THE UNIVERSITY MAY ALSO  
14l BE RELEVANT TO A DECISION, BUT ARE NOT IN THEMSELVES BASES FOR  
14m AWARDING TENURE. ALTHOUGH THE DECISION WILL BE BASED PRIMARILY  
14n UPON THE FACULTY MEMBER'S PERFORMANCE, THE PROGRAM AREA  
14o NEEDS AND PRIORITIES OF THE ACADEMIC UNIT AT THE TIME OF THE  
14p DECISION MAY BE CONSIDERED IN DECIDING WHETHER TO AWARD TENURE.

14q INDEFINITE TENURE MAY BE GRANTED AT ANY TIME WHEN THE  
14r CANDIDATE HAS SATISFIED THE REQUIREMENTS. A PROBATIONARY  
14s APPOINTMENT MUST BE TERMINATED WHEN THE APPOINTEE FAILS TO  
14t SATISFY THE CRITERIA IN THE LAST YEAR OF PROBATIONARY SERVICE  
14u AND MAY BE TERMINATED EARLIER IF IT APPEARS THAT THE APPOINTEE  
14v WILL NOT SATISFY THE CRITERIA WITHIN THAT PERIOD.

MOTION 58 & 59

Marcia Eaton, William H. Hanson, and Naomi Scheman, Philosophy, will move to amend Section 7.11, page 9, lines 10-11 (Motion 58), and at lines 12-14 (Motion 59) as follows:

Motion 58:

Page 8  
26 7.11 General Criteria. Indefinite tenure will be granted only to those  
27 persons who demonstrate (a) effectiveness in teaching and advising students, and  
Page 9  
1 (b) professional distinction in research and writing or artistic production. The  
2 relative importance of these primary criteria may vary in different academic units  
3 but neither may be disregarded in any decision. Probationary appointments must  
4 be terminated whenever appointees fail to satisfy these criteria in their last year  
5 of maximum probation and may be terminated earlier if it appears that they are  
6 not making sufficient progress toward satisfying these criteria.

7 A probationary faculty member's service contributions to the University, the  
8 community, the state and nation may also be relevant to a decision, though it  
9 should not be expected that faculty members will have made significant  
10 contributions of this kind during their probationary period. Performance as a  
11 member of the academic unit may also be relevant.

Motion  
58

12 Although the decision will be based primarily on the faculty members  
13 qualifications, it may also be based upon program area needs and priorities of the  
14 academic unit.

Motion  
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MOTION 60 & 61

Stephen Sylvester, Crookston will move to amend Section 7.4, page 10, line 13  
(Motion 60) and at line 19 (Motion 61) as follows:

Motion 60:

12 7.4 Procedures for Taking Formal Action. The academic unit must observe  
13 procedures established by the Vice President with the approval of the Tenure  
13a Committee IN CONSULTATION WITH THE VICE PRESIDENT, WITH THE  
13b APPROVAL OF THE FACULTY SENATE . Those procedures will provide that:

Motion  
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14 (1) There is a good faith effort to gather all relevant information necessary  
15 to the decision. The academic units have the primary obligation to assemble the  
16 file, but the faculty member also has the right to add any material the faculty  
17 member considers relevant.

18 (2) The decision is made by vote, by written unsigned secret ballot, ROLL  
19 CALL VOTE, at a meeting of the regular faculty who have indefinite tenure in the  
20 academic unit. The rules may provide for absentee ballots by informed absent  
21 faculty members.

Motion  
61

22 (3) Action is taken by majority vote.

23 (4) The unit reports the vote of the faculty, together with the reasons for  
24 the action taken and any minority view which has substantial support. All  
25 statements must be made without personal attribution. A preliminary draft is open  
26 to members of the faculty eligible to vote so they may comment and suggest  
27 changes. The final draft is sent to the affected faculty member and is open to the  
28 faculty eligible to vote.

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1 (5) In academic units which are widely scattered geographically so that  
2 collegial deliberation is difficult, the rules may specify special procedures which,  
3 to the maximum extent practicable, conform to the procedures generally required.

4 (6) Before submitting a formal recommendation for an appointment with  
5 indefinite tenure or for termination of a probationary appointment, the head of the  
6 academic unit informs the appointee of the recommendation and gives the  
7 appointee a copy of the final report. The appointee may submit any comments  
8 upon the report to the academic administrator who will review the report, with a  
9 copy to the head of the academic unit.