

Minutes*

**Faculty Consultative Committee
October 28, 1993
12:30 - 3:00
Dale Shephard Room, Campus Club**

- Present: Judith Garrard (chair), John Adams, James Gremmels, Geoffrey Maruyama, Toni McNaron, Harvey Peterson, Irwin Rubenstein, Shirley Zimmerman
- Absent: Mario Bognanno, Lester Drewes, Kenneth Heller, Robert Jones, Karen Seashore Louis
- Guests: Professor Carl Adams, Associate Vice President Mark Brenner, Senior Vice President E. F. Infante, Professor Albert Yonas (Chair, Senate Research Committee)
- Others: Maureen Smith (University Relations)

[In these minutes: Planning process; reviews of administrators and the planning process with E. F. Infante; biohazardous materials policy; conflict of interest policy]

1. Report of the Chair

Professor Garrard convened the meeting at 12:40 and noted that the Committee members from the coordinate campuses are easily the most prompt in their attendance at meetings. She drew to the attention of Committee members the circulating file of correspondence and singled out specifically the letters from Professors Paul Edelman and Eva Keuls and Associate Dean Peter Reed concerning different but serious issues.

She then reviewed the (increasingly crowded and complicated) schedule of meetings involving FCC members as the U2000 plan moves toward presentation to the Faculty Senate. There will, she reported, be no final dispositive vote taken at the Faculty Senate meeting on November 18, although straw votes on various issues will be permitted. A vote on the plan, up or down, will be taken at the December 2 meeting of the FACULTY Senate (which will precede the meeting of the University Senate). There must be, she said, a clear faculty voice on the plan because it is the faculty who must implement it; the President also wants a distinct expression of opinion from the faculty and the students.

Committee members discussed briefly the nature of the "site visits" FCC members are having with groups of faculty senators. It is clear, said one Committee member, that many faculty members have thought a lot about the ideas in the strategic plan and are struggling with what they mean and how they can be accomplished; they are NOT saying "ain't this awful." One general problem is that faculty do not have time to pay attention to everything given the volume of materials they receive, both on paper and electronically.

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

Senior Vice President Infante joined the meeting at this point and reported that the fora sponsored by the President have been lightly attended but that the discussions have been very good. Why the attendance has been low is not clear; the faculty are satisfied or not interested or disheartened. That seems to be the general mood, responded one Committee member; there is something funny going on that is embodied in widespread apathy.

2. Discussion with Senior Vice President Infante

At Professor Garrard's invitation, Dr. Infante then took up the planning process. He expressed appreciation for the thoughtful attention being given to the planning documents and welcomed continued suggestions--while the basic thrust of the plans is not altered, the consultation does result in changes. It is surprising, he said, the way different people read the documents; the administration is trying to be sure that it says what it means, means what it says, and that there is a clear understanding. Also striking, he added, is that while the administration has repeatedly insisted that this is to be a living plan, there are nonetheless some who believe that the plan is already complete and that the administration is holding it back. That, he emphasized, is not true.

Before continuing the discussion of planning, Dr. Infante distributed a memorandum to vice presidents and deans concerning reviews of administrators. He recalled the Faculty Senate resolution of last year advising him on certain elements of the conduct of such reviews; in one part, he pointed out, what the resolution sought is against the law: Neither he nor anyone else can legally guarantee anonymity to an individual who writes to someone conducting a review.

He acknowledged the concern about anonymity, however, and repeated his preference for designating three or four faculty members who can receive comments about the individual being reviewed; those faculty then summarize and forward the comments to him, thus protecting the confidentiality of the source. This has been an effective tool, he said, and he has been pleased with how it has worked.

This is an attempt, observed one Committee member, to balance accountability for the judgments rendered--the faculty members receiving the comments know the identity of the individuals making them--while at the same time providing some anonymity for faculty who might not feel comfortable making their views known directly to the administrative officer. Those who do reviews do NOT want comments when the source is unknown and they cannot be evaluated.

Dr. Infante agreed--he has told everyone that he cannot afford to receive anonymous comments or documents but that individuals can speak confidentially to the three designated faculty. He then talks at some length with each of the three individuals. Others may use surveys, he said, but he personally dislikes them and strongly prefers written materials.

The results of the evaluations, including the reports of those designated to receive comments, are not made known to those who participated in the review; under the law, those are personnel documents that are protected.

What about the case of faculty members who are uncomfortable evaluating a central administrator (e.g., a vice president) with whom they have little contact? Faculty response in those instances is

generally muted, Dr. Infante said. In the case of one vice presidential review, of the 70 comments received, about 65% were from administrative/staff/external people, some declined to comment because anonymity could not be guaranteed, and less than 10 were from faculty--most of whom were involved in governance. Moreover, he noted with amusement, about one-third of the comments were about the position and two-thirds were about the performance of the individual.

Dr. Infante then distributed a draft planning document (revised from the one presented two days earlier to the Committee on Finance and Planning). He emphasized again that this was a DRAFT that should not be circulated widely but about which comments were welcomed. There will be, he said, a final draft ready on November 4 for inclusion in the November 18 Faculty Senate docket--but even then discussion and consultation will continue, both inside and outside the University, and the emphasis will be on the broad strategic directions.

In addition to this vision and mission statement, Dr. Infante told the Committee, there will be two additional documents provided to the Board of Regents: a process discussion, so all understand it and so that it is accessible, and a financial parameters statement, starting with the current base budget and assumptions about revenues and expenditures in the future.

He then briefly reviewed the contents of the mission and vision statement and noted that it does not differ in its emphases from that presented to the Committee two weeks earlier. There are a number of elements that underpin the document and the process.

- The University must develop a set of partnerships, with the state, other institutions, alumni, and so on.
- It is perhaps trite, but there is a problem within the University in that people do not feel empowered to deliver on the mission. Given the broad directions, people must be enabled to assume responsibility for pursuing them.
- Standards must be raised. In the case of one group, leaders of the Black community, there is concern not about raising standards but about making sure they are explained and expressed so that all can understand them. The plan is designed to protect the core traditions of the University and quality is central.
- There must be increased effectiveness in how things are done.

The planning activity, Dr. Infante said, is not something that will go on just between now and January; it is to be ingrained in the system and repeated each year that budgetary allocations are made.

Discussion then turned to the reason for the preparation of the document at hand. In response to a series of questions, Dr. Infante said it is to be provided to the Board of Regents, is intended to verbalize the key strategic directions in planning, and seems essential so that further details can be resolved. The reason for inquiring, said one Committee member, is because to evaluate whether or not this document does what is intended one must know what it is supposed to do. In particular, the mission and vision statement must be evaluated in terms of its specific role in the institutional, and by inclusion unit, planning processes. Similarly, the endorsement of major strategic decisions must be considered in the

context of financial actions that ensure the feasibility of these directions. Since the process and financial information are lacking, the evaluation of the mission and vision are problematic.

This is only one of three pieces, it was noted, and perhaps a cover letter explaining each of the pieces and their relationship to each other would be helpful. Perhaps--and if they are integrally related to each other, it is difficult to evaluate them sequentially. An introductory statement would be helpful, said another Committee member, describing where this document fits in the larger planning context and outlining unit responsibilities with respect to it (something that is widely misunderstood).

The draft will evolve up to the point of the January Regents' meeting, Dr. Infante said. It is intended to set broad directions and to inform what the units subsequently do. That, it was said, is key: That it informs whatever else follows.

Following brief additional discussion about how to envision the structure of planning, one Committee member offered the observation that many faculty do not understand the strategic planning process; despite all the materials and speeches about it, there is still a sense that someone will tell them what to do and that they are employees. There is no sense of taking responsibility for what must be done. And FCC can say, write, and say it again--people will hear three different things, making one begin to wonder about one's communication skills.

Other comments about the document were these.

- The practical problems subsumed under the rubric of user-friendliness (long lines, lab course availability, major problems in registration and financial aid, etc.) are lost in this document; the language about the University community hides too much. (Dr. Infante said they are intended to be in there.)
- Where in the performance measures are measures of QUALITY? If the goal is a high-quality university, there should be measures of quality. (Dr. Infante noted that the University already has a number of such measures--but they have always been disassociated with budget and resource allocation processes. Several years ago departments were asked to identify the institutions with which they compete or which they aspire to be like; those lists will be used and departments questioned on whether the lists remain accurate and what has been accomplished.)
- There also needs to be more emphasis on research, in the critical measures, if this is to remain a research university.
- The use of the measures will depend on what it is the document is trying to say. This is a general template for the colleges, Dr. Infante said; there will be different critical measures for different units.

There are at least two institutions that have been conducting these kinds of critical measures for some years, one Committee member noted; perhaps the University should be in contact with them. One of them (the University of Connecticut), Dr. Infante said, has been contacted because it uses a set of criteria for evaluation very similar to that of the University (centrality, quality, demand, and so on). They finally concluded they could not decide on what quality meant. In the fields about which he knows most,

he told the Committee, there are decennial evaluations, using eight measures--but everyone looks first at the reputational measure!

The other major question from the Finance and Planning Committee, Professor Rubenstein reported, is about the source of funds. Where will the money come from? If units are to be motivated for planning, there have to be funds to be provided; it is hard to motivate units exclusively for downsizing. There needs to be a carrot somewhere in the process. The University has made a good case why planning is necessary--in order to change. But there must be a clear vision of what the University wants to do, what changes are needed.

Dr. Infante said that a number of "scenarios" have been constructed, given the six major sources of funds and the five major expenditure areas. Each has been looked at and a set of the most reasonable assumptions have been prepared in order to create a significant fund for planning. And it is hoped that those funds will NOT be out of the current budget, he added in response to a question. He does NOT want to see the planning effort turned into a budget-cutting exercise; no one will do it.

What happens, inquired one Committee member, if the faculty or University community say "no" to the plan? What is the alternative? Higher education is in a period of change, Dr. Infante responded, and the question is whether or not the University will do its best to manage and control the change to the extent it can--or simply be a victim of change, as it has been in the past. To avoid being reactive it must decide what it will emphasize. In research, for example, the University must hone its activities and the implications are saying "yes" to some areas, doing some in conjunction with other institutions, and saying "no" in yet other areas. In undergraduate education that will mean better leveraging the funds it has and paying a higher level of attention to it.

Discussion then turned briefly to the relationship between national ranking of the University (probably now in the top 20 but not in the top 15) and salary data (21st of 28th). The University should perhaps aim for where it is! As part of any financial strategy, if the University is to raise its national standing, salaries will have to follow suit. Holding faculty size constant, it is clear, Dr. Infante reported, that there will be sufficient funds for faculty salaries to raise the University to among the top 10. Salaries for the top administrative officers at top 10 universities are also significantly higher than those at Minnesota, in many cases by a factor of two.

Professor Garrard thanked Dr. Infante for joining the meeting.

3. Policy on Biosafety Hazards

Next Professor Garrard welcomed Associate Vice President Brenner to discuss the proposed policy on biosafety hazards. Dr. Brenner began by reviewing the reasons for the development of the policy, noting inter alia that it is needed to comply with both state and federal regulations. He also noted that there will also be policy revisions in both animal care and the use of human subjects.

This policy was drafted by Professor Michael Flickinger, chair of the Institutional Biosafety Committee (IBC), and reviewed both by his office and the Senate Committee on Research. It seemed to make sense to have it available to all faculty before bringing it to the Senate for adoption, so it was also published in RESEARCH REVIEW (from ORTTA). This practice will be repeated as major policy

revisions or new policies are developed; Dr. Brenner emphasized that he wanted policy not from a back room but after broad discussion within the academic community.

Committee members suggested that the presence of a policy proposal needed to be highlighted on the cover or otherwise drawn to the attention of faculty members; it cannot be assumed that simply because it has been circulated faculty members have actually attended to it. This harks back to the problem mentioned earlier: it is difficult to attract faculty attention to important matters when they receive 50-60 items per day and when everyone is trying to keep everyone else informed. This, however, is important.

One problem has been that the IBC lacks sufficient representation from the Health Sciences, so additional representatives may be appointed. How would the nominees be identified, he was asked. He asked the Committee its opinion; this is not a governance committee, so should the names come from the Senate structure?

The same question arises with respect to the Use of Human Subjects committee--it has been severely understaffed for the amount of business it must handle. The number of subcommittees in the Health Sciences will be expanded from two to four because of the logjam--and because some proposals have been dealt with administratively rather than by a committee schooled in the research area (it is for this reason, in part, that some of the problems in the Medical School have arisen).

Professor Garrard suggested that the governance system may not be the appropriate avenue to obtain the expertise needed on these kinds of committees and that the units may be the better source of nominees. The Senate Research Committee, Dr. Brenner also observed, retains an oversight role, and this should be the connection to the governance system.

It was pointed out that an increase in committee work will increase the demands on faculty members; one recent article distributed to the Committee suggested that 10% of governance activities were worthless. This may not be an example, but several years ago the Senate drastically cut back on committees, in part to economize on the use of faculty time; now the demands begin to creep up again.

Professor Brenner reviewed the major elements of the policy for the Committee (it confirms University compliance with state and federal regulations, creates the IBC with a chair and secretary, establishes the biosafety officer position and creates representative faculty committees to review proposals and to work with the biosafety officer). The biosafety officer is to review proposals before they are sent forward; that individual also must certify facilities annually.

The policy covers more than just funded research, Dr. Brenner said in response to a question; if a class or lab includes work with materials that fall under the guidelines, the policy controls. It is doubtful, however, that biologically hazardous materials will be used in instruction very often. In the case of graduate instruction, the policy would usually have covered the activity through the activities of the principal investigator. In the case of unfunded research, the procedures for approving it are being tightened up. One could conduct research using biohazardous materials without receiving the appropriate approvals--but if one were to get caught, there would be serious problems.

The question of how to keep principal investigators informed about these policies arose again. One possibility, in the case of new faculty, is to have a one-day overview about compliance issues generally. Compilation of a booklet containing research policies would be another. The policies will be available electronically (although clearly not all would be motivated to read them just because they are on-line). Another possibility would be to make it the responsibility of the deans to ensure their faculties were aware of research policies. Faculty probably need a brief introduction to the various policies, Dr. Brenner said, so that they can then find them when they need them.

Dr. Brenner also noted that these policies fall under the supervision of various committees; an attempt at creating a shared data base is now under way. The point is not to complicate the process but rather to be certain that investigators and the University are in compliance with applicable policies.

None of this, Professor Yonas commented, is new; the policy simply codifies the practice. There was no controversy about the policy at the Senate Research Committee.

It was agreed that this policy should be brought to the Senate Consultative Committee on November 18 with a recommendation that it be placed on the docket of the December 2 University Senate meeting.

4. Conflict of Interest Policy

Professor Garrard then asked Dr. Brenner to review for the Committee the present status of the conflict of interest policy. She noted that it is currently being reviewed by both the Committee on Faculty Affairs and the Research Committee and this is intended strictly as a preliminary introduction for FCC members.

Dr. Brenner recited the various groups with which the policy has or will be reviewed and noted that it is evolving. The original policy in this area said that conflicts of interest were acceptable if they were disclosed; that has created confusion so the draft policy identifies four categories of conflict of interest:

- Those activities that are not considered conflicts of interest and need not be disclosed
- Those activities where the potential for conflict of interest is increased; all one must do is disclose the conflict to the department head, who will inform the dean; either they will endorse the activity or it will be referred to a unit committee for review
- Those activities with a high risk of conflict of interest; they are not banned but they require careful review; some will not be approved while others, with considerable oversight, will be
- Those activities which constitute a conflict of interest and will not be allowed.

One proposed change in policy is that a faculty member would be prohibited from receiving the royalties from a book he or she authored and assigned to a class, although the funds could be used to support that individual's activities. The present policy only requires the approval of the department head to assign one's own book to a class. Dr. Brenner asked the Committee to think about this change and let him know what it thinks.

In response to a question about the role of FCC in reviewing this policy prior to recommendations from other Senate committees, Professor Garrard emphasized again that this is merely a preview, given that there was time for it, and that the advice of the other two committees should be taken very seriously. In addition, she said, the chairs of those two committees will be asked to be present at the FCC meeting when the policy is brought back for final review and action. FCC should not reinvent the wheel, she concluded.

Asked about the mechanisms for implementation of the policy, Dr. Brenner said the deans believe that falls in their province. Are there mechanisms to allow deans to find out what faculty are doing? Reporting is called for in the policy; it does require self-reporting. It is an individual responsibility and recalls the problem of socializing people into the University and orienting them to their job responsibilities.

Discussion again turned to how faculty members are alerted to these policies. One suggestion has been a booklet on responsibilities of principal investigators. Faculty do as do others in civil society, observed one Committee member--they do what they think they should and then hire a lawyer when they get in trouble; they don't take responsibility to learn what they should do in advance. Another part of the problem, distinct from professional fields with licensing boards, is that graduate students do not go to graduate school and learn how to be a professor.

The view of the Research Committee, Professor Yonas reported, is that faculty must disclose conflicts of interest in research--dissemination of information should be with full disclosure. This is the right thing to do. The problem, Dr. Brenner said, is that it may weaken the opportunity for some faculty to publish because some fields do not require the full disclosure this policy could call for.

One administrator, Dr. Brenner reported, thought this policy would be impossible to administer and that it should be dropped completely. There appeared to be no support for that view on the Committee.

One question is whether or not the policy should include students; there seemed to be a consensus among Committee members that there was no reason why they should be EXCLUDED. This policy, when it comes forward in final form, will thus also be presented to the Senate Consultative Committee and then the University Senate.

Professor Garrard thanked Dr. Brenner for his presentation and then adjourned the meeting at 3:10.

-- Gary Engstrand