

Minutes*

**Faculty Consultative Committee
November 2, 1989**

Present: Warren Ibele (chair), W. Andrew Collins, Norman Kerr, J. Bruce Overmier, Ronald Phillips, Burton Shapiro, Michael Steffes, Charlotte Striebel, James VanAlstine

Guests: Ken Jansen (Regents' Office), President Nils Hasselmo, Maureen Smith (Brief), Rabun Taylor (Footnote)

1. Report of the Chair

Professor Ibele commented that he had been spending much of his time recently on health care and the grievance procedures. He then turned the attention of the Committee to the list of potential agenda items confronting the Committee; the status of each vis-a-vis the Committee was established. A few specific points about some of the items were made:

- On ICR monies, some Committee members expressed a desire to see an overall review of the principles on how they are expended rather than a continued tinkering with formulae. There was also a concern about how distribution of ICR funds would interact with the proposal to decentralize budgeting; pressure on colleges could build to capture money to lower space charges. It was agreed that the review of ICR principles would come to Finance and Planning and then to this Committee.
- The cycle of reviews of the deans is, Professor Ibele reported, somewhat confusing; so is the college constitutional language governing when such reviews are to take place and of what they should consist. The Committee agreed that Professor Ibele should write to Vice President Kuhi seeking an explanation.

2. Discussion with President Hasselmo

Grievance procedures Professor Ibele explained to the President that the Committee believed that Mr. Donohue, Acting General Counsel, did not appreciate the faculty principles involved in the document. The President responded that he was assuming that the document could be adopted as is with a memo of understanding for clarifications where necessary and with a set time period (two years seemed to be the consensus) after which experience with it would be reviewed. He did note that there may be some disagreement over the scope, and voiced a concern that the procedures could get bogged down if every little annoyance could be grieved. It was suggested that the attorneys look at the process as inherently adversarial; the intent of the procedures is to permit peaceful dispute resolution. The only beneficiaries of narrowing the scope of the procedures, it was argued, are downtown lawyers.

[A comment was made, after the President had departed, that there were far more faculty-faculty and faculty-student disputes than there are faculty-administration disputes and that the attorneys seem not

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to understand what it is the procedure are intended to accomplish. (It was also pointed out that since we have not tried them, we don't know what they will actually do.) Also of critical import, it was agreed, was retention of the time constraints, problems with which in the past were another of the major factors which had led to the drafting of the procedures.]

Health coverage The President said the administration will make every effort to provide the best health care possible, within the constraints of the state system, and he has issued instructions to this effect. There was a glitch in the consultation, he agreed. The best course now appears to be to stay in the state plan until alternatives can be explored; the President reminded the Committee of the frightening increases in health care premiums which had been occurring recently and the concomitantly large portions of the salary funds which had been consumed by these premiums.

The President agreed to examine the possibility of faculty and staff being permitted to join Boynton Health Service for some reasonable amount (they could do so, in the past, for \$150 per year).

Indirect Cost Recovery funds The President said he hoped that discussion of the use of the funds could be continuing; there is, he observed, no ultimate solution--the pros and cons of different uses must be weighed under the varying circumstances. What the state does also affects the decisions. It was pointed out that while the Research Committee tends to have a particular view (that of principal investigators), there are nonetheless principles which go beyond those interests which have been refined over time; it would also be helpful for colleges to know what the long-term plans are for using the money (especially those units which feel they are not, at present, being treated fairly in the distribution of the money).

The President promised to provide a fuller report on ICR funds.

PUF chair appointments The President said he would provide to the Committee a report in January.

Meetings with colleges The President reported that he has scheduled a series of meetings with college faculty and deans in order to establish a direct link between his office and the colleges as well as to discuss over-arching University issues, leadership, and their concerns. The deans are troubled about their lack of involvement in institutional planning and decision-making; the President said he wishes to bring them in more, although the form that involvement will take is not yet clear.

Status of searches All of the searches are progressing satisfactorily, the President told the Committee. He has met with three of the committees (health sciences, agriculture, and student affairs) and reviewed the job descriptions (especially for student affairs, where the administrative responsibilities must be differentiated from those of the Vice Provost for Arts, Sciences, and Engineering). The adequacy of the pools was also discussed; the President said he tried to get a sense of the degree of satisfaction of the committees with the number of women and minorities in the pool.

A question exists about whether candidates must have unanimous support of the search committees to appear on the final slate or if a majority is sufficient. He said he does not want candidates where a significant number of committee members have serious reservations but he also does not want one or two people to be able to block a candidate.

The President has told the committees he wants an unranked slate of no fewer than three candidates; he will, he said, start with the assumption that all candidates are equal. He has also instructed the committees not to put token candidates on their final slates.

Delivery of salary funds Committee members had been provided a summary of the percentage increases in salaries delivered in each college; it was pointed out that three units with the lowest increases were those where women predominated (Education, Home Economics, and Nursing). Is this an erosion, already, of the agreement which has not even been signed yet?

It is not, the President responded. The distribution of funds was based in part on an analysis of market and retention pressures; the University is trying to get away from case-by-case solutions. The discrepancies among units is partly due to the intentionally uneven distribution of market monies. Internal reallocation was also accomplished in a variety of ways, and had an impact on increases delivered.

It was argued that the market studies remain seriously flawed, even though some problems have been corrected. The President agreed that no market study is flawless, but unless the University is to be driven by case-by-case retention negotiations--which can destroy morale and produce unfair results--it must rely on market studies. The University must do whatever it can to make them as fair and equitable as possible, but the possibly disproportionate impact on protected classes is a reflection of societal patterns, not of the University. He agreed, however, that perhaps it is those patterns which the University should combat.

In addition to funding for faculty salaries, the President recalled, departments had been asked to find 2% for civil service staff. There are strong reasons to maintain good salaries, he said, but the choices are difficult. He said he would push hard in the legislature for salary increases in the 1991-93 biennium which will not require internal reallocation. He also told the Committee he would want its advice on salaries by early in the winter.

It was suggested, and the President agreed, that Vice President Kuhl might discuss with the Committee the step system which had been adopted by the University of California; that system might be of help in eliminating case-by-case retention settlements.

Class settlement In response to an inquiry about its status, the President said the University was waiting to find out how many women would opt out of the class settlement for women; as of the most recent information, only two had chosen to do so.

Review of deans and associated issues The President, in response to a comment from Professor Ibele about the apparent confusion surrounding dean reviews, promised to provide the Committee with a memo explaining the situation. There was agreement as well that the results of the reviews of a dean would, in general terms, be made known.

Asked if there would be similar reviews of vice presidents (with the comment that there would be bottleneck of such reviews in a few years), the President said there would be. And of all academic administrators, he added.

The President was told that there is a sense among some faculty that people become central administrators, and are then replaced--but they never disappear. There is a sense of a lack of equitable treatment, that the administration does not operate under the same constraints as do the departments. The President was also reminded again of the Senate policy calling for the automatic resignation of all immediate staff when a new administrator is appointed; President Hasselmo said he had told Vice President Kuhi to observe the provisions of the policy.

Settlements and buy-outs The Committee discussed briefly elements of the settlements which had recently been high-lighted in the media. It was suggested that the contracts had not been well written or there had been no contracts, nor is there any policy on how the University will treat administrators. Another Committee member noted that there is a need for end-of-term evaluations and an orderly review process that works.

Criteria for retention of the football coach It was suggested to the President that the notion that a football coach who does not win should be fired deserves scrutiny; it is to be wished that the University could say it values coaches who treat athletes as student-athletes. The President replied that he has a clear understanding with Rick Bay that a coach will be evaluated on the total record, not just wins and losses--that there are principles upon which they are evaluated, rather than the rollercoaster of won-lost records.

3. Closed session discussion

It was moved, seconded, and voted to close the meeting for a discussion of the operation of the Committee.

Professor Ibele observed that several Committee members had asked him to bring up the matter of constituencies and representation. He recalled how the question had arisen at the Fall Retreat, and he distributed to Committee members excerpts from the Senate bylaws and from the Spencer Commission report.

The bylaws, Professor Ibele reminded Committee members, provide that members of the Consultative Committee do not represent particular units or colleges or campuses. The Spencer Commission addressed itself to the role of regents; substitute the term faculty, Professor Ibele commented, and the language is entirely appropriate to FCC members.

He continued by reflecting that any power or influence which FCC or SCC might have is because it takes an all-University view, not a partisan or narrow stand. To the extent it does take narrow stands, its influence will be correspondingly diminished.

If one has a cause, he said, and can persuade the other members of the Committee to accept it, that cause will be enhanced. If one comes with a narrow view, it is less likely the cause will be supported.

This Committee, he concluded, is one of the few fora which brings the entire University community together. Civility of discourse and temperateness are essential to the operation of the Committee. There must be no pot shots at individual units, no cheap shots, and no easy shots; there must be good debate and free exchanges. If the Committee sends a mixed message to the President, he added,

the President gets no advice--or, if one wished to think in Machiavellian terms, the President is then free to do whatever he wishes.

Committee members concurred. They also then discussed how they might better reach out to the faculty and how the faculty might more easily communicate with Committee members. There needs to be a way, it was suggested, to systematically reach out to those who the Committee members do not know. Some will find the Committee if they need it, but 90% will not. Distribution of the minutes, Footnote, and Brief are useful, but they provide a means for the Committee to talk to the faculty, not vice-versa.

It was agreed that at least on some regular basis, perhaps quarterly, the names and numbers or addresses of the members of FCC should be published in Footnote.

The Committee adjourned at 3:00.

-- Gary Engstrand

University of Minnesota