

UNIVERSITY OF MINNESOTA
FACULTY SENATE
MINUTES

May 10, 1973

The twelfth meeting of the Faculty Senate for the year 1972-73 was convened in Room 325, Science Classroom Building on May 10, 1973. Checking or signing the roll as present were 75 voting members of the faculty, 4 members of the Administrative Committee, and 4 nonmembers.

Vice Chairman Frank J. Sorauf presided.

The following items were considered and action was taken as indicated.

I. SECTION 17
(First Reading)

Vice Chairman Sorauf requested Fred Morrison, Chairman of the Tenure Committee, to present section 17 of the "Blue Document" (the second printing of the *Regulations Concerning Faculty Tenure*). It was presented with the amendment and comments as shown below and with the concurrence of Fred Amram, Chairman of the University Appeals Committee on Academic Freedom and Responsibility.

AMEND section 17.1, page 95, the sentence appearing at lines 17-19 to read:

- 17. This section shall apply only to complaints by faculty members against the
- 18. University or its Academic Administrators regarding matters affecting ~~them~~
- 19. their employment other than those relating to the termination or suspension
- 20. of appointments.

Comment. This amendment is intended to clarify the jurisdiction of this set of committees, particularly in contrast to the committees under the Academic Freedom and Responsibility Statement. The Complaints Committees are intended to deal with the jurisdiction previously held by the Judicial Committee under section 14 of the old Tenure Code, which relates to "any action which, without his written consent, affects his rights or status under these Regulations."

Complaints committees will hear cases which involve the rights of faculty members, as employees. The text provides some examples: rank, salary, office or laboratory space, assignment of duties. Other examples might include assignment of committee duties, allocation of research funds, provision of fringe benefits, such as insurance and retirement, provision of University facilities, such as parking or admission to public events. The complaining party claims some violation of his rights as a faculty employee of the University (not just a violation of his rights in general). The defending party is an individual or unit which is exercising authority on behalf of the University (e.g., a chairman or dean, or a committee which assigns space or funds, or a faculty which recommends rank,

or an administrative agency of the University which provides some service to employees (such as the Insurance and Retirement Office or the Parking Office). Complaints may not be brought before the Complaints Committee against individual faculty members or others, unless it is alleged that they were exercising some authority with respect to the complaining party as a faculty employee of the University.

Academic Freedom and Responsibility Grievance Committees hear grievances by any party against any other party involving infringement of academic freedom or dereliction of academic responsibility. They make recommendations to the appropriate action unit (either a faculty or an administrative officer) for resolution of the dispute. If the action unit takes action against a faculty employee, which affects his employment rights, this *may* occasion a further complaint by that faculty member before the Complaints Committee structure. His claims, in such circumstances, would be severely limited, for he has already been given a full hearing on the matter.

The Comments originally written to section 17 should be read in this light. In particular the second paragraph of the comment to section 17.1 (on page) and the tenth paragraph of the comments to section 17.24 (the third paragraph on page 99) will be amended to indicate that the Complaints Committees consider only matters relating to the employment of faculty members.

A motion was made to approve section 17, as amended.
The motion *carried*.

II. RESOLUTION FROM THE UNIVERSITY SENATE

Reported for Action

The *Faculty Senate hereby joins with the University Senate in creating a task force to define and encourage excellence in teaching.*

The task force shall consist of three (3) tenured, four (4) non-tenured faculty members, two graduate students and two undergraduate students.

The task force shall be entitled to all privileges accorded to a Faculty Senate committee, including the right extended to all committee members to address the Senate when the report is before the body.

Its task shall include but not be limited to recommendations about:

1. The possible definition of good teaching and/or identifying some of its attributes.
2. The possible development of processes for systematic evaluation of teaching throughout the University, particularly at the undergraduate level.
3. Consideration of the relationship of teaching and research, and their relative role in the University.
4. Ways in which the University might aid in developing self-improvement for instructors.

The resultant report, or reports shall be first submitted to SCEP, which shall have the right to suggest changes. Should the task force not accept these recommendations, the report shall be communicated to the Faculty Senate in the form desired by the task force, together with SCEP's comments and recommendations.

In any event, the task force shall have the discretion to report its results directly to the Faculty Senate at any meeting falling thirty (30) days or more after transmission to the chairperson of SCEP.

The text, when approved, shall be considered by the Faculty Senate for appending to the Tenure Code for guidance as to the definition of merit in

teaching and utilized together with other criteria by units in hiring, salary, tenure, and promotion considerations.

An amendment to delete items 3 and 4, above, was *approved*, after which the resolution, as amended, was *approved*.

III. SECTION 8

A revision of section 8 was presented as follows with attention invited to the last two lines of the "Comment" stating an amendment which might be appropriate.

In place of the language on page 36, lines 3-5, SUBSTITUTE the following:

3. Any promotion of a member of the regular faculty to the rank
4. of associate professor or professor carries with it continuous tenure.
5. An initial appointment of an associate professor or professor in the
- 5a. regular faculty may be probationary, if it is made in the manner
- 5b. provided in section 9.3. Any other initial appointment of an associate
- 5c. professor or professor in the regular faculty carries continuous tenure;
- 5d. such an appointment shall be made only after receiving the recommendation
- 5e. of the regular faculty of the academic unit concerned.

Comment. The ranks of associate professor and professor are ordinarily tenure ranks, but new appointments may be made probationary. Some individuals who hold these ranks may be members of the non-regular faculty; these appointments are governed by sections 4.3, 10 and 14 of these Regulations and not by this section.

If a new appointment is to be made in these ranks, the recommendation of the departmental faculty must first be obtained.

Note. In the discussions in the Senate April 12, this section was discussed in the context of a recommendation from the faculty who hold continuous tenure, rather than a recommendation from the full regular faculty of the department. The Tenure Committee has since been convinced that the recommendation of the full regular faculty, not just those holding tenure, is more appropriate for bringing new members into the University. If members of the Senate wish to have the vote by the tenure group alone, an appropriate amendment would be to amend line 5e to read:

"of the regular faculty holding continuous tenure in the academic unit concerned."

The tenure Committee does not favor this formulation.

A motion to adopt the amendment was *defeated*.

A motion to report section 8 favorably, as revised, was *approved*.

IV. SECTION 13

The chairman of the Tenure Committee presented section 13 together with the following amendment as proposed by Professor Weinberger.

Amend Section 13.12 on page 44, lines 15-18 to read:

Each academic unit shall establish a suitable process for making or denying such recommendations.

To strike out Section 13.3 on pages 45-50.

To replace to references in page 53 line 16, page 55 line 11, page 56 lines 5 and 21, and page 58, line 1 to parts of Section 13.3 by references to Section 13.12.

The amendment was *defeated*.

The following amendment was *withdrawn*.

AMENDMENT TO SECTION 13.35

- 14a. Any member of a unit who is ordinarily eligible to vote on a tenure decision
- 14b. may disqualify himself from voting on a particular case, and not be counted in
- 14c. fixing the number of votes required for a favorable decision in that case. Failure
- 14d. or refusal to respond to solicitation of a vote shall be construed as equivalent
- 14e. to such disqualification;

Include in comment: Those who wish to be counted as abstaining (which is in effect a negative vote) may do so only by casting a ballot explicitly indicating their abstention.

At this point in the discussion, a question was raised concerning the status of the Director of Personnel with respect to academic appointments. The chairman of the Tenure Committee replied that in the judgment of the Committee, the Director of Personnel should have no voice in academic appointments and that the chairman would seek clarification from the Office of the President.

An amendment was proposed to line 15, page 46 of the "Blue Document" to change "should" to "shall." The amendment was *approved*.

The Tenure Committee then submitted the following as the full text of proposed section 13.35, page 48, lines 8-19, inclusive of the "Blue Document."

SECTION 13.35

8. 13.35 A motion to recommend continuous tenure shall carry only if it
9. is approved by a majority of the faculty members eligible to vote
10. thereon (excluding those who are absent on leave, unless they actually
11. vote). By a uniformly applicable rule, consistent with the provisions
12. of the collegiate or campus constitution, an academic unit may establish
13. a higher proportion, but not greater than two-thirds, for the passage of
14. a motion to recommend continuous tenure. If a motion to recommend
15. continuous tenure fails to obtain the requisite vote, the question of
16. renewing the appointment for an additional probationary year shall be
17. put, unless renewal is barred by the provisions of these regulations.
18. A motion to recommend renewal of a probationary appointment
- 18a. for a further year shall carry if a majority of those present and voting
- 18b. on that question approve.
- 18c. In each case, the ballots shall be tabulated by two faculty
- 18d. members designated by, but not including, the head of the academic
- 18e. unit concerned.

A proposal to amend section 13.35 by inserting the words "are present and" after "they" in line 10 was defeated.

Section 13 in its entirety was then *reported favorably*.

V. SECTION 14

The chairman of the Tenure Committee then introduced section 14 with amendments, as follows:

SECTION 14

AMEND the title of section 14, page 70, lines 1-2, as follows:

1. SECTION 14. IMPROPER DENIAL OF NEW APPOINTMENT TO FACULTY
2. MEMBER HOLDING NON-REGULAR APPOINTMENT WHICH IS TO TERMINATE
- 2a. OR TO OTHER UNIVERSITY EMPLOYEE WHO HAS APPLIED FOR FACULTY
POSITION.

AMEND section 14.1, page 70, lines 3-13, as follows:

3. 14.1 Grounds for review by Judicial Committee
4. If an individual holding a non-regular appointment which is to
5. terminate according to its own terms contends that he applied for a new
6. appointment and it was denied him, he may request the Judicial Committee

- 6a. to review the denial. If any other employee of the University contends
- 6b. that he applied for a faculty appointment and it was denied him, he may
- 6c. request the Judicial Committee to review the denial. ~~But in either case~~
7. he may do so only on the ground that the decision was based in significant
8. degree upon one or more of the following factors:
9. (a) conduct, expressions or beliefs on his part which are protected by the
10. Constitution of the United States or the State of Minnesota or the principles of
11. academic freedom; or
12. (b) factors proscribed by any applicable federal or state law regarding
13. fair employment practices.

MAKE the following consequential amendments, by striking the word "faculty member" and inserting the word "individual"

in section 14.3	at page 71	line 13
14.4	72	2
14.4	72	7
14.51	72	10-11
14.52	72	16-17
14.52	72	22
14.61	73	5-6
14.62	73	8-9
14.63	73	13
14.64	73	17
14.64	73	20

AMEND section 14.51, page 72, lines 10-15, as follows:

13. In ~~such~~ the case of a non-regular faculty member,
14. the employment of the faculty member in question shall end in accordance with the
15. terms of his non-regular appointment.

AMEND section 14.64, page 74, lines 3-6, as follows:

3. If the President affirms the decision in the case of a
- 3a. non-regular faculty member, the faculty member's employment shall end in
4. accordance with the terms of his non-regular appointment; In other cases,
- 4a. the application for employment shall be deemed to be officially denied. If the
5. President decides that the ~~faculty member~~ individual should be given a
6. new appointment, he shall take the steps necessary to effectuate it in accordance
- 6a. with section 5.

Comment. (to section 14.1) As part of the affirmative action policy, the University is pledged to provide grievance procedures for all employees, who claim discrimination against them in securing employment. We already provide this protection for academic employees in these regulations. Civil service rules provide this within civil service. The additional language provides for the "cross-over" case. Since the position being filled is an academic position, we believe that academic judgment should be used to determine whether there is discrimination. Civil service will provide a similar remedy within its rules for academic employees who apply for civil service positions. Although the number of instances in which such "cross-overs" take place are few, they do occur. We believe that we have an obligation to provide for them. Academic freedom protection has been added as a basic faculty right.

Section 14 in its entirety was *reported favorably*.

VI. SECTION 15

A motion was made to strike out all of section 15 ("Blue Document") page 74, line 7, through page 85, line 21.

The motion was *defeated*.

The following amendments to section 15 were introduced. The Tenure Committee indicated that the amendments had the support of the Committee.

AMEND section 15.1, page 74, lines 13-20, to read:

13. ~~The termination or suspension of an appointment with continuous tenure, or~~
14. ~~of any other appointment before the end of its specified term, may be effected~~
15. ~~because of a~~ Other than as provided in section 16, no appointment with continuous
- 15a. tenure shall be terminated or suspended except in the case of a demonstrably bona fide financial
- 15b. emergency caused by a drastic reduction in the instructional budget of the
16. University, consisting of the general state legislative appropriation, including
17. tuition, and any other funds which have actually been relied upon
18. to support ~~regular~~ faculty positions with continuous tenure. Such action shall
19. take place. This situation shall hereinafter be referred to as a "state of fiscal
20. emergency," to be invoked only in accordance with the procedures prescribed in
21. section 15.

AMEND the heading of section 15.2, page 75, lines 1-3, as follows:

1. 15.2 Procedures for declaring a state of fiscal emergency.

AMEND section 15.21, page 75, lines 4-10, as follows:

4. 15.21 Before determining whether to terminate or suspend any appointment
5. with continuous tenure, or any other appointment before the end of its specified
6. term, because of financial exigency caused by a drastic reduction in the
7. University budget, the Board of Regents shall ask for the recommendations of the
- 7a. The Board of Regents shall have sole authority to declare a state of fiscal
- 7b. emergency. Before determining that such a state exists, the Board of Regents
- 7c. shall ask for recommendations of the President regarding the necessity therefor
8. and the educational policies and the short-range and long-range priorities that
9. should be pursued in effecting the retrenchment. Unless renewed by repeating
10. the procedures prescribed in this section, a state of fiscal emergency shall
- 10a. last no longer than one year.

AMEND the first sentence of section 15.31, p. 77, lines 17-23 to read:

17. 15.31 Once it is determined, in accordance with section 15.2, that a
18. demonstrably bona fide financial exigency requires the termination or suspension
- 18a. state of fiscal emergency exists and that it is necessary to terminate or suspend
19. of any appointment with continuous tenure, or of any other appointment before the
20. end of its specified term, in any academic unit, the procedures set forth in
21. sections 13.1-13.5, to the extent they are appropriate, shall govern the deter-
22. mination as to which faculty members holding such appointments in that unit will
23. be displaced.

AMEND section 15.26, p. 77, lines 8-14 to read:

8. 15.26 In determining whether it is necessary to terminate or suspend any
9. appointment with continuous tenure, or any other appointment before the end of its
10. specified term, because of financial exigency, the Board of Regents, Before the President
- 10a. recommends to the Board of Regents that a state of fiscal emergency be declared,
11. the Consultative Committee and the Administrative Committee shall explore very
12. carefully the whole range of possible alternative methods of achieving savings,
13. with appreciation of the fact that teaching and research constitute the essential
14. reasons for the existence of the University.

The amendments were *approved*.

The following were proposed to be added as amendments to section 15.26 of the "Blue Document."

1. (i) After exhausting possible alternatives which do not require the
2. suspension or termination of regular appointments, and unless a
3. state of fiscal emergency has been declared, the remaining deficit

16. The following procedures shall be used.
17. The Faculty Senate or the collegiate or campus unit may, within 30
18. days of the decision to suspend or terminate positions, adopt externally
19. observable, objective standards, such as age, length of service to the
20. university, length of service in tenure rank, or the like, upon which
21. individuals will be selected for suspension or termination of appoint-
22. ments according to this section. A standard adopted by the Faculty
 - Below the line if Green's amendment doesn't pass; above the line if it does.
23. Senate will override a contrary collegiate or campus provision, unless
24. the rule of the Faculty Senate provides to the contrary. After the
25. 30 day period, the Board of Regents shall establish a uniform, exter-
26. nally observable, objective standard, to apply in the case of all units
27. for which no rule has been adopted. Notice shall be given to all
28. such persons in the manner prescribed by section 15.4.
29. 15.313 If more positions have been suspended or terminated,
30. or more money has been saved by the suspension or termination of
31. positions, than is necessary to alleviate the financial ^{emergency} ~~exigency~~,
32. any surplus funds shall be used to reestablish positions. The selection
33. of such positions shall be on the basis of the current and future
34. educational needs of the University. The Board of Regents shall
35. designate the positions to be created, after consultation with the
36. appropriate University committees, in a manner similar to that pro-
37. vided in section 15.2. Any faculty member whose position has been
38. suspended or terminated shall have reemployment rights in the manner
39. set forth in section 15.4.

AMEND the final sentence of section 15.33, page 78, lines 18-21, to read:

18. If the position is held by a faculty member with continuous
19. tenure, the academic unit in question shall follow the procedure set
20. ~~forth in sections 13.1, 13.5, to the extent they are appropriate,~~
21. the applicable objective standard, in determining which faculty member
- 21a. shall have his appointment suspended or terminated.

AMEND section 15.511, page 80, lines 20-23, as follows:

20. ~~(e) improper consideration was given to his individual case, as~~
21. ~~defined in section 15.512, or~~
22. ~~(d) (c) failure to comply with the provisions of section 15.3~~
23. ~~regarding priority of faculty members; or~~
- 23a. (d) failure to demonstrate that there was no other position open in
- 23b. the University for which his education, special training, experience
- 23c. and abilities qualified him.

STRIKE OUT section 15.512, page 81, lines 1-12.

AMEND section 15.54, page 82, the sentence on lines 21-24, as follows:

21. ~~ment. Nor shall it substitute its own comparative judgment for the~~
22. ~~comparative judgement of the academic unit concerned and the reviewing~~
23. ~~Academic Administrators to which faculty members should be displaced~~
24. ~~and which should have their appointments terminated or suspended.~~
- 24a. reexamine the wisdom of externally observable, objective standards
- 24b. applied in the case. It shall determine only whether the

AMEND section 15.55, page 84, lines 8-12, as follows:

8. In such case, the Hearing panel shall specify the respects in
9. which it finds the decision to have been affected by any such prohibited
10. factor or factors and shall recommend that ~~the comparative judgments~~
11. ~~of the academic unit concerned and the reviewing Academic Administrators~~
12. it be reconsidered in a manner suggested by ~~the~~ the Panel and unaffected
- 12a. by any such factor or factors.

AMEND section 15.62, page 84, lines 22-23, by STRIKING OUT the words "by the academic units concerned and the reviewing Academic Administrators,"

AMEND section 15.64, page 85, lines 14-17, by STRIKING OUT the words "but the President may not take action contrary to that recommended, after reconsideration, by the faculties of the academic units concerned, unless for compelling reasons stated to in writing to these faculties and the Board of Regents."

AMEND the section, in the following places, by striking out the reference to "section 15.511 (c)" and inserting a reference to "section 15.511 (d)."

Section 15.53	page 82	Line 9
15.54	page 83	5
15.54	page 83	13
15.55	page 83	21
15.56	page 84	13

EXPLANATION OF THE AMENDMENT TO 15.31, ETC.

This amendment is intended to introduce an automatic system for selecting faculty whose appointments are to be suspended or terminated, in place of the discretionary one which is contained in the committee proposal.

No appointment of tenured faculty will be suspended or terminated until all of the alternatives in section 15.26 have been exhausted. This proposal, like the committee version, is to be used only as a last resort.

If suspension or termination of appointments becomes necessary, there will be objective criteria, like age, seniority in the University, seniority in tenured position, or the like, which will determine the appointments to be suspended or terminated. The actual selection of the criteria can wait until the event, which we hope will never happen. Either the Faculty Senate will adopt a uniform system for the university as a whole, or collegiate or campus units will adopt uniform systems for their units. Since all of these units are relatively large, this should preclude adoption of a standard which is designed to eliminate the position of a selected individual; the rule would have to apply uniformly. If the faculty failed to take action, the Regents would adopt their own uniform system.

This amendment permits the elimination of up to 25% more positions than would be absolutely necessary. The money thus freed must be devoted to creating new academic positions in the University. This should provide some relief against the accidental effects of the automatic system of selection wiping out whole fields of specialization within given academic units. Every faculty member would continue to have reemployment rights.

This amendment would have two advantages. Departments would not be faced with the potentially difficult task of subjectively determining which tenured members of the faculty should have their appointments suspended or terminated. The individuals whose appointments were suspended or terminated under the rule could attribute this to the operation of an automatic rule, rather than the exercise of a qualitative judgment, thus possibly enhancing their re-employment chances.

The amendments to section 15.31 were *defeated*.

A general amendment to the text of Section 15 was introduced as follows:

A general amendment to the title, subtitles and text of Section 15: Replace the word 'termination' or the words 'premature termination' at each occurrence by the word 'curtailment,' and otherwise review the text of Section 15 so as to bring it into conformity with the section so amended.

The amendment was *defeated*.

The Faculty Senate adjourned.

W. DONALD BEATTY
Clerk of the Faculty Senate

Appendix

ABSTRACT OF DISCUSSION

The meeting was called to order at 3:00 p.m. by Frank Sorauf, professor of political science and vice chairman of the Senate. With the body sitting as if in Committee of the Whole, discussion of Section 17 of the Tenure Code, Complaints Committees and Procedures, was commenced.

Fred Morrison, professor of law and chairman of the Tenure Committee, and Fred Amram, associate professor in General College, and chairman of the University Committee on Academic Freedom and Responsibility, presented an amendment to the first portion of the section concerning its application. They indicated their proposal was a means of clarifying the jurisdiction of the faculty complaints committees as that dealing with employment grievances, while academic freedom and responsibility grievance committees heard grievances involving infringement of academic freedom or dereliction of academic responsibility. Samuel Krislov, professor of political science, moved adoption of Section 17 including the Morrison-Amram proposal, and his motion was approved.

Mr. Krislov presented a resolution from the University Senate calling for creation of a task force to define and encourage excellence in teaching, and listing four charges to that task force. There followed suggestions that alumni should be represented and that only tenured faculty members would be qualified to serve. Mr. Krislov responded that it would be difficult to get an effective working group of alumni and, on the second point, that it was important to have the views of non-tenured faculty and students. John Dahler, professor of chemical engineering and materials science, moved to eliminate from the assignment to the task force consideration of the relationship of teaching and research and their roles, as well as ways in which the University might aid in developing self-improvement for faculty members. He said that the membership of the task force, as it was constituted, would not be qualified to evaluate research. Although Mr. Krislov disagreed, indicating it would be educational for the task force to undertake those duties, they were eliminated from the charge, and the resolution as amended was approved.

A revised text for Section 8, Tenure of Associate Professors and Professors on Regular Appointments, was recommended to the Faculty Senate by Mr. Morrison. It concerned initial appointments at the associate professor or professor levels and called for the recommendation of the regular faculty on such appointments rather than of the tenured faculty only. David Voss, vice provost for academic administration, Duluth, held that tenured faculty were best qualified for such decisions, pointing out that it would be possible in some units to approve an appointment with tenure even though all tenured faculty members of that unit were opposed. Kent Bales, associate professor of English, approved of the proposal, saying that junior members of the faculty should have a voice in those decisions. Carl Auerbach, dean of the Law School, felt the tenure document should not deal with initial appointments and that that subject should be handled administratively. Mr. Krislov's motion that the voting procedure of the section be tabled until a Fall meeting of the Faculty Senate was ruled out of order; the Vose amendment was defeated and Section 8 was approved.

Moving to Section 13, Hans Weinberger, professor of mathematics, proposed that each academic unit should establish its own process for making recommendations affecting those on probationary appointments. He felt it was difficult to generalize as to the persons best qualified to judge performance and that in some units those decisions would in effect be made by the administra-

tion. Mr. Morrison opposed his motion, contending that his committee had provided minimum standards of due process in its proposed procedure. Both Mr. Krislov and Morton Hamermesh, professor and head of physics and astronomy, opposed the motion, and it was defeated. Eleanor Fenton, professor and acting associate dean of continuing education and extension, asked whether the Tenure Committee had considered how the director of personnel would fit into its procedures. Mr. Morrison said the committee understood that academic appointments would be entirely an academic and not a personnel matter. Ms. Fenton insisted that there be assurance as to whether that officer would or would not be involved. Mr. Morrison said that would be sought. There was a move to require that student evaluations of courses and teaching, if available, be added to the faculty member's file, rather than merely recommending that procedure. That motion was approved. Mr. Bales raised a question on the voting procedure, indicating that the language was confusing in the area of eligibility for those on leave. He proposed that only those who were present and could actually vote should be counted. His motion was defeated and Section 13 was approved.

Section 14 on Improper Denial of New Appointment to Faculty Member Holding Non-Regular Appointment Which Is To Terminate, was taken up next. The Tenure Committee's proposal to expand the section to include other employees who had applied for faculty positions was explained by Mr. Morrison as being applicable to library personnel, for example, who moved from civil service to faculty positions. The section, as amended, was approved.

Adrian Dorenfeld, associate professor of civil and mineral engineering, moved to strike out the entire section on termination because of financial exigency caused by a drastically reduced budget. He held that, since such conditions did not now exist, there was no need for the section, and that, if a decision had to be made in the future that the University was in a state of financial exigency, it would be by another faculty and another administration and it would be better to look to procedure at that time. Finally, he felt the possibility of an emergency should not be included, because it might more easily be said to exist. Mr. Morrison contended that the procedure should be set up now, rather than when the University was faced with a crisis, and Mr. Krislov said that deletion of the section would mean that the Regents would be unbounded. A discussion ensued concerning prospects for the University's needs at the current Legislature and the conditions which might give rise to a declaration that there was a financial exigency. Vernon Weckwerth, professor of public health, reported that in his School deep cuts had been made in salary funds, which he said showed that emergency conditions could exist in certain areas but not be University-wide. There was concern that the University appropriations could be tied to a reduction in faculty numbers. Mr. Auerbach said the University's request made no reference to faculty numbers, and that the criterion would have to be a drastic cut in dollar appropriations. The Dorenfeld proposal was then defeated. Leon Green, professor of mathematics, offered an amendment to the section which he described as providing a safeguard by specifying that termination or suspension could take place only in the case of financial emergency or causes related to fitness of a faculty member. Also included was a provision that a fiscal emergency, which could be declared only by the Regents, would last no longer than one year except when renewed by repeating the prescribed procedures. Another amendment called for examination of alternatives by the President and the Consultative and Administrative Committees prior to a recommendation being made to the Regents. Mr. Morrison reported that his committee approved the amendments. Mr. Hurwicz' suggestion to include suspension as well as termination was accepted by Mr. Green. All Green amendments were then approved. Mr. Hurwicz proposed

addition of a procedure to apply where a state of fiscal emergency had not been declared but where a deficit in the instructional personnel budget would exist. He explained that it would spread the sacrifice of the academic community through a system of mandatory leaves without pay or with partial pay to apply uniformly to all faculty members. Mr. Morrison contended that such action would reduce salary levels, faculty members would seek employment elsewhere, and the quality of the institution would suffer in the long run. The Hurwicz amendment was defeated and he withdrew two related amendments. He then moved on to a proposed set of procedures for termination or suspension, which he explained would provide an automatic system for selecting faculty members instead of the discretionary one proposed by the committee. Included were suggested criteria to be adopted by the Faculty Senate or the collegiate unit after a state of financial emergency was said to exist. Mr. Morrison took the view that the retrenchment and reallocation procedure with broad faculty input was superior, and that the Hurwicz plan would result in a procedure based on seniority. Toni McNaron, associate professor of English, was opposed to the committee's requirement that persons holding non-regular appointments be displaced before those with regular appointments; she said the Hurwicz proposal would make the faculty come to grips with that provision. The Hurwicz proposals were then defeated. Burnham Terrell, professor of philosophy, in a move toward less drastic action than termination, proposed substitution of "curtailment" in Section 15 to lessen the possibility of using financial emergency as an excuse to terminate. He said a new class of title could be used to designate those faculty members involved in a curtailment move. Mr. Morrison held that the change would lead to confusion and that, if the aim was to spread the deficit, then that should be made clear. The Terrell amendment was defeated and the meeting adjourned at 5:30 p.m.

JEANNE T. LUPTON
Abstractor