

Minutes\*

**Faculty Consultative Committee  
November 19, 1992**

Present: Mario Bognanno (chair), Amos Deinard, Paul Holm, Benjamin Liu, Toni McNaron, Irwin Rubenstein, James Tracy, James VanAlstine, Shirley Zimmerman

Guests: Carl Adams (chair, Committee on Faculty Affairs), Ann Burkhart (chair, Committee on Equal Opportunity for Women), President Nils Hasselmo, Senior Vice President E. F. Infante, Chancellor Donald Sargeant

[In these minutes: Editing the mission statement; stopping the tenure clock; faculty workload principles; changes in the academic misconduct policy; changes in the faculty compensation policy; baccalaureate degree programs at Crookston]

**1. Report of the Chair**

Professor Bognanno convened the meeting at 12:45 and reported on several items.

**FCC SUBCOMMITTEES** Two FCC subcommittees have been appointed. One (Professors Liu, Louis, and Rubenstein) will examine whether or not there are means by which the faculty can help the University "get its story out," following on the discussion at the last meeting. It was agreed that the work of the subcommittee needed to be sensitive to the needs of the entire state. The second subcommittee (Professors Garrard, Tracy, and Zimmerman) will consider the uses to which compensation provided to some Senate committee chairs might be put.

**DISTRIBUTION OF SENATE MINUTES** Ms. Kvanbeck, Clerk of the Senate, has inquired about the extent to which the written minutes of the Senate and Assembly meetings should be distributed; for as long as anyone knows, they have been distributed to every member of the faculty. Should that practice continue? Committee members reviewed the reactions of their various faculties (which range from pitching them in the wastebasket without reading to being upset if they were not to receive them). Given that the actions of the Senate and Assembly are the culmination of the consultative process, and the minutes report the debate, the policies, and the outcomes, it would perhaps be best to err on the side of over-distributing them. It was agreed, however, that the Senate office should explore cheaper ways to have the minutes duplicated and distributed, and that they should be put on the electronic bulletin boards.

**INTERVIEWING PROTOCOL** Copies of the revised protocol for interviewing candidates for administrative posts were distributed; the revision was approved. It is to be forwarded to the Student Senate Consultative Committee for comments and reaction; once they have commented, it will be placed on the docket of the Senate for information. Meanwhile, Professors Bognanno and Rubenstein and Mr. Engstrand will act as a subcommittee to draft new language setting out guidelines for the appointment of search committees.

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**EDITED MISSION STATEMENT** Professor Bognanno then told the Committee of his reaction to the proposed editing of the mission statement: the changes were much more substantial than he had expected. The new version omits all reference to the University's structure, including the governance system. Much has been deleted because it appears elsewhere (such as the missions of the individual campuses); this is to be the UNIVERSITY statement--but the Senate is an all-University body (along with the Regents and the administration) and it should be referenced. In addition, references to 10 University policies has been condensed into one paragraph--and several of the policies have been omitted, even by brief allusion (i.e., protection of human subjects in research, rejection of privacy in research grants, access, privacy of student records).

This is intended to be a transitional document, Professor Bognanno explained in response to a query; when the strategic planning process is completed, a new mission statement will be drafted. He said he will propose to the President that the deleted reference to governance be restored, that mention of the other policies be restored to the condensed language, and that the document when printed be labelled as "interim" or "transitional" or something similar.

One Committee member expressed discomfort with the proposition that planning should or could precede a mission statement; how can one identify what one can or will do (by planning), and then say what one should or strives to do (in a mission statement)?

## **2. Stopping the Tenure Clock**

Professor Bognanno welcomed Professors Carl Adams and Ann Burkhart to the meeting to discuss proposed revisions to the tenure regulations to permit probationary faculty who become new parents (biological, adoptive, or foster) to "stop the clock." Professor Burkhart recalled that she brought the proposal to FCC on September 17; in response to comments made at that meeting, plus those from other sources, the Committee on Equal Employment Opportunity for Women made a number of revisions in the policy. Since then, the tenure subcommittee of the Committee on Faculty Affairs has also drafted the specific language to revise the tenure code, which has also been reviewed and endorsed by Professor Morrison.

The proposal would permit probationary faculty to extend the probationary period for up to two years (one year for each child)--but no more than two years total, for any combination of reasons. The Committee on Faculty Affairs is asked to recommend an interpretation during the "grandparenting" period, permitting probationary faculty who could have availed themselves of the option to do so provided they have not been given notice of termination. ("Notice," in this case, is the letter from the Provost.)

One Committee member inquired if proof of becoming a parent would be required, to avoid the possibility of faculty masquerading as a new parent. Another Committee member expressed incredulity that anyone would do so; "if one is on thin ice and about to be terminated," he or she might do anything to stop the clock. This is a question of implementation, Professor Burkhart suggested.

Committee members deliberated over the inclusion of foster parents, when the presence of the child can be as short as a few weeks, and no one knew how many faculty took in foster children and subsequently adopted them. Some faculty, again, might use the short-term presence of a foster child to

stop the tenure clock for an entire year, and the University will perhaps need regulations to deal with those who approach this exception with guile. Professor Adams pointed out, however, that while the probationary period CAN go as long as eight years, with the exception being considered today, no faculty is obligated to grant the entire period: If a department/unit faculty perceives that a probationary faculty member will not survive, it can vote to terminate the individual before the expiration of the full probationary period. So, he suggested, one safeguard is that a faculty which perceives that a probationary colleague is making illicit use of these provisions can vote to terminate the individual in advance of the end of the probationary period.

[After discussion with the President, following, the Committee returned to this item.] Professor Adams repeated his point: It must be clear that the faculty have a responsibility to take care of those who try to beat the system.

Two unrelated points were made in the conversation. One, that some faculty members who are not married might be offended by this policy; other Committee members expressed doubt that this would be so. Two, this policy discriminates against those who choose to have more than two children; the Committee declined to say anything on the point.

Subject to the understanding that the Committee on Faculty Affairs and the Judicial Committee will review the proposal prior to the December 10 Faculty Senate meeting, and iron out any unresolved issues, the Committee **voted unanimously to approve the proposed changes in the tenure regulations and to place it on the docket of the Faculty Senate.** Professor Adams assured the Committee that if difficulties arise with which they are unable to deal satisfactorily, the item will be withdrawn from the Faculty Senate docket.

### **3. Discussion with President Hasselmo**

Professor Bognanno welcomed the President to the meeting to discuss the edited mission statement. Both he and the President expressed their gratitude to Professor Adams--who was still at the meeting--for his work in chairing the task force on faculty workload principles.

**MISSION STATEMENT** The President then explained that he expected, as an outgrowth of the planning process, a revised mission statement. It is possible to start with the mission statement, he acknowledged, but said he believed it would be better to consider basic strategic questions in order for the University to be better informed--and perhaps also then better able to get away from the "disease of blandness and universality" that afflicts most mission statements. The 1980 statement, however, is so outdated it is useless, so he has proposed an editing of that statement for current use; it is not intended to be a full-fledged revision or to make any changes.

Professor Bognanno then outlined for the President the concerns expressed earlier in the meeting. The President said that if the editing causes any significant problems, he would be willing to postpone presenting the statement to the Board of Regents at their December meeting; Professor Bognanno said the changes the Committee is proposing are minor enough that it should be possible to dispense with them at this meeting and put the matter to rest.

The President and the Committee considered a number of language changes in the draft and agreed

to those that would be incorporated.

The question about the planning process PRECEDING the mission statement was also raised again. Typically, a mission statement precedes planning, which moves from the general (the statement, the idealized vision) to the specific. In this case, however, it is proposed there be an iterative process. The President emphasized that "iterative" is the key term. Several planning committees have produced statements which anyone could write in 15 minutes, he observed; if the University pursues strategic questions (e.g., defines the responsibility of a land-grant institution, considers how undergraduate education must be integrated and tied to research and service, addresses technological change), the statement can then be revised in a much richer way that is unique to the University of Minnesota. Central to the process will be iteration, between the faculty and the administration, in order to capture what this University will be in the future. The mission statement and the answers to strategic questions, however, will affect each other, it was said, so a change in one will require a change in the other. The President said the questions and answers will inform the mission statement and capture the issues that must be included.

Professor Adams pointed out that a mission statement can be two different things. If seen as a "territorial" document, describing what is sensible for this institution to do (e.g., not what community colleges do), then presumably it would not change very much over time and should precede planning. If, however, it is seen as a document to communicate something fundamental about the institution--what's going on--over a short period of time, then the iterative process makes sense. What needs to be clarified is the vision of the mission statement itself. The statement also needs to be realistic, pointed out one Committee member; it should contain goals that be achieved, or else the University will appear to have failed in carrying out its mission.

It was agreed that the President should go forward with the revised document, but with the clear understanding that neither the administration nor the FCC relies on it as the statement which guides the University and that a new statement will be developed as the planning process proceeds.

**FACULTY WORKLOAD PRINCIPLES** Professor Bognanno then recalled the discussion at the Faculty Senate meeting about the faculty workload principles, and in particular the concerns expressed that the document presages the introduction of controls and a bureaucracy through the back door. The task force was saying, he asserted, that it is NOT that kind of document; it is, instead, a faculty-driven process to establish expectations about the use of faculty time. In the next phase, when the Senior Vice President writes to the deans, it must be made **ABSOLUTELY CLEAR**, so there is no disappointment, that this is to be a bottom-up process whereby the faculty define what they are in a genuinely collegial fashion.

The President agreed it that this is an extraordinarily important topic for the University: there must be a clear understanding that the faculty operate under the principles of academic freedom and are essentially self-governing by University tradition. They operate with great responsibility granted by society, and are given great freedom because doing so serves society well--but that places a self-regulatory responsibility on the faculty. If the University demonstrates it cannot manage its own affairs, he said, the societal pressures will be severe. It must be made clear there is a fundamental commitment to academic freedom in ALL that the University does and that there is both freedom and responsibility.

The President also expressed his delight at the faculty's willingness to adopt the statement of principles; he said it is an important first step in preserving the institution's freedom.

Professor Bognanno thanked the President for joining the meeting.

#### **4. Discussion with Senior Vice President Infante**

**ACADEMIC MISCONDUCT POLICY CHANGES** Professor Bognanno next welcomed Dr. Infante to the meeting; the first item of discussion was the proposed revisions in the academic misconduct policy (a further revised version, containing changes suggested by the Twin Cities deans, was distributed at the meeting).

Dr. Infante said he would like to see the changes approved, but he expressed disappointment that there was no statement of **PRINCIPLES** in the document (in comparison, by contrast, with the faculty workload principles). This document, he observed, is a set of **PROCEDURES**; what is needed is a set of principles.

He said he had reviewed the proposed changes carefully and concluded that none of them were major--with one exception. The Twin Cities deans proposed adding the following language and footnote:

##### **"Promotion and Tenure Proceedings**

"In the event that a misconduct case reaches the investigative phase on a respondent being considered for promotion or tenure, the promotion or tenure review of that individual shall be suspended until the case is resolved."

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"u. This is to address those special instances in which the respondent is being consider[ed] for promotion or tenure. This is to protect any `clouding' of the promotion case due to unresolved allegations. It is understood that for individuals found not guilty of misconduct, and promotion is affirmed, the promotion may be back dated to the appropriate time."

This proviso, Dr. Infante pointed out, stops the process on the **PRESUMPTION** of a problem, not a finding of misconduct.

This would require a change in the tenure regulations, it was pointed out. Professor Bognanno recalled that this point had been debated by FCC last spring; the argument then had been that the promotion or tenure process should go forward with the record available, even if misconduct proceedings were pending, with the understanding that if there were a finding of misconduct, the penalty could include termination. The issue was whether or not career progress should be stalled because of an allegation of misconduct.

Committee members were of a mixed mind about the desirability of this change. It would be difficult to go forward with such a proceeding hanging over one's head, said one Committee member; another said that if the proceedings had reached the investigative phase, it had passed from the point of

being merely an allegation and was now serious. Another pointed out, however, that the inquiry phase is less rigorous than an investigation and is analogous with a grand jury action. What if a faculty member, as a result of an investigation, receives a "slap on the hand from the Senior Vice President"; should his or her tenure or promotion been held up two years because of that?

Another Committee member drew an analogy with the recent allegations made about the members of the men's swimming team: they were suspended until a determination was made. Faculty are not student swimmers, but the procedure is the same. But the inquiry that leads to an investigation, is was pointed out, is to see if there is prima facie evidence for proceeding, not a determination of probable guilt.

Asked if there were any precedents for stopping a tenure decision, Dr. Infante said he knew of only one case. An individual was being considered for promotion to full professor; certain allegations arose, and the dean waited until the outcome before deciding. He agreed, however, that that was different in that the tenure clock was not running.

This change is too substantial for the Committee to act on alone, Professor Bognanno concluded; it needs to be considered by the tenure subcommittee, the Research Committee, and other groups, before being proposed. It was agreed that this version of the procedures, minus the language on promotion and tenure proceedings and the accompanying footnote "u," would be placed on the Faculty Senate docket on December 10. Meantime, Professor Bognanno said he would immediately request the Committee on Faculty Affairs and other groups take up the promotion and tenure question.

Discussion returned to the need for a set of principles. Right now, Dr. Infante commented, if someone were to ask how the University responds to misconduct, this document would be provided--and it would put people to sleep. It doesn't say "who we are" with a set of principles. A number of documents share this characteristic, he noted; for example, the principles of tenure are an appendix to the regulations. What needs to be written, he said, are things that will be read and things that sound reasonable to reasonable people. These procedures should be an appendix to a set of principles.

Asked about who is covered by these procedures, Dr. Infante (with Committee concurrence) said they covered anyone who is an employee of the University; the only ones it does NOT cover are students who are not employees. Those who administer research grants, for instance, can be found as culpable as those who do the research. A question was asked about the Faculty Senate adopting procedures which apply to all groups on campus.

**The Committee voted unanimously to approve the revised procedures (minus the promotion and tenure language and footnote "u") and to place them on the docket of the Faculty Senate.** Dr. Infante said he presumes the deleted language will be taken up by the governance system with all deliberate speed.

**FACULTY COMPENSATION POLICY** Dr. Infante then distributed copies of a revised Faculty Compensation Policy being proposed by his office. He apologized for not having had the document being considered by the administration at the same time it was being debated by the governance system last spring; as a result of not having done so, questions have now arisen which have led to the proposed revisions.

There are two major changes, Dr. Infante said. The language about faculty involvement in compensation now says what it means; it makes the obligations of the chair clear--the faculty must participate--and it does NOT mandate that everyone must set everyone else's salary. Second, the language about an across-the-board portion of salary increases has been deleted. The policy now says that at the unit level, all increases are awarded on the basis of merit; only the President or Senior Vice President for Academic Affairs can decide if distributions will be made across-the-board. The language having to do with automatic increases at time of promotion (\$1500 for promotion to associate professor, \$2000 for promotion to full professor, in addition to any merit increases awarded to the faculty generally) was also changed to clarify that there is no special source of funding for them and that the colleges have to make allowances for the need for the money. (In the instances where the collegiate unit is too small, the allowances will be made at the vice presidential level.)

There was some discussion about why his office did not simply take the funds required for promotions off the top of any increases; the reason, Dr. Infante explained, is that he would not know in time for the budget to be presented to the Board of Regents. At the time budget discussions are held with each dean and vice president, it will be made clear that they must provide for the mandated salary increases.

The Committee also talked briefly with Dr. Infante about the concept of treating a unit or department as a group. The idea that a team--a college or unit--should get a higher rate than other units should be considered. If compensation is based on merit, it is not only individual but also unit merit. If that approach is to be taken, one Committee member cautioned, the units need to be told in advance that this will be a factor in discriminating among units in the distribution of salary increase funds. The utility of such an approach is to change behavior in the direction of overall good for the University (if all units receive the same amount, there is no incentive to change), but they need to know in advance.

When the document is sent to the Committee on Faculty Affairs, one Committee member said, they should be urged to discuss it as widely as possible. There have been two recent instances of a policy being brought to the Senate prior to adequate discussion, it was argued (faculty compensation and teaching evaluation). Professor Bognanno agreed it should receive widespread hearing.

**FACULTY ACTIVITY STUDY** Dr. Infante next turned briefly to the Faculty Activity Study, which was required by the legislature (the report from which the classroom contact hour numbers have recently been cited). The legislature asked for weekly classroom hours; the University did not respond directly, but instead provided data on faculty activity, including classroom contact hours.

Again, this is a document that needs a set of principles, Dr. Infante said. He and the Committee spent some time discussing the methodology of the report and the data it presents. One must be careful how the document is used, Dr. Infante cautioned; it is an honest attempt in the face of enormous difficulties in collecting and systematizing data.

## **5. Changes on the Crookston Campus**

Professor Bognanno welcomed Chancellor Donald Sargeant to the meeting to discuss the proposed change to baccalaureate programs on the Crookston campus. Dr. Sargeant began by presenting the Committee a series of overhead projections (the contents of which will not be recapitulated in these

minutes). Among the issues touched upon included what the campus will be (basically a polytechnic institution, technology-based, with work experience central, intending to send technologists into the workforce). Dr. Sargeant outlined a number of the benchmarks that will be used to measure progress over the next five years, the data collected to suggest the changes will be successful and welcomed by prospective and future students, the role of the campus in state higher education, the views of employers about students with a polytechnic degree, and a number of other issues associated with the change.

Professor Tracy told Dr. Sargeant that the Committee on Educational Policy will probably wish to talk about the changes; he suggested a few issues that might be of interest: the role of the general education component in a polytechnic education; the case for preparing students for an internationalized economy rather than simply a place in the Minnesota economy; the possibility of integrating practical training into such programs as study abroad; and evaluation criteria--how well is the general education portion of the program working. Dr. Sargeant said it is their intent to meet the liberal education requirements established by the Senate, that international education will be a part of the curriculum (in part because area employers will want it), and that they fully intend to evaluate the changes.

One Committee member raised questions about a couple of the specific programs, and the level of rigor that will be required. With insufficient rigor, employers will not want to hire the graduates. Dr. Sargeant noted that the curriculum is still evolving and that they will depend on partners such as employers to advise on it. What they have said thus far, he related, is not that they want more technical education but that students come out with insufficient breadth.

Dr. Infante then told the Committee about assessing the circumstances of the University after the Waseca campus was closed--what it needed to do to respond to the needs of students and the state. It became clear that in the case of Crookston, the University could respond to a need not being met. Across the United States in the last 40 or 50 years, participation in higher education has increased dramatically. In Minnesota, that increased participation has come in a liberal-arts-based education--the type of education that is knowledge-based rather than know-how-based. In terms of the latter, he added, the United States is not competitive with Europe and Asia.

Given the needs of the area, the assets of the campus, and the environment, the move to baccalaureate vocational-technical education seemed to be the best choice. While "polytechnic" may not be the best term--it implies engineering--the University will be playing a leadership role in helping the United States to become competitive in trying to balance the need for liberal arts education (which is not, after all, for everyone) with know-how based education.

It must be clearly understood this will be a very different program in the University. The question can be asked, why should the UNIVERSITY be the one to offer this kind of degree? Because, Dr. Infante said, we are the ONLY ones intellectually capable of providing it--and it is what it means to be a land-grant university. The profile of students, he warned, will necessarily be quite different from that of the Twin Cities. The rest of higher education in the state is becoming homogenized, he observed; this responds to a need not now being met. He expects that there will be very little overlap, for example, between the students who go to Crookston and those who might go to Morris, but both programs will be preparing students for life.

One Committee member, expressing support for the changes, argued that there must still be a



grounding in the basics, because even know-how changes over the course of a career--people must learn NEW know-how. It will be easier if students are well educated in the basics. Another Committee member agreed, saying there must be a strong technical base in the education. There must also be a strong liberal education core, Dr. Sargeant said.

To what extent, Dr. Sargeant was then asked, would Crookston programs duplicate those offered at similar institutions around the country? Many will be new, he said. It was suggested that there should be a manufacturing-oriented program; Dr. Sargeant agreed but said that with the projected resources, and current faculty, it would not be possible to offer it. With private sector support, however, he said they would seriously consider adding the program.

After a brief discussion of the politics of the change, the Committee **voted unanimously to endorse the proposed change to the polytechnic model at the Crookston campus.**

The Committee adjourned at 4:10.

-- Gary Engstrand

University of Minnesota