Minutes•

Faculty Consultative Committee
January 28, 1988

Present: W. Phillips Shively (chair), Mark Brenner, Charles Campbell, Shirley Clark, Richard Goldstein, Lynnette Mullins, Ronald Phillips, M. Katherine Price, James VanAlstine

Guests: Monika Bauerlein (Daily), Roger Benjamin, Amos Deinard, Gayle Grika (Footnote), Geoffrey Maruyama, C. Robert Morris, Maureen Smith (Brief), Charlotte Striebel

1. Report of the Chair

Professor Shively opened the meeting with several announcements. He also introduced Kelly Craigmile, the new staff member hired to assist the Consultative Committee and other Senate committees.

It has been brought to the attention of FCC that the proposed change in the responsibilities of the chair of the Student Senate could have implications for the membership on SCC, specifically the balance between faculty and students. The proposed changes (which were approved earlier by SCC) would make the Student Senate Chair an ex officio voting member of SCC. This year the change would make no difference, because the Student Senate Chair was also an elected member of SCC. In the future, however, that would not necessarily be the case, so the net effect would be to add one student to SCC, bringing the membership to 10 faculty and 10 students.

It was pointed out, however, that if the Vice Chair of the University Senate were to be a student (and a student has occupied that position in the past), then the balance of membership on SCC would change to 11 students and 9 faculty. That possibility led several members of FCC to suggest that the proposed changes should be reconsidered; one alternative was that the chair of the Faculty Senate should be given an ex officio voting seat on SCC, which would serve to guarantee that students and faculty would always have at least the same number of members on SCC.

The Committee agreed that the proposed changes should be discussed at the next SCC meeting on February 4. The Committee also voted unanimously to that the changes be withheld from the February 18 Senate docket.

2. Location of the Faculty Personnel Function beginning 1988-89

Professor Shively began the discussion by telling Provost Benjamin that the reason this issue was before FCC was because it understood that one proposal for the faculty personnel function was to locate it in the office of the new (and not yet selected) Associate Provost for Minority Affairs. The Committee was concerned that an extremely important function of the Academic Affairs office would be placed in the hands of someone selected on criteria other than knowledge about faculty personnel matters.

Provost Benjamin told the Committee that at present he did not intend to do anything about the

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location of the faculty personnel function. The planning recommendations which are soon to be released will require changes in Morrill Hall, and he will want to rethink the whole matter of faculty personnel and faculty development. He agreed that it was one of the most important portfolios in Academic Affairs and that the individual who will assume the responsibilities will have to take a leadership role in faculty development (perhaps along the lines indicated in the Swan Report). He also noted that he is trying to cut his office budget by 10% in line with the recommendations of the Advisory Task Force.

Other comments made were these:

-- With the change in personnel, there is the opportunity to do major policy work on matters that affect personnel policies

-- Faculty development is big job and consists of a number of issues close to the faculty; the Committee would have looked differently at the search committee membership for the Minority Affairs position had anyone suggested the individual would also have responsibility for faculty personnel

-- The University, like many other such institutions, is unprepared for 1994 and the end of mandatory retirement, and many institutions are far ahead of Minnesota in faculty development

-- The argument is not that the Minority Affairs person must be different from whoever has faculty development and personnel, but that the responsibilities will require a strong faculty background and the trust of the faculty

Provost Benjamin observed that they would know by mid-February if the restructuring will go through, and they will also know, at the same time, the identity of the new Associate Provost. He promised to return to FCC when these situations were clarified and before he took actions.

3. Procedures for Selecting P.U.F. Chairs

Provost Benjamin began by noting that the procedures established in his memo to the Deans' Breakfast Meeting Group were not set in stone and that he probably should have consulted with FCC before setting them up. He also reviewed the status of the funding for the chairs and the fact that some of the occupants have been selected from among those already on the faculty. By and large, however, the University is just beginning to gear up for searches. He welcomed comments from Committee, but emphasized that there had to be an understanding that these searches would not be "business as usual."

Committee members had a number of criticisms of the proposed procedures:

-- The way the procedures now read, it appears that the deans and the Provost will select the occupant of a chair and then impose that person, with tenure, on the department; Provost Benjamin assured FCC that that was not the intent and the procedures would be revised; as written, however, outsiders (and a court of law) would very likely construe the procedures that way

-- Relatedly, most chairs will be funded with only a modest amount of money; even the

$110,000 from a $2,000,000 endowed chair would be insufficient to pay for salary, fringe benefits, discretionary funds, etc.--so adequate funding of the chair will require that there be an open slot in the department; imposing tenure under those circumstances would be even less tolerable

-- The seven-year review, even if renewable, is usually only attached to positions that have uncertain funding; Professor Shively told the Provost he was prepared to wager virtually all his present and future possessions and income that the University would never "wash out" someone in such a review because it would do such damage to a person's reputation nationally and would serve only as a deterrent to the very people the University wished to hire. Such a review would make it very difficult to recruit anyone from outside the University. It was also pointed out that regular tenured faculty are not subject to such a review. What happens if the occupant of a chair doesn't pass the review--does the person then revert to "normal" tenured status, funded centrally, and is the department given authority to go find someone else to fill the chair position?

-- If the Provost will be involved in interviewing all of the candidates being considered for chair positions, it will take a lot of his time; even if he is only involved for the senior or highest ($2,000,000) chairs, of which there will be about 25, that could be 75 people if there were three candidates for each. One committee member pointed out, however, that for these types of positions, there would probably be only one candidate; at the level of appointment being discussed, the University would not be able to keep three people on the string.

Provost Benjamin said that he welcomed the comments and thought all of them were significant. He explained, insofar as the 7-year review was concerned, that the deans had wrestled with the difference between appointing rising stars and stars that were already up; the notion of the review was that some chairs would be given to the 37-45-year-old group (rising stars) and these individuals would need to be reviewed.

It was agreed that Professor Shively would get a small group of people together as an ad hoc committee, with representation from appropriate Senate committees, to discuss the procedures with the Provost. The Provost said he would then develop a counterproposal to take back to the deans.

The Committee and the Provost agreed that he and the President would play a recruiting role as well as a quality control function in appointing the chairs and that the central idea is to get the best people possible.

4. Selection of a Nominating Committee for the Committee on Committees

Professor Shively closed the meeting temporarily in order to permit Professors Phillips, Clark, and Price to be given approval to approach people to serve on the committee to nominate Committee on Committee members. The Committee approved unanimously the names; from the list Professor Phillips will put together a list of five people and will get the names to Marilee Ward no later than February 4.

5. Salary Disputes and the Jurisdiction of the Judicial Committee

Professor Shively welcomed guests Amos Deinard, Chair of the Judicial Committee, C. Robert Morris, who chaired the panel which declined to review the salary dispute, and Professor Charlotte Striebel, who had raised questions about the matter in a letter to the faculty. The reason the issue was on the agenda, Professor Shively told the Committee, was because the decision, and the letter from Professor Striebel, had raised many questions for faculty members.

Professors Morris and Striebel had a lengthy discussion and did not agree on the import or the issues raised by the decision of the Judicial Committee in this case. Professor Shively agreed to write for Footnote a summary of the main points and questions.

Action after that summary, if any, will be considered after it has been communicated to the faculty.

6. Implications of the Elimination of Mandatory Faculty Retirement

The Tenure Committee has proposed that a task force be appointed to evaluate the implications of the elimination of mandatory retirement for faculty. Professor Clark expressed the view that any task force should take the broadest view possible. How it would affect tenure and retirement plans, she said, are only a very small part of the picture. Professor Shively said he would consult with the Tenure Committee and appoint a small committee, with representatives from Tenure, SCFA, FCC, the administration, and the Swan Committee, to develop a charge for the task force and to suggest names of people to serve on it. Both would be reviewed by FCC. Professor Clark also pointed out that there are several national experts on this subject who might be contacted; Professor Brenner added that the task force might explore what has happened at institutions where the mandatory retirement age has already been dropped. Finally, there was a suggestion that the task force might look at mandatory retirement for administrators (which would not apply to their status as faculty members).

7. Open Time

Professor Shively brought to the attention of the Committee the request from Provost Benjamin that second-tier review of tenure decisions be made optional rather than mandatory (that is, in units where the college itself is the body of faculty which conducts the initial review). The proposal, which would require a change in the Tenure Code, must be brought to the Tenure Committee and the Faculty Affairs Committee. Professor Shively said he saw no reason for FCC to be involved in advance of any conclusions from those two committees; the Committee concurred.

8. FCC Agenda for the remainder of the year

This item was postponed to the February 4 meeting.

The Committee adjourned at 2:50.

-- Gary Engstrand