

Minutes of 16 February 2004
Circulated 17 February 2004
Approved 15 March 2004

**THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING**

16 FEBRUARY 2004

ATTENDANCE

Present: Andersen, Barsky, Ben-Shahar, Berent, Bradley, Brown, Byosiere, Carlisle, Cebulski, Combi, Ensminger, Giordani, Goldman, Gull, Hu, Jackson, Kim, Koopmann (Chair), Lehman, Lithgow-Bertelloni, Liu, Macoska, Meerkov, Mitani, Pedraza, Peters, Potter, Quint, Raisler, Remick, Riebesell, Ruffin, Sagher, Schwendeman, Seabury, Sension, Shimp, Smith, Yeo, Younker, Ziff, Zorn

Alternates: Abecasis (Public Health - Johnson), Cimprich (Nursing ñ Pohl), Gordon (Dearborn ñ Elenbogen), Simpson (Medicine ñ Ohye)

Absent: Akerlof, Alfred, Bartlett, Boyd, Cho, Clarkson, Colas, Fishman, Frier, Gould, Green, Hall, G.R. Holland, M. Holland, Huntley, Hutchinson, Keller-Cohen, Norris, Orr, Page, Pritchard, Robertson, Ross, Rush, Sahiner, Seyhun, Thornton, Tropman, Watkins, Wechsler, Whatley

MATERIALS DISTRIBUTED

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 16 November 2003
3. SACUA/Senate Assembly Planning Schedule, updated 13 February 2003
4. Senate Assembly Committee Volunteer Form 2004
5. Athletic Directors and Professors Find More to Agree on Than Expected, by B. Pennington. The New York Times, dated 9 February 2003
6. Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs, dated April 1997
7. Preliminary AdvancePCS Opinion Poll Results, undated
8. Senate Advisory Committee on University Affairs (SACUA) Election Procedures Guidelines, dated 9 February 2004

9. Proposed amendment to Senate Advisory Committee on University Affairs (SACUA) Election Procedures Guidelines, dated 16 February 2004

Chair Koopmann convened the meeting at 3:20 P.M. The proposed agenda was adopted.

CONSIDERATION OF THE MINUTES OF 16 NOVEMBER 2003

The minutes of 16 November 2003 were approved as submitted.

ANNOUNCEMENTS/UPDATES

Chair Koopmann announced:

1. The new chair of SACUA and Senate Assembly for 2004-2005 will be Professor Berent, and the new vice-chair will be Professor Pedraza.
2. Seven individuals have agreed to stand for election to 3 seats on SACUA. Eight others are still considering. Identities of the candidates are being withheld until all candidates have responded. Eventually a list will be distributed to the Assembly and articles will appear in the *University Record*.
3. Preliminary interviews for candidates for a University-wide ombuds have been completed by the office of provost and a short list is being constructed. SACUA will be consulted on the short list.
4. Only two members of the football team were required to be evaluated by the academic standards committee before spring practice; academic tutors are doing a good job.
5. Distributed article 5 describes issues of common ground between faculty and athletic directors.
6. Election of University Senate Secretary is slated for the March meeting of the University Senate. The Rules stipulate formation of a nominating committee. Professors Gull and Zorn have agreed to serve, but volunteers from Senate Assembly are welcome. Professor Meerkov volunteered to serve on the nominating committee.
7. CESF has been trying to acquire additional data for its analyses. Professor Askari, chair of CESF, attended the SACUA meeting of 9 February 2004 along with the provost and M. Knepp from the provost's office. Agreement was achieved regarding data that will be supplied to CESF from the central administration over the next 3 years.
8. Information assembled and used by the provost's committee on health insurance premium design has been passed to the Budget Study Committee with exception of materials from other institutions that are regarded to be confidential.
9. A volunteer form for committees is provided as distributed item 4. Professor Raisler asked that the form be distributed to Assembly members in electronic form so that it could be circulated further inside units. The chair agreed to do so. Professor Berent

remarked that there is no better way to have influence on the institution than through the committees.

CHILDCARE TASK FORCE UPDATE

Professor Yeo provided an update on the status of the Childcare Task Force opinion poll. She said that over 600 faculty responses have been identified based on uniqueness, and that many people filled out the comment box. She said that the task force would meet later in the week and that additional volunteers were welcome.

Secretary Lehman pointed out that identification of respondents by uniqueness raises a question about on-line dean evaluations posed to him by a number of faculty. Faculty have complained that their responses were not anonymous by the electronic method employed because they are linked to uniqueness. Dr. Leu from the Senate Office responded on behalf of Professor Yeo. She said that only the staff people in the U-M Lessons office know the identities of the individual respondents, and that they did not supply those names to her.

A member of the Assembly remarked that she had responded to the survey but wondered if it was merely a "feel good effort" rather than an attempt by the U-M to improve the situation. Professor Yeo replied that the opinion poll was a faculty initiative. She said that faculty as a group must work to improve conditions in the future.

AdvancePCS OPINION POLL UPDATE

Professor Riebesell reported that Dr. Leu in the Senate Office has assisted in data processing for the opinion poll conducted last fall. He referred to graphical summaries of some of the results (distributed item 7). He noted that active faculty report they are paying more or much more than last year, and that they are unsatisfied with the program. Retirees, on the other hand, report paying less and that they are satisfied. He explained that there seems to be a confounding influence with Blue Cross Blue Shield (BCBS). He said it appears that people with BCBS benefited. Professor Pedraza pointed out that gender turned out not to be a significant factor. Chair Koopmann remarked that the provost's CHiPD committee has urged that the U-M find a competitor to BCBS.

Professor Lehman asked what step was next, given the expressed dissatisfaction by active faculty. Professor Riebesell replied that it was up to the Assembly, because the poll was at their initiative. Dr. Leu, from the Senate Office, remarked that hundreds of written comments had been received.

SACUA ELECTION PROCEDURES

At 3:55 P.M. Chair Koopmann called attention to a set of 23 election guidelines (distributed item 8) that had been drafted by majority vote of SACUA for Assembly consideration.

MAIN MOTION

Professor Giardani moved that the guidelines be approved and the motion was seconded.

AMENDED MAIN MOTION

Professor Ensminger moved an amendment to the proposed guidelines: distributed item 9 (Lehman seconded).

Professor Ensminger stated that he has always regarded the weighted voting procedures employed historically by the Assembly in its election of SACUA members as incongruous with ordinary voting procedures. He said that he regarded this time of codification of voting procedures as an opportunity for the Assembly to consider reforming a practice that was not democratic. He pointed out how under the existing weighted voting system, the top choice of the majority of Assembly members could be denied the opportunity to represent that majority if only a relatively small minority did not know the candidate and therefore ranked him or her low on their ballots. Professor Lehman pointed out that the reform proposed in the amendment would make voting conform to the method that is used to elect, for example, judges and members of the Board of Regents itself.

Professor Riebesell spoke against the amendment. Riebesell said that he thought ranked votes would be more efficient and that individuals with minority opinions might be more likely to win election with ranked voting. He noted that when Congress organizes itself into committees it does not do so by majority vote.

Professor Meerkov stated that he read the procedures for weighted voting several times and that he did not understand them. He asked why the Assembly needs to employ a system of election that a relatively intelligent person cannot understand. He noted that there are many other committee elections across the university and that there is no reason why SACUA should continue to be dramatically different. He asserted that election procedures should avoid be designed to avoid problems as much as possible.

Professor Byosiere commented that he carefully read the written statements of candidates last year and that he based his ranking accordingly. He said the more information, the better.

Professor Giordani asked if anyone could explain why the existing system was put in place at all. He said that sometimes we change things without understanding the system. Chair Koopmann asked if the Rules Committees should be consulted prior to election, although, he said, the election was scheduled for the next meeting of the Assembly.

Professor Pedraza remarked that a weighted voting system perhaps can avoid ties. Professor Berent suggested that if Assembly members can each vote for only three candidates, for example, and if seat limits by unit are enforced, then maybe the open seats will not be filled by the election. Professor Lehman pointed out that the Assembly itself is the judge of all matters relating to its own elections and can construct appropriate remedies. He said that in the unlikely event that most candidates proposed by the nominating committee garner no votes, perhaps the Assembly would decide that it needs to get new candidates.

Additional comments concerned the advantages or disadvantages of being able to consciously vote against some people as well as to vote for others, and the advisability of structuring the elections to assure fixed numbers of seats per unit.

Vote on the Amendment

Number Favoring- 29

Number Opposing- 8

Abstentions of Record- 4

ACTION OF THE SENATE ASSEMBLY 021604-1

Vote on the Amended Main Motion

The amended main motion regarding election Guidelines was approved with none opposing and one abstention of record. The final form of the Election Procedures Guidelines is appended at the end of these minutes.

ANTI-HAZING RESOLUTION

Professor Remick offered the following motion (Lehman seconded):

The Faculty Senate Assembly supports efforts by the University of Michigan to reduce hazing practices with the potential to result in serious bodily harm.

Assembly members offered various amendments to the proposed resolution, all of which were accepted as friendly amendments by Professor Remick. He said that his aim in bringing the matter forward was to obtain a sense of the Assembly's on hazing matters.

Chair Koopmann reported that student athlete representatives have raised objections to anti-hazing policy. He asked if there was a suitable definition of hazing. He said that athletes feel there is a positive aspect to hazing when hazing includes merely having students sing their high school song, or retrieve the football helmets from the practice field. Professor Raisler suggested that maybe there should be a definition of hazing at the beginning of the motion, which could include both physical and psychological effects. Professor Brown suggested that there might be a need for an analog of the IRB to consider proposed hazing practices.

ACTION OF THE SENATE ASSEMBLY 021604-2

An amended resolution was developed with input from multiple Assembly members:

The faculty senate assembly supports efforts by the University of Michigan to eliminate hazing practices with the potential to result in bodily or psychological harm.

Vote on the amended main motion-
The amended motion was approved with none opposing and 2 abstentions of record.

OLD BUSINESS

There was no additional old business.

NEW BUSINESS

There was no new business.

The meeting adjourned at 4:54 P.M.

Respectfully submitted,

John T. Lehman
Senate Secretary

University of Michigan Bylaws of the Board of Regents, Sec. 5.02:

Governing Bodies in Schools and Colleges

In each school, college, or degree granting division of the University, including those at the University of Michigan-Dearborn and at the University of Michigan-Flint, the governing faculty shall be in charge of the affairs of the school, college, or division, except as delegated to the executive committee, if any, and except that in the School of Graduate Studies the governing board shall be the executive board, and in the Medical School shall be the executive faculty.

Approved by Senate Assembly ñ February 16, 2004

UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY

**SENATE ADVISORY COMMITTEE ON UNIVERSITY AFFAIRS (SACUA)
ELECTION PROCEDURES GUIDELINES**

February 16, 2004

During the annual election process to replace outgoing or resigning SACUA members, the following procedures shall be followed:

1. The Assembly Chair will preside over the Assembly during the election and exercise general oversight throughout the process. Two tellers will be selected at the meeting on the day of the election. If the tellers are not members of the Assembly, then at least one Assembly member shall be elected to monitor the counting of ballots.
2. In accordance with Regental Bylaw, RB Sec. 4.06, a SACUA nominating committee shall be elected by the Senate Assembly [and be] composed of two outgoing members of SACUA and four outgoing members of the assembly.
3. At the Assembly meeting immediately prior to the election meeting, the nominating committee will provide the Assembly with a slate of eligible candidates for the positions requiring replacement.
4. The nominating committee will verify the eligibility of each candidate.
5. An Assembly member may also offer nominations from the floor of any Assembly meeting up to and including the election meeting. Members of the nominating committee will verify the eligibility of any candidates nominated from the floor as well. If it is not possible to determine eligibility, the Chair will postpone the election to the next subsequent Assembly meeting.
6. Statements and/or biographical sketches of each of the candidates will appear in the University Record at an appropriate time before the election meeting. Traditionally, this has been the week immediately before the election.
7. The Assembly Chair, on behalf of Senate Assembly, will either re-verify or accept the determination of the nominating committee's verification of the candidate's eligibility.
8. At the beginning of the election meeting, the Assembly Chair will ask if there are any further nominations from the floor. When satisfied that all nominations have been given, the Chair will announce that nominations are closed. Ballots will not be distributed until after nominations are closed.
9. All nominations however offered shall designate the candidate's unit affiliation, which shall normally be the unit which elected the candidate to Senate Assembly. If there are questions about unit affiliation (e.g., if the candidate has been elected to Senate Assembly from two or more units), the unit affiliation shall be that used for the candidate in the most recent Senate Assembly apportionment.

10. In advance of the election meeting, a ballot will be prepared that will list all candidates, their unit of affiliation, directions for voting, and a statement specifying any unit representation limitation and/or term limitation considerations, if applicable.
11. If there are nominations from the floor at the election meeting, the election will be temporarily postponed until the new nominations are placed on the ballot at that same meeting, and directions of voting amended, if appropriate.
12. All candidates may make oral statements prior to the vote, including nominees from the floor.
13. Candidates are not required to be present at the time of the election.
14. Voting shall be by a ballot bearing the names of all candidates. Voters shall be instructed to vote for at most N , where N is the number of vacant seats on SACUA. Voters shall signify their choices by marking the names of at most N candidates. Voters are not required to mark their ballot if they so choose. Any ballots that are marked for more than N candidates will be placed aside as illegal ballots and not counted.
15. Tellers shall count the number of votes for each candidate as marked on ballots submitted by voters. The candidates with the highest vote counts will be elected to the open positions in an ordered sequence determined by descending vote totals. In the case of a tie when there are not enough open positions available to avoid a conflict, a tie-breaking election shall be conducted in the same manner as the general election but with only the tied candidates included on the ballot. All other election results shall stand.
16. In case the election sequence has filled the maximum number of seats on SACUA to which a unit is entitled (e.g., 3 for LSA, 2 for Medicine, 2 for Engineering), the candidate from the said unit with the lower number of votes does not receive the seat on SACUA. This seat is passed on to the candidate from another unit with the number of votes closest to the candidate in question.
17. After all valid ballots are counted, the Tellers shall read their report of the election results to the Assembly and then submit their report to the Assembly Chair, who, as he reads the results again, declares the results for each office. Results shall become effective immediately. After the election results are announced, objections to the current implementation of these procedures will not be in order except for an allegation of fraud or of simple factual error such as counting error.
18. Notwithstanding the finality of election results specified above, an immediate request for a re-count of votes already cast will be allowed.
19. Failure to adhere to these guidelines will not necessarily invalidate an otherwise valid election. The Assembly Chair, SACUA, and the Assembly have the authority to use any appropriate remedy.
20. A quorum only is needed to conduct a valid election.
21. The election meeting will occur prior to May 1 and the newly elected members of SACUA shall take office on May 1. Traditionally, the election meeting has been the March Assembly meeting.
22. The Assembly itself is the judge of all questions arising which are incidental to the voting or the counting of the votes. The tellers should refer to the Assembly for decision all questions on which there is any uncertainty.

23. These guidelines are effective immediately but not retroactively.