

Minutes*

Faculty Consultative Committee
Thursday, January 24, 2013
1:00 – 3:00
238A Morrill Hall

Present: Sally Gregory Kohlstedt (chair), Avner Ben-Ner, Peter Bitterman, James Cloyd, Chris Cramer, Will Durfee, Nancy Ehlke, Michael Hancher, Scott Lanyon, Russell Luepker, Elaine Tyler May, Alon McCormick, James Pacala, Ned Patterson, Jeff Ratliff-Crain, Rebecca Ropers-Huilman, George Sheets, Richard Ziegler

Absent: Linda Bearinger, Brian Buhr

Guests: Associate Deans Wayne Gladfelter (Science and Engineering), Michal Kobialka (Liberal Arts), and Nancy Raymond (Medical School); President Eric Kaler

Other: Ken Savary (Office of the Board of Regents), Jon Steadland (Office of the President)

[In these minutes: (1) discussion with the associate deans (promotion and tenure process); (2) report from the faculty legislative liaison; (3) discussion with President Kaler]

1. Discussion with Associate Deans (Promotion and Tenure Process)

Professor Kohlstedt convened the meeting at 2:00 and welcomed Associate Deans Gladfelter, Kobialka, and Raymond as the "front line" for faculty in the colleges. She said the Committee is interested in their views on promotion and tenure, post-tenure review, and changes in technology in education. She began by asking if the promotion-and-tenure process is working and if they would like to see any changes.

Dean Gladfelter began by reporting that in Science and Engineering typically there are 15-25 promotion-and-tenure cases per year and the process generally runs smoothly. Of the cases that make it to the dean's office, about 88% have been treated favorably—and that does not include those who drop out of the process before the file ever comes to his office. They do not have the number who drop out and it would be difficult to assemble it. They have one or two problem cases, out of perhaps 100, and the problems were because the process was not followed correctly. They do not require, at the college level, that external letters be the same because Science and Engineering is a decentralized college.

Professor Sheets inquired whether the letter to potential external reviewers includes a notice that the letters they send will not be confidential. It does, Dean Gladfelter said, and they also include specific language about how to treat files where the candidate has received an extension of the probationary period.

Have they encountered resistance from external reviewers because the letters will not be confidential, Professor Sheets asked? They have, perhaps in one case out of ten or twenty, Dean

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Gladfelter said. He said he doubted whether anyone now at the University can remember when letters were not open and he said he did not know if they would receive more honest letters if they were confidential. He said he would not expect much change, they do receive negative letters, and when he writes such a letter, he assumes it that everyone will be able to read it.

Dean Raymond offered the caveat, in advance of her remarks, that she has only been in office since March, 2012, so is relatively new to the job. They just completed their promotion-and-tenure cycle, however, so she has the issues on her mind.

Dean Raymond said she had first to step back a step. They are rewriting their 7.12 statements and statements for those on an annual-review track. The 7.12 statements were rewritten in 2007, but for a variety of reasons, when she took the job last March, only one of 26 had been approved. At present all but 4 have been approved and the goal is to have them all approved by March. Approval of the statements will affect the promotion-and-tenure process because the departments will have more explicit statements that will make the process easier for the candidates and for the committees to make judgments.

They have three non-tenure tracks in the Medical School (clinical scholars, research professors, and teaching professors), Dean Raymond reported; appointments in those tracks are annually-renewable. They are revising the statements for each of the three groups.

The promotion-and-tenure process went smoothly this year; the Medical School has 40-50 cases per year, and this year 10 were tenure-track positions and the remainder were Clinical Scholars.

Dean Kobialka reported that he was in his second year in his position and said that because the faculty in his college are in the arts, humanities, and social sciences, what has helped them is having new 7.12 statements and the revised Procedures for Reviewing Candidates for Tenure and/or Promotion: Tenure-Track and Tenured Faculty [http://policy.umn.edu/Policies/hr/Contracts/TENURE_PROC01.html]. The college has meetings for candidates for promotion and tenure, for candidates for promotion, and for department chairs, to review the process point by point. This year the College of Liberal Arts had 19 individuals reviewed for promotion to (full) professor and 16 who were reviewed for promotion to associate professor and tenure.

Professor Hancher asked the guests if they are seeing any noticeable trends in their colleges in the percentage of tenured/tenure-track faculty versus non-tenure/tenure-track faculty. Is the fraction of tenured/tenure-track faculty declining?

Dean Raymond said that it definitely is in the Medical School—but that is because they have only had the Clinical Scholar track for 10-12 years. When a new track was created, people were put on it. The Medical School has about 400 tenured/tenure-track faculty members, which is about equal to the number of Clinical Scholars.

Dean Gladfelter said that in Science and Engineering the numbers are stable, with perhaps a slight increase in the number of non-tenure-track positions. In the past they did not have positions for teaching or research, which led departments to construct get-arounds; now they recognize the positions but there has not been a significant increase in the overall number, simply a mechanism to make the appointments more uniform. While there has been a slight increase, no one in the college expects the number to

increase very much. There is acceptance of the idea of "research faculty," however, in order to compete with institutions around the country in terms of grant funding brought in.

Dean Kobialka said that creating a model in the College of Liberal Arts is difficult because it depends on the level of funding. The college is conducting 23 searches this year, many more than in past years. The number of non-regular faculty and P&A instructors will always depend on the availability of funding. The lack of predictability in the level of funding is not likely to change, he surmised.

Professor Kohlstedt commented that Professor Hancher had asked the question because everyone on the Committee is aware of national trends that show an increase the number and percentage of non-regular (contract) faculty at institutions.

Professor Cloyd said that his college, Pharmacy, is a small version of the Medical School, with both basic scientists and clinical faculty. Twenty-five years ago the clinicians taught and did research as well as clinical work; now, if someone is in practice, he or she has no chance for tenure because there is little time for research. He said he believes that the "clinical scientist scholar" position is in jeopardy.

Dean Raymond agreed. She said she has been at the University her entire career and when she started (in Psychiatry), she did rounds for six months and then was off them. With the changes in medical practice, being in the ward is full time, the physicians must bill every minute they see a patient, and there are a lot more accountability requirements. Someone on clinical service now is there for 12 hours per day. Moreover, reimbursement has declined considerably. When she started, she could cover her salary in six months of clinical service; now one is lucky, at least in Psychiatry, if one can cover the salary during the clinic time. The business of medicine has changed so much that no one can do what she did and no one who joins the faculty now can do the clinical work required and also put together a research career. Every hour of work must be covered by some source of income because there is not enough O&M money for the institution.

Professor Cloyd asked if that reality is healthy for the University. Dean Raymond said she has raised that question with Vice President Friedman. Another part of the problem is the difficulty of obtaining external funding (fewer than 10% of NIH grant applications are funded). There is need for a conversation in academic medicine, pharmacy, and the professional schools about the right balance of faculty members—tenured/tenure track, research, clinical—to maintain excellence. Every medical school in the country has the same problems and is moving to a lower percentage of tenured/tenure-track faculty.

Professor Kohlstedt said that this sounds like a topic that should be on the table when the Medical School faculty have the strategic planning discussion that the president has requested.

Professor Sheets asked how permeable the boundaries are between the tracks. Can people change tracks? Do they? There have been shifts both ways, Dean Raymond said, but a change to the tenure track would be rare. There have been people on the tenure track who changed because it was not likely they would achieve tenure.

Professor Sheets then asked if someone who goes from the clinical track to the tenure track is deprived of the protections of the tenure policy while they are on the clinical track. Dean Raymond pointed out that some parts of the tenure policy do speak to non-regular faculty and to governance.

Professor Luepker asked how it is decided whether to extend the contract of the faculty who hold contract appointments. By the department head, Dean Gladfelter responded. By a vote of the faculty, Professor Luepker asked? It is different by departments, Dean Gladfelter said; in some, the cases are brought to the faculty for a vote while in other cases the Department Head makes the final decision to hire after consulting with the faculty.

Dean Kobialka said that a contract faculty member is subject to the same rigorous annual review to which all faculty members are subject. Renewal depends on the availability of funds. They usually offer a three-year contract. He agreed that the trends need discussion but said there also needs to be discussion about the execution of curricula in a college and its relationship to graduate education and the change in the intellectual formation of new faculty members. It is more than numerical trends—it is also the conceptual issue that needs to be addressed.

Professor May said that the issues are completely different in the health sciences and the liberal arts. The national trends must be addressed and the conversations are very different. She said she hoped the Committee could have a serious conversation about the effects on liberal arts Ph.D.s. Professor Kohlstedt agreed.

Professor Kohlstedt asked the guests about special post-tenure review: Is it working? How can it work better? Where do responsibilities for it lie? All sense that it may not be working as well as it could and the faculty want to avoid the public perception that it cannot police itself.

Dean Gladfelter said that there have been 10-12 cases over the last six years, most of which have been addressed by the development of an improvement plan, as required by the tenure policy. There is now a push to be more specific in the wording of the 7.12 statements about special post-tenure review and two departments thus far have sent revised statements to Vice Provost Carney. The changes involve being more specific about identifying what is unacceptable, acceptable, and superior performance in teaching, research, and service, so there is a matrix.

Professor Sheets asked about the success of the improvement plans. The majority have been, Dean Gladfelter said, and performance improved. That is good to hear, observed Professor Sheets, since the stated purpose of the special post-tenure review process is to improve performance rather than to focus on the sanction.

Dean Raymond said that the Medical School 7.12 statements now have clear language on special post-tenure review. There are at present three cases in process.

Dean Kobialka said that they also had three cases in CLA, all of which were successfully resolved. The processes vary because of the differences between the fine arts, the humanities, and the social sciences. The recommendations originate in the departments.

Committee members discussed further special post-tenure review; Professor Ben-Ner concluded that there is more self-policing than the number of cases suggests. Professor May maintained that age can be an issue; someone can be "dead wood" at age 40 or at age 80. Post-tenure reviews can have different outcomes if the faculty member has many years ahead and could substantially improve performance, or if they are near retirement and might be encouraged to retire sooner rather than later. Professor Sheets agreed and said the University should consider additional incentives for older faculty members to retire.

There was some discussion about just how one might capture the data that demonstrates the point that informal conversation in anticipation of a full review, a review that results in a performance plan, as well as a termination are evidence of significant peer review.

Professor Kohlstedt thanked Deans Gladfelder, Kobialka, and Raymond for their comments.

2. Report from the Faculty Legislative Liaison

Professor Sheets next reported as one of the two faculty legislative liaisons (Professor Buhr, the other one, was attending a legislative committee hearing). He reported on the issues that have come up so far in hearings (the *Wall Street Journal* article, the cost of education, the capital request). Legislators have been supportive and want to be helpful where they can, recognizing the fiscal realities of the state.

Professor Bitterman inquired what expectations those who are favorably disposed to the University have. What do they want in return for the state's investing? The major themes have been the cost of education, student debt, and graduation rates, Professor Sheets reported, but there has not been opportunity thus far for any more specific commentary and recommendations. He said he can pose that question.

Professor Kohlstedt thanked Professor Sheets for his report.

3. Discussion with President Kaler

Professor Kohlstedt welcomed the president to the meeting.

President Kaler began with a review of the reception the University's biennial request has received thus far at the legislature and from the governor (which has been very positive). He also talked about the recent article about administrative costs at the University that appeared in the *Wall Street Journal*. The president said that one incidental benefit of the article is that it is allowing the University to tell its story in a positive way and in a way that it can respond to many urban legends about administrative costs. He and others have already testified in St. Paul about administrative costs and that testimony will continue.

The president also reported that the administration is conducting a "spans and layers" analysis, which examines the number of people who report to another (the supervisory span) and the number of layers between an entry-level position and the president. The goal is to right-size the spans (which vary with what people do) and evaluate the layers with the intent of rationalizing the institution so that it has the right spans and layers. Most of the changes will occur by attrition—the president said the objective is not to fire people or cut their salaries—and some titles will change as supervisory responsibilities are realigned.

Professor Cloyd asked if the attention to the P&A category of employees (as "administrators") will affect the ability of units to hire people in that category. President Kaler said he was reluctant to impose a hiring freeze, which is a blunt instrument that would require a process for exceptions. This is a well-run organization, he said, and he has simply asked the deans to recognize the environment the University is in. Professor Cloyd observed that faculty members are obtaining grants and need to hire

people to help administer them; the president responded that if someone needs to make a hire in those kinds of circumstances, they should do so.

Professor Ropers-Huilman asked how the spans and layers analysis applies to academic units. As department chair, she does the annual reviews for the faculty in her unit, but the faculty would not necessarily consider her their supervisor. The president said that it is not being applied to academic units; it will look at college administrations but not departments or centers, and the biggest gains from the analysis will come in the administrative units. Professor Ben-Ner asked who is conducting the study; the president said he is reviewing a final recommendation of a firm to retain, one the University has worked with before, and that has a national reputation for its work in higher education.

Professor Pacala raised what he suggested could be an "intellectual future" question. With all the discussion about changes in higher education, the challenges to the need for a physical site for its delivery, its affordability, and so on, where does the president see the University in ten years? Will education here be cheaper? Will the University be bigger? Smaller?

President Kaler said it was a great question. Technology will change but he said he did not believe that 18-year-olds will quit going to college. He said he would like to see the University a little cheaper and would like it to be more accessible, especially to students from low- and middle-income families. It is unrealistic to imagine that tuition will increase dramatically; he would not support such an increase, it would not be right, and it is doubtful the market would permit it. Technology is a two-edged sword: It will make some things cheaper but other things more expensive. It is not clear if there is a long-term model for the use of technology to deliver education and the president said he did not expect to see graduate or professional education changing significantly. The demographics of the students will change and students from populations of color must go to college in higher numbers. But he remains impressed with the fact that there were about 40,000 applications to the Twin Cities campus of the University this year.

Professor Bitterman returned to the topic of administrative costs. Is the goal to make it apparent to the average faculty member or an informed citizen what work is done at the University? This naming problem—"administration"—is driving everyone crazy. That is absolutely the goal, the president responded. The University has the Professional and Administrative category—where did that name come from? It would be very helpful to have more descriptive titles. The urban legend is that the University is big and bloated; it is big but it does many things. And if it quit doing some of them, there would be protest, Professor Bitterman predicted. President Kaler observed that the University is not doing anything that the people of Minnesota, directly or indirectly, have not asked it to do.

What is timeline for the report on administrative costs, Professor Bitterman inquired? The president said that he hoped for "enormous progress" by the end of the calendar year.

Professor Ropers-Huilman reported that she had recently seen the workforce analysis for her college and said there is considerable ambiguity in the data. How are faculty involved in the discussion about how to interpret the data? She is a faculty member, she teaches and does research, and is also a department head. She does many things. She is probably categorized as an administrator, the president commented—and that is part of the problem: how people are classified. The University has not done a good job of explaining the diversity of what faculty members do in their jobs. "Shame on us," he said, but up until perhaps ten years ago, people thought that faculty members worked hard and the role was

respected. That seems not to be true any longer. Professor Ropers-Huilman urged that the way to tell the story must be simple enough that it is presentable but complicated enough to convey the complexity of the jobs. The president concurred.

Professor Cramer recalled that towards the end of President Bruininks' term in office, he commissioned an economic impact analysis that demonstrated that for every \$1 the state spends on the University, it returns \$13 to the state's economy. The report disappeared without a ripple and some claimed that the consultants simply did what the University asked them to do. Will the spans and layers analysis meet the same fate? If one asks the public what agency they trust, Professor Cramer surmised that most would say the legislative auditor's office. Is there any plan to involve that office in the study of administrative costs?

There is, the president said. The University will work with the legislature and with the legislative auditor. The University has nothing to hide, he said, and while there are things it needs to do better, the problems will be fixed. In the meantime, student success has increased, research funding has increased, and what the University has is "a telling-our-story problem."

Professor Hancher recalled that some time ago Vice President Brown provided an interim report on workforce analysis. Is that proceeding and will it be a major component of any report on administrative costs? It is and it will be, the president said—the University had already begun the analysis before the recent controversy erupted.

The president touched briefly on the debate about resident versus non-resident tuition and the ongoing discussions with Fairview. Professor Kohlstedt then thanked him for joining the meeting—and adjourned it, at 3:00.

-- Gary Engstrand

University of Minnesota