

Minutes*

**Faculty Consultative Committee
April 30, 1992**

Present: Norman Kerr (chair pro tem), Mario Bognanno, Amos Deinard, Paul Holm, Stanford Lehmberg, Benjamin Liu, Karen Seashore Louis, Burton Shapiro, Charlotte Striebel, Shirley Zimmerman

Guests: Avner Ben-Ner (Chair, Committee on Faculty Affairs), David Berg (GAPSA), Geoff Gorvin (Footnote), President Nils Hasselmo, Senior Vice President E. F. Infante, Florence Littman (Council of Graduate Students), Maureen Smith (Brief), J. J. Thompson (Daily)

1. Policy on Academic Misconduct

Professor Kerr convened the meeting at 9:35 and reported that Associate Dean Brenner would not be able to attend the meeting because of a death in his family; Dr. Brenner had, however, indicated he did not believe his presence was necessary for discussion of the revised policy on academic misconduct. The Committee turned its attention to the revised draft and focussed on the last section, which would allow for special considerations in the event allegations are levelled against an individual being considered for promotion or tenure.

The language of the draft proposed that final consideration for promotion or tenure be delayed until the investigation is complete (and such delay to be imposed in accord with the process set forth in the tenure code). It was argued that this provision presumes guilt until innocence is proven, that it would be impossible to keep the allegations confidential, and that such a delay would almost invariably lead to the individual leaving the University and going elsewhere rather than stay and have their reputation ruined. It also permits a disgruntled faculty member in a department, outvoted in a recommendation to grant tenure, to file a frivolous allegation of misconduct--thus holding up the tenure grant and allowing the disgruntled faculty member to effectively veto the decision of the department.

Others argued that this language was intended to PROTECT faculty members, and that the chances of a faculty member being granted tenure while under investigation "are zip." The clause would protect faculty against the action of administrators who would prefer to simply "leap lightly over the problem" by denying tenure.

It was agreed, however, that little harm was done to the document by deleting the provision, because faculty members in this situation would have recourse in any event. [Associate Dean Brenner, in conversation following the meeting, concurred that deleting the clause did not in any way fatally flaw the policy.]

It was also voted to place the policy on the docket of the Faculty Senate meeting on May 14 for information.

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2. Allocation of Seats on SCC

Professor Kerr next welcomed Mr. David Berg, from the Graduate and Professional Student Assembly, to explain the GAPSA view of what disposition should be made of the Waseca student seat on SCC. The Student Senate has proposed transferring the seat to the Duluth campus; GAPSA would prefer that it be placed on the Twin Cities, which would create roughly proportional representation for students on the Twin Cities and Duluth campuses (the students at Crookston and Morris, in terms of the relationship between number of students and seats on the Committee, remain significantly over-represented).

Committee members were reluctant to have this issue brought up, with a number of the faculty absent from the meeting and without sufficient time to engage in a reasoned discussion. It would be best to table this motion, although recognized that if no action were taken, the seat would be vacant next year. Committee members appeared persuaded that the arithmetic of the representation clearly favored the GAPSA position.

Another possibility would be simply to drop the seat. This, however, would not eliminate the current swing between one and two seats for GAPSA on alternating years (to achieve roughly proportional representation between undergraduates and graduate/professional students).

The Committee reached no conclusion about its view but appeared to be in favor of tabling the motion.

3. Discussion of the Budget with Senior Vice President Infante and President Hasselmo

Professor Kerr greeted Dr. Infante, who distributed a table of budgetary data to the Committee for discussion. [Note: For those who wish to read a more extended discussion of the budget than time at this meeting permitted, refer to the minutes of the Senate Committee on Finance and Planning, April 28, 1992; the only points noted in these minutes will be those that were new or were amplifications on the earlier discussion. Call 626-0884 for a copy.]

- The 1990-91 base budget of \$462,514,600 actually started out as \$470+ million--but the \$8.8 million rescission in March, 1991, reduced the base by that amount. Inasmuch as the rescission was paid from the reserves, however, the University operated on the \$470 million budget. It is for this reason that there was a planned deficit of over \$7 million in this year's budget--it was not possible, with the rescission in March, to make \$8.8 million in cuts in the three months remaining in the fiscal year.
- There will be a 9% tuition increase in 1992-93--but this will be a REVENUE increase. Individual students will see varying levels of tuition increases, because the administration and Regents, on recommendation of the faculty, are also moving toward a uniform undergraduate tuition. Some increases may be 4%; some may be 12%. (Dr. Infante expressed reservations about the wisdom of the policy, but it will be implemented, he promised.)
- The actual tuition revenues for 1991-92 will be VERY close to the projections--almost on

the mark. For next year, however, the projections are less certain (Mr. Berg, who has been making these estimates for a long time, says that with the changes in the economy and in tuition levels this will be the most difficult year to project tuition in his 20 years of experience). As a consequence, Dr. Infante has recommended, and the President has agreed, that 1/10th of 1% of the total Operations and Maintenance budget (or about \$700,000 - 800,000) will be set aside as a contingency against tuition revenues. This is a VERY tight budget, he said, and the uncertainty of the situation calls for slight reserves against lack of projected income.

-- Tuition estimates include both Day School and CEE.

President Hasselmo joined the meeting at this point and laid out for the Committee the principles that had guided the development of the budget. The basic fact, he said, is that this is another cut that must be accommodated; the positive element is that the University obtained the basic medical sciences building. [Funding for which is now endangered.]

The President said there were four options with respect to the 1992-93 budget: 1) raise tuition even more; 2) cancel some or all of the salary increases; 3) cancel the Reallocation plan; or 4) make more cuts. The administration has opted for the fourth alternative.

There will be an increased need for "phasing" money than has been the case in the past, so funds have been set aside from the reserves. \$2 million will be used for continued support of laid-off employees to minimize the pain inflicted (fund which will not be restored to the reserves); \$8 million will be used by units to phase in changes--this money will be provided in the form of loans which are to be repaid to the reserves when program changes are made. The administration will insist that any cuts serve the long-term interests of the University--rather than be expedient.

There is a certain algorithm to the budget, the President said; it considers the sources of funding (state dollars and tuition, other sources), takes account of restructuring (the Reallocation plan will be maintained), and decisions will not be made which UNDERMINE the plans. As a consequence, those units with heavy student demand will be protected, and additional tuition will not be loaded on students who already pay a high percentage of instructional costs (conversely, units with students who pay a lower percentage of their costs of instruction will bear a larger proportion of the cuts).

Dr. Infante also emphasized the intent to continue the Reallocation plan. The administration has to ensure that the ends of the plan will be achieved: Certain units are somewhat "threadbare" but carry a lot of the student weight, and to retain the Reallocation plan but cut all units back would mean that none of them would advance. As he had noted earlier, the budget takes into account the units which generate significant tuition income; those units will be protected. The same logic, he noted, applies to the research budgets; those units which generate the most income will have their research budgets protected.

Except for the four State Specials to be protected (Minnesota Extension Service, outstate Agricultural Experiment Station locations, women's intercollegiate athletics, the Hospital, and the Supercomputer Center), the Specials will be cut by about 5.6%. They will also be expected to fund internally salary increases.

In nominal terms, the University's budget is essentially flat. In real terms, it will be reduced by several percentage points.

The President next recalled for the Committee that the Board of Regents had requested reports on the circumstances under which the Crookston and Morris campuses operate; the reports will be provided. In the case of Crookston, restructuring will be considered. Crookston may propose to add selected four-year programs, a change that would make the campus more "viable." There would be no increase in State funding required; the additional tuition revenues would allow the change from the two-year to the four-year curriculum. The selected programs would be in agriculture, small business, natural resources, and hospitality--areas in which the campus is already strong. The change would also be linked to a pilot telecommunications project, a hook-up between Crookston and the St. Paul campus, so that Crookston could enhance its offerings with courses from St. Paul--and also reduce the need for additional faculty.

There is no recommendation pending to close the Crookston campus, the President said; the University must retain a presence in northwestern Minnesota.

There was discussion of the "degree of uniqueness" of the Crookston programs. The President identified the ways the programs serve needs not fulfilled in other area institutions and outlined the three principle arguments in favor of the four-year program: Access to and presence of the University in a large area of the State, the unique programs, and the telecommunications pilot project. It was suggested by one Committee member that with increasing pressures on higher education, the political arguments may make sense in the short-term but it will be the strength of the argument on educational grounds that will be of most long-term importance.

In part this decision will be related to any additional discussion of the merger of the higher education systems, the President noted. If the issue is re-opened next year, the University could be affected--but the University must make decisions now on the basis of the current situation and about that which it can control.

It was also noted that under-enrollment is not a problem in northwestern Minnesota; Moorhead State and the technical colleges are OVER-enrolled. Any under-enrollment is at the community colleges. The demographic data for the area, moreover, suggest there would be significant retention of students within the University system if Crookston were to become a four-year institution; at present many students who leave after two years transfer to other institutions because they do not wish to come to the Twin Cities.

Dr. Infante commented that one problem is the reciprocity agreement with North Dakota: Minnesota has become a (relatively) high tuition, high aid state; North Dakota has remained a low tuition, low aid state--and the discrepancy in tuition rates has increased substantially. These problems have not been a part of the budget discussion thus far.

Asked about the possibilities for external and research support at Crookston, the President reported that the campus has been very successful at fund-raising. All four of the program areas are built on regional needs, he said, and there is good collaboration between the campus and the local community. There are perhaps a half dozen external grants to Crookston faculty, it was said; there should, in the future, be opportunities for increases.

Dr. Infante was asked if there are similar problems with the reciprocity agreement with Wisconsin. There are several, he said, and they arise in certain specific fields. For instance, a Wisconsin student can attend the Minnesota Law School and pay about half what Minnesota residents pay. Only Dentistry and Veterinary Medicine are excluded from the reciprocity agreement, he said, and he suspects that reciprocity works in strange ways. It appears that students flow TO Wisconsin FROM Minnesota in the expensive programs and that they flow TO Minnesota FROM Wisconsin in the less expensive programs. There is a relatively high percentage of reciprocity students in General College, for example.

The problem with changing the agreement, President Hasselmo observed, is that reciprocity is tied to a tax agreement; Minnesota appears to be favored in the tax agreement but at a disadvantage in the reciprocity arrangements.

Discussion next turned to the incidents at the Duluth campus. The President reported that the recent attention is to events which have been going on for some time; the FBI is now involved in an attempt to find the perpetrator of threats--which are CRIMES. He asked Assistant Vice President Tschida to go to Duluth, as soon as the first terroristic letter arrived, to help organize an effort to respond and to assist in finding the individual(s) behind them.

In Industrial Engineering, the President said, there have been rumblings and confrontations which reflect deep ideological differences. The harassment cases have been dealt with through regular University procedures and have been settled.

There seems to be a problem, the President was told, that there is a perception on the Duluth campus (whether or not true is unknown) that the situation in Industrial Engineering was not dealt with firmly; there was a slap on the wrist but no action taken. Is the University considering additional steps or is the case closed? The President said the cases were settled four years ago and the University is not exploring ways to reopen them. What has occurred is a "continuing rhetorical skirmish" which is hard to deal with in the context of academic freedom. The University must affirm, over and over again, the fundamental principles for life on campus, including civility, equal opportunity, and protection for all on the campus.

There have been threats on the other campuses as well, it was noted, including against the President, but there is no sense that any of them are connected.

Professor Kerr thanked the President and Dr. Infante for joining the meeting.

4. Academic Compensation Policy

Professor Kerr turned to Professor Ben-Ner to introduce the statement on compensation for academic staff. Professor Ben-Ner reviewed the work which had led to the drafting of the statement and then outlined the major elements of the document.

It focuses only on salary increases, he said, not on the structure of salaries in departments or units. The principal thrusts are these:

- Requirement that a statement of clear criteria for salary increases be adopted by all departments, and that the criteria be related to those set forth in the tenure code for promotion and tenure.
- There must be faculty involvement in the decision-making on salaries.
- There must be an annual review, and possibly more in-depth reviews periodically.

Other recommendations are less hard-hitting, Professor Ben-Ner said. The allocation format for increases would be under the control of central administration (that is, the portions of any increase which would be for merit and for across-the-board increases, and the language of the document would permit the increase to be entirely one or the other). The document also institutionalizes increases for promotion in rank (\$1500 when to Associate Professor, \$2000 when to full Professor).

The group that developed and approved the document, Professor Ben-Ner told the Committee, believe that there should be a compensation committee to look into issues not dealt with (such as disparities across ranks or units, and salary compression). These have not been easy issues to deal with, he concluded; there are many special interests at stake and the most difficult issues have been left unresolved. This has also been a difficult TIME to work on them; some working group members, considering the University's financial situation, saw the effort as futile.

There was then discussion of how different the document's recommendations are from present practice. Some thought there was little change proposed, and that much here has already been required by the Rajender consent decree; others, including Professor Ben-Ner, pointed out that the requirement of faculty involvement in the salary decisions was entirely new and not required by any existing policy; this, commented one, is not merely toying with existing practice. Nor are salary increases upon promotion required anywhere. This document does NOT overhaul the compensation system, Professor Ben-Ner pointed out, but these changes, plus the requirement of specific criteria, are not on the books now. If they are, it was noted by another, no one knows about them.

One Committee member endorsed the idea of faculty involvement but expressed "fundamental disagreement" with the notion that a 5% salary increase, covering two years, could be anything except across-the-board--to do so would be unfair to lower-paid faculty. Others suggested that making the increase solely across-the-board would be to the advantage of HIGHER-paid faculty, because the document requires percentages, not flat dollar amounts.

The intent in the document, Professor Ben-Ner said, was to dodge complicated compensation schemes that might work well today but not tomorrow. The burden will be on FCC and the President and Provost to consult about across-the-board versus merit increases each year, according to the circumstances.

It was argued by another Committee member that decisions should be made at the level closest to those doing the work--in the department. Departments vary greatly in their demographics and productivity and they should be permitted to use the funds in whatever way will work best to achieve their goals. The document calls for central administration to allocate between merit and across-the-board, and one Committee member expressed doubt that departments should act differently--that

situation could lead to considerable faculty discontent if an individual would have been better off had the department allocated funds one way rather than another. The problem, it was said, is if the administration allocates all of the funds to merit increases; this requires a department to SHOW that it did not give across-the-board increases and to justify every dollar--something extremely difficult to do in small departments with a narrow range of productivity.

Asked about the status of the document, Professor Ben-Ner said the intent was that if adopted, its provisions would be BINDING, not merely recommendations.

One problem identified in the document is the language describing departments (it identifies "budgetary units"). In some colleges, the budgetary unit is the college itself. Professor Ben-Ner reported that neither the working group nor SCFA was able to devise an appropriate definition for academic departments, but it was agreed that some amending language would be necessary.

It was agreed to place the document on the docket of the Faculty Senate for its May 14 meeting, with the understanding that some changes may be necessary before it can be acted on. If those involved act with sufficient alacrity, it could be presented for action at the May 21 Faculty Senate meeting.

The Committee adjourned at 12:10.

-- Gary Engstrand

University of Minnesota