

Minutes\*

**Faculty Consultative Committee  
Annual Retreat  
Tuesday-Wednesday August 27-28, 2013  
Minnesota Humanities Center**

Present: Will Durfee (chair), Linda Bearinger, Avner Ben-Ner, James Cloyd, Eva von Dassow, Jigna Desai, Maria Gini, Joseph Konstan, Alon McCormick, Karen Mesce, James Pacala, Ned Patterson, Rebecca Ropers-Huilman, Chris Uggen, Jean Wyman

Absent: Janet Ericksen, Russell Luepker, Paul Ranelli

Guests: Vice President Brian Herman, Acting Vice Provost and Dean Sally Gregory Kohlstedt, Associate Dean Melissa Anderson, Vice President Pamela Wheelock, Vice Provost Arlene Carney, General Counsel William Donohue, Vice Provost and Dean Robert McMaster, President Eric Kaler, Chief of Staff Amy Phenix, Vice President Richard Pfutzenreuter, Vice President Scott Studham, Associate CIO Bernard Gulachek, Senior Vice President for Academic Affairs and Provost Karen Hanson

Other: none

[In these minutes: items (1) and (3) – (11) are brief itemizations of issues raised in discussions with University officers; item (2) is committee business, primarily a proposed smoking policy for the Twin Cities campus]

Professor Durfee convened the retreat at noon and noted that all the guests had been informed that the discussions were off the record. The minutes will show only the topics discussed and possible future agenda items for this or other committees.

**1. Discussion with Vice President Herman**

Vice President Herman provided an overview of research at the University and discussed centralization versus decentralization, operational excellence, creating a culture of serendipity, perceptions and knowledge of University research in industry, the role of research in the Academic Health Center, and areas where the University is excellent in research. He invited Committee members to write, call, or visit him with issues.

**2. Committee Business & Smoking Policy**

-- Professor Durfee reported that Professor Pacala will be on leave October 1, 2013, to January 31, 2014, and has nominated one of his colleagues, Professor David Satin, to serve in his stead during his leave. The Committee, which is responsible for filling vacancies, voted unanimously that Professor Satin serve.

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\* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

-- Professor Durfee reported that Professor Gary Gardner, Horticulture, has agreed to serve as the second faculty legislative liaison. The Committee voted unanimously to recommend Professor Gardner to President Kaler.

-- Professor Durfee reminded the Committee that the president has requested nominations for the strategic planning committee, that the deadline was approaching and encouraged FCC members to solicit and nominate their colleagues.

-- Professor Durfee distributed copies of a draft "Smoke and Tobacco-Free Campus Policy" that was developed by a working group appointed by President Kaler to implement a new smoking policy based on action last spring by the Senate and various campus groups. He noted that the working group had to reconcile, most importantly, differing views on whether the campus should be smoke-free or tobacco-free, and came to the conclusion that the proposed policy prohibit use of all tobacco products. He pointed out that this is a proposed policy, is currently going through the policy process, and thought it would be useful to bring it to the FCC for comment. He prefaced the conversation by pointing out that the discussion would be incomplete because there was no member of the working group present to further explain how the group came to its decisions.

Professor Konstan said he agreed with what the policy was trying to do in general, but did not like this specific draft. With electronic cigarettes, a device to help people stop smoking, the policy is similar to saying one cannot have a patch; it seems judgmental, vindictive, and incoherent. It is wrong to go that far, it is intrusive when it comes to private vehicles, and there is a limit to what the University can control the public doing on public streets. It seems to reach too far and is more likely to be violated because there will be many unchecked violations. He said he would rather see a policy that will be enforced with social pressure.

Professor Bearinger agreed with Professor Konstan. Is the intent to look after the health of the users or those who are near them? She said she believed it is the latter; in contrast, the premise of the draft policy suggests the University should also go after alcohol and Nutra-Sweet, if it is concerned about protecting the health of the users. There needs to be a clear intention announced and it should not be to discourage use, it should be to protect people at the University. The policy does not say that it is intended to promote health.

Professor Patterson said that those involved in developing the policy have a great deal of information about what other universities are doing, which is similar to what this draft proposes, and one would need to justify why the University of Minnesota policy is different from what others do. The evaluation should be based on data; what is the rationale for the policy?

Professor von Dassow said that it is not and should not be the prerogative of the University to make individual health decisions. If it were, it should implement food prohibitions. The University's policy should not be overly-intrusive and paternalistic; that is not the proper role of the institution.

Professor Mesce agreed with the University Senate position that the campus should be smoke-free. If someone visits the campus, how will it fine people for violating the policy? If people know they will not receive a ticket or a fine, they will ignore the policy. How will the policy be enforced for people who are not faculty or staff? Professor Durfee said that if visitors to campus do not follow University policy, they can be charged with trespassing; for employees and students, there are institutional rules.

Professor Ropers-Huilman said there has been a shift in the discussion since last spring, which was focused on creating a campus culture and set of expectations, not establishing fines and penalties. Would health costs go down if all stopped smoking? Are others affected? Professor Pacala said they would and that everyone is paying for health costs associated with smoking. There is a great research opportunity here, Professor Durfee suggested: to see if health costs go down if everyone stopped smoking.

Professor Patterson reported that Dr. Schlapper, Director of Boynton Health Service, has information about costs of smoking and that he favors an educational approach.

Professor Wyman said that the draft policy goes beyond what can be legislated, such as behavior in private vehicles. Prohibiting smoking in buildings and on University grounds is fine. Professor Durfee reported that the working group that developed the policy acknowledges that people may smoke in their private vehicles but the policy doesn't say that explicitly. One may not smoke in parking ramps but could if the vehicle was in an open parking lot.

Professor Ben-Ner said that for the reasons already articulated, he could not support the policy because it does not reflect the wishes of the University community. He called for returning to the statement adopted by the University Senate. The University can prohibit smoking on its premises; enforcement should be through social opprobrium. Professor Durfee said that as a University policy, it would be enforced for students, employees, and visitors just like all other policies are.

Professor Konstan said there is no reason to call out non-enforcement but the University could adapt styles of warning to raise awareness.

Professor Bearinger asked if the Committee had talked about a tobacco-free campus. Professor Durfee observed that the University Senate statement called for a smoke-free campus. But when resolutions from other groups were considered, the working group had to put them all together. One could argue that the University Senate is the umbrella group—or one can argue that over half the groups that weighed in called for a tobacco-free campus.

Professor McCormick said that there are many students who come to campus who are addicted to nicotine; the policy will suddenly be putting some students in violation of University policy. How will that problem be addressed?

Professor Desai said that faculty and students have flexibility: they can walk around and go someplace to smoke. Staff often cannot, so the draft policy will have a differential impact. She said she does not believe the University should say whether one can or cannot smoke; that is paternalistic. It is also necessary to recognize that people are addicted to nicotine.

Professor Durfee thanked the committee for their views and said that Ferd Schlapper, Director of Boynton and chair of the working group, will be bringing the policy to the next meeting of the SCC for discussion.

### **3. Discussion with Acting Vice Provost and Dean Kohlstedt**

Vice Provost Kohlstedt reviewed the most significant issues facing graduate education at the University, the work of the special committee on graduate education being chaired by Professor Lanyon, and her goals for the year (which include, in addition to working with the special committee, the key role of graduate education, more consistent funding for students, promoting effective advising, maintaining high standards of quality, enhancing the graduate student experience, learning outcomes, academic and professional development programs, research travel grants, program reviews, evaluation and metrics, recruitment, interdisciplinarity, and collaboration with GPS Alliance). She and the Committee held a long discussion about the complexity of funding graduate education. She also reviewed the results of the survey of faculty and graduate students about graduate education and noted a new graduate student orientation.

Vice Provost Kohlstedt asked that the Committee keep graduate issues in mind as they met with department chairs and other administrators.

### **4. Discussion with Vice President Wheelock**

Vice President Wheelock reviewed three areas she intends to focus on in the strategic planning process (maximizing the impact of physical resources on delivery of the mission, campus safety, and how to play a supportive role in enhancing the student experience). She reported on the capital investments required to maintain the current quality of University facilities and the allocation of space by use on the Twin Cities campus. She noted the different experiences of faculty, staff, and students in different facilities across campus. She and the Committee discussed traffic issues as well as the responsibilities of University Services and how it delivers service. She noted a policy issue: the University has a living-wage policy but some argue for outsourcing certain services to save money, but the organizations retained may not have a living-wage policy.

The Committee agreed that it would ask department heads about space issues when it meets with a number of them later in the fall.

Professor Durfee recessed the meeting at 4:45.

### **5. Discussion with Vice Provost Carney**

Professor Durfee reconvened the retreat at 8:20.

Vice Provost Carney discussed the University's promotion-and-tenure process compared to those of its peers, the status of 7.12 statements and the value of the statements in reflecting the culture of a department and discipline, the power of section 7.11 of the tenure policy, the four-year review of associate professors, the changing research environment and its implications for promotion and tenure, intercollegiate appointments, the need to nominate young faculty members for early-career national awards, external review letters, multiple authors and impact factors, the wisdom of hiring national academy members, and the salary-equity study.

## **6. Discussion with General Counsel Donohue**

Mr. Donohue discussed the roles of the Office of the General Counsel, the staff responsibilities of the several attorneys, legal issues facing the University going forward (affirmative action plans, intellectual property and MOOCs, the relationship between the University, University of Minnesota Physicians, and Fairview vis-à-vis the new Ambulatory Care Clinic to be built, and freedom-of-information requests for faculty research data. Mr. Donohue said his office would welcome opportunities to educate the faculty about research in process and the law and he noted that there is a process for referring requests for information to his office. He also discussed the need for faculty members to know about data and email privacy laws, the role of the General Counsel in private consulting contracts, the availability of his office as a high-quality legal resource that faculty members should rely on, and whether there should be guidelines for students on the use of social media.

## **7. Discussion with Vice Provost and Dean McMaster**

Vice Provost McMaster reviewed and discussed data for the Twin Cities campus on enrollment, home location of undergraduate students, applications/offers/enrollees, retention and graduation rates, percent change in high-school graduates in Midwestern states, and percent change in the race/ethnicity of Minnesota high-school graduates in the last five years. He and the Committee also discussed what the University is doing better and worse than its peers, the role of e-learning in graduation rates, the focus on graduation rates, policies related to e-learning, program reviews, the strategic plans for the Office of Undergraduate Education, and his goals for the academic year (e-learning, assessment and accreditation, enhancing the transfer-student experience, and continuing to work on the President's Emerging Scholars program).

It was agreed that Dr. McMaster would return to visit with the Committee later in the year.

## **8. Discussion with President Kaler**

President Kaler offered a number of observations about the University now that he has been in office for two years, outlined a set of goals for the University for twenty years hence, goals for the strategic planning process, why the process is needed, and how the work of the process will be accomplished. The president also discussed his own goals for 2013-14. He and the Committee also talked about the challenges to interdisciplinary research and teaching.

## **9. Discussion with Vice President Pfutzenreuter**

Vice President Pfutzenreuter provided the Committee the list of "what keeps me up at night" with respect to carrying out the mission and operating the institution. Among them are the relationship with Fairview, tuition levels, the sustainability of the business model for professional schools, federal research funding, generation of new revenues, competitive salaries, operational excellence, technology infrastructure costs, facilities replacement, and the structure of fund-raising. He also noted emerging trends that require attention, such as public-private partnerships and doing business globally. He and the Committee also reviewed trends in cost pool expenses.

## **10. Discussion with Vice President Studham**

Vice President Studham identified areas where the University is doing better than its peers and areas where it is not doing as well. The topics of discussion included active-learning classrooms, getting up to scale on e-learning for faculty and programs, e-learning production, research computing support, the ability to innovate in information technology, data safety and security, email in the Academic Health Center, and the difference between University gmail and commercial gmail (essentially, it is a lack of advertising on University gmail; University gmail has the same level of privacy as if the University itself were operating the email system—in any case, however, subject to legitimate calls for information from legal authorities such as the FBI). Mr. Studham affirmed that it is acceptable to put legally-protected student information in University gmail, such as grades, as long as it is in accordance with the University's [Managing Student Records policy](#) and that the information is encrypted if downloaded to one's laptop. He and the Committee also discussed the Enterprise Systems Upgrade Project, the Huron report and the recommendation for shared services, and creating opportunities for academic technology.

## **11. Discussion with Provost Hanson**

Provost Hanson and the Committee spent most of the hour discussing interdisciplinary teaching and research; Provost Hanson urged that the Committee or the governance system provide her with a set of suggestions concerning interdisciplinary research and teaching. The provost and the Committee also discussed the possibility of focusing effort, perhaps through a center, on economic stratification.

The Committee agreed that it would also ask department chairs about their experiences with interdisciplinary research and teaching.

Professor Durfee adjourned the retreat at 4:45.

-- Gary Engstrand

University of Minnesota