

Minutes*

**Faculty Consultative Committee
Thursday, November 1, 2007
1:15 – 3:00
238A Morrill Hall**

Present: Gary Balas (chair), Nancy Carpenter, Shawn Curley, Dan Dahlberg, William Durfee, Barbara Elliott, Marti Hope Gonzales, Carolyn Hayes, Lois Heller, Emily Hoover, Jeff Kahn, Mary Jo Kane, Judith Martin, Nelson Rhodus, Martin Sampson, Geoffrey Sirc, Jennifer Windsor, Becky Yust

Absent: Carol Chomsky

Guests: Provost E. Thomas Sullivan

Other: Kathryn Stuckert (Office of the Chief of Staff)

[In these minutes: (1) student-rating-of-teaching questions; (2) chair reports; (3) anonymity of external-review letters; (4) discussion with Provost Sullivan; (5) committee business (various topics)]

1. Student-Rating-of-Teaching Questions

Professor Balas convened the meeting at 1:20, noted the items that would be taken up when the Provost arrived, and turned to Professor Wambach for a report on the most recent recommendations of the Committee on Educational Policy on the student-rating-of-teaching questions.

Professor Wambach reported that the Committee on Educational Policy (SCEP) had met the previous day and had further discussion about the open-ended questions to be included on the new form. SCEP talked about merging the two questions (what most helped, what most hindered), and decided the answers from students could be ambiguous. As for the "what most affected your learning," the Committee said it was wimpy and the results could again be misleading. SCEP voted to retain the question "what most helped" the student's learning, to drop the "what most hindered," and to keep the learner-centered question (how could I have been a better student).

The Committee accepted the SCEP recommendations without ado.

Professor Wambach affirmed, in response to a question from Professor Rhodus, that these questions apply to graduate and professional schools as well as to undergraduate courses. (The only exception is the Academic Health Center, which has been granted an exemption by SCEP to administer its own course evaluation scheme, given the different methods of instruction that take place in health sciences fields.)

* 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 represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

2. Chair Reports

Professor Wambach reported that SCEP has discussed the report from the Council on Liberal Education about new liberal education requirements for the Twin Cities campus and it should come to this Committee.

Professor Martin reported that the Committee on Finance and Planning had a discussion of the draft Financial Principles for financing the University and concluded there were parts of the principles it had some concerns about. It appears that some of them are set up to measure certain part of the University but not others. The principles will be discussed at this Committee's "intellectual future" discussion in December. Professor Dahlberg commented that the budget model subcommittee learned about the draft Financial Principles only last week, so has disregarded them because the subcommittee is just about done preparing its report.

Professor Heller (from the Duluth Medical School) remarked that the Twin Cities campus "is beautiful!"

3. Anonymity of External Review Letters

Professor Kahn said he would like the Committee to think more about the options for departments in dealing with external-review letters for probationary faculty. The subject is worthy of additional consideration.

It is clear from the responses of department chairs to the inquiry about the issue, some feel strongly they need anonymity; others do not, Professor Kahn said. The diversity of views seems to track behavior in different disciplines; blind reviews are the norm in the biomedical sciences and people in those fields are shocked to see something so different when it comes to external-review letters. He suggested the Committee think about allowing a diversity of practice.

If the law is changed, it would be changed for everyone, Professor Balas said. A change would not have to REQUIRE that a department use anonymous letters, Professor Kahn said, but it could PERMIT them to do so. Some could have open letters but others would be allowed to redact names and institutions from the letter that the candidate sees. He noted that Professor Chomsky has said this is an issue of fairness, and he agrees that the practice should not vary within a department. But it could vary across departments.

Professor Kane said she remained opposed to asking the legislature to change the law. Doing so would require an enormous expenditure of political capital. Nor is she convinced, she said, that the open-letter law hurts the ability of the University to make appropriate judgments about probationary candidates in the promotion-and-tenure process. Later in the meeting the Committee discussed the politics of making such a request to the legislature.

It was agreed that the Committee needed to respond to the chairs who took the time to respond to the request for information and opinion about the external-review letters. What can be said is that there was not a clear expression of opinion, Professor Dahlberg commented, and that the Committee concluded this was not the time to make such a request. This issue is bigger than one department, Professor Martin said; it is a University issue. Is it possible to get clear and convincing evidence about possible harm

caused by the law? Can the Committee obtain data on the number of external reviewers who refused to write because of the law? One Committee member said he wasn't sure what clear and convincing evidence would be. Professor Dahlberg said that when he served on the IT dean's committee, they received no bad letters, only good ones and "nice guy" letters; the latter are more difficult because they will not say whether the University is making a bad decision. Professor Kane said, in contrast, that her department has received very candid letters, and pointed out that one cannot conclude it is a "nice guy" letter only because of Minnesota law unless the writer is explicit that that is the reason. Where this matters is in close cases, Professor Windsor said, not in the case of stars or those who clearly will not receive tenure; it is the cases in the middle. Professor Yust said her department has received critical letters that have been instructive, but they largely confirm what the faculty already sense; the faculty can in most cases tell without external letters. But if they are all "nice guy" letters, it is hard to tell someone they will not receive tenure, Professor Dahlberg said.

It was agreed that this should be the subject of conversation with Vice Provost Carney, but that now, Professor Balas said, there is a lack of data and divided views so it is not the right time.

Professor Kahn suggested the University look at what other institutions do, at places the University admires for the quality of its faculty. He said he believes the private institutions use blind reviews.

Professor Sampson asked if the University has a reputation for a high tenuring rate or if it is about the same as its peers. [There was no answer at the meeting, but Vice Provost Carney has provided information to the Academic Freedom and Tenure Committee indicating Minnesota grants tenure at about the same rate as other CIC institutions.] If there are "tenure duds," Professor Sirc observed, they should be showing up in post-tenure review.

4. Discussion with Provost Sullivan

Professor Balas next welcomed the Provost to the meeting. Provost Sullivan touched on several matters.

- He provided an update on the five searches currently under way.
 - Law dean: finalists will be identified next week.
 - CLA dean: search committee has met and been charged and ads are out; recommendations are expected the first week in April.
 - Vice Provost/Dean for undergraduate education: finalists will be announced today.
 - Institute on the Environment: semi-finalists are scheduled next week.
 - Acting Director, Institute for the Advancement of Science and Engineering: the committee has sent recommendations and he will talk with the finalists.

- Three deans will go through the regular review process this year: Dean Crouch, IT; Dean Elde, CBS; and Dean Lloyd, Dentistry (which Senior Vice President Cerra will handle).

- He has appointed an advisory committee of about 15 members for the science-teaching-and-student-service facility. They are getting numbers on demand, supply, and capacity and want to verify them. The group is also looking more broadly at the question of what the optimum size for teaching

science is, an answer that could vary with the sciences and engineering fields. They can get to a sophisticated conversation about impact and outcomes, and if the answer is that smaller classes (than at present) are needed, that will affect the number and nature of classrooms and the number of faculty that are needed. Part of this is a longer-term conversation, but it is an important one because a lot of questions have come to the fore.

Professor Martin asked if the advisory committee is seeing the same data that were presented to Finance and Planning; Provost Sullivan said they are but they have asked for a more careful scrubbing of the data and better definitions. He said he wants the faculty to be comfortable with the decisions and repeated that the project raises questions about finances and capacity and the possible gap that may exist between them, which may become questions of budget priorities.

Professor Hayes commented on the need to communicate to the larger faculty about the new facility—and the need for two-way communication. Provost Sullivan agreed on the need to provide all the information when the advisory committee is satisfied with the work it has done. He suggested that she and Professor Sampson talk with him when the advisory committee has done its work.

-- The copyright policy will be on the agenda of the Educational Policy committee of the Board of Regents next week, for information. The discussion will include all intellectual-property policies. They will be up for action in December, but very important work follows after that: assembling an advisory group to draft the administrative procedures that underlie the Regents' policies. Provost Sullivan said he wants to have the faculty fully engaged in that process.

Professor Heller said she thought there were still faculty concerns about the copyright policy; have they been ironed out? Provost Sullivan said there have been changes and they have added a Q&A section to the website that addresses some of the issues (which appears at <http://www.academic.umn.edu/provost/reports/copyright2007.html>). He will provide information to the Board on how the policy has evolved, synthesize it, define terms, share the questions and answers, and indicate the range of questions. Professor Balas said he expects faculty to continue to examine the policy and provide feedback before action is taken in December.

Professor Martin asked if the review of the copyright policy came up in the normal course of review rather than because the Board specifically asked for it. Provost Sullivan affirmed that it came up as part of the routine policy review.

Discussion turned to other items.

-- Professor Carpenter recalled that the Provost has mentioned the possibility of providing a paid semester leave for all probationary faculty. Has he made any progress on the proposal? Provost Sullivan said he is collecting data but does not have answers at this point. He said he hopes that eventually every probationary faculty member will have an opportunity for a research leave; it is not the norm in some units but it is in others.

-- Professor Kane asked about the promotion-and-tenure process. Can probationary faculty hired before 2008 be considered under the old tenure code? (They can.) The new rules apply to faculty hired in 2008? (They do.) Professor Yust pointed out that the same is true for associate professors being considered for promotion. They must make a decision within a year, Provost Sullivan noted. [Here is the

more detailed answer, from Vice Provost Carney: Probationary faculty who began their contract before June 8, 2007 can be considered under the old tenure code. If their contract started after that date, then they fall under the new code. The new Procedures apply to any probationary faculty hired this fall since they apply to the annual review of probationary faculty in 2007. The difference comes in the 7.12 statement. For those who began this fall, they are under the new tenure code but currently under the old 7.12s (except for the Carlson School) and they have one year from the approval of the new 7.12 to choose the old or new 7.12 statement. So potentially, a probationary faculty member who began this fall could be covered by the new code and the old 7.12. However, if the old 7.12 refers to the old 7.11 statement, they are still under the new 7.11 statement. All of this will be in the individual memoranda of agreement with each of them. For those who start in 2008, they are under the new code, new Procedures, and new 7.12s.]

Professor Rhodus asked if there are procedures governing the promotion of non-regular faculty and if there will be an attempt to standardize the process, or will the process be left up to the units? The Academic Freedom and Tenure Committee will take up procedures for promotion of non-regular faculty.

Professor Balas thanked the Provost for joining the meeting.

5. Committee Business

Committee members discussed several matters.

-- Professor Windsor suggested the Committee ask the Provost for a standard form to be used with faculty to indicate which version of the tenure code and which version of the department's 7.12 statement they will use. Professor Balas said that should be mandatory and it is his understanding that Vice Provost Carney will have a standard form.

-- There should also be a standard on what is provided to each new faculty member, Professor Yust commented. She encountered a probationary faculty member in another college who had never seen the unit's standards (7.12 statement). Professor Dahlberg said he'd never read it until he was appointed to the dean's promotion-and-tenure committee. Professor Kahn said that in his unit they have a document with links to all other relevant documents (and thus do not have to provide a lot of paper). He agreed to share a copy of the document with the Committee.

-- Professor Balas said there had been a meeting with the Provost on the copyright policy; the faculty and the Provost are very close to agreement and his views are aligned with the faculty's views on ownership and academic freedom issues. Professor Martin said it is important that someone from this Committee be present at the regental discussion in order to understand the Regents' questions and their interest in the policy. Professor Balas said he will attend.

-- Professor Yust noted the recent national articles reporting on faculty satisfaction with their jobs; she asked how those findings compare with the results of the Pulse survey conducted at the University. Professor Sirc agreed that the Committee on Faculty Affairs would explore the matter.

-- Professor Balas reviewed the items that will be taken up at the annual meeting of the CIC faculty leaders, which he and Professor Hoover will be attending November 2-3. They are:

In the Sunshine or the Moonlight? (Presidential Searches)
Are Intercollegiate Athletics Too Important for Faculty Governance?\$\$
IRB: The Devil is in the Details
Are Fringe Benefits Sinking University Finances?
Voluntary System of Accountability (VSA)
Is Affirmative Action History?

-- A website about kinds of classrooms that are needed is a good idea, Professor Wambach said, but it would also be interesting to see what the faculty say they want. Professor Hoover said that what she wants is to teach classes with fewer students, which is a resource issue. Professor Dahlberg said he would like to see any published research that exists about classrooms and teaching. The important point about the new facility, Professor Sampson said, is that the discussion move quickly.

Professor Balas adjourned the meeting at 2:45.

-- Gary Engstrand

University of Minnesota