

Minutes of 18 March 2002
Approved 15 April 2002

**THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
MINUTES OF 18 MARCH 2002**

ATTENDANCE

Present: Akerlof, Alfred, Andrews, Antonucci, Askari, Bradley, Brown, Burdi, Elenbogen, Erickson, Gobetti, Green, Gull, Karr, Ketefian, Koopmann, Lehman, Lindner, Marcelo, McDonagh, Moore, Moseley, Navvab, Overmyer, Page, Pedraza, Powell, Raisler, Remick, Riebesell, Savage, Sears, Thornton, Ward; Mandeville, Schneider

Absent: Alcock, Andersen, Atreya, Barsky, Bhavnani, Boyd, Brusati, Cho, Clark, Combi, Dick, Drach, Faerber, Fisher, Frier, Gould, Guthrie, Hall, Hills, Jacobsen, Juster, Karni, Keller-Cohen, Kim, Korobkin, Lithgow-Bertelloni, Lubeck, Masson, Mateo, Ni, Norris, Okada, Peterson, Reisch, Rocchini, Taghaboni-Dutta, Uribe, Vicinus, Watkins, Yakel, Yeo

MATERIALS DISTRIBUTED

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 18 February 2002
3. Excerpts from U-Record Faculty Perspectives article, 11 March 2002
4. Electronic mail communications regarding information about faculty grievances and complaints, requested by SACUA from central administration
5. Mediation Services for Faculty and Staff
6. Numbers of contacts for faculty ombuds, 1999-2001
7. Letter to M. Navvab from P. Courant, dated 12 March 2002, regarding SACUA concerns about prescription drugs program
8. "Pharmacy Benefits Plan Changes for 2002", The University Record, 11 March 2002

Chair Navvab convened the meeting at 3:25 P.M. The proposed agenda was adopted.

CONSIDERATION OF THE MINUTES OF 18 FEBRUARY 2002

The minutes of 18 February 2002 were approved as submitted.

OLD BUSINESS/NEW BUSINESS

While awaiting quorum, Chair Navvab invited comments and questions from the floor regarding old and new business. He asked the Senate Secretary to remind members of the Assembly about their responsibility and authority under Regents' Bylaws by specific reference to distributed item 3. The distributed item was excerpted from an article by former Senate Assembly chair Professor Thomas Dunn published on the Faculty Perspectives Page of the University Record, 11 March 2002.

SACUA ELECTION

Chair Navvab declared that the report from the nomination committee had been received, that candidates have published narrative statements in the University Record, and that Senate Assembly members have received notice of the pending election through electronic mail and by postings on the Faculty Senate website. He invited nominations from the floor; no additional nominations were received. Nominations were declared closed. Chair Navvab then invited SACUA candidates in attendance to make additional verbal statements if they wished.

Professor William Ensminger was first to address the Assembly. He pointed out that he has been at the U-M for 25 years and has performed past service as member and chair of Senate Assembly and SACUA. He pointed out that during his tenure the Assembly had achieved its goals of divestment of tobacco stocks from the University portfolio as well as co-sponsorship by the office of the president for the annual Davis-Markert-Nickerson Academic Freedom Lecture. Professor Ketefian asked the candidate to comment on the nodes of influence that SACUA might employ to achieve its goals. Professor Ensminger replied that he was well aware of key issues facing the faculty, among them prescription drug benefits and grievance procedures, in part from his service with the AAUP. He said that SACUA has an important role in articulating faculty positions and communicating them clearly. He said that if a position has demonstrable faculty support, it will likely prevail.

Professor Askari spoke next. He stated that it is important for SACUA to work with the administration. He noted his present service on the Committee for the Economic Status of the Faculty and reviewed some of that committee's recent efforts on behalf of the faculty. Chair Navvab asked Mr. T. Schneider to review the ballot process. Mr. Schneider pointed out that the candidates must be rank - there must be a ranking of the candidates, numbered on each ballot, with 11 signifying the top-ranked candidate and sequential integers assigned to lower ranks. Ballots were marked and collected by 3:42 P.M.

Ms. M. Mandeville and Dr. J. Leu from the Faculty Senate office served as tellers.

Tellersí Report: The candidates elected to the three vacant seats on SACUA were William Ensminger, Professor of Medicine Stan Berent, Professor of LSA Silvia Pedraza, Associate Professor of LSA

GRIEVANCE PROCEDURES

Chair Navvab called attention to distributed items 4, 5, and 6 regarding aggrieved faculty. He cited a recent case that he had witnessed in which administrators told an aggrieved faculty member to get a lawyer. When the faculty member complied, Navvab said, the administrators refused to deal with him directly and insisted on dealing only through lawyers. Navvab said that the faculty needs an appeal process that is fair in order to help faculty who are in distress. He asked the Assembly members to consider whether they themselves would be willing to go through the process as it is presently constructed.

Professor Ketefian said that she would suggest some ways that people can seek out peer support in a future communication. Professor Brown stated that it would be helpful if the Assembly heard from some of the ombuds. Chair Navvab replied that there was already a plan to do so. Professor Antonucci suggested that the people involved in various contacts with aggrieved faculty be polled to learn what their concerns are. She commented that from personal experience in the LSA deanís office it is difficult to tell people what is in their best interest because it then seems you are leading them on. Chair Navvab commented that the aggrieved individual he cited would have been satisfied initially if the administration had merely said ìIím sorryî but that was not to happen.

PRESCRIPTION DRUG BENEFIT CHANGES

Chair Navvab reported that he met with Barbara Butterfield about prescription drug benefits, and he expressed a series of concerns raised by SACUA and Senate Assembly. She said that there is no misunderstanding about multiple tiers of co-pays, nor about a cap on out of pocket expenses. Professor Burdi asked whether there would be additional changes in benefits in the coming year. Chair Navvab said no, that this year is already out for bids. Professor Koopmann stated that the administration chose to ignore straightforward issues that will come up that are important to working couples or to those who want a better tasting drug for their young children. He said that he tried to take up the issue with the administration but that he is concerned that they ignored it. He said that you should not have to pay at the third or fourth tier for the single drug that works for you. He said that if ìdispense as writtenî is on the script, it should be honored.

Professor Antonucci expressed support for the points raised by Professor Koopmann and she asked how they could be addressed. Another member of the Assembly declared that as a physician, they know it is a big issue, and that there should be some way for appeals to be expedited. Professor Gobetti responded that he and Chair Navvab had discussed the matters with the interim provost and that it had sounded at the time as though he was sympathetic. Professor Koopmann reiterated that the efficacy of treatment depends on compliance. Professor Riebesell pointed out that the cost of appeals should have been factored into the policy development. He said that it was going to be a terrible waste of

time for everybody. Professor Askari pointed out that these changes in prescription drug benefits are like a canary in a coal mine. He warned faculty to expect further erosion of health benefits unless measures are taken.

Professor Riebesell said that the administration's position on maintaining \$7 co-pays for generics implies that lower income people have the need only for generic drugs, whereas only 40% of people's needs are so treatable. He said that it is the average amount that people pay for the average prescription that matters. Anything else, he said, is a phony argument.

TRENDS IN NON-TENURE TRACK FACULTY

Chair Navvab pointed out that tenure track faculty are fast becoming a minority of the total faculty pool. Professor Gobetti commented that non tenure track faculty in the Dental School are "short timers". He said that he sees the trend as deleterious to faculty governance and the health of the university. A member of the Assembly commented that people on the clinical track in the Medical School generate more revenue because they get no release time to write papers or engage in service. Professor Askari remarked that CESF is trying to explore these issues with data. He said that the administration has been forthcoming with data in aggregate about faculty, but they are not providing data to permit addressing some of the questions being asked here. He said there is some limited data about supplemental salaries, or unpublished salaries, which include a large portion of the salaries in the Medical School.

Chair Navvab said that he would have a table placed on the faculty governance website that shows the trends he mentioned. He said that the non tenure track faculty were in a position to change directions of curricula, and change conditions for degrees. Navvab said that former Provost Cantor had reported that in some schools, the non tenure track became so numerous that they started to redirect curricula, and that she had to take steps to rectify the situation. An Assembly member pointed out that in her experience in the School of Nursing, the non tenure track faculty are disenfranchised in unfortunate ways. She said that when tenure track faculty are so focused on their scholarship, they sometimes don't have time for students. She said that these people provide a tremendous service, slaving over courses and being workhorses in the best sense. Professor Ketefian stated that at the graduate level of teaching, everyone has to be member of the graduate faculty, meaning they are tenure track. She noted that 50% time lecturers in their second year may be elected members of the governing faculty.

The meeting adjourned at 4:32 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.