

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
MINUTES OF 13 FEBRUARY 1995

Loup convened the meeting at 3:17 PM.

MATERIALS DISTRIBUTED

1. Agenda
2. Draft minutes of the Senate Assembly meeting of 23 January 1995
3. Minutes of SACUA, 5 December 1994
4. Senate Assembly and SACUA Procedures, dated 7 February 1995
5. Draft Faculty Grievance Report, dated 3 February 1995

The minutes of 23 January 1995 were approved as distributed.

ANNOUNCEMENTS

Chair Loup announced the election of Professor George Brewer as Chair of SACUA for 1995-1996 and the election of Professor Thomas Moore as Vice-Chair for 1995-1996. She asked Senate Assembly members to pledge them their support in the year ahead.

Chair Loup then announced that a member of the Senate Assembly, Professor McNee, had been struck and injured by a University bus while en route to the Assembly meeting last month. Professor Maloy asked that a letter be sent to Professor McNee on behalf of the Senate Assembly.

Chair Loup also announced the death of Professor **[Claude Agerson]** (check spelling) formerly of the School of Education, who she said had been instrumental in establishing the present governing structure of the Senate Assembly. Professor Dunn requested a moment of silence in memory of the deceased, and Chair Loup asked the group to stand in silent gesture of respect.

CANDIDATES FOR SACUA

Chair Loup announced the names of 6 candidates who had agreed to stand for election:

**[please supply full names]

Professor Moore then nominated from the floor Professor Donald R. Deskins, Jr. (seconded by Professor Dunn) and Moore provided a brief resume of Professor Deskins' academic and university service qualifications.

Professor C. Smith moved to close nominations (second by Montalvo) and the motion was approved by voice vote.

REPORT ON INTER-COLLEGIATE ATHLETICS

Chair Loup announced that Athletic Director Robertson had been unable to attend this meeting, and that the report would be presented by Ms. M. J. Bradley-Doppes, Associate Director of Women's Athletics.

Ms. Bradley-Doppes provided a review of the activities and accomplishments of the Athletic Department during the 1993-1994 academic year. The main text of her

remarks, dealing with honors and awards, NCAA athletic certification, the Department of Athletics' Mission and Vision statement, student-athlete policies, gender equity, and academic performance committee, are included in the appendix to these minutes.

In addition, Ms. Bradley-Doppes announced that the Athletic Department had made a firm decision this year to forego any plans to construct luxury boxes in Michigan Stadium, and that the concept was now formally "off the agenda". She then introduced the topic of the "Nike deal", which aroused public attention this year. She said that the agreement had its origins in a situation tracing back four years. She explained that many UM coaches had been developing their own deals with individual sporting goods makers, and that at one point she had learned that 29 separate contracts existed under which "we were selling the Michigan name" but that the university as an entity was not necessarily reaping any financial benefits. In the case of Nike, she said, it was the UM making a deal, rather than individual coaches. She emphasized that the model followed was that of a broad-based program with incentives for scholarships and links to academic programs. She announced that subsequently she is trying to negotiate an agreement with either Coke or Pepsi for exclusive distribution rights at sporting events.

Ms. Bradley-Doppes then announced that the UM would host the Pigskin Classic at Michigan Stadium this August, and that as such it would be the first televised intercollegiate football game of the season. She explained that home games produce about \$2 million in local community revenue. She said there is an effort to attract an auto manufacturer as a title sponsor for the game, and then to use resulting revenue for gender equity programs and other activities.

Professor Hinman expressed his approval of the higher eligibility requirements placed in effect for athletic participation. He expressed disapproval for what he called the apparent practice by professional teams in some sports including hockey and baseball, of regarding college teams as a part of their farm system. Ms. Bradley-Doppes replied that along with raising eligibility requirements, the NCAA had rescinded the ability of coaches to act as agents for their players.

Professor Marich asked if alternatives to luxury boxes had been considered, and Ms. Bradley-Doppes said no. He expressed positive reaction to the Athletic Departments mentor program, and the speaker responded that the program helped to prepare student athletes for life.

Professor Smith asked about the functions of the Board of Control. Ms. Bradley-Doppes replied that it was an advisory board that permitted sharing of information and also served as the checks and balances to departmental activities.

Professor Zorn asked about challenges of increasing participation in Women's sports, and asked specifically about the status of Women's basketball. The speaker answered that participation numbers have increased but that there were social pressures working against intense training for sports that often were played in front of empty stands. She noted further that any time there is a coaching change, some athletes leave the program, and that Women's basketball had been affected in this way.

Professor Shirley asked about counseling opportunities for athletes who might be enticed to leave the university before completing a degree program. Ms. Bradley-Doppes replied that such counseling was indeed available to the student athletes.

The speaker finished her report at 4:15 PM.

SENATE ASSEMBLY PROCESS

Professor Dunn made a presentation about procedural matters. He explained that after its receipt of the Multicultural report, there seemed to be some confusion about procedures and next steps. He said he had consulted with the Senate Parliamentarian and as a result had prepared a two page commentary (item 4) that was distributed to members for information.

Professor Dunn reported that SACUA had concluded that in the future when committees submit a written report, there would be two additional documents that would accompany the report. One would be a copy of the original charge to the committee, and the other would be a list of potential places where the report or its recommendations could be directed.

Professor Dunn explained that the purpose of the Senate Assembly is to stimulate University-wide debate on issues, and to propose ideas for discussion that might not be universally popular. He referred to what he thought was misplaced concern about voting on a report and its recommendations, that voiced itself as apprehension about the fate of the recommendations. Dunn submitted that adoption of a report by the Senate Assembly is not a mandate for action, it is rather an expression of opinion by a university-wide group that is akin to saying "think about it". He reminded the Assembly that the Regents are the group that ultimately dispose all university matters. The Senate Assembly, he said can only give advice. He added "we should be a little more free with it".

Professor Shirley expressed appreciation for the clarifications offered by Professor Dunn to the Assembly.

REPORT ON GRIEVANCE PROCEDURES

Professor Moore reviewed the history and evolution of grievance procedures at the University of Michigan, with reference to a draft report (item 5) distributed to the members. He explained that the Regents, central administration, and the Senate Assembly are the University bodies with responsibilities for university-wide matters. As such, he maintained, they had to operate in the context of a system of checks and balances.

Professor Moore's presentation followed the text and illustrative material contained in the draft report. He finished his presentation with a request for written responses from Senate Assembly members. He advocated a process of refining the report to achieve the best possible statement from the faculty's point of view, followed by negotiation with the administration for implementation. He noted that two recommendations were proposed that would make the grievance process more central and standard. One would be creation of a faculty monitor to track all cases, and the other would be advance training for members of grievance review boards.

Professor Lee expressed concern that statistics offered by Professor Moore represented only a fraction of the true grievance problems at the university, and that the available data were not tapping the true conflict. She explained that in many cases grievants had to make petition for formation of a grievance review board to the respondent of the grievance. She characterized the inherent conflicts of interest as scandalous, fraught with denials of due process rights, and she asked if the practice were common elsewhere. Professor Moore responded that the University of Michigan system

was unique, and that the proposals of the draft report were intended to redress current deficiencies.

Professor Zorn noted that the present 2-year term for the office of ombudsman is insufficient, in his view. He said the incumbents need more experience and knowledge of procedures. Professor Moore replied that institution of a faculty monitor and of similar procedures across units should help the system work better.

Professor Hosford noted that presently decisions were not binding, and consequently they often became an exercise in futility. Professor Moore agreed and said that as a consequence many people who have served on grievance review boards have declined to serve again.

Professor Feldman expressed questions about the non-binding nature of decisions and about the separation of procedural from substantive issues. Professor Moore asked for specific written input. Professor Maloy voiced concern about the possible extension of grievances to substantive matters. He said it would prove difficult to protect rights when confidentiality is breached on some issues. Professor Moore replied that he thought faculty could be trusted to make decisions on matters that were worthy of being grieved.

Professor Hinman said that he thought if proposed changes were to have an effect, there would have to be support from the Provost, President, or the Regents. Professor Moore replied that the Senate Assembly currently has an invitation to discuss grievance policy changes with Provost Whitaker, and that the body should try to move procedures as close to ideal as possible. Professor Griffin added that the faculty grievance committee had also come to the recommendation that time should be measured in academic calendar days, and that deadlines should be symmetrically observed by all parties.

REPORT ON HEALTH AFFAIRS

Chair Loup announced that the report from the Health Affairs Advisory Committee was being postponed owing to time limitation.

OLD BUSINESS

No old business was proposed.

NEW BUSINESS

No new business was proposed.

The meeting was adjourned at 5:05 PM.

Respectfully submitted,

John T. Lehman
Secretary, pro tempore

Appendix: Annual report 1993-94 from the University of Michigan Athletic Department