

Minutes

Senate Consultative Committee February 28, 1991

Present: Warren Ibele (chair), Kathy Diaz, Bonnie Dittel, Norman Kerr, Aric Nissen, J. Bruce Overmier, Thomas Scott, Burton Shapiro, Charlotte Striebel, Erin Sutter, Tina Tidrick, Shawn Towle, James VanAlstine, Christine VeLure, Shirley Zimmerman

Guests: Corine Ellingham, Robert Erickson, President Nils Hasselmo, Sue Kroeger, Maureen Smith (Brief)

1. Discussion with Robert Erickson, Candidate for Senior Vice President for Finance and Operations

The Committee met with Mr. Erickson for approximately an hour. The Committee was very favorably impressed with his credentials and his candidacy.

2. Discussion with President Hasselmo

Professor Ibele welcomed the President to the meeting and promised to forward a letter concerning Mr. Erickson to him.

The President reported that he had met with the Student Senate Consultative Committee to discuss tuition, and noted that little can be said because there are so many uncertainties in the proposed 1991-93 biennial budget.

He also said that the University is considering contingency plans, in the event the base budget is cut. At this point the situation is unpredictable, he said, and the administration is trying not to contribute to despair while also not being unduly optimistic. Possible base cuts of \$10, \$20, and \$30 million are being contemplated, as are ways of phasing any such cuts. The reserves could not cover base cuts, and contractual obligations preclude making base cuts very quickly. He has no secret plan, he told the Committee, and the University is considering various programmatic options, but it would not be helpful to talk about them because it could strike fear into the hearts of people who will not ultimately be affected. He has scheduled meetings with the vice presidents and chancellors over the next several weeks to review options they have been asked to consider; at the appropriate time the administration will return to the Committee with the options being considered.

If at all possible the reallocation plan will not be relinquished; it would be disastrous to morale if the institution is unable to do some of the positive things which have driven the reallocation plan. If there is a base cut of any magnitude, however, the University will have to stop doing other things, because the reallocation plan has already squeezed hard; it is only through programmatic cuts that any sizeable budget reduction could be accomplished.

Do the members of the legislature have any appreciation or understanding of the difficulty of the task, the President was asked. He related that he had been asked, at one legislative meeting, how the University could "sit on a \$30 million reserve." That is minimal, he said, for an organization with a budget of the size of the University's; there seems to be not a clear understanding that those funds

can only be used once, and can help to phase in budget cuts, but cannot be used to carry the cuts permanently. The legislative leadership, he added, understands the issues very well; those who do not deal with them regularly may not. The interest from the reserves, he also pointed out, is fed into the operating budget every year.

The President was asked about an apparent change in policy toward outstanding Rajender claims. Over the years, every attempt was made to settle the claims; now it appears that the University policy is not to settle any of the 20 outstanding claims. Is this a change in the direction of using financial intimidation to browbeat claimants by making the costs of pursuing the claims prohibitive? There are many who feel that the consent decree has come and gone and now the University is stonewalling and that there is no internal mechanism for dealing with salary equity complaints.

The President said the University is certainly not back to square one and that it does have in place a number of mechanisms, including the new grievance procedure, to deal with problems. There is also the review of the faculty salary structure which is currently being conducted. On the latter point, the President and the Committee agreed that the charge to the task force reviewing the salary structure should be clarified to explicitly include equity issues and comparable worth.

The President said he had not established nor was he aware of any policy which precludes settling Rajender claims. He did note that the University has become more restrictive in settlements generally; he pointed out that he has turned down settlement proposals in three or four instances where he did not believe they were justifiable (although none of those were Rajender claims). He agreed to review with General Counsel Brady the policy; he commented that any change would be attributable to a more general restrictiveness on settling claims.

Every Big Ten university, the President was told, has an annual equity review to deal with salary issues; most have been in place for several years. The University appears to have no such mechanism nor any plans to develop them. The President agreed that the University should have a mechanism. In response to a question, he said that there are already in place policy considerations which try to balance external market and fairness criteria, one of which is comparable worth. The University cannot ignore the market but tries not to be driven by it beyond reason. Generally, however, the President affirmed he did not want a situation where the University would have to settle these issues by litigation, that he wanted a continuing review which would provide the best possible assurance that the University would not stumble into equity problems again, and that if there are lingering equity problems they must be placed on the agenda and dealt with.

Professor Ibele thanked the President for meeting with the Committee.

3. Recommendations from the Senate Committee on Services to the Handicapped

Professor Ibele welcomed Professor Corine Ellingham (chair of the Senate Committee on Services to the Handicapped) and Sue Kroeger (Director of the Office for Students with Disabilities) to discuss proposed changes in the University policies on the handicapped.

Professor Ellingham explained that the principal objective of the documents provided to the Committee is to revise and bring up-to-date the policies and procedures with respect to the

handicapped; the last revisions were completed in 1983. Much has been accomplished, and some of the policy language is outdated; the committee has been working for the last four years to revise the policies.

Ms. Kroeger provided to the Committee a brief outline of the background of the development of the policies, including the applicable federal non-discrimination regulations and the University's responses thereto. The existing policies are long, disjointed, and cumbersome to work with; although appropriate at the time, they clearly need revision. Professor Ellingham explained that there were originally 11 policies; the committee is proposing 8 new ones to replace or modify them. Some of the changes, including that of the name of the committee itself, reflect new labels and terminology.

Asked who is responsible for assisting students with a disability who come to the University, Ms. Kroeger said it is her office; the services are centralized. This does not preclude students from making their own arrangements with faculty, but the provision of services such as an interpreter are handled through her office.

The policies are primarily for students; there are virtually no policies which cover faculty and staff. This is a gap which needs to be addressed, Professor Ellingham agreed.

These policies, Ms. Kroeger told the Committee, are in some ways stronger than the original ones. They may help the committee and her office to take action on behalf of those with disabilities.

One activity of the Senate committee, Professor Ellingham reported, has been to monitor new building projects to review accessibility.

There is a proposed addition to one of the policies, an inadvertent omission from the original. There are often situations where a needed accommodation either cannot be provided or its effectiveness is not clear, Ms. Kroeger reported; an example is a time extension for a final. The faculty member may be willing to grant it, but not know if 2 or 3 or 4 hours is appropriate; the committee would like to see a statement calling for the University or a faculty member to err on the side of giving the student the benefit of the doubt.

What is important, Ms. Kroeger also told the Committee, is that while disabled students are entitled to whatever assistance will remove barriers--physical or other--those students are in the same programs that are all other students. What is to be provided is the accommodation that will eliminate the disadvantage that the disability causes--this will vary with the disability and will be assessed for each individual.

A question was raised about one of the procedures, one which calls for the inclusion of a statement on all course syllabi with respect to students with disabilities. The problem is that there are requirements for the inclusion of more and more statements on syllabi (such as for incompletes, for plagiarism, for cheating on exams). One solution would be a single page to be distributed but any way of combining these statements would be useful; another option might be bulletins and class schedules. The committee believed that students should clearly understand that they can receive assistance in the classroom. Ms. Kroeger explained that federal mandates require the University to disseminate information and create a "welcoming environment" for disabled students; while this is accomplished in

many publications, and the University may not be legally liable if a statement is not included on syllabi, this seemed to be another way to meet that mandate. The point, however, about cluttering up syllabi is worth considering.

One of the student members of the Committee argued that inclusion of the statement on the syllabus is important for students; it is also not particularly burdensome to read. For someone new at the University, this very large place, disabled students need to know in the classroom that they can obtain assistance.

Ms. Kroeger concurred. She noted that her office sees about 1200 students per year; if the University population of disabled students approaches the national average, it probably has 4,000 - 5,000 disabled students. Her office is clearly not seeing all of these students; they need to know it is acceptable to ask for assistance. If they know the environment is one which will provide accommodations as they deal with individual faculty, in many cases there would be no need for them to come to her office. Ultimately, with a barrier-free environment, there would be no need for her office; many students who come out of high school, however, do not have self-advocacy skills.

One Committee member said that the need for her office will continue; the faculty must rely on it for assistance and assessment. Ms. Kroeger agreed and said that her office can aid in determining what reasonable accommodations are; most such decisions are made in consultation with the faculty.

Professor Ibele inquired about the status of the policies. Professor Ellingham said the original ones were adopted by the Senate in 1983; these revisions would presumably also be presented for action to the Senate. Professor Ibele agreed that the proposals would be brought back to the Committee at the April meeting for action and placement on the Senate docket.

He thanked Professor Ellingham and Ms. Kroeger for their presentation.

The Committee adjourned at 3:00.

-- Gary Engstrand