

---

# The University Senate

FACULTY • STUDENT • P&A • CIVIL SERVICE

---

## UNIVERSITY OF MINNESOTA

### Senate Committee on Faculty Affairs (SCFA)

March 12, 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.*

[**In these minutes:** Welcome and Committee Business; Term Faculty and Academic Professionals Subcommittee Update; Discussion on Administrative Policy: *Indigenous Research*]

**PRESENT:** Clifford Steer (chair), Madison Ahmad, Sophia Beal, Avner Ben-Ner, Grace Conchas, Marie Culhane, Shawn Curley, Ann Fallon, Ole Gram, Michael Hancher, Beth Lewis, Holley Locher, Jenifer McGuire, Katerina Marcoulides, Emily Melcher, Michelle Page, Michael Silverman, Eric Van Wyk

**REGRETS:** Kate Bunner, Ken Horstman

**GUESTS:** Karen Diver, Senior Advisor to the President for Native American Affairs; Katherine Dowd, chair, Term Faculty and Academic Professionals Subcommittee

### 1. Welcome and Committee Business

Chair Clifford Steer welcomed committee members, invited a round of introductions, and began the meeting. Steer noted he would be attending an upcoming Faculty Consultative Committee meeting to share information on SCFA goals and accomplishments for spring semester 2024. He said his report to the FCC would include information on the following:

- Proposed changes to the TFAPS charge
- The discharge of SCFA's Retirement Subcommittee and the desire to maintain connection with the Retirement Programs Governance Committee (RPGC); potentially through a SCFA member being appointed to the RPGC or, at the very least, SCFA providing its recommendations on proposed candidates
- Engaging with the Academic Freedom and Tenure Committee (AF&T) as they continue their work toward providing recommendations regarding unit statements

## 2. Term Faculty and Academic Professionals Subcommittee Update

Katherine Dowd, chair, Term Faculty and Academic Professionals Subcommittee, presented an update on the subcommittee's work using this [slide deck](#) and noting the following:

- The *Term Faculty and Instructional Staff: Twin Cities Campus Report* (see pages 36-59 of the February 8, 2024 BOR [docket](#)) was provided by Rachel Croson, Executive Vice President and Provost, and Beth Lewis, Vice Provost for Faculty and Academic Affairs. Dowd listened to the report and felt encouraged that Regents seemed very engaged in this topic.
- TFAPS has requested a copy of the 2023 Employee Engagement Survey results for P&A Faculty from Marisa de la Rosa, Office of Human Resources, who presented the results at the February TFAPS meeting. The subcommittee is interested in the results vis-a-vis their proposed recommendations for (1) a detailed job classification system to be used more consistently systemwide; and (2) that OHR review instructional job codes with the goal of adding a third tier in the teaching specialists and lecturers series.

## 3. Discussion on Administrative Policy: *Indigenous Research*

Karen Diver, Senior Advisor to the President for Native American Affairs, provided the draft Administrative Policy: [Indigenous Research](#) to committee members for review prior to the meeting.

Diver shared a bit about her position at the University and the work she is engaged in. She said the reason for the development of this new policy is to establish research relationships between the University's researchers and native tribes. Diver developed the [Indigenous Research Guidelines](#) to help researchers prepare for community-engaged research and understand how tribes might look at requests for research. She said the intention was also to provide support to researchers to learn good practices for successful community engagement. She shared practices to consider to build strong relationships when engaging in research with tribes:

- Learn about and respect the rights of indigenous folks
- Respect tribal sovereignty
- Ask permission
- Is the researcher publishing without the knowledge of the tribe? Tribes have the right to their own narratives.
- Build relationships, do no harm, expand your worldview of community-engaged research

Diver noted that The Truth Report is not cited in the proposed administrative policy; and it was an exercise for the benefit of the tribes to tell their own version of their relationship with the University of Minnesota.

Diver said that training is available through the University's training hub for people just beginning to develop tribal relationships, where researchers can learn foundational knowledge

about tribal governments, the scope of their authority, their worldview, and their version of their history with the University of Minnesota.

Diver then invited questions and feedback from committee members and guests. Nora Livesay asked what would fall under these guidelines besides land, tangible resources, individuals, and communities. She noted she did not hear mention of cultural objects, cultural heritage, language, and cultural practices. Diver said she considers those things to be covered under the broad category of cultural patrimony. Livesay recommended that more such examples be included in the policy. Diver said over the next couple years, continuing consultation will be taking place as the University considers the [Native American Graves Protection and Repatriation Act](#).

Eric Van Wyk asked Diver to share more information regarding how “must” and “shall” are used in the document, and if the words indicate differing requirements on researchers. Diver said in relooking at the words in the document, she does not find them inconsistent. For example, she said, you *must* consider indigenous rights, you *must* get tribal consent regarding your proposed research; *how* a researcher does that is not explicitly laid out in the language, but it must be done. The proposed policy is intended to give researchers guidance on what they might see in a Tribal Consent, and how to move through that process respectfully and successfully.

The committee continued its conversation with Diver, asking what it could do to support her team’s efforts. Diver said she is new to the shared governance process and would appreciate any advice from committees regarding any missed steps or processes, best practices for consultation, and words of wisdom.

Holley Locher asked Diver if there is a difference between establishing data sovereignty with the tribes and the University’s policies on intellectual property. Diver said that in cases where clear communication about tribal sovereignty does not happen before the project started, the Office of General Counsel (OGC) and the Office of the Vice President for Research (OVPR) may have to be engaged. That is why, Diver said, the recommendation is to make sure researchers have extensive conversations with tribal leaders prior to beginning their research.

Jenifer McGuire asked if Diver might consider adding “and outreach” to the document so that it includes University units and staff who engage in outreach programs with tribes but not necessarily research. Diver thanked McGuire for the suggestion and said she would add it to her list of items to consider regarding the proposed policy.

Shawn Curley said he highly recommends the training, [Tribal-University Relations Training](#), that is linked in the draft policy, whether intending to do research with tribes or not. He said the training can be applied more broadly than working with tribal nations and asked if Diver thought the policy should be applied at a broader level. Diver said she recommends that the policy remain a stand-alone policy because its focus is supporting tribal sovereignty and governance.

Steer asked Diver if there were any national policies on conducting research with tribal nations and she said there are not.

Ann Fallon asked Diver to speak about the extent to which tribal communities welcome University interaction. Diver said how a tribe either welcomes or does not welcome researchers depends on the researcher(s), their behavior, and the work being done. She said when researchers are community responsive, community engaged, ethical, and work toward building relationships prior to beginning the research, it is highly likely they will be welcomed. She added that tribal members are looking for an interdisciplinary approach to the research; how does it all weave together broadly (does the research affect public health, does it affect cultural preservation, does it affect sustainability, etc.). Diver noted that for people who are scared by native advocacy, she would note that ethical engagement with indigenous nations, respect for their governance and homelands, and recognizing where we have been at fault, all fit into the core values of the University of Minnesota.

Steer then asked Diver to share a bit about the other responsibilities that are part of her role.

Diver noted additional projects she is engaged in:

- Facilitating communication between the president and the tribes
- Facilitating responding to the Truth Report and the priorities that the tribes have outlined
- Good progress was made with the Native American Tuition Program in terms of higher education being affordable, but the tribes noted that other costs, particularly housing, create a significant barrier to indigenous learners attending or wishing to attend the University
- Research into respecting native sovereignty by campus; and conversations with chancellors will take place in the future
- The American Studies department will move to Pattee Hall which will be renovated to be an indigenous research space
- Meeting with deans to discuss interdisciplinary cohort hiring to support indigenous knowledge creation so indigenous learners can see themselves reflected in the pedagogy at the University
- Fully staffing and retaining support staff on all campuses for indigenous learners
- Providing trainings for University colleges, departments, and units

Hearing no further business, Steer thanked Diver and committee members and adjourned the meeting.

Geanette Poole  
University Senate Office