

university of minnesota memo

To David Klaasen

From Marilee Ward

- For your information
 - For your approval
 - Per your request
 - For your attention
 - Note and file
 - Note and return
 - Note and forward
 - Please advise
 - Please reply
 - Send copy
 - Please see me
- Handed out at the
April 26 Faculty
Senate meeting.

Date _____

University of Minnesota
BA Form 507

S92046

Amendments for consideration
April 26, 1984

Material to be deleted is ~~stricken out~~; material to be added is PRINTED IN CAPITAL LETTERS.

INFORMATION:

In accordance with the procedural resolution adopted by the Faculty Senate on March 8, 1984, the Tenure Committee is proceeding in the preparation of a new draft, incorporating amendments adopted to date, correcting cross-references, numbering, punctuation, and style, for distribution to the Faculty Senate.

MOTION 43

Norman Kerr, College of Biological Sciences, will move to amend Section 3.2, page 2, line 14 as follows:

Page 2

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3.2 Regular Appointments. A regular appointment is either with indefinite tenure or is probationary, leading to a decision concerning indefinite tenure within a specified period of time. A faculty member with indefinite tenure is entitled to retain that position until retirement in accordance with University regulations or until the appointment is terminated pursuant to the provisions of Sections 10. or 11. A faculty member on probationary appointment (a) is entitled to consideration for indefinite tenure, and (b) is entitled to timely notice of termination in accordance with Section 6. A regular appointment may only be held in an academic unit¹ of a degree-granting college,² LIBRARY or similar unit. A regular appointment must be for two-thirds time or more over the academic year.

MOTION 57

The Tenure Committee will move to amend Section 7.11, page 8, line 26, as follows:

Page 8

26

~~7.11 General Criteria. Indefinite tenure will be granted only to those persons who demonstrate (a) effectiveness in teaching and advising students, and (b) professional distinction in research and writing or artistic production. The relative importance of these primary criteria may vary in different academic units but neither may be disregarded in any decision. Probationary appointments must be terminated whenever appointees fail to satisfy these criteria in their last year of maximum probation and may be terminated earlier if it appears that they are not making sufficient progress toward satisfying these criteria.~~

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~~A probationary faculty member's service contributions to the University, the community, the state and nation may also be relevant to a decision, though it should not be expected that faculty members will have made significant contributions of this kind during their probationary period. Performance as a member of the academic unit may also be relevant.~~

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~~Although the decision will be based primarily on the faculty member's qualifications, it may also be based upon program area needs and priorities of the academic unit.~~

14a 7.11 GENERAL CRITERIA. THE PRIMARY CRITERIA FOR AWARDING
14b INDEFINITE TENURE ARE EFFECTIVENESS IN TEACHING* AND
14c PROFESSIONAL DISTINCTION IN RESEARCH.** QUALITY DISCIPLINE-
14d RELATED SERVICE CONTRIBUTIONS*** MAY ALSO BE TAKEN INTO
14e ACCOUNT. THE RELATIVE IMPORTANCE OF THE CRITERIA MAY VARY IN
14f DIFFERENT ACADEMIC UNITS. BOTH OF THE TWO PRIMARY CRITERIA MUST
14g BE CONSIDERED IN EVERY DECISION,**** BUT IN SOME ACADEMIC UNITS, A
14h FACULTY MEMBER WILL NOT BE EXPECTED TO HAVE MADE SIGNIFICANT
14i SERVICE CONTRIBUTIONS DURING THE PROBATIONARY PERIOD.

14j THE INDIVIDUAL'S PARTICIPATION IN THE WORK OF THE ACADEMIC

n1 *"Teaching" is not limited to credit-producing classroom instruction. It
n2 encompasses other forms of communication of knowledge (both to students
n3 registered in the University and to other persons in the community) as well as the
n4 supervision or advising of individual graduate or undergraduate students.

n5 **"Research" is not limited to the publication of scholarly articles. It
n6 encompasses other activities such as artistic production.

n7 ***"Service" means high quality performance within the faculty member's
n8 academic expertise and the mission of the academic unit rendered to the
n9 community at large. As a criterion for faculty tenure, it does not include the
n10 rendering of routine professional services, even if those are within the faculty
n11 member's job description. It also does not include service in quasi-administrative
n12 functions such as service on faculty or Senate committees; those activities are
n13 relevant only to the limited extent set forth in the following paragraph.

n14 ****Because of the special mission of the Crookston and Waseca faculty members
n15 these need show only effectiveness in teaching and disciplined inquiry in their
n16 fields of endeavor. (Other exceptions may be made only in exceptional
n17 circumstances by means of special contract, as provided in Section 3.6).

14k UNIT AND OTHER SERVICE CONTRIBUTIONS TO THE UNIVERSITY MAY ALSO
14l BE RELEVANT TO A DECISION, BUT ARE NOT IN THEMSELVES BASES FOR
14m AWARDING TENURE. ALTHOUGH THE DECISION WILL BE BASED PRIMARILY
14n UPON THE FACULTY MEMBER'S PERFORMANCE, THE PROGRAM AREA
14o NEEDS AND PRIORITIES OF THE ACADEMIC UNIT AT THE TIME OF THE
14p DECISION MAY BE CONSIDERED IN DECIDING WHETHER TO AWARD TENURE.

14q INDEFINITE TENURE MAY BE GRANTED AT ANY TIME WHEN THE
14r CANDIDATE HAS SATISFIED THE REQUIREMENTS. A PROBATIONARY
14s APPOINTMENT MUST BE TERMINATED WHEN THE APPOINTEE FAILS TO
14t SATISFY THE CRITERIA IN THE LAST YEAR OF PROBATIONARY SERVICE
14u AND MAY BE TERMINATED EARLIER IF IT APPEARS THAT THE APPOINTEE
14v WILL NOT SATISFY THE CRITERIA WITHIN THAT PERIOD.

MOTION 41

The Equal Employment Opportunity for Women Committee will move to amend
Section 3.6, page 4 after line 22 as follows:

Page 4

12 3.6 Special Contracts. These regulations do not bar a faculty appointment
13 pursuant to a special contract specifying terms or conditions of employment which
14 are different from those prescribed in Sections 3, 4, 5, 6 and 9 of these regulations.
15 All other provisions of these regulations apply to such appointments. Every special
16 contract must be in writing and must state that it is a special contract entered into
17 pursuant to this Subsection. It must be signed by the faculty member concerned,
18 by the dean of the collegiate unit in which the faculty member will be employed
19 and by the Vice President and must be authorized by the Board of Regents or its
20 expressly authorized delegate. In addition, the Vice President will annually report
21 to the Tenure Committee the terms of all special contracts and the reasons for
22 their use.

22a A SPECIAL CONTRACT MAY BE USED TO REDUCE THE MINIMUM TIME
22b OF A REGULAR APPOINTMENT TO ONE-HALF TIME IN ORDER TO PERMIT A
22c FACULTY MEMBER TO DEVOTE MORE TIME TO FAMILY RESPONSIBILITIES.
22d SUCH A CONTRACT MUST PROVIDE FOR THE MUTUAL RESPONSIBILITIES OF
22e THE FACULTY MEMBER AND THE ACADEMIC UNIT INCLUDING THE TYPE
22f AND PERCENT TIME OF THE APPOINTMENT, IF ANY, TO WHICH THE
22g FACULTY MEMBER IS ENTITLED AT THE EXPIRATION OF THE SPECIAL
22h CONTRACT. IN THE CASE OF A PROBATIONARY FACULTYMEMBER THE
22i CONTRACT WILL REGULATE THE LENGTH OF THE PROBATIONARY PERIOD
22j BUT NO MORE THAN TWO YEARS MAY BE ADDED TO THE TOTAL
22k PROBATIONARY PERIOD BY ACTION OF THE SPECIAL CONTRACT.

MOTION 45

The Tenure Committee will move to amend section 11.2, page 18, line 5 as follows:

11.2 General Principles of Priority. The following general principles of
priority apply in any financial crisis:

-- First, the University must fully utilize all means CONSISTENT WITH
ITS CONTINUED EXISTENCE AS A QUALITY INSTITUTION to reduce expenses or
to increase income which do not involve the termination of faculty positions or the
impairment of faculty rights.

-- Second, the University may consider alternatives which involve only the
~~postponement or temporary reduction~~ THE TEMPORARY OR PERMANENT
REDUCTION OR POSTPONEMENT of faculty compensation or other rights.

-- Only thereafter may the University suspend or terminate faculty
positions in accordance with this section.

MOTION 46

The Tenure Committee will move to amend Section 11.3, page 18, line 22 as follows:

Page 18

12 11.3 First Stage: Alternative Approaches. If there has been a serious
13 reduction in the University's income, the President will report the matter to the
14 Senate Consultative Committee. The President will identify the magnitude of the
15 shortfall, the measures which might be taken to alleviate it (which must not
16 involve impairment of faculty rights), and alternative measures which have been
17 rejected. The President will give the Committee full access to all available
18 information and will respond specifically to additional proposals suggested by the
19 Committee. At this stage, the University will consider reductions of non-faculty
20 staff, allowing non-regular appointments to lapse in accordance with their terms,
21 and reductions in other expenses. It will also consider increases in tuition, sales of
21a assets, and borrowing. THESE STEPS WILL BE IMPLEMENTED BY THE
21b PRESIDENT OR THE BOARD OF REGENTS, AS IS APPROPRIATE.

MOTION 47

The Tenure Committee will move to amend Section 11.61(b), page 20, line 25 as follows:

Page 20

20 11.61 General Principles.
 * * *
24 (b) A good faith effort should be made to use temporary suspensions or
25 voluntary furloughs rather than terminations. IN THIS THIRD STAGE, THE BOARD
25a OF REGENTS MAY IMPOSE THE TEMPORARY OR PERMANENT REDUCTION
25b OR POSTPONEMENT OF FACULTY COMPENSATION OR OTHER RIGHTS, IN
25c EXCESS OF THOSE APPROVED IN THE SECTION STAGE. Suspensions without
26 pay for one quarter in any year may be ordered in accordance with objective
27 criteria, provided that faculty members are given at least six months' notice.

* * *

MOTION 48

The Tenure Committee will move to insert a new paragraph between paragraphs 11.61(b) and 11.61(c), page 20, after line 27 as follows:

11.61 General Principles.

(a) Savings achieved through resignations, retirements, renegotiation of contracts, inloading or other measures must be credited to the assigned shortfall before terminating or suspending faculty appointments.

(b) A good faith effort should be made to use temporary suspensions or voluntary furloughs rather than terminations. Suspensions without pay for one quarter in any year may be ordered in accordance with objective criteria, provided that faculty members are given at least six months' notice.

(b') TERMINATIONS MAY NOT BE USED IN CASE OF A SHORT-TERM FINANCIAL CRISIS, BUT ONLY IF THE CIRCUMSTANCES ARE SUCH THAT THE SHORTFALL IS REASONABLY EXPECTED TO CONTINUE OVER A SUBSTANTIAL NUMBER OF YEARS.

(c) A good faith effort must be made to cover as much of the shortfall as possible by allowing non-regular appointments to lapse and by giving notice to probationary faculty in accordance with the terms of their appointments.

(d) A good faith effort must be made to cover as much of the shortfall as possible by transferring faculty members to other positions for which they are qualified or by offering them retraining for available positions.

(e) The selection of faculty members within an academic unit for termination must be made on objective criteria and may not involve the reevaluation of the professional attributes of those individuals.

MOTION 49

The Tenure Committee will move to amend Section 11.62(b), page 21, line 18-23, as follows:

9 11.62 Priorities.

10 (b) Care must be taken to protect the employment of women and
10a minorities ENTITLED TO AFFIRMATIVE ACTION. The Vice President must insure
10b that FOR THE UNIVERSITY AS A WHOLE the ~~final~~ plan WHICH IS SUBMITTED
11 does not reduce the proportion of appointments with indefinite tenure held by
11a women OR MINORITIES ENTITLED TO AFFIRMATIVE ACTION DOES NOT
12 REDUCE, the proportion of probationary appointments held by women OR
12a MINORITIES ENTITLED TO AFFIRMATIVE ACTION, DOES NOT REDUCE, ~~or~~ the
13 proportion of non-regular appointments held by women OR MINORITIES ENTITLED
13a TO AFFIRMATIVE ACTION, ~~in the University as a whole. Groups entitled to~~
14 ~~affirmative action must be similarly protected.~~

MOTION 50

The Tenure Committee will move to amend Section 12.2, page 22, line 27 as follows:

Page 22
23 12.2 Faculty Rights and Duties. In the event that programmatic change
24 leads to discontinuation of a program in which a member of the faculty is
25 employed, the University recognizes its obligation to continue the employment of
26 regular faculty in accordance with the terms of their employment, and to continue
27 the employment of non-regular faculty for the term of appointment. IN CASE OF
27a FINANCIAL EMERGENCY, THE PROVISIONS OF SECTION 11 APPLY.

28 Regular faculty members who are so retained have the responsibility to
Page 23
1 accept teaching or other assignments for which they are qualified, and to accept

2 training to qualify them for assignment in other fields. The University has the
3 responsibility to assign such faculty members to responsibilities as closely related
4 to their original field of tenure as is practicable, to allow them time in which to
5 continue scholarship in their original field if they wish, and to recognize scholarly
6 contributions in that field as valuable in assessing their contribution to the
7 University for pay, promotion and other purposes.

(Previously
added)

8 The University has the right to offer inducements to faculty members
9 voluntarily to change fields of study or to change place of employment or to accept
10 early retirement.

MOTION 51

Harold Alexander, Home Economics, will move to amend Section 13A.2 (originally
printed as Section 10.4), page 15, lines 21-22 as following:

19 13.A.2 Formal Action. After receiving the administrator's
20 recommendation ~~and the report of the faculty,~~ and giving the faculty member an
21 opportunity to comment, ~~the Vice President may initiate formal action by giving~~
21a ~~written notice to the faculty member.~~ THE VICE PRESIDENT WILL DECIDE
21b WHETHER TO PROCEED. IF THE VICE PRESIDENT DECIDES NOT TO
21c PROCEED, THE CHARGES ARE DROPPED AND THE FACULTY MEMBER AND
21d THE ACADEMIC UNIT ARE SO NOTIFIED IN WRITING. IF THE VICE PRESIDENT
21e DECIDES TO PROCEED WITH FORMAL ACTION, THE VICE PRESIDENT MUST
21f GIVE WRITTEN NOTICE TO THE FACULTY MEMBER. The notice must specify
22 the action proposed, identify the specific grounds upon which it has been taken, and
23 summarize the evidence in support. It must inform the faculty member of the
24 right to request a hearing before the Judicial Committee and advise the faculty

Page 15

25 member of the applicable time limit for making such a request.

26 If the faculty member does not request a hearing within 30 days, the
27 President may take the action proposed in the Vice President's notice, without
28 further right to a hearing.

MOTION 52

Alfred Aeppli, Institute of Technology, will move to amend Section 14, page 25,
line 25 by adding a new Section 14.7, as follows, and by renumbering the
subsequence provisions:

Page 25

25a 14.7 THE FACULTY MEMBER MAY APPEAL TO THE BOARD OF
25b REGENTS. THE REQUEST MUST BE MADE TO THE SECRETARY OF THE
25c BOARD WITHIN 10 DAYS OF THE PRESIDENT'S DECISION.

MOTION 53

The Tenure Committee will move to amend Section 18, page 27 as follows:

Page 27

SECTION 18. AMENDMENT

3 ~~Before any proposed amendment to these regulations is submitted to the~~
4 ~~Board of Regents or adopted by the Board, it must be considered by the Tenure~~
5 ~~Committee, the Faculty Affairs Committee and the Judicial Committee, or by~~
6 ~~such committees which have succeeded to their functions. These Committees will~~
7 ~~present their respective recommendations on each proposed amendment to the~~
8 ~~Faculty Senate for its consideration. The Board of Regents will not take final~~
9 ~~action on any proposed amendment until it has received the recommendation of the~~
9a ~~Faculty Senate.~~ THESE REGULATIONS ARE SUBJECT TO AMENDMENT BY THE
9b BOARD OF REGENTS. PROPOSED AMENDMENTS FROM ANY SOURCE WILL
9c BE SUBMITTED TO THE FACULTY SENATE FOR ITS ADVICE AND
9d RECOMMENDATION BEFORE FINAL ACTION BY THE BOARD OF REGENTS.

MOTIONS 54 & 55

Background:

At the February 21 meeting, the Faculty Senate adopted Motion 28, which added a new Section 13.4, relating to panels of the Judicial Committee. As adopted, that section provides:

Page 23

23a 13.4 Panels. The Judicial Committee may sit in panels to hear individual
23b cases. In cases under Section 10, the panels must consist of at least five members.
23c In all other cases, the panel must consist of at least three members.

Motion 54:

The Judicial Committee will now move to amend the above language as follows:

Page 23

23a 13.4 Panels. The Judicial Committee may sit in panels to hear individual
23b cases. ~~In cases under Section 10, the panels must consist of at least five members.~~
23c ~~In all other cases, the~~ THE panel must consist of at least three members.

Motion
54

Motion 55

The Tenure and Judicial Committees will move to add the following additional sentence at the end of Section 13.4 as follows:

Page 23

23d THE RULES OF THE JUDICIAL COMMITTEE WILL ESTABLISH THE
23e RESPECTIVE FUNCTIONS OF THE COMMITTEE AS A WHOLE AND OF THE
23f INDIVIDUAL PANELS.

Motion
55

MOTION 56

Page 16 Mariah Snyder and Sheila Corcoran, Nursing, will move to amend sections 10.5 (now 13A.3) 10.6 (now 13A.4) page 16, 14.4 and 14.5, as follows:

1 **10.5 Judicial Committee Hearing.** The faculty member may request a
2 hearing before the Judicial Committee by written request to the Chair of the
3 Committee, filed within 30 days of the notice. The Judicial Committee may
4 extend the 30 day period for good cause. The Vice President designates the
5 administrator who will present the case. The administrator has the burden of
6 proving the case for the proposed action by clear and convincing evidence and also
7 has the burden of demonstrating the appropriateness of the proposed action, rather
8 than some lesser measure.

9 The Judicial Committee PANEL makes written findings of fact, conclusions,
10 and a recommendation for the disposition of the case. If the ~~Committee~~ PANEL
11 finds that action is warranted, it may recommend action which is less severe than
12 that requested in the written notice, including action which does not involve the
13 termination or suspension of an appointment. It may not recommend more severe
14 measures than those proposed in the Vice President's notice.

15 The Judicial Committee PANEL sends its report to the President with copies
16 to the faculty member and the administrator.

17 **10.6 Action by the President.** The President must give the faculty member
18 and the administrator the opportunity to submit written comments on the report
19 and to make oral presentations. The President may not discuss the case with the
20 Vice President or with any other academic officer, except in the presence of the
21 faculty member or the faculty member's representative.

22 The President may request the Judicial Committee PANEL to make further
23 findings of fact, to clarify its recommendation or to reconsider its interpretation.
24 The reconsideration will be made by those who have heard all of the evidence in
25 the case, but the full Judicial Committee may consult with them on questions of
26 general policy.

27 The President may impose the action recommended by the ~~Committee~~,
28 PANEL or any lesser measure which appears to be appropriate.

Page 24
18 14.4 Action by the Judicial Committee. The Judicial Committee PANEL
19 makes written findings of fact, conclusions, and a recommendation for the
20 disposition of the case.

21 If the Judicial Committee finds that the action complained of was improper,
22 it also specifies the respects in which it finds the action to have been improper and
23 recommends appropriate remedial action. If it recommends reconsideration, it
24 may specify the manner in which reconsideration will be undertaken to avoid the
25 influence of improper factors. If a probationary faculty member has reached the
26 maximum probationary period, the ~~Committee~~ PANEL may recommend a non-
27 regular appointment for an additional academic year to provide for
28 reconsideration.

The Judicial Committee sends its report to the President with copies to the
faculty member and the administrator who appeared as respondent.

Page 25
2 14.5 Action by the President. The President must give the faculty member
3 and the administrator the opportunity to submit written comments on the report.
4 The President may not discuss the case with the Vice President or with any other
5 academic officer, except in the presence of the faculty member or the faculty
6 member's representative.

7 The President may request the Judicial Committee PANEL to make further
8 findings of fact, to clarify its recommendation or to reconsider its interpretation.
9 The reconsideration will be made by those who have heard all of the evidence in
10 the case, but the full Judicial Committee may consult with them on questions of
11 general policy.

12 The President may impose the action recommended by the ~~Committee~~
13 PANEL or any action more favorable to the faculty member. The President may
14 impose action less favorable to the faculty member only for compelling reasons,
15 which must be stated in writing, with specific detailed reference to the report of
16 the ~~Committee~~ PANEL, the evidence presented, and the policies involved. The
17 President's written statement must be given to the faculty member, to the Judicial
18 Committee, and to the Faculty Senate. Its full text must be published in the
19 docket of the Faculty Senate.

20 14.6 Actions Requiring Reconsideration. If the Judicial Committee PANEL
21 recommends reconsideration of an action, that reconsideration will be undertaken
22 under the supervision of the Vice President, unless otherwise specified. The
23 Judicial Committee may retain provisional jurisdiction of the matter to review
24 allegations that the reconsideration itself was improper, and may make
25 supplementary findings, conclusions, and recommendations in this regard.

MOTION 58 & 59

Marcia Eaton, William H. Hanson, and Naomi Scheman, Philosophy, will move to amend Section 7.11, page 9, lines 10-11 (Motion 58), and at lines 12-14 (Motion 59) as follows:

Motion 58:

26 7.11 General Criteria. Indefinite tenure will be granted only to those
27 persons who demonstrate (a) effectiveness in teaching and advising students, and
Page 9 1 (b) professional distinction in research and writing or artistic production. The
2 relative importance of these primary criteria may vary in different academic units
3 but neither may be disregarded in any decision. Probationary appointments must
4 be terminated whenever appointees fail to satisfy these criteria in their last year
5 of maximum probation and may be terminated earlier if it appears that they are
6 not making sufficient progress toward satisfying these criteria.

7 A probationary faculty member's service contributions to the University, the
8 community, the state and nation may also be relevant to a decision, though it
9 should not be expected that faculty members will have made significant
10 contributions of this kind during their probationary period. ~~Performance as a~~
1 ~~member of the academic unit may also be relevant.~~

Motion
58

12 ~~Although the decision will be based primarily on the faculty member's~~
13 ~~qualifications, it may also be based upon program area needs and priorities of the~~
14 ~~academic unit.~~

Motion
59

MOTION 60 & 61

Stephen Sylvester, Crookston will move to amend Section 7.4, page 10, line 13 (Motion 60) and at line 19 (Motion 61) as follows:

Page 10

Motion 60:

12 7.4 Procedures for Taking Formal Action. The academic unit must observe
13 procedures established by ~~the Vice President with the approval of~~ the Tenure
13a Committee IN CONSULTATION WITH THE VICE PRESIDENT, WITH THE
13b APPROVAL OF THE FACULTY SENATE . Those procedures will provide that:

Motion
60

14 (1) There is a good faith effort to gather all relevant information necessary
15 to the decision. The academic units have the primary obligation to assemble the
16 file, but the faculty member also has the right to add any material the faculty
17 member considers relevant.

18 (2) The decision is made by ~~vote, by written unsigned secret ballot,~~ ROLL
19 CALL VOTE, at a meeting of the regular faculty who have indefinite tenure in the
20 academic unit. The rules may provide for absentee ballots by informed absent
21 faculty members.

Motion
61

22 (3) Action is taken by majority vote.

23 (4) The unit reports the vote of the faculty, together with the reasons for
24 the action taken and any minority view which has substantial support. All
25 statements must be made without personal attribution. A preliminary draft is open
26 to members of the faculty eligible to vote so they may comment and suggest
27 changes. The final draft is sent to the affected faculty member and is open to the
28 faculty eligible to vote.

1 (5) In academic units which are widely scattered geographically so that
2 collegial deliberation is difficult, the rules may specify special procedures which,
3 to the maximum extent practicable, conform to the procedures generally required.

4 (6) Before submitting a formal recommendation for an appointment with
5 indefinite tenure or for termination of a probationary appointment, the head of the
6 academic unit informs the appointee of the recommendation and gives the
7 appointee a copy of the final report. The appointee may submit any comments
8 upon the report to the academic administrator who will review the report, with a
9 copy to the head of the academic unit.

MOTION 62

The Tenure Committee will move to amend Section 7.4, page 10, line 13-14 as follows:

12 7.4 Procedures for Taking Formal Action. The academic unit must observe
13 procedures established by the Vice President ~~with the approval of the Tenure~~
13a ~~Committee.~~ UPON RECOMMENDATION OF THE TENURE COMMITTEE.
13b BEFORE GOING INTO EFFECT, THESE PROCEDURES MUST BE REPORTED TO
13c THE FACULTY SENATE. Those procedures will provide that:

MOTION 63

Walter Littman, Institute of Technology, will move to amend Section 11.4, page 18
line 26 as follows:

23 11.4 Second Stage: Reduction or Postponement of Compensation. If the
24 measures taken in the first stage are inadequate, the President may, after
25 consultation with the Faculty Consultative Committee, propose the temporary ~~or~~
26 ~~permanent~~ reduction or postponement of faculty compensation FOR A
26a PREDETERMINED PERIOD NOT TO EXCEED ONE YEAR, according to a
27 mathematic formula or similar device. The Faculty Consultative Committee will
28 report on the adequacy of the steps taken in the first stage and make its
Page 19
1 recommendations on the proposal. If the Faculty Senate approves the proposed
2 action (or any modification of it) by an absolute majority of its membership or by a
3 two-thirds vote of the members present and voting (a quorum being present), the
4 Board of Regents may take that action (or any less stringent action) and, to that
5 extent, modify the terms of the appointments of all faculty members. The Board
6 of Regents may rescind the action at any time thereafter. SUCH ACTION MAY
6a BE REPEATED BY THE SAME PROCEDURE.

MOTION 64

Leon Green Institute of Technology, will move to amend Section 11.51, page 19,
line 17 as follows:

12 11.51 Preliminary Procedures. Before recommending to the Board of
13 Regents that it declare a fiscal emergency, the President must meet with the
14 Senate Consultative Committee to examine alternatives to and the consequences
15 of such a declaration. The President will provide the Committee access to all
16 available information. The President must provide a written report identifying the
17 dollar amount to be saved by reducing faculty positions. THIS REPORT MUST
17a ALSO IDENTIFY THE LEVEL OF APPOINTMENTS AFFECTED AND THE DOLLAR

17b AMOUNT PROPOSED TO BE SAVED BY ANY CONCURRENT REDUCTIONS IN
17c NON-FACULTY STAFF DURING THE EMERGENCY. The Faculty Consultative
18 Committee will prepare a written report on the President's proposal, to which the
19 Senate Consultative Committee may add additional comments. The Faculty Senate
20 will first consider and act on the proposal and reports. Thereafter, the University
21 Senate may consider them. The President must attend both Senate meetings to
22 explain the proposal and to answer questions. After receiving the President's
23 recommendation and the resolutions of the Senates, the Board of Regents may
24 declare a state of fiscal emergency. The Board of Regents' resolution states the
25 maximum amount to be realized from termination or suspension of faculty
26 appointments.

MOTION 65

Leon Green, Institute of Technology, will move to amend Section 11.61 (e), page 21
lines 6-8 as follows:

11.61 General Principles.

(a) Savings achieved through resignations, retirements, renegotiation of
contracts, inloading or other measures must be credited to the assigned shortfall
before terminating or suspending faculty appointments.

(b) A good faith effort should be made to use temporary suspensions or
voluntary furloughs rather than terminations. Suspensions without pay for one
quarter in any year may be ordered in accordance with objective criteria, provided
that faculty members are given at least six months' notice.

(c) A good faith effort must be made to cover as much of the shortfall as
possible by allowing non-regular appointments to lapse and by giving notice to
probationary faculty in accordance with the terms of their appointments.

3 (d) A good faith effort must be made to cover as much of the shortfall as
4 possible by transferring faculty members to other positions for which they are
5 qualified or by offering them retraining for available positions.

6 ~~(e) The selection of faculty members within an academic unit for~~
7 ~~termination must be made on objective criteria and may not involve the~~
8 ~~reevaluation of the professional attributes of these individuals.~~

8a (E) THE SELECTION OF FACULTY MEMBERS WITHIN AN ACADEMIC
8b UNIT FOR TERMINATION WILL BE MADE BY SENIORITY, WITH THE OLDEST
8c INDIVIDUALS FIRST REQUIRED TO RETIRE OR BE TERMINATED, PROVIDED
8d THE PRIORITIES OF SECTION 11.62 ARE OBSERVED.

MOTION 66

Leon Green, Institute of Technology, will move to refer Section 11.5 Third Stage: Fiscal Emergency and 11.6 Principles Governing Termination or Suspension back to the Tenure Committee with instructions to take into account the various proposals and concerns expressed in the Faculty Affairs Committee's motion (Motion 22, February 23), preserving, however, the principle that terminations are permitted.

April 26 Faculty Senate

REVISED MOTION 43:

Norman Kerr, College of Biological Sciences, will move to amend Section 3.2, page 2, line 14, as follows:

page 2

6 3.2 Regular Appointments. A regular appointment is either with indefinite
7 tenure or is probationary, leading to a decision concerning indefinite tenure within
8 a specified period of time. A faculty member with indefinite tenure is entitled to
9 retain that position until retirement in accordance with University regulations or
10 until the appointment is terminated pursuant to the provisions of Sections 10. or
11 11. A faculty member on probationary appointment (a) is entitled to consideration
12 for indefinite tenure, and (b) is entitled to timely notice of termination in
13 accordance with Section 6. A regular appointment may only be held in an
14 academic unit¹ of a degree-granting college², or similar unit, OR BY BIBLIOGRAPHERS
14a OR CURATORS OF COLLECTIONS IN THE LIBRARY. A regular
15 appointment must be for two-thirds time or more over the academic year.

REVISED MOTION 58

The Tenure Committee and Marcia Eaton, William B. Hanson, and Naomi Scheman, Philosophy, will move to amend Section 7.11, page 9, line 10, as follows:

26 7.11 General Criteria. Indefinite tenure will be granted only to those
27 persons who demonstrate (a) effectiveness in teaching and advising students, and
p.9 1 (b) professional distinction in research and writing or artistic production. The
2 relative importance of these primary criteria may vary in different academic units
3 but neither may be disregarded in any decision. Probationary appointments must
4 be terminated whenever appointees fail to satisfy these criteria in their last year
5 of maximum probation and may be terminated earlier if it appears that they are
6 not making sufficient progress toward satisfying these criteria.

7 A probationary faculty member's service contributions to the University, the
8 community, the state and nation may also be relevant to a decision, though it
9 should not be expected that faculty members will have made significant
10 contributions of this kind during their probationary period. ~~Performance~~ - SERVICE as a
11 member of the academic unit may also be relevant.