Minutes of 18 March 1996 Senate Assembly Meeting
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THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
MINUTES OF 18 MARCH 1996

Chair Brewer convened the meeting at 3:20 P.M.

MATERIALS DISTRIBUTED
1. Agenda
2. Items for Information, dated 18 March 1996
3. Approved Senate Assembly minutes of 22 January 1996
4. Draft Senate Assembly minutes of 19 February 1996
5. Proposed changes to Knott Committee evaluation of administrators report, dated 12 March 1996
6. Letter from G. J. Brewer to Senate Assembly Members, dated 12 March 1996, regarding draft proposed revision of Regents' Bylaw 5.09
7. Proposed draft revision, Sec. 5.09. Procedures in cases of dismissal, demotion, or terminal appointment.
8. Grievance Subcommittee Report
9. Statement on Diversity, submitted by the Committee for a Multicultural University
10. Invitation to Senate Assembly members for a Retreat with the President on 3 April 1996
11. Ballot for SACUA membership

The minutes of 19 February 1996 were approved as submitted.

SACUA ELECTION
        Chair Brewer asked that ballots be distributed to all Senate Assembly members in attendance. He named Professor Brandle and Professor Kaplan as tellers. The tellers subsequently reported that four candidates had been elected to SACUA: Professors Bryant, Ensminger, Gross, and Loveland-Cherry.

PROPOSED CHANGES TO THE REPORT OF THE TASK FORCE ON EVALUATION OF ADMINISTRATIVE OFFICES
        Chair Brewer called attention to an item proposed for action (item 5), which would modify the protocol for distribution of Senate Assembly committee reports dealing with administrative offices.
        Professor Dunn moved (Professor Montalvo seconded) that section D of the Task Force report be amended to read:
D. Report. The report of the committee would be understood to be informative rather than judgmental, that is, meant to inform and influence policy rather than to dictate a particular result. It would go to the President (or the Provost where appropriate) and to SACUA. SACUA may release the report to Senate Assembly and its committees as well as others SACUA deems useful

to receive the report. The President may release the report to the Regents as well as others the President deems useful to receive the report.

The motion was approved by voice vote without any opposition or abstentions of record. Chair Brewer declared the action unanimous.

REGENTS' BYLAW 5.09

Chair Brewer called attention to items 6 and 7, which included a draft proposed revision of Regents' Bylaw 5.09. Brewer explained that the existing Bylaw had been labeled as ineffective by past Provost Whitaker, owing to the fact that SACUA could, in effect, thwart administrative efforts to dismiss tenured faculty. Brewer stated further that SACUA had been unable to induce the administration to invoke the existing procedure in cases of constructive demotion. Brewer said that he favored opening up the procedure to make it more available to the administration for cases of significant tenure abuse, and also to make it available to faculty who want to protest their treatment. He said that the issue would be scheduled for discussion and vote at the next Senate Assembly meeting.

Professor Steneck asked when the tenth draft, identified as item 7, had been prepared. Brewer replied that the drafts had been prepared over a number of weeks in the SACUA office. Lee asked how faculty members might avail themselves of the procedure. Brewer replied that a faculty member could make a request to SACUA, and that SACUA must approve the request. He added that he believed that this proposal was needed if we mean to maintain tenure. He said that at present there is an almost insurmountable barrier to removing tenure from faculty. Professor DeCamp said that he felt insufficiently informed about the subject, and he proposed that the topic would be appropriate for a Senate Assembly debate. Professor Maloy expressed agreement that it would be a good topic for formal debate, and he further expressed reservations about some of the terminology used in the document.

Professor Mutschler asked if the reason for promoting the revision at this time was concern about the elimination of mandatory retirement. Brewer replied that it was not for that reason that he was proposing the change, but he said that maybe the administration would use it that way. Professor Stockton asked for an explanation of the term "constructive dismissal". Brewer replied that the term meant making life so miserable for the targeted faculty member that they had no choice but to resign. McNamara pointed out that sometimes the actions taken by administrators to interfere with the academic work of faculty members could be violations of tenure.

GRIEVANCE SUBCOMMITTEE REPORT

Chair Brewer asked Professor Moore to take the chair and to present the report from the Grievance Subcommittee. Moore invited the members of the subcommittee to join him at the podium, and he proceeded to explain the revisions which had been approved unanimously by the group.

Professor Lomax moved (Professor Mutschler seconded) that the Senate Assembly accept the revised (Draft 8) version of the Report and its Recommendations brought forth unanimously from the Assembly Grievance Policy Committee, not including the Appendix.

Vote on the Active Motion:

The motion was approved by voice vote without opposition or abstentions of record. Moore declared that the action was unanimous.

Moore invited a second action, which was moved and seconded by several members of the Assembly:

That the Senate Assembly adopt the revised Model Policy of the Appendix (Draft 8), brought forth unanimously from the Assembly Grievance Policy Committee, as the basis for a joint faculty/administration committee, to be jointly appointed by the Provost and SACUA as soon as possible, to prepare a final recommended policy model to be acted upon then by Senate Assembly again, and, if approved, forwarded to the schools and colleges for adaptations of the model policy to fit their special circumstances.

Vote on the Active Motion:

The motion was approved by voice vote without opposition or abstentions of record. Moore declared that the action was unanimous.

Professor Dunn congratulated the Grievance Subcommittee on its successful report, which he characterized as a document which shows that due process can be preserved while observing the rights and privileges of different groups.

STATEMENT ON DIVERSITY

Chair Brewer resumed the chair and called attention to item 9, from the Committee for a Multicultural University. He said that the matter would be slated for discussion at the next Senate Assembly meeting.

OLD BUSINESS

No old business was introduced.

NEW BUSINESS

Professor Taylor asked the Chair to recognize a representative from the GEO for a brief statement to the faculty. Chair Brewer recognized Mr. Robert Penny and invited him to speak to the Senate Assembly. Mr. Penny thanked the Chair for the opportunity to speak. He stated that he was reporting the status of negotiations with university administration regarding the GEO contract. Penny said that despite progress in some areas, the difficult remaining issues were (1) benefits for international graduate students, (2) tuition assessment, and (3) wages. He said that the GEO membership had approved a strike authorization, but that the organization would prefer a more amiable solution. He said that the negotiations were scheduled for mediation in April, and that the university administration has said they will participate in no more meetings until mediation. Finally, he invited dialog with faculty at the electronic mail address GEO.FACULTY.

Professor Howell commented that he disapproved of the threat by GEO to withhold grades in some courses during the previous semester. Penny replied that he hoped it would not be necessary to employ such tactics in the future.

The meeting was adjourned at 4:23 P.M. The Senate Assembly meeting was followed immediately by an address from President James Duderstadt titled "The Road Ahead".

Respectfully submitted,

John T. Lehman
Senate Secretary