

Minutes*

Faculty Consultative Committee
Thursday, November 2, 2006
1:15 – 3:00
238A Morrill Hall

- Present: Carol Chomsky, (chair), Gary Balas, Jean Bauer, Nancy Carpenter, William Durfee, Kathleen Krichbaum, Scott Lanyon, Judith Martin, Richard McCormick, Nelson Rhodus, Martin Sampson, Geoffrey Sirc, Jennifer Windsor
- Absent: Barbara Elliott, Megan Gunnar, Emily Hoover, Mary Jo Kane, Steven Ruggles, John Sullivan
- Guests: Provost E. Thomas Sullivan, Vice Provost Arlene Carney; Associate Vice President Donna Peterson; Vice President Linda Thrane
- Other: Kathryn Stuckert (Office of the Chief of Staff); Sharon Reich Paulsen (Office of the Provost)

[In these minutes: (1) committee business (meetings with faculty senators, schedule for tenure code revisions); (2) discussion with Provost Sullivan (tenure code matters); (3) discussion with Associate Vice President Peterson (the committee vis-à-vis the legislature); (4) discussion with Vice President Thrane]

1. Committee Business

Professor Chomsky called the meeting to order at 1:15 and touched on several items of business.

-- Three 90-minute meetings with faculty senators have been scheduled for early December, in targeted clusters (AHC, St. Paul, and Minneapolis non-AHC). Invitations to Senators will be issued as soon as arrangements are finalized.

-- She and Professor Lanyon spoke to the Provost about the schedule for revising Section 7.11 of the tenure code. He is amenable to discussion at the November 30 meeting and vote at the March 1 meeting. It is an open question what the impact of this schedule will be on the schedule for 7.12 statement revisions. That may depend in part on the Senate reaction to the 7.11 draft; if it "looks great," then perhaps departments can move forward, but if there are a lot of questions and issues raised at the November 30 Senate meeting, then asking departments to work on the 7.12 statements could be problematic.

-- The Committee reviewed the "best practices" document that Vice Provost Carney prepared to assist departments in preparing their 7.12 statements. Committee members reviewed it and offered a number of suggestions to be passed along to Vice Provost Carney before the document is distributed next week.

-- The Committee voted unanimously to close the meeting during the discussion with Vice President Thrane.

* 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.

2. Discussion with Provost Sullivan

[NOTE: The following discussion refers to both a best practices document and a template for tenure code departmental 7.12 statements. Both the best practices and a template were sent out the Monday following this meeting.]

Professor Chomsky welcomed the Provost to the meeting. It was clarified that this Committee will have before it, on November 16, the most recent revision of the 7.11 statement prepared by the Committee on Academic Freedom and Tenure. Professor Chomsky reviewed the schedule for discussing and voting on Section 7.11 of the tenure code and asked his perception of how that will affect the request to departments to revise their 7.12 statements.

Provost Sullivan asked that the Committee consider calling a special meeting of the Faculty Senate, before March 1, in order to expedite action on Section 7.11 in order to be able to get the revision to the Board of Regents before May (there is no April Regents meeting). He said he would prefer not to bring such a significant issue to the Board when the University is not in session; a special Senate meeting would mean the revisions could come to the Board earlier and that there would not be such a long delay in Regental action on the proposal. Professor Chomsky agreed to discuss, at the November 30 meeting, the possibility of a special Faculty Senate meeting.

In terms of the 7.12 discussions, the Provost said, he would like to send out as a proposal for revising Section 7.11 whatever this Committee receives from the Academic Freedom and Tenure Committee in order to provide departments with a sense of the discussions as they revise their 7.12 statements. Professor Chomsky said the proposal could be circulated Thanksgiving week to all tenured and tenure-track faculty, after the second Academic Freedom and Tenure Committee meeting in November, in order that they could comment on the draft to their senators. Provost Sullivan asked that if possible—if Academic Freedom and Tenure is mostly done with them—that both Sections 7.11 and the new Section 9.2 (promotion from associate to full professor) be distributed.

Professor Chomsky said she would speak with Professor Clayton, chair of Academic Freedom and Tenure, about what can be sent out, but said there is still a concern about the 7.12 discussions. Some of them must be completed in their college by the end of November, which will be before the departments have a Section 7.11 that has at least been reviewed by the Faculty Senate. That is why he would like to send drafts out, Provost Sullivan said.

Are these going through the Senate and the Board of Regents to be in place for next year, Professor Martin asked. They are, Provost Sullivan said, but there will have to be thought given to the effective date to protect due process, recruiting, and those in the pipeline. It would not take effect before next year, the Provost affirmed. And probationary faculty will be able to choose which language they wish to be judged by, Vice Provost Carney added. The new language can apply to new faculty, the Provost said, but faculty come at different times of the year; they will work with individual deans and departments heads when recruiting to do what seems to be fair.

Professor Balas said that in his college (IT), departments have to have their 7.12 statements to the dean by early December. There has been a request for leniency so that faculty can vote in January and the statements go to the Provost in March, not February. Provost Sullivan said colleges were given staggered dates and timelines, depending on their promotion and tenure load, and he has had thus far no request for

leniency from any dean. What the Committee is hearing, Professor Chomsky related, is that the problem is at the department level; much will depend on the reaction to Sections 7.11 and 9.2 when they are distributed for comment. If there are few comments, then there will not be a problem. But it could be that issues will be raised about 7.11 that could be problematic for writing 7.12 statements. At this point the Committee simply does not know what the reaction will be.

Provost Sullivan observed that faculty have access to the Academic Freedom and Tenure Committee revisions and deliberations so they will not be receiving the proposals without any background. Professor Lanyon agreed but said it is still clear that departments are concerned about the 7.12 statements—whether because of concern about the content of 7.11 or just because of the timeline. He agreed with Professor Chomsky that they do not know what to anticipate when the final redraft of 7.11 goes to the Faculty Senate. Professor Carpenter asked why it is not possible to wait on the 7.12 statements until 7.11 is completed. Provost Sullivan pointed out that the process began last spring, when a proposed 7.11 revision was sent out and a schedule established that appeared to allow plenty of time for discussion, with due dates in January, February, and March, in order that the Regents could vote on 7.11 and the 7.12 statements could be done by the end of the 2006-07 academic year—one year after the Faculty Culture Task Force made its recommendations about revising the tenure code. Professor Carpenter said that since that schedule is not now realistic, it does not make sense to require 7.12 statements when departments do not know what Section 7.11 will contain. She said she understood the frustration with the delay but the sequence of events meant that departments "are building a house on a shaky foundation."

Provost Sullivan clarified, in response to a question, that the 7.12 statements do not go to the Board of Regents; they are reviewed and approved in his office.

Professor Chomsky said that the faculty have only had access to possible tenure code revisions since September—and not all of them read the minutes of the Academic Freedom and Tenure Committee. The problem with the 7.12s is not just 7.11—7.11 is general language that will probably not affect the details of the 7.12 statements—the question is what is expected, what departments should be doing. The best practices document will help considerably.

Apropos the best practices draft, Professor Lanyon said it would be helpful if the Provost's office provided a template for a model 7.12 statement, one that identified the elements that should be contained in a 7.12. Dr. Carney said they could do that, although she assumed any template "would be critiqued in a thoughtful way." There are substantive differences across units and they did not want to constrain disciplines; a template could contain items that would not work for some units. She noted that the best practices never say "should" or "must" because they are trying to provide a list from which disciplines can pick what is appropriate. Nor does the best practices document preclude departments from adding elements not in it that make sense for a discipline.

If not a template, a set of evaluative criteria her office will use in judging the 7.12 statements would be helpful, Professor Durfee said.

Provost Sullivan said his office did not want to offer a template, and thus seem to be micro-managing the process or being overly-suggestive. He suggested that Professors Chomsky and Lanyon work with Vice Provost Carney to develop a list of the topics that should be included in 7.12 statements. Such a list could be sent out next week.

Professor Krichbaum suggested that the timeline for 7.12 statements be included, because some departments are unaware they are supposed to be reviewing them. Provost Sullivan promised to communicate promptly with the deans about the need to alert departments again that they should be working on the 7.12 statements.

Professor Chomsky thanked Provost Sullivan and Vice Provost Carney for joining the discussion.

3. The Committee Role vis-à-vis the Legislature

Professor Chomsky next welcomed Associate Vice President Donna Peterson to discuss University lobbying activities and the role the Committee might play. She said the discussion would be off the record. Professor Chomsky noted that Professor Sampson has a significant role, as the faculty's legislative liaison; the question is whether the Committee should have any role with the state administration.

Ms. Peterson said she has worked with a large number of faculty over the years who have served in the legislative liaison role and she puts a high value on the work they have done. She explained the roles that faculty can play in the process and the issues that are salient at present. She suggested that the Committee identify a small group of people, a team, one of whose members might be able to take over for Professor Sampson at some point and whose members generally might be able to work with different legislators. The group would be composed of people her office could call on for assistance as needed.

Professor Sampson noted that occasionally statements by governance groups carry weight with state legislative committees and there might be moments when it is worthwhile for FCC to think about issuing a statement since it is knowledgeable and is the key faculty governance group.

Professor Chomsky asked that Ms. Peterson and Professor Sampson give thought to the role the Committee can play, as moments come up during the 2007 legislative session. She thanked Associate Vice President Peterson for joining the Committee.

4. Discussion with Vice President Linda Thrane

Professor Chomsky welcomed Vice President Thrane, expressed regret at her upcoming departure for Rice University, and congratulated her on the work she has done at the University. Committee members gave Vice President Thrane a round of applause.

The Committee and Ms Thrane discussed internal communications at the University and the nature of the experience that should be sought for Ms. Thrane's successor.

The Committee agreed it wished to discuss the audit of communications that is being conducted.

Professor Chomsky thanked Vice President Thrane for taking the time to meet with the Committee and wished her well in her new position. She adjourned the meeting at 3:15.

-- Gary Engstrand