

Minutes of 23 January 2017
Circulated 20 February 2017
Recirculated 20 March
Approved 20 March 2017

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
January 23, 2017
Monday, 3:15 pm
Forum Hall, Palmer Commons

Present: Alam, Atzmon, Azizi, Bhattacharyya, Broglio, Cattaneo, Chen, Cohn, Dolins, Djuric, Eaton, Ellis, Erikson, Freeman, Gaggio, Jacobsen, Jones, Kaartinen, Krivokapic, Kupferschmid, Lehman, Lenk, Liu, Malek, McInnis, Moss, Noll, Ortega, Pecina, Sanchez, Schultz, Schwank, Skolarus, Smith, Veatch, Whiting, Woodard, Wright

Alternates: Lusmann (MTD), Chen (UM Dearborn), Stoddard (Nursing)

Alternate Requested: Aidala, Beck, Beatty, Brown, Bruch, Casida, Gallo, Ghaferi, Kileny, Smith, Zimmerman

Absent: Bagley, Bertacco, Carlos, Chatterjee, Mortenson, Friesen, Gocek, Greve, Keshamouni, Larson, Li, Likosky, Lyman, Menon, Mondro, Orady, Princen, Roddier, Schmidt, Shaefer, Szymanski, Vinkur, Wang, Weineck, Welsh, Zeisberg

3:25 Call to Order/Approval of Agenda and Minutes/Announcements

Chair Schultz called the meeting to order. The agenda was approved. The minutes for November 21, 2016 and December 12, 2016 were approved.

3:30 SACUA Nominating Committee Election

Chair Schultz explained the voting procedure and ballots were distributed. Professors Whiting, Wright and Potter counted the votes. Professors Lehman and Smith will serve as outgoing SACUA members; Professors Beck; Bertaccio, Ellis, Dolins, Gocek and Zeisberg were the top vote getters; Professors Beck and Dolins received the most votes, Professors Bertaccio, Ellis, Gocek and Zeisberg received the same number of votes.

3:45 Academic Affairs Advisory Committee (AAAC) Resolution

Resolution for Senate Assembly from AAAC

Although Regents' Bylaw 5.09 specifies the due process procedures for dismissal or demotion, it does not define demotion. The AAAC has learned that so far three schools have acted to reduce individual faculty base academic salaries by 10% or less with the assertion that the administrative action does not constitute a demotion. The AAAC recommends that the Senate Assembly adopt the following statement:

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The Senate Assembly, in its capacity as the legislative arm of the University Senate (University of Michigan Bylaws of the Board of Regents, Sec. 4.04), hereby declares that any reduction to an individual faculty member's base academic salary constitutes a demotion and entitles the affected faculty members to all of the due process provisions of Regental Bylaw 5.09.

Professor Lehman introduced the motion, which was approved by AAAC (9 December 2016), and endorsed by SACUA (January 9, 2017). He also discussed the history of Regents Bylaw 5.09 saying it had been invoked five times in his 20 years of involvement with faculty governance, and that the faculty member had usually resigned when the case went forward. The effectiveness of due process procedures has not, however, prevented some administrators from seeking to circumvent the procedures connected with the invocation of Bylaw 5.09. He said that SACUA had learned, two years ago, that the College of Pharmacy was developing procedures to remove tenured faculty. In the past year, a faculty member approached AAAC because that faculty member had been subject to salary reduction for failing to meet the ambitious new goals of a department chair for increasing scholarly productivity and enrolment. Three units: Dentistry, Medicine, and Pharmacy have imposed a 10% reduction (only a handful of cases and the action was grievable). An AAAC member found there was no legal authority for these administrative measures not be considered a demotion, and ample evidence to the contrary.

Professor Smith asked what the rationale for a 10% reduction was and whether there was a limit? Chair Schultz said he believed the limit was 3 accumulative reductions. A Senate Assembly member said these changes took place in medical departments and shifted compensation from base salary to clinical differential. A Senate Assembly member asked what other institutions are doing? Professor Lehman said that his information about other institutions was anecdotal. Professor Wright asked for clarification about the difference between the grievance process and the due process protections under 5.09. Professor Lehman said that there were rights under 5.09 that did not exist in the grievance policies. Chair Schultz pointed out that SACUA could find a complaint grievable, but AAAC wished the use of 5.09 to be automatic in this case. Professor Ellis asked if this would apply to Flint and Dearborn as well. A Senate Assembly member asked if anything in this motion would be binding on the administration? Chair Schultz said no. Ellis said that the purpose of the motion was to place the 5.09 process in motion without a faculty member having to file a grievance. A Senate Assembly member asked why SACUA's endorsement had not been unanimous. Professor Smith said that there was disagreement over the question of whether the assignment of additional teaching would be considered a demotion. Professor Smith said that he felt that if a person is not doing his/her fair share of research a chair or dean could ask for additional teaching, but he recognized that there would be differences by unit. Professor Atzmon said that he felt that teaching should be addressed separately.

3:55 Voting on the motion was opened (this is the first attempted vote using clickers in Senate Assembly and it was felt that this was not working in the time allotted). Professor Smith moved that a vote by hands. The vote in favor of voting by show of hands was unanimous. The vote in favor of the motion was 33 with one abstention.

4:00 Guests: Provost Martha Pollack and Interim Provost Paul Courant

Chair Schultz invited Provost Pollack to address the assembly. Provost Pollack said that she respected the opinion of the assembly and disagreed with the motion that had just been passed because she felt that performance was connected with salary, and that there were policies governing the imposition of a salary reduction, including a year's notice and peer review. She

said with tenure under attack, it is dangerous to conflate performance issues with academic freedom.

Provost Pollack said that the culture (faculty, student and staff) of the University was special. One aspect of that culture is a relentless focus on excellence, that people take the phrase "Leaders and Best" seriously. She feels that Michigan is characterized by the faculty's commitment to both research and to teaching in contrast to institutions that stress teaching less than research. She also feels Michigan is a place where faculty instinctively go across boundaries. She added that the University has an abiding commitment to social justice, diversity and equity and that there is an underappreciated Midwestern "can-do" attitude at Michigan.

There are challenges that institutions of higher education face in the coming years. The first is cost structure. Provost Pollack said members of the public often ask her why tuition keeps going up? She feels that is the wrong question. The right question is, "Why does tuition go up faster than inflation?" One reason is decline of state support; there being significantly less than 15 years ago. She also noted that costs in labor intensive industries grow faster than others, that cost of compliance is increasing, and that we are educating a wider swath of students. She feels we need to find a sustainable budget model to either drive down costs or expand revenue; that faculty and administration must work together the cost dilemma. A second challenge only partially related to the cost issue is the loss of respect for higher education in the eyes of the public. Universities need to demonstrate their relevance to the public, through the great value of the humanities as well as STEM subjects. The University community needs to take the time to articulate how what we do matters. Finally, she added, that it is a disaster for the relationship between faculty and administration to be adversarial. Three years ago, when the "AST fiasco" hit, she spent her 1st semester as provost dealing with the issue. It was a difficult time for her. When she got an e-mail from SACUA at the end of that semester, thanking her for listening to its views, it reminded her that administration and faculty governance can work together.

Chair Schultz introduced Acting Provost Courant. He discussed the long-standing connection between Cornell and Michigan (Provost Pollack is the 6th Michigan administrator to go on to the presidency of Cornell). He pointed to an article in the *New York Times* that shows how poorly universities generate intergenerational income changes (https://www.nytimes.com/2017/01/18/opinion/sunday/americas-great-working-class-colleges.html?_r=0). The problem is not that universities are unaffordable, but we poorly convey higher education's financial benefits to the relevant population. He believes that universities need to convey what we have learned to society as a whole. He discussed President Tappan and the Detroit Observatory, which had research and practical use (it set chronometers for ships on the Great Lakes and train scheduling). It is important that the faculty determines who is qualified to be a professor. The University has a responsibility to use its expertise in teaching and service, noting that there are calls in some states for an end to tenure and tighter control over how faculty spend their time. He praised Michigan's interdisciplinarity.

Provost Pollack said that one major piece of unfinished business is re-envisioning the sustainability programs. Interim-Provost Courant said that his tasks will be bringing in a budget and promotion and tenure cases, and he will be actively involved in Dean searches. Provost Pollack said that the president will announce the search committee for the new provost within a week or two. Professor Lehman thanked Provost Pollack for her work with AAAC. A Senate

Assembly member asked Interim-Provost Courant if there was unfinished business from his term as provost? Interim-Provost Courant said that a great deal has changed. He said that the work

he had been doing on budget at that time has been accomplished, while explaining the purpose of a university to the broader world is much more important now. Professor Atzmon asked about the presidential post-doc program procedure for hiring and transition to tenure-track. Provost Pollack said that procedures differ from one unit to another; that people do not start with the title of Assistant Professor in all areas. Her understanding of the program is that a person hired in a post-doc position will then be vetted in a standard way for a regular faculty position.

Chair Schultz asked how and when we will know when our DEI initiative has succeeded. Provost Pollack said that it will be a long time before the country solves its diversity problem. She said there are two ways to measure: 1) growth in students, faculty, and staff populations from diverse backgrounds and 2) regular climate surveys showing improved satisfaction. The perceived tension between the commitment to free speech while having a work environment that is not hostile will be a great challenge.

4:47 Adjournment

4:45 Reception in Lobby

Respectfully submitted,

David S. Potter
Senate Secretary

University of Michigan Bylaws of the Board of Regents, Sec. 4.01:

The University Senate

The senate is authorized to consider any subject pertaining to the interests of the university, and to make recommendations to the Board of Regents in regard thereto. Decisions of the University Senate with respect to matters within its jurisdiction shall constitute the binding action of the university faculties.

University of Michigan Bylaws of the Board of Regents, Sec. 4.04:

The Senate Assembly

The Senate Assembly shall serve as the legislative arm of the senate.

The assembly shall have power to consider and advise regarding all matters within the jurisdiction of the University Senate which affect the functioning of the university as an institution of higher learning, which concern its obligations to the state and to the community at large, and which relate to its internal organization insofar as such matters of internal organization involve general questions of educational policy.

Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs:

In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed.