The University Senate
FACULTY · STUDENT · P&A · CIVIL SERVICE
UNIVERSITY OF MINNESOTA

Faculty Consultative Committee (FCC)
October 24, 2024
Minutes of the Meeting

These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions or actions reported in these minutes reflect the views of, nor are they binding on, the senate, the administration or the Board of Regents. The University Senate Office utilized notes taken during the meeting, video recording and transcript of the meeting, and AI to assist in summarizing substantive parts of the meeting transcript to compose these minutes. Minutes are reviewed by the committee before posting.

[**In these minutes:** Committee Business; Conversation with President Cunningham; Conversation with Provost Croson]

PRESENT: Jennifer Goodnough (chair), Mark Bee, Mark Borrello, David Brown, Liz Davis, Niloufar Hadidi, Sharon Jansa, Timothy Johnson, Perry Leo (vice chair), Julie Olson, Sonali Pahwa, Katherine Scheil, Cliff Steer, David Stenehjem, Subree Subramanian, Eric Van Wyk

ABSENT: Abraham Ayebo, Ann Parr, Shashi Shekhar

REGRETS: Jean Abraham, Rob Blair, Rachna Shah

OTHERS ATTENDING: President Rebecca Cunningham; Brianna Menning, assistant chief of staff, Office of the President; Executive Vice President and Provost Rachel Croson; Deb Cran, chief of staff, Executive Vice President and Provost; Office of the Pawel Mroz, co-chair, Faculty Advisory Committee on the Health Sciences; Laurie Cooper Stoll, director, University Senate Office; Deena Barker, Jaclyn Adair, and John Lof, senate associates, University Senate Office

1. Committee Business

Professor Jennifer Goodnough, chair, called the meeting to order and congratulated Tim Johnson for his recent CNN quote. She then raised the topics of engagement/consultation, emails about the provost's "huddles," and general committee discussion, noting the need to have a frank, informed, and honest discussion of the following:

- Engagement/consultation: This topic was suggested by Eric Van Wyk along the lines of wondering how the FCC can improve the "consultation" process beyond just getting reading material ahead of time. Are there best practices committee chairs have found and what their experiences have been? Goodnough also shared that she and Vice Chair Perry Leo had been discussing engagement at senate meetings.

- The October 3, 2024, email from 16 senators: This was sent to the FCC raising concerns about the "huddles" that the provost had called with the FCC to consult on how to handle protests on campus, alleging that they were held "in secret" and violated the open meeting law. That letter was also shared with additional faculty senators and non-senators (but not with Goodnough directly), encouraging them to reach out to the FCC about the consultations they were having with Provost Croson. That resulted in 12 emails to the FCC and one to Goodnough individually. Of those 13 additional emails, only two were from faculty senators. No FCC members reached out to Goodnough objecting to having additional consultations with the provost, though one FCC member (Pahwa) did object to Goodnough via email on 10/3 that some consultations were scheduled on short notice and outside of normal working hours. Goodnough acknowledged that the timing of the consultations is not always ideal, but the timing is sometimes beyond anyone's control. She also noted that the Senate Office had reconfirmed with the Office of the General Counsel (OGC) that the senate and its committees are not subject to the requirements of the MN Open Meeting Law.
- The "post mortem" email from Professor Teri Caraway: Mark Bee shared this with the FCC the night of October 23rd, and it was presumably sent to all faculty senators (but was not sent to Goodnough directly).

Sonali Pahwa raised concerns about scheduling consultations during non-working hours, particularly the consultation that took place on Sunday, October 6, 2024. She suggested that Friday, October 4 could have been an alternative, accessible consultation day in preparation for the anticipated protests on October 7. Mark Bee noted that the plan to do the "huddles" was discussed at the FCC retreat, and explained that last-minute consultations were part of the process, and "day-in-advance" communication was anticipated. He also pointed out that the Provost's last-minute requests for consultations are similar to prior practices with FCC leadership, and emphasized the positive aspect of including more voices in consultations, despite inconvenient timing.

Subree Subramanian asked for a recap of the events related to unit statements and institutional speech, referencing a number of internal FCC emails spurred by the "post-mortem" email. The "post-mortem" email characterized the President's Task Force of Institutional Speech as being created as a "rival entity" to the Academic Freedom & Tenure Committee (AF&T). Eric Van Wyk provided the following information:

- **Background**: The process began in December 2023, with the provost presenting a draft policy on unit statements to the Academic Freedom and Tenure (AF&T) Committee, which members felt included problematic elements, such as a signature requirement. Van Wyk and other members expressed concerns, but were told certain elements were non-negotiable due to external pressures. This led to feelings that the consultation was limited and rushed.
- **Resolution**: AF&T passed a resolution asking that they take the lead on developing a policy around unit statements. AF&T brought the resolution to the Faculty Senate, where it was endorsed.
- **Task Force Development**: A task force was later initiated. Van Wyk was asked to join but declined, feeling the task force's charge was unclear and that it risked undermining the authority of AF&T. He expressed concerns that the task force might not fully incorporate AF&T's prior work, further complicating the policy's development. He noted that the text from the charge letter that Mark Bee had shared by email had the most

encouraging language he had heard, which was that the task force was encouraged to integrate AF&T's recommendations into their work.

- **Policy Outcome**: Although the draft policy now aligns closely with many of AF&T's original recommendations, Van Wyk remains cautious, especially about certain provisions he sees as unfair. He voiced his lasting frustration with how the process unfolded and the impact it had on his perception of collaborative policy-making.

Bee pointed out that the discussion on the matter began as early as September 2022 (see September 2022 minutes from FCC and AF&T), when the provost first approached AF&T, rather than in December 2023. Despite initial conversations and efforts, the issue did not gain traction, due to several factors including administrative changes and shifts in University priorities, until the events of October 7, 2023 brought it to the forefront.

Bee described a sequence of events where he, as FCC chair at the time, checked in on the issue with the provost, who consistently indicated that she was still drafting a preliminary version, or "zero-eth draft," of the policy. When AF&T finally reviewed it, they saw a more advanced version, which likely exceeded initial expectations of what a preliminary draft might include.

Bee then addressed the accusations in the "post-mortem" email that the task force was created to undermine AF&T's work. He expressed frustration with what he perceived as unfounded accusations of "clandestine conspiratorial" meetings and secrecy by some faculty senators. Bee clarified that the task force was not established to bypass or invalidate the AF&T's efforts, as alleged. He asserted that the provost had engaged faculty governance from the beginning and had genuinely considered Van Wyk as the potential chair of the task force, with opportunities for him to influence its composition.

Van Wyk explained that, while he did suggest members for the task force, the provost did not seem enthusiastic about his recommendations. Bee said that the provost was concerned about ensuring broad representation on the task force, particularly involving various staff roles. He then explained that as AF&T and the task force diverged, the provost increasingly relied on FCC leadership, including Bee, for input on task force membership. He highlighted that several members, including former and current AF&T members and chairs, were selected to ensure strong AF&T representation. He noted that the task force chair, Professor Phil Buhlmann, is a former AF&T and FCC chair. Be emphasized that the intent was never to undermine AF&T's work.

Pahwa raised concerns about process integrity at the University, referencing both the task force and broader institutional issues like the situation with the Center for Holocaust and Genocide Studies.

Van Wyk expressed optimism about the task force's progress but noted ongoing concerns about process transparency and communication. He mentioned that unclear communication has led to confusion, which has fueled suspicions about task force intentions. Overall, participants acknowledged that, while results were promising, transparency and adherence to process remain key concerns.

Sharon Jansa pointed to two separate but related issues: (1) whether people support the process by which AF&T was not the primary body working to develop the policy, and (2) the committee's stance on the task force's work itself. Jansa expressed concern that the situation has

become so politicized that any action taken by the task force, even if aligned with the AF&T recommendations, might still provoke controversy.

Bee expressed concern that accusations against the FCC were being made without a full understanding of the situation.

Pawel Mroz shared his perspective, suggesting that accusations of secrecy were overblown and highlighting the administration's genuine efforts to engage with faculty. He expressed disappointment in the way some communications from a group of faculty senators undermined trust in the FCC.

Leo pointed out the division among faculty regarding trust in the administration, advocating for constructive dialogue with the administration to foster improvement.

Goodnough expressed optimism about the diversity of viewpoints within the group, emphasizing its value for their discussions. She highlighted the importance of engaging in conversations that challenge personal viewpoints, as these discussions help represent the faculty as a whole rather than individual factions. Goodnough acknowledged that while outcomes may not always align with personal desires, it's vital that all voices are included in the conversation.

Tim Johnson remarked on the democratic nature of faculty representation, noting that discussions and compromises are part of the process, even if outcomes are not favorable to everyone. He urged the committee to maintain good faith in their role as a bridge between faculty and administration.

Van Wyk shared concerns about the clarity of roles in recent Faculty Senate meetings, noting a disconnect during discussions with the president, wherein he as the presenter was not invited to answer each question posed by the body. Amber Bathke, senior senate associate, University Senate Office, explained that, at the chair's discretion, a decision can be made in the interest of time, to allow as many senators to voice their opinions as possible.

Mark Borrello, as a new member, voiced uncertainty about the relationship between the Faculty Senate and the FCC, expressing frustration about perceived misrepresentation of faculty sentiments regarding the no-confidence vote.

Goodnough acknowledged that perceptions of the committee's role can differ among faculty members and that varying opinions about the no-confidence vote persist. Leo encouraged the group to consider ways to demonstrate to faculty that their concerns are being addressed, emphasizing the need for clear communication. Goodnough concluded by appreciating the respectful and civil nature of the discussions, expressing hope that this would continue as they moved forward.

2. Conversation with President Cunningham

Goodnough welcomed President Rebecca Cunningham, who provided the following updates:

- **Protests on Campus:** Cunningham shifted focus to recent events on campus, particularly the protests that occurred recently. She noted that, throughout the fall, the University had seen multiple peaceful protests without incident, acknowledging a protest that took place on Tuesday, October 22, as a safe event. However, she described a starkly different

situation on Monday, October 21 in Morrill Hall, where the protests escalated beyond acceptable limits. Cunningham recounted that University employees who were in the building during the occupation of Morrill Hall felt intimidated, faced harassment, and experienced property destruction. Consequently, the University of Minnesota Police Department (UMPD) was called in, resulting in the arrest of 11 individuals—eight of whom were students and three were recent graduates. She clarified a brief incident involving a reporter from the *Minnesota Daily*, who was temporarily detained but later released. She referred to the UMPD statement on the issue. Cunningham noted that there is an ongoing investigation into the events of that day.

- **Leadership Updates:** Moving on to administrative updates, Cunningham announced the appointment of Gregg Goldman as the new executive vice president for finance and operations, effective November 11, 2024. Cunningham also shared that a search for a new vice president for communications is nearing completion, and she anticipates having news about this appointment in the near future.
- **Ongoing Projects:** Cunningham touched on various ongoing University projects, specifically the Future of Advanced Farming initiative, which has been in planning stages for the past two administrations. She expressed excitement about the direction this project is taking, involving a comprehensive approach across the University system. She also provided updates on the University's budget request to the state, which received approval from the Board or Regents (BOR), and the six-year capital plan aimed at enhancing campus facilities. Cunningham emphasized the importance of collective action among the Health Sciences schools in creating a strategic plan, highlighting a request for $45 million to improve healthcare access and innovation statewide.

Cunningham then invited questions from the committee. Goodnough asked Cunningham how the interactions with shared governance and Workforce Reinvestment Resolution influenced the budget proposal. Cunningham acknowledged the significance of shared governance in shaping the budget, particularly the Workforce Reinvestment component. She mentioned a BOR subcommittee led by Regent Robyn Gulley (chair) and Regent Tadd Johnson (vice chair) that is examining workforce reinvestment over the years; along with an internal workgroup focused on the same issue, chaired by Vice President of Human Resources Ken Horstman.

Subramanian raised concerns about the protest of October 21 and subsequent building closures affecting clinic operations and patient access. Cunningham acknowledged the disruption caused by the events.

Pahwa inquired about the police presence during the events, emphasizing discrepancies in reports about interactions with law enforcement. Cunningham clarified that the University of Minnesota Police Department (UMPD) was responsible for interactions with students, with support from the Hennepin County Sheriff's Office, and clarified that de-escalation protocols were in place unless criminal behavior necessitated immediate action.

Goodnough expressed concern about navigating the challenges posed by instant news dissemination, particularly on platforms like X. She asked Cunningham about the process of determining what information to correct or release publicly. Cunningham acknowledges the difficulties faced by the communications team, emphasizing their efforts to provide accurate information amid a rapidly evolving situation. She noted that the University will only release information they are confident is true, distinguishing it from unverified social media claims.

Borrello asked about the importance of de-escalation by first responders in potentially dangerous situations. Cunningham clarified that while laws may have been violated, effective de-escalation remains crucial, although it can be challenging in situations where illegal activity is occurring. She argued that, in the context of an occupied building, once the law has been broken, the scope for de-escalation becomes limited.

Sharon Jansa sought clarification about the detained *Minnesota Daily* reporter, asking if he was wearing press credentials when apprehended. Cunningham confirmed that while the reporter had a "press" vest, he did not possess official credentials. Pahwa also expressed concern about the detention of student journalists, stating that presence of forceful law enforcement could inhibit the ability to witness and report on events. Cunningham clarified that not all journalists were detained; two other press members were present and were not detained. She explained that the student reporter was briefly detained but was released once it was confirmed he was a member of the press. Cunningham challenged the narrative of excessive force, while acknowledging the difficulty of the situation, stating that UMPD worked hard to maintain respect while ensuring safety.

3. Conversation with Provost Croson

Goodnough then welcomed Executive Vice President and Provost Rachel Croson, who provided the following updates:

Protests

- The "huddles" have been valuable to the leadership team. For example, feedback from FCC members during the Monday huddle regarding the Morrill Hall takeover indicated a preference for the Minneapolis Police Department (MPD) not to be involved, which was communicated to the incident response team.
- In anticipation of pro-Palestianian protests that only the day before had escalated, combined with planned anti-vax protests by outside groups, the decision was made to reschedule Dr. Anthony Fauci's lecture on October 22.
- Upcoming Events and Concerns: A protest is scheduled at 1:00pm on Saturday, October 26, coinciding with the homecoming football game. There are concerns regarding physical and psychological safety for Hillel students during the Homecoming parade, which goes right past Hillel and often draws a number of community members as well as our own students.

Enrollment

- Overall enrollment for new freshmen and transfer students is up 7.8% across the system, with diversity metrics also improving.
- Enrollment of students of color reached 33.4%, first-generation students at 25.8%, and Pell Grant recipients at 28.8%.
- Despite challenges from the recent Supreme Court ruling on race-conscious admissions, the University successfully enrolled more Asian, Black, and Hispanic students compared to the previous year.
- There was a 3.1% increase in total undergraduate enrollment across the system, with varying results at individual campuses.

Graduate Assistant Union Discussions

- The University has sought clarification from the Bureau of Mediation Services (BMS) regarding the inclusion of fellows in the GLU-UE bargaining unit. Both parties are eager to return to the bargaining table.

With that, Croson invited questions from the committee.

Leo asked whether the University is keeping pace with changing state demographics. Croson acknowledged that while enrollment of underrepresented undergraduates is increasing, it lags the overall diversity of the state.

Goodnough inquired about the impact of the Supreme Court ruling on graduate programs. Croson explained that admissions processes vary across professional schools, making it a complex situation. She highlighted that the Graduate School has made necessary adjustments for applications that it handles, and has led the discussions in other units who handle their own applications to ensure that their processes are compliant.

Jansa asked about the effect of delays in FAFSA applications on enrollment. Croson confirmed that, despite difficulties, overall enrollment numbers remained stable, although perhaps they could have been higher without the FAFSA delays.

Goodnough then raised questions about new state financial aid programs, specifically the Native American Promise Program which offers first-dollar funding and the North Star Promise Program, which offers last-dollar funding for families earning less than $80,000. Croson speculated that these programs could affect Morris's budget and mentioned the University's Promise Plus program that supports students with family incomes below $50,000. She noted that while the new state program will help those with incomes between $50,000 and $79,999, further analysis is needed to gauge its impact. Goodnough noted that while the Morris waiver covers students who would qualify under the Native American Promise Program, it also includes many Native American students who do not meet the criteria for the state program because they are registered members of tribes outside of Minnesota.

Amber Bathke
University Senate Office