

Minutes\*

**Senate Committee on Faculty Affairs  
Tuesday, April 29, 2008  
2:30 – 4:15  
238A Morrill Hall**

Present: Geoffrey Sirc (chair), Stacey Aronson, Ben Bornshtein, Arlene Carney, Carol Carrier, Dann Chapman, Vladimir Cherkassky, Tom Clayton, Jayne Fulkerson, Erin George, Andrew Gerst, Kathryn Hanna, Morris Kleiner, Holly Littlefield, Theodor Litman, Roderick Squires, Elizabeth Stallman, Virginia Zuiker

Absent: Anna Masellis, Luis Ramos-Garcia, George Sheets,

Guests: Nan Wilhelmson (Office of Human Resources); Professor Jennifer Windsor (FCC ad hoc Subcommittee on Metrics & Measures); Susan Rafferty (Compliance Office); Jackie Singer (Director of Retirement Benefits); Professor Marti Gonzales (Department of Psychology)

[In these minutes: (1) faculty and P&A appointments by college; (2) policy revisions: Medical Leave and Disability Benefits & Unpaid Personal Leaves; (3) effects of inappropriate negative written comments on student-rating-of-teaching forms; (4) responses to survey on Health Care Savings Plan; (5) statement on senior faculty status]

**1. Faculty and P&A Appointments by College**

Professor Sirc convened the meeting at 2:35 and turned to Vice President Carrier to begin a discussion of faculty and P&A appointments.

Dr. Carrier recalled that every year she comes to this Committee, and to the Committee on Academic Freedom and Tenure, as required by the *Administrative Policy on Academic Appointments*. The policy was adopted a number of years ago, after lengthy discussions at two different faculty/decanal groups, about how to classify academic appointments and to monitor them. This is their report for this year.

Ms. Wilhelmson distributed copies of two documents, one providing definitions (regular faculty, contract faculty, etc.) and one providing data for the colleges for the last three years. Each college is charged to develop a collegiate personnel plan after consultation with faculty and P&A staff in the college; the plan must indicate which categories of appointment will be used for those who teach. Colleges are required to file a supplemental plan if the total number of FTE contract or P&A faculty appointments for the college as a whole, or for any department, exceed 25% of the total [FTE = Full-Time Equivalent]. The plans are reviewed by the Committee on Academic Freedom and Tenure and approved by the Provost and the Senior Vice President for the Health Sciences, as appropriate.

The categories of appointment established and defined in the policy are:

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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.

- Regular faculty (tenured and tenure-track).
- Term faculty (non-tenured/tenure-track), which includes (1) contract faculty (annually-renewable or multi-year appointments), temporary faculty (appointed to address needs for 1-2 years only), and (3) visiting faculty.
- Adjunct faculty, which includes (1) from within the University (hold faculty status in one department and appointed to a second one), and (2) from outside the University (professionals who offer instruction on an occasional, part-time basis).
- Academic Staff, which includes (1) Academic professional staff who hold primary responsibility for teaching, and (2) P&A staff with primarily non-instructional duties who assume part-time instructional duties.
- Graduate Teaching Assistants.

What plan would they not approve, Professor Sirc asked. Recommendations that include providing more information or a question about differences in the number of appointments, Ms. Wilhelmson said. There are a number of reasons colleges give for having more than 25% of their appointments be contract or P&A faculty: they want to involve more practicing professionals, they need expertise in areas not held by the regular faculty, they offer a large number of service classes, they need clinical competence, or for budgetary reasons.

Committee members reviewed the data on appointments and considered those instances where a college was not in conformity with its own personnel plan. It also reviewed the data for the six colleges that have filed a supplemental plan as of April, 2007. In a few instances, a college reported it had no plans to use term faculty—and then showed up with one or more term faculty appointments; in those instances, Ms. Wilhelmson commented, they know the college is not following its own plan. By and large, however, colleges are following their plans; all three of the "new" or "Wave 1" colleges are redesigning their personnel plans and the Rochester campus is now drafting one. For the University not including Duluth and Crookston, there was a slight increase in the percentage of term/P&A faculty relative to regular faculty, from 29.62% in 2005 to 33.42% in 2006 to 34.16% in 2007.

What are the implications for schools that have more than 25% of their appointments as term/P&A faculty for all three years but have no personnel plan, Professor Sirc asked? If there are none, that makes a mockery of the policy. Ms. Wilhelmson said they will share the information and will go to the colleges that have no supplemental plan but that do not conform to the policy. When there is a repeated pattern in a department, they will ask why that is happening.

What is the goal of the supplemental plan, Professor Bornshtein asked? To establish an orderly strategy to prevent the inappropriate growth of term and P&A faculty? It is, Dr. Carrier said, and added that there is no reason to track the appointments if they will not be monitored. One effect of the revised policy was a significant decline in the number of Temporary faculty; there are only a small number now and the category is used appropriately (which it was not in the past).

Professor Windsor noted that the regular faculty appointments include those without salary (e.g., faculty serving in administrative positions, such as the President, the Provost, Vice Provost Carney, Vice President Carrier, etc.). If those without-salary appointments were excluded, would that make a difference in the ratios? Ms. Wilhelmson thought not, although there would be a small effect. The individuals have been left in because they do hold tenure.

Are there any consequences for departments that habitually violate the 25% rule, Professor Kleiner asked. No, except that they receive a visit from her office, Dr. Carrier said. Now that the trend data are available, the senior vice presidents should be aware of what is happening so that they can raise questions. It may be that the number of faculty going on sabbatical is increasing, which would mean departments need to hire additional contract and temporary faculty, Dr. Carney said. In a small department with one faculty member on sabbatical and one perhaps on medical leave, there would be a need for temporary faculty.

Professor Bornshtein asked if there are any accreditation issues linked to the 25% rule. Why was that number chosen? It was a benchmark that seemed to make sense for the University, Dr. Carrier said. There was no specific reason, but the groups that worked on the issue wanted a reasonable number to watch so that the appointments did not get out of control. There is no accreditation requirement dictating the number.

Dr. Littlefield noted that she is in the category of academic staff who hold primary appointments in teaching and said it is distressing to be seen as part of a negative, as part of a group the University does not want more of, people who focus on teaching and can do it well. One is seen as negative because the group cannot exceed 25% except in the case of a supplemental plan that explains why. The concern was a response to the loss of regular faculty appointments, Dr. Carrier explained, and the issue of the use of funds to hire regular faculty versus a lot of temporary or term faculty. There has not been a dramatic change. There is also the issue of the vulnerability of people who have those appointments, Professor Hanna said; they do not have the protection of tenure for academic freedom that the regular faculty do—that is the negative aspect of having a large number of people appointed in those categories.

Professor Hanna then asked who is involved if a department must file a supplemental plan. What say do the faculty in the unit have? Any plan is to be put together in consultation with the regular faculty as well as with the term and P&A faculty, Ms. Wilhelmson said. It is to be a group decision, not individual, if it makes sense for a particular situation. If there is a significant change in the plan, it must be brought back to the Academic Freedom and Tenure committee.

Dr. Carrier noted that they did not have a lot of confidence in one of the columns of data, those indicating P&A staff with secondary instructional appointments. A P&A staff member may be asked to teach a course, and should be given a secondary appointment, in order that the University can determine who is teaching what. The individuals, however, may not always be given the secondary title. It is happening (that is, P&A staff are teaching the occasional course), and it is a good thing that people do it, she said, but their appointments are not always coded correctly. And if someone has a 100%-time administrative appointment that also carries teaching responsibilities, there may not be a secondary appointment but there could be a courtesy appointment, Ms. Wilhelmson said, and that carries yet a different code.

Professor Hanna noted the trend in the totals: The number of regular faculty increased by about 75 FTEs on a base of 2574 FTEs; the number of contract and P&A faculty increased by about 150 FTEs on a base of 900 FTEs; the latter increase far outstrips that of the regular faculty. Dr. Littlefield observed that the regular faculty appointments are almost all full-time (anyone holding tenure must be at least 67%-time) while the contract and P&A faculty may not be full-time.

The point is to get at the underlying reasons for making different kinds of appointments, Dr. Carney said. Professor Sirc said he also wished to emphasize Dr. Littlefield's point: it is necessary to have the discussion without stigmatizing a particular group.

## **2. Policy Revisions: Medical Leave and Disability Benefits & Unpaid Personal Leaves**

Dr. Carrier and Ms. Wilhelmson distributed copies of two proposed policy revisions, "Medical Leave & Disability Benefits for Faculty and Academic Professional and Administrative Employees" and "Unpaid Personal Leaves for Faculty and Academic Professional and Administrative Employees." Dr. Carrier said that many people are probably familiar with the change in the policy process; they are working with the University Policy Office both on proposed substantive policy revisions as well as updates and reformatting all HR administrative policies to conform to the new University-wide standard. Over 50 HR policies have been reformatted.

The two policies distributed at the meeting contain substantive changes, Ms. Wilhelmson reported, and they would like comments from the Committee. She noted that there is a defined process for reviewing major policy changes, including discussion by the Policy Advisory Committee (which consists of about a dozen senior staff from the vice presidential offices and other units). That group will be reviewing all administrative policies over the next 2-3 years. In the case of the two policies before the Committee today, a small group looked at them and consulted with the affected groups; after discussion by the Committee and the PAC, they will go to the President's Policy Committee (which has final authority to approve administrative policies) for review. Policies are posted on the web for comment for 30 days before final adoption. If there are changes being made, but they are not substantive or only editing, they would not typically be brought to this Committee.

For the Medical Leave & Disability policy, there would now be limited provision (up to 10 work days per year) for eligible faculty and P&A employees to care for, or arrange care for, an employee's immediately family member because of a serious health condition. "Immediate family member" is spouse/registered same-sex domestic partner, employee's child, parents of spouse/partner, and parent, guardians, or siblings of the employee. They developed a chart outlining what was available to every employee group in terms of the use of sick leave; they also considered what other institutions provide. There is now no provision for this kind of leave for faculty and P&A staff at the University; other employees can use sick leave to cover these emergencies—and they earn sick leave. Faculty and P&A staff have time available but there is no counting down or an accumulated amount. About one-third of the CIC schools have a similar policy in place.

The second change in the policy is that the leave absence for paid sick leave is no longer termed "informal sick leave" and "formal medical leave." "Medical Leave" now encompasses both provisions for a total of up to three consecutive calendar months of leave available (as needed) for physical or mental health conditions that prevent an employee for performing his or her duties. There is nothing being taken

away in this change, Ms. Wilhelmson explained; it is simply intended to eliminate confusion that resulted from the two different kinds of leave previously in place.

Professor Bornshtein said he found the new policy interesting and innovative. He asked, however, why it provides up to 10 days "to arrange for" care, versus providing care itself. Cannot one do most of that by telephone and email? Some, Ms. Wilhelmson said, but some employees live apart from family members and need to travel to arrange for care (e.g., for aged parents who live elsewhere). People must travel and spend time on site to make arrangements.

As for the second policy, dealing with Unpaid Personal Leave, language specific to non-regular faculty and P&A staff providing for personal leave after seven years in the same position was eliminated because eligible individuals can request unpaid personal leave at any time under the policy, and for leave to extend beyond one year, the dean/vice president/chancellor (as appropriate) must approve it. Family and personal leave were collapsed into one category, personal leave; all such leaves are discretionary and require approval.

Professor Sirc asked how often leaves are extended into a second year; Dr. Carrier said it is not frequent but it does happen now and then.

The Committee took no vote on the policies but appeared to accept them by acquiescence.

### **3. Effects of Inappropriate Negative Written Comments on Student-Rating-of-Teaching Forms**

Professor Sirc next welcomed Professor Marti Gonzales to the meeting to discuss the research in social psychology as it bears on inappropriate negative comments on rating-of-teaching forms. He noted that there has been considerable discussion of this issue over the last several years, and he concluded that perhaps it would be helpful to consider the research that might bear on the question of how such comments should be treated.

Professor Gonzales had prepared remarks. She prefaced them with the observation that she had thought a great deal about this problem but at this point could not offer solutions. What she could do, however, was to speak to the science behind shortcomings in memory, judgment, inferences, and decision-making, and to point out that social-cognition research suggests that there is every reason to be concerned about the sense that evaluators make of inappropriate negative student comments on evaluation of teaching forms. The research does lead to the conclusion that inappropriate or vitriolic negative comments do have a disproportionate effect on evaluation. (Professor Gonzales made it clear she was not talking about negative comments that appropriately addressed the pedagogy of the class.)

"First, reading and evaluating such ratings and comments reflect an inherently time-consuming and difficult task, one that demands a lot of cognitive resources. If one responsibility of a faculty member is to do an overall evaluation of the teaching performance of a junior faculty member, most individuals will invest a lot of effort in the evaluation and read the student comments carefully. The problem is that no matter what their motivation to come to a reasonable and accurate overall evaluation, people have limited cognitive resources.

"Initially mindful and systematic in our reading, thinking, and impression formation, we all engage in willful and effortful processing of teaching evaluations, including students' written comments. But with too many to read, no matter our good intentions, fatigue follows, and with limited cognitive resources, sooner or later, we will inevitably revert to less effortful processing, to rules of thumb and shortcuts that social cognition researchers call heuristics. And that's when our information processing, inferences, and summary assessments of over teaching quality can short-circuit.

"This task is made harder still, given certain tendencies that probably served our ancestors well, because after all, we're all here today. First, we humans are consistency seekers. We want our attitudes to be consistent with one another, for example, and want our attitudes to be consistent with our values and behaviors. We also prefer consistent information, say for written comments in students' evaluations of teaching to be consistent with one another, and when they aren't, our attention is drawn to those comments or evaluations that are novel or infrequent.

"Second, some kinds of novelty are more attention-grabbing and memorable than other kinds. For example, researchers have flashed images of groups of faces and asked participants to decide whether there was a discrepant face in the collection. When participants encountered an angry face in a sea of happy faces, they responded more quickly and accurately than when they encountered a happy face imbedded in a sea of angry faces. It was probably evolutionarily adaptive for early humans to be more sensitive to negative information than to positive information, and this bias is alive and well in contemporary social cognition. Highly positive information does not carry the same weight as negative information does; people appear to be hard-wired to attend to negative information.

"And what about all those shortcuts, those heuristics that we mindlessly employ when our resources are stretched or depleted? There are myriad ways in which we fall short, as social cognition researchers remind us. Consider the task of arriving at an overall assessment of teaching quality based on reading a series of individual ratings and comments from students. First, any negative comments are going to exert a disproportionate influence on readers' memories and inferences. And even if readers worked hard to do a kind of mental average of all of those comments, including negative comments, it's more of a weighted average than a simple arithmetic average, and the negative comments will exert more than their fair share of influence on the overall summary judgment.

"Of course, readers might decide not to compute an average, but instead to form some kind of global overall assessment. That strategy has its own shortcomings, because the meaning of new information can change, depending on the information to which we've already been exposed. That's called the change of meaning effect. For example, readers see a negative comment that is attention-grabbing and memorable. It's therefore more accessible in mind when readers encounter subsequent neutral or even mildly positive student comments. Those later comments will be viewed more negatively than they otherwise might have been, had the initial negative information not exerted its influence.

"We might ask readers not to be swayed by negative information, to put those negative comments out of their minds, but such a strategy is unlikely to work. Social psychologist Dan Wegner of Harvard University has demonstrated what he calls ironic thought suppression. In short, the more we try not to think of those negative evaluations, the more cognitive resources are diverted to detect those pesky incoming thoughts so that we can banish them. (For example, when told not to think of a white bear, what will people think of?) Given this nonconscious effort, our monitoring system eventually breaks

down, and the ideas or images we're trying hard to keep out of mind come bounding back. That's called a rebound effect."

Professor Gonzales concluded by saying that she honestly did not know what to do about the inappropriate negative comments, given the research findings in social-cognitive psychology. What she tells her graduate students, assuming that the negative written comments correlate highly with negative numbers on the ratings, is to rank-order the evaluations on the basis of the numeric responses and to throw out the top five percent and the bottom five percent of all the evaluations. That eliminates most of the likely inappropriate comments as well as any "cult of personality" comments that are overwhelmingly positive. The remaining range of evaluations is thus a more accurate reflection of the quality of those graduate student instructors' teaching.

Vice Provost Carney observed that some units decouple the comments and the scores, and faculty members receive the summary scores. Only later do they receive the individual numbers and the comments. So the comments go to others before the faculty member sees them, Professor Gonzales asked? They do, Dr. Carney said, and while some faculty members receive the forms, the evaluation committee receives a numeric summary separate from the comments. Professor Gonzales said it does not matter who takes off the top and bottom five percent; if one is persuaded by the psychological research, whoever receives the forms first should remove the top and bottom five percent if one wants an appropriate basis on which to make a decision about teaching efficacy.

Professor Kleiner recalled that there was a proposal from this Committee that the written comments should go only to the instructor; the Faculty Senate defeated that proposal, so administrators also receive them. Would she recommend against that policy? She would, Professor Gonzales said. Or the comments and ratings should not be decoupled, Professor Kleiner said. It could also be that one is a good teacher but a hostile administrator can use the negative comments inappropriately, given that the research shows they have disproportionate weight.

It is also the case that female instructors are held to a higher standard, Professor Gonzales told the Committee. Women must be competent and nurturing or supportive; men only need to be competent.

Professor Bornshtein noted that all the forms call for the use of Likert-scale responses plus written comments. Then it would be decided to eliminate the top and bottom to avoid the consequences of using the forms? He said he disagreed with that approach because it is censorship and assumes the responses are skewed. He said he would not like to be a student who made a comment and learned later that it had been suppressed. Professor Gonzales said she looks at all the comments and encourages her graduate students to do so as well because they can be valuable. The faculty member should see all of the comments, but she said she did not believe it bad if the top and bottom are culled from the file for the decision-making process. She has been called "a liberal bitch" and has forwarded the comments as part of her file, but she expressed doubt that male instructors receive the same kind of comments.

Professor Bornshtein said to eliminate the top and bottom five percent is to prevent the disproportionate use of assessment forms but that no one has the right to doubt the sincerity of student comments. He repeated his view that this constitutes censorship over views that have been requested.

Professor Sirc asked if there is a continuum, and how one would draw the line. Professor Gonzales suggested that negative comments that reflect gender or ethnic stereotypes have a deleterious effect on the candidate.

Professor Clayton, commenting that his views may be "Paleolithic," said he agreed with Professor Bornsztejn and that all the comments should be maintained—and kept together with the numeric ratings. People should be rational enough prevent themselves from being affected by inappropriate comments. If written comments are bigoted, one hopes all would recognize that they reflect more on the person who wrote them than on the candidate. Comments help readers better understand the student body in fleshing out the bare numbers. Comments can also help to identify potentially psychotic students. Professor Gonzales commented, "but that people were so rational."

There can also be a more subtle gender bias, Dr. Carney pointed out. For example, it is rare that student comments use the word "condescending" with male instructors; it is used more often for females. One would not ordinarily think of "condescending" as a marker of gender bias. The University is now in a new era, with new questions, and even the open-ended questions are directed (which, of course, does not mean one will not see inappropriate comments). One can obtain information from written comments, however, that might not otherwise be available (e.g., that an instructor often cancels classes). This is a complicated issue, she concluded, and there is a strong divide on the use of written comments.

Some colleges do not make the comments available as part of the evaluation of the faculty member, Dr. Carney also explained; some use only the scores and provide the written comments to the faculty member. That is why she wants the ad hoc committee on best practices to meet; there is variation in the way faculty are evaluated and it is perhaps not equitable if the comments are included in the file for some candidates and not for others.

Professor Kleiner said that if inappropriate negative written comments, which are anonymous, are included in the promotion-and-tenure review, there is no way for a faculty member to defend himself or herself. He noted that Vice Provost Carney has, commendably, favored providing full information to everyone who participates in their review of research, but there is no way to know who wrote these comments in a review of teaching—or their validity. He said he wished that Professor Clayton's world were real, but it is not in view of the analysis of actual behavior. The problem, Professor Gonzales said, is in believing one always brings one's rational self to the table in the evaluation process. Contemporary psychological research demonstrates that cognitions and affect are far more intertwined than it was once assumed—they can seldom be completely separated.

If the rating form warns students that inappropriate comments will not be considered, will that cue them to think about such comments when they might not otherwise do so, Professor Sirc asked. That could depend on the wording, Professor Gonzales said; if the warning TELLS them what to do, students might react by writing nasty comments, but if it politely asks them not to do so, it might not.

Professor Sirc thanked Professor Gonzales for joining the meeting and said this issue would return to the Committee.

#### **4. Responses to Survey of Faculty on the Health Care Savings Plan**

Professor Sirc turned next to Ms. Singer, who distributed copies of the results of the survey of faculty about the Health Care Savings Plan (HCSP) proposal.

Ms. Singer noted first that they had received 41 responses from faculty (out of approximately 2500) about the proposal. Of those, 63% favored the HCSP and 37% favored no contribution. The majority also preferred a new deduction rather than a subtraction from the individual contribution to the Faculty Retirement Plan. Given the small number of responses, it was noted that the results should carry very little weight in any discussion.

Professor Hanna noted that the University saves tax dollars on the contributions that go into the HCSP; she said she would like to see those savings put back into the pool for employees. Ms. Singer said they have discussed that issue. The problem is that there is no easy way, administratively, to put the money back in the employee's account: it would be difficult because it would have to be calculated for each individuals and the amount each would get back could be as little as \$2-3. They have also talked about identifying a total amount and making it available in other ways, such as professional development, etc. The primary goal, she assured the Committee, is not University savings. Dr. Carrier said any process to return the money to individuals would very likely cost more than the amount saved. Professor Hanna said she would be satisfied if the amount could be put in to the fringe benefit pool and used in some other way.

[The Faculty Senate voted unanimously in favor of the HCSP at its meeting on May 1, 2008.]

##### **5. Statement on Senior Faculty Status**

Professor Sirc distributed copies of a draft statement on senior-faculty status and asked if the Committee would be comfortable voting on it (with almost no time left in the meeting).

Professor Clayton suggested an amendment so that the Academic Freedom and Tenure Committee would not be asked to draft tenure-code amendments unless the Faculty Senate approved the concept of senior-faculty status. Professor Sirc agreed.

Mr. Chapman said that one recommendation could be a problem: the University cannot provide higher benefits to higher-paid employees, and the proposal that full health benefits and retirement contributions be continued could run up against that test of discrimination. Professor Kleiner asked why that would be discrimination, and against whom.

Professor Kleiner asked that the statement be on the agenda of the next meeting. Professor Sirc agreed and adjourned the meeting at 4:15.

-- Gary Engstrand