

**Faculty Consultative Committee (FCC)**  
**May 4, 2017**  
**Minutes of the Meeting**

*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 reflect the views of, nor are they binding on, the senate, the administration, or the Board of Regents.*

[**In these minutes:** Senior Leadership Team Update; Follow-Up on FCC Meeting with Board of Regents Chair and Vice Chair; Future of Governance and Alignment with the System-Wide Strategic Plan; 2017 FCC Election Results; Minimum Appointment Status to Serve in the Senate and/or on Senate Committees; FCC Agenda Planning for 2017 – 2018 Academic Year and FCC Retreat]

**PRESENT:** Colin Campbell (chair), Joseph Konstan (vice chair), Catherine French, Dan Feeney, Kathleen Krichbaum, Michael Kyba, Monica Luciana, George Trachte, Robert Blair, Shawn Curley, Janet Ericksen, Greta Friedemann-Sanchez, Peggy Nelson, Ruth Okediji, Amy Pittenger, Peter Tiffin

**REGRETS:** Michael Oakes, Donna Spannaus-Martin, Susan Wick

**GUESTS:** Professor Will Durfee, member, Senior Leadership Team, and former FCC chair

1. **Senior Leadership Team (SLT) update:** Professor Campbell convened the meeting and welcomed those present. He then turned to Professor Will Durfee, former FCC chair and current SLT member, and asked him to provide a SLT update. Professor Durfee began by explaining how it came to be that he is serving on the SLT. He noted that about a year and a half ago or so, the FCC thought there should be a faculty voice on this committee, and made the request to President Kaler, who agreed. Typically, the person filling this seat would be the immediate past chair of the FCC. However, because Professor Campbell was elected to serve a second term as FCC chair, and also because Vice Provost for Faculty and Academic Affairs Ropers-Huilman took an administrative position making her ineligible to fill this seat that he now serves on the SLT until the end of this academic year. Next year, Professor Campbell will fill the seat.

The SLT is made up primarily of administrators, including those who directly report to the president, as well as three deans who each have one-year appointments. The committee meets monthly and principally receives updates from each of the offices represented on the committee; and on rare occasions, updates from outside invited guests. Additionally, all members take turns giving a very brief update relevant to their office.

In Professor Durfee's opinion, it is valuable to have a faculty member serving on this committee, particularly because it serves as a reminder to administrators that faculty play a major role in what goes on at the University. While he said he does not talk a lot at these meetings, he does share the faculty perspective on topics that are discussed. He added that because relationships matter, it is important to have the past FCC chair fill this seat. Unlike

Senate committee meetings, the SLT meetings are closed and no minutes are taken so members can feel free to speak candidly.

Do the system campus chancellors attend these meetings, asked Professor Campbell? Yes, said Professor Durfee, and when they do, they usually attend via a videoconference connection.

Professor Durfee highlighted additional responsibilities for SLT members such as the opportunity to meet with senior leader candidates who are being considered for positions, serving pancakes during the Parent and Family Weekend, and receiving all University-wide email communications just before they are sent out to the whole community.

Professor Konstan asked Professor Durfee for his opinion on whether the committee is too big to be effective and whether the committee is intended to be as broad and encompassing as it is. Professor Durfee said because the SLT is an information exchange body he believes it needs to be as big as it is.

Based on the SLT membership list that Professor Durfee distributed earlier, said Professor Konstan, it seems that some of the people who report to the provost are under-represented on the SLT, e.g., the vice provost for undergraduate and graduate education. Does this hurt the degree to which the SLT can effectively discuss the research and educational implications of various issues? Professor Durfee said he thinks the SLT works because there are deans there as well as Provost Hanson.

Professor Campbell said he heard that a smaller committee had been created and wondered if there should be a faculty member on the smaller committee rather than the SLT. Professor Durfee said it is important to have faculty representation on the SLT, and suggested Professor Campbell talk with President Kaler about how he chooses to create any smaller committees. Based on Professor Durfee's report, said Professor Campbell, the SLT does not seem like a committee where decisions are discussed and strategies plotted. Professor Durfee said that would be selling the SLT short because at the SLT meetings the president, provost and other senior leaders are quite upfront about issues they are struggling with as well as things that are going on.

Professor Campbell thanked Professor Durfee for the update.

## **2. Follow-up on April 6 FCC meeting with the Board of Regents chair and vice chair:**

Because Professor Campbell was not at the April 6 FCC meeting when the Board of Regents chair and vice chair attended, he asked Professor Konstan to lead this discussion. Before beginning, Professor Konstan called for a motion to close the meeting to all non-members with the exception of Professor Durfee, who he said is the closest thing to having the past chair in the room. There was a motion and a second, followed by a unanimous vote by committee members to close the meeting.

Another topic that was discussed while being off the record had to do with the future of governance and its alignment with the System-Wide Strategic Plan.

**3. FCC election results:** Professor Campbell announced the spring 2017 FCC election results and noted that the new members of the committee will be Professor Tabitha Grier-Reed from the College of Education and Human Development (CEHD) and Professor Ned Patterson from the College of Veterinary Medicine. He further noted that Professor Ruth Okediji from the Law School was re-elected; however, after agreeing to be nominated, Professor Okediji has since accepted a position at Harvard Law School, and, therefore, will be unable to serve on the FCC.

With that said, in the case of a vacancy, noted Professor Campbell, the remaining members of the FCC by a majority vote fill the vacancy with an interim appointment until the next general election is held. After some discussion, Professor Campbell called for nominations to fill the interim one-year appointment. Professor Konstan nominated Professor Abimbola Asojo from the College of Design. Hearing no additional nominations, Professor Feeney moved that the nomination process be closed, the motion was seconded, and hearing no further discussion, the committee unanimously voted to ask Professor Asojo to fill the interim one-year appointment. Professor Campbell said he would contact her, and, if for some reason she declines, he would let members know and solicit additional nominations.

**4. Minimum appointment status to serve in the Senate and/or Senate committees:**

Professor Campbell acknowledged that based on previous committee discussions he thought there was broad support for codifying the minimum appointment status at 67% time. After hearing pushback at the last meeting, he realized there was no such consensus, and, in fact, there was a strong sense that it would not be wise to adopt a policy that excludes people who have a vested interest in the institution. He then opened the floor for discussion.

Professor French said she is in favor of not excluding people who have appointments below the 67% threshold to be able to serve on the Senate and/or its committees. Many individuals on phased retirement have great institutional knowledge and the time and willingness to serve. Professor Konstan suggested asking the administration to either issue an interpretation or change the policy so that faculty on phased retirement be allowed to retain all of the governance privileges associated with their position as if they were on a 100% appointment.

Professor Campbell recalled from last year that this same issue was a point of discussion in the legislative liaison position description. Having said that, it is important to think about the law of unintended consequences, and if anything is being overlooked. Professor Campbell suggested talking this over with Vice Provost Ropers-Huilman. Professor Konstan said while he has not talked with Vice Provost Ropers-Huilman, he has asked Ken Horstman, senior director, Total Compensation, about whether he is aware of any existing interpretations or issues related to making this change.

Professor Okediji said there are probably various interpretations of this policy being used across the University. Therefore, she would not seek permission to change the policy but rather inform the administration of this change as it relates to participation in governance, and anchor the argument on the fact that faculty on phased retirement vote on promotion and tenure (P&T) cases, which is the strongest evidence of faculty membership in an academic community. If faculty on phased retirement can vote on P&T, it would be a conflict to say they cannot serve on faculty governance bodies because they are voting on the people who will be serving in

governance. Professor Konstan said he feels strongly the language needs to be clarified and needs to include the piece about P&T voting rights; this should not just be about participation in faculty governance and University governance, but should be a place to encode clearly P&T voting rights as well.

Is there anyone that wants to speak to keeping the appointment threshold at 67% in order to serve in governance, asked Professor Campbell? Professor Campbell emphasized that he really wants the committee to carefully consider any possible unintended consequences regarding this proposed change.

The issue is phased retirement, said Professor Tiffin, and faculty being able to maintain the status they had before they begin their retirement transition. Other issues such as prohibiting other/new people from getting involved are separate issues as is the sabbatical argument. In his opinion, this discussion is confounding several issues. Professor Okediji agreed and also noted that some of the decisions about who can serve on committees and who can vote are determined at the collegiate level and cited a couple examples from the Law School. The FCC has an obligation to protect the status of full-time, tenured faculty members who have served the institution and who are in the process of transitioning out of full-time employment; this category of faculty are very different from faculty with the other kinds of employment arrangements. With that said, if a college decides that faculty who are on a 25% appointment are eligible to represent their school, it seems odd that the Senate has the authority to overrule the college on this matter. Faculty on phased retirement are people who have given their professional career to the institution and are ending their careers here, and to tell these people they cannot serve is both dishonoring and without basis just because they are in the last stages of their career.

Professor Konstan then pointed out a loophole, which is that bylaws can be suspended in unusual or special cases. Not only does the University Senate and Faculty Senate have the authority to use this loophole so do the consultative committees. It is important to realize that bylaws are guidelines and that they can be suspended/waived as needed.

Hearing no further discussion, Professor Campbell said the goal will be for him and Professor Konstan to craft some language related to this issue and bring it back to the May 18 meeting for the committee to vote on.

**5. Agenda planning for 2017 – 2018 academic year and the FCC retreat:** Given that Professor Konstan will be FCC chair next year, Professor Campbell asked Professor Konstan to lead this discussion. Professor Konstan began by collecting member input on who from the senior administrative leadership the FCC should meet with and how frequently in order to develop a yearlong calendar. Below is what the FCC concluded:

- Meet with the president several times each semester.
- Meet with the provost several times each semester.
- Meet with the vice provost for faculty and academic affairs once a year.
- Meet with the vice provost and dean of undergraduate education once a year.
- Meet with the vice provost and dean of graduate education once a year.

- Hold a meeting on a system campus at least once a semester, if possible, but recognizing it may only happen once a year.
- Meet with the chancellors once a year.
- Meet with a panel of deans once a year.
- Meet with faculty, e.g., recently tenured faculty, junior faculty, Women's Faculty Cabinet, to listen to their issues and challenges.
- Meet periodically with various groups of students.
- Meet with the Board of Regents chair and vice chair annually.
- Meet with the vice president for research annually.
- Meet with vice president for university and government relations once per semester.
- Meet with the senior vice president for finance and operations once per semester.
- Meet with the intercollegiate athletics director once a year.
- Meet with the vice president for health sciences and dean of the Medical School annually.
- Meet with the chief compliance officer annually.
- Meet with the general counsel annually.
- Meet annually with the Foundation and Alumni Association.
- Hold an intellectual futures discussion with the president and provost annually.

The committee has typically held an annual retreat in late August, said Professor Konstan. Should the committee continue do this or do members have other ideas? Professor Pittenger said as a new member, she found the retreat helpful in terms of getting to know other members and getting a sense of the issues the committee would be discussing. Professor Luciana concurred and added it helped her to understand who in the administration she should talk to about particular issues.

Professor French suggested using this year's retreat as more of a working meeting rather than just informational. Rather than having guests come and talk at members, it would be great to have conversations with the guests on specific topics.

Professor Ericksen noted that while she enjoyed attending the retreats when possible, repeatedly the retreats were scheduled on the first day of class for the Morris campus. It would be worthwhile to look at calendars when scheduling the retreat.

Professor Nelson said she likes the idea of breaking up the retreat by having a one-day meeting in August and then reconvening in December after members have had more time to think. Professor Konstan said this is a possibility. Alternatively, he said rather than holding its regular December meetings, it could hold one extended meeting in December.

After a fairly lengthy scheduling discussion, no date was set, but the discussion informed those who would be doing the scheduling about factors that needed to be taken into consideration.

Professor Konstan said the FCC typically has an early June meeting and then does not reconvene until the retreat in August. He wanted members to know, however, if an urgent matter arises over the summer, it is likely a meeting will be called. If this occurs, he requested

that all members who are able to attend do so. Professor Pittenger recalled a conversation last year with President Kaler when he indicated he could not consult with the faculty on the budget because decisions are made over the summer. During that discussion, she said a number of faculty said they are around in the summer and encouraged him to consult with the FCC in the summer as needed.

Professor Friedemann-Sanchez said she has attended two FCC retreats thus far and wished that the FCC would use the retreat time to gain more traction on specific issues/topics, e.g., 1) how to communicate what the University does to Minnesota citizens and the legislature, 2) achieve a better understanding of the University budget and the budgeting process, 3) discuss the lack of harmonization between the 7.12 statements and merit reviews as it relates to governance participation, and 4) issues of promotion, retention and hiring of diverse faculty to name a few. Maybe a couple of these topics could be addressed and discussed with the appropriate guests at this year's retreat and then continue these discussions periodically throughout the year.

Professor Konstan said this is a good idea and encouraged members who have other topics they would like discussed to send them to him and Renee Dempsey, Senate staff. A couple other issues he has heard floating around are 1) the financial sustainability of the University, the Medical School as well as the Academic Health Center in general 2) student admission criteria.

Regarding the recent Google phishing incident, said Professor French, it seems the University should be better prepared to handle issues like this if/when they arise. There have been serious IT issues as a result of this phishing episode in the last few days that have severely impacted faculty, staff and students.

Professor Konstan thanked the committee for a good discussion.

**6. Adjournment:** Hearing no further business, Professor Campbell adjourned the meeting.

Renee Dempsey  
University Senate Office