

Minutes of 21 March 2005
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Approved: 18 April 2005

**THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
21 MARCH 2005**

Present: Abdo, Albers, Aller, Berent, Bhavnani, Brown (annuitant), Cebulski, Combi, Ensminger, Giordani, Gull, M. Holland, Huntley, Hutchinson, Jackson, Koopmann, Lachance, Lehman, Luera, Matjias, Meerkov, Moran, Neuman, Orr, Pedraza, Peters, Pohl, Prygoski, Quint, Rush, Sagher, Schultz, Schwendeman, Seabury, Severance, Seyhun, Simpson, Smith, Smock, Stark, Thouless, Watkins, Wechsler, Younker, Zorn

Alternates: Ashe (LSA-Nat Sci for Lange), Brock (Medicine for Chang), Cowdery (Flint for Kahn), Cureton (LSA-Humanities for Liu), Gest (Medicine for Burant), Lavaque-Manty (LSA-Social Sci for Mitani), Murphy (LSA-Social Sci for Benamou), Reynolds (Information for Hollar)

Requested Alternate, none available: Fricke, Goldman, G. R. Holland, Ziff

Absent: Agrawal, Annich, Bartlett, Ben-Shahar, Ceballo, Colas, Fishman, Green (annuitant), Hu, Lemos, Ludlow, Ohye, Potter, Pritchard, Robertson, Ross, Sahiner, Senkevitch, Sension, Tropman, Whatley

MATERIALS DISTRIBUTED

1. Senate Assembly agenda and University Senate agenda
2. Approved minutes of 13 December 2004
3. Draft minutes of the Senate Assembly meeting of 21 February 2005
4. Giordani elected SACUA chair for 2005-06, by Kevin Bergquist. *The University Record*, 14 March 2005.
5. Child Care Implementation Committee Resolution, approved by SACUA 14 March 2005
6. Five faculty members vie for three SACUA slots, *The University Record*, 14 March 2005.
7. Senate Advisory Committee on University Affairs (SACUA) Election Procedures Guidelines, dated 16 February 2004.
8. Bylaws of the Board of Regents of the University of Michigan. Bylaws Chapter IV. The University Senate
9. Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs, dated April 1997.

10. Benefits Update: 2005 results and future strategies, dated March 2005. PowerPoint presentation.
11. Senate Assembly Resolution (Administration Evaluation Committee), dated 25 October 2004
12. Report to the University Senate, Senate Assembly and SACUA on the Administration Evaluations carried out in Fall 2004. Administration Evaluation Committee, dated 15 March 2005
13. Draft minutes of the University Senate Regular Meeting of 15 March 2004

The meeting was convened by the chair at 3:20 P.M. The proposed agenda was adopted.

RECONSIDERATION OF THE MINUTES OF 13 DECEMBER 2004

Chair Berent called attention to a statement in the minutes ascribed to Professor Riebesell, chair of the Rules Committee: "SACUA has been acting in some respects autonomously from the Senate Assembly." Chair Berent stated that his understanding was that Professor Riebesell said that he had not made the statement.

[N.B. from the Secretary: Professor Riebesell's complete words were: "One question is what is the nature of SACUA? The Regents Bylaws say that SACUA is an executive body of the Senate Assembly with its membership drawn from the Assembly. In fact under the Senate eligibility SACUA may be more of a semi-independent body that draws its members from the entire University Senate and sometimes acts somewhat independently of Senate Assembly." WAV file available on request from jtlehman@umich.edu.]

Chair Berent invited a motion to strike the phrase from the approved Minutes. The Assembly approved the action by majority vote, with multiple abstentions of record.

CONSIDERATION OF THE MINUTES OF 21 FEBRUARY SENATE ASSEMBLY

The minutes of 21 February 2005 were approved as submitted.

ANNOUNCEMENTS/UPDATES

Chair Berent announced:

1. SACUA conducted elections for chair and vice chair for 2005-2006 (distributed item 4). Professors Giordani and Gull were elected chair and vice chair, respectively. Their terms begin 1 May 2005.
2. SACUA proposes to transform the Child Care taskforce into an implementation committee (distributed item 5). Ratification of the proposal by the Assembly will be considered at a future meeting.
3. Provost Courant is stepping down from his administrative post effective 1 August. Professor Jackson will lead the search committee for a new provost. SACUA has

proposed adding members to the search committee, but there has been no response yet from the president.

SACUA ELECTION

Chair Berent declared that Professors Moore and Pedraza would serve as Tellers for the election of new SACUA members. He called attention to distributed item 6 and pointed out that five candidates were standing for election for three seats on the committee. He called for further nominations from the floor; no further nominations were offered. The chair declared the nominations closed.

The chair invited each nominee who was present to offer remarks to the Assembly. Four candidates were present and all four spoke briefly, paralleling their written statements (distributed item 6).

Professor Meerkov commented that when he joined the Assembly two years ago, and again when he joined SACUA last year he had transmitted many messages and queries to then chair Koopmann, but that he had received not one reply from the chair. Professor Koopmann acknowledged that he had differences with Professor Meerkov. He said that some of Meerkov's questions were better answered by staff and committees, and that he had referred the matters to them. He said that he had placed some of Professor Meerkov's agenda items before appropriate committees and later withdrew them again at Meerkov's request. Assembly members urged the chair to call the vote.

Secretary Lehman asked the eligible Assembly members to stand for a total count. He reported that 52 eligible voters were present. Ballots were distributed by staff to each voter; marked ballots were then collected and placed in the hands of the Tellers.

The Tellers subsequently reported the following vote totals:

Professor Younker- 40

Professor Seabury- 39

Professor Smith- 35

Professor Koopmann- 22

Professor Akerlof- 13

Professors Younker, Smith, and Seabury were declared elected to 3-year terms on SACUA, with terms beginning 1 May 2005.

VISIT OF LAURITA THOMAS, CHIEF HUMAN RESOURCES OFFICER

The guest was introduced by the chair at 3:50 P.M. Ms. Thomas thanked the Assembly for the opportunity to address its members. She called attention to distributed item 10 and made prepared remarks that closely followed the distributed report. She explained that one of her goals is to reduce the administrative cost of managing so many health plans. She noted that two new Preferred-Provider Organization (PPO) plans this year, one by M-Care and one by Blue Cross Blue Shield (BCBS). She pointed out that several thousand employees changed to these new plans from previous ones, with most of

the migration being from previous BCBS and United plans. She called attention to the new tier introduced this year for employees plus children, and noted that 4276 employees had elected that option.

She said that her office has invested considerable resources in communication, and she invited the Assembly members to visit the benefits website and use decision making tools located there. She said that she does not expect changes in rate structures for 2006, but beyond that it is uncertain. She stated that components of the current Pharmacy Benefits Management (PBM) program would be severed, and that the individual components would be bid separately.

Ms. Thomas said that she and her staff want to be responsible fiscal stewards and that they will share their data with the Assembly. She remarked that Professor Warner from the School of Public Health is leading a committee established by the president with the goal of improving the health of the U-M community. She said that benefit strategy is to invest in the health of the community, including the use of incentives, and that her office would cooperate with the Presidential Health Initiative. She concluded her prepared remarks at 4:05 P.M.

Professor Koopmann said that he knew that Ms. Thomas advocated for a stable co-premium over 3 years for the faculty and staff. He asked whether M-Care was really competing on a level playing field with the other plans, or whether the field was slanted in their favor. Ms. Thomas replied that other health care providers were given the opportunity to bid on contracts but they chose not to.

Professor Rush asked Ms. Thomas to explain what is meant by a healthier university community.¹ He remarked that the Periodic Health Appraisal Unit (PHAU) has been eliminated, although it had been a unit that intercepted and prevented many health problems. Ms. Thomas replied that a healthier community implies many things, including diet, exercise and lifestyle changes. She said the PHAU was redundant to what existing benefits provide, and that her office has shifted resources elsewhere.

Ms. Thomas said that wellness programs being considered included, *inter alia*, University walking programs, the possible provision of pedometers as an incentive, efforts to encourage people to climb stairwells, awareness programs about diet, and in general a broad approach to prevention.

Professor Rush inquired who had determined that the PHAU was redundant. Ms. Thomas replied that all health provider plans include an annual physical exam. Professor Abdoo commented that the PHAU was an integrated operation that included, for instance, immunization services. She pointed out that there are now out of pocket expenses and immunizations are difficult. Ms. Thomas invited Professor Abdoo as well as others to correspond with her by e-mail at laurita@umich.edu. She said she would appreciate hearing suggestions regarding incentives for people to participate in wellness activities.

Professor Smith asked Ms. Thomas to explain the newly introduced Health Reimbursement Accounts established for the Skilled Trades Union. Thomas replied that it is being offered as a pilot program, with the potential of being extended beyond that union. She stated that part of the members' salary dollars were placed in a fund that must be spent on their health costs.

Professor Smith asked where the money was going that has been received as rebates from the PBM, over \$1 million, derived from employee co-pays for drugs. Ms. Thomas replied that the money was being turned back into the university to control the overall cost of health care. She said the money was given to the various units, thus reducing the benefits recharge rates they otherwise would experience as part of the institutional contribution to health care premiums. She stated that the rebate program was a significant portion of the reason for the University's lower rise in health care premiums compared to other institutions.

Professor Cebulski inquired whether the regional campuses are included in the Presidential Health Initiative. Ms. Thomas replied in the affirmative and said that she was the appropriate contact for information on that point.

Chair Berent inquired about the mobility of health care plans with particular reference to retirees who might want to travel. Ms. Thomas replied that the addition of two PPO plans this year was intended to respond to that issue.

Ms. Thomas was asked if Care Choices would be available in 2006, 2007, and 2008. She replied that it would definitely be available in 2006, but that they would have to bid on subsequent years. She stated that the administration has no plan to eliminate the Care Choices HMO.

Professor Giordani asked if it was true that CareMark, the current PBM, is being evaluated by the faculty. Ms. Thomas replied that she attended the report about the Senate Assembly's survey regarding pharmacy benefits and also the Budget Study Committee's report at Senate Assembly in February and she heard the ideas presented. She said she understood that there was criticism about the survey conducted by CareMark itself, and so they are never doing that one again. She said that a whole new survey has been designed within the U-M College of Pharmacy. She said that her office is responsive to comments from the faculty.

The question period concluded at 4:20 P.M.

REPORT FROM AEC

Chair Berent invited Professor Lehman, Chair of the Administration Evaluation Committee, to present the committee report. Professor Lehman called attention to distributed item 12 and reminded the Assembly that the complete data as well as an electronic copy of the report were available to all Senate members at <http://aec.umich.edu>.

Professor Lehman reviewed key findings reported in the executive summary of the committee report. He noted that one finding that transcended units and individual administration ranks was that administrators consult inadequately with faculty before making important decisions. He said that a more thorough discussion of results was in the body of the report and that those results would be presented at the meeting of the University Senate immediately following. He said that the committee wished to use its time on the Assembly agenda to introduce Action Items under the provisions of the Rules.

Accordingly, the following Items for Action were placed on the table (moved and seconded) by the AEC:

1. Faculty evaluation of administrators should be conducted as an annual process during the Fall Term of each year.

Rationale- An annual schedule will institutionalize the evaluation process in a way that becomes part of the expected academic year routine for both faculty and administrators alike. This provides the foundation for a longitudinal time series from which trends can be readily identified, and used to guide administration policy and practice.

2. The target dates for evaluation should be 1 to 15 November; results should be posted in early December.

Rationale- This timetable avoids the time conflicts that constrain Senate members at both start and end of a term. Fall Term is selected because it was the precedent established by action of the University Senate.

3. The AEC should continue to operate with three subcommittees (Questionnaire, IT, Reporting) that interact freely as needed.

Rationale- These three subcommittees parallel the required functions of the AEC.

4. Composition of the AEC should be at least 9 members plus the chair.

Rationale- Membership of roughly three per subcommittee has proven to be an effective working size for task-oriented activities. The size of the committee of the whole provides sufficient variety of perspective for fruitful strategic discussions.

5. Repopulation of the AEC should occur as follows: (1) continue with the existing committee membership throughout 2005, to permit the members to upgrade AEC system 1.0 to system 2.0; (2) In winter term 2006 add three new members to the AEC, but retain any old members willing to serve for one more year to help the new members learn the system; (3) in winter term 2007 retire up to 6 members of the original committee and add three more new members; (4) achieve steady state in winter term 2008 whereby 3 members retire and 3 members are added each year. Terms of new committee members should be three years, with renewal permitted.

Rationale- The committee members who designed and executed the initial evaluation system are optimally suited to incorporate lessons learned from the first round into an improved system. There is a significant degree of specific technical knowledge and familiarity with AEC database systems required for functionality of the committee. New members would not typically be expected to master this system without study. One of the key goals for round 2 and system 2.0 is the production of technical documentation that can be used to train new committee members.

6. It is essential that at least three members of the AEC possess the requisite computer programming and network service skill to operate the complete system. System documentation will be produced in the transition from system 1.0 to 2.0.

Rationale- We learned by experience in Round 1 that technical failures can occur at short notice. We were lucky to diagnose a failing hard drive on the AEC server in the midst of evaluations, and to transfer the system intact to a new machine without losing any data or functionality. Redundancy of technical competence is essential because the IT component is the most vulnerable point of potential failure. IT is also the group that interacts with both other subcommittees and translates their requirements into original computer code.

7. One or more members of the AEC must be versed in survey techniques.

Rationale- This capability proved invaluable in the design of questions as well as in providing guidance to the rest of the committee about interpretations of responses.

Professor Lehman said that, in addition, the AEC requests guidance from the Assembly regarding the degree of openness with which evaluation results should be posted. He noted that the *Michigan Daily* that day was running a front page story about the evaluation results, which they had obtained through a Freedom of Information Act (FOIA) request. He reported that the U-M FOIA office has received and granted two such requests. He said that the FOIA officers informed the AEC that the data in general do not fall under any exemptions based on privacy. Lehman said that the AEC had taken the conservative path of posting the results in a secure section of its website to which only Senate members and members of the U-M Board of Regents were admitted. But, he said, that decision was based on the fact that there was no guidance in the original resolution about this matter.

The AEC requests guidance from the Senate Assembly or the Senate as to whether the annual results published on AEC website should be accessible to Senate members and Regents only, to all members of the U-M community, or without access restriction.

Rationale- The aggregate responses to core and topical questions from 2004 were the subject of FOIA (Freedom of Information Act) requests. The U-M FOIA office granted the requests on the basis that there are no privacy issues involved for these types of summary data. Both AEC and FOIA officers concur that privacy concerns are adequately

addressed by a practice of aggregating together data from units which have fewer than 10 Senate members. In the past, the FOIA office has also granted access to the results of deans' evaluations conducted by unit faculty.

Professor Lehman presented additional recommendations made by the AEC that were not specifically offered as proposed action items. He concluded his remarks at 4:35 P.M.

Professor Smock stated that she was concerned about what she regarded as the low rate of faculty response to the on-line survey, and that based on her professional view, the results were likely biased from those of the faculty at large. Professor Lehman said that the AEC understood her concern and that it was trying to understand and address the factors that might limit response rate. He said to the extent that timing of the survey within Fall Term was a limiting factor, the AEC will try to respond by moving the survey to early November and proposing a forum by Senate Assembly. He said that some people reported a sense of intimidation, documented in the report, as a limiting factor in their responses. He pointed out that the AEC tried to address these concerns with an extensive explanation in its report of the measures used to ensure anonymity and security.

Lehman said that finally there was the question of whether faculty believed that the feedback they offered would be translated into action. He said that was a job for the Assembly, to show that expressed views produce tangible outcomes.

Chair Berent asked whether the proposals from the AEC would be presented to the Assembly at a future meeting. Professor Lehman replied that Action Items 1 to 7 have been properly introduced to the Assembly. He said that the eighth item would have to be formulated and introduced from the floor according to the will of the Assembly. Lehman said that if there was time they could be brought to a vote at this meeting, or otherwise they would remain active for the next meeting.

Chair Berent declared that it was up to the Assembly whether to continue with the Action Items or to adjourn. Several members moved and seconded a motion to continue deliberation. Chair Berent said that doing so would take the meeting beyond its scheduled time and that many members seemed ready to leave. He said he was concerned the meeting would fall below quorum. The chair directed discussion about the question of continuing deliberation until 4:45 P.M. when he declared that people have voted with their feet, as many people were leaving and the quorum appeared to be lost.

OLD/NEW BUSINESS

There was no other business.

The meeting was declared transformed into the Regular Meeting of the University Senate at 4:48 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.

Senate meeting of 21 March 2005
First Circulated 25 March 2005

THE UNIVERSITY OF MICHIGAN SENATE
THE REGULAR MEETING OF 21 MARCH 2005

MATERIALS DISTRIBUTED

1. Agendas for Senate Assembly and Senate meetings
2. Draft minutes of the University Senate Regular Meeting of 15 March 2004
3. Report to the University Senate, Senate Assembly and SACUA on the Administration Evaluations carried out in Fall 2004, dated 15 March 2005. Administration Evaluation Committee.
4. Benefits Update: 2005 results and future strategies. HRAA, dated March 2005.

Faculty chair Berent convened the meeting at 4:45 P.M. and declared lack of quorum. The meeting was adjourned.

Respectfully,

John T. Lehman
Senate Secretary

Bylaws of the Board of Regents, Sec. 4.01: *The University Senate* (in part): 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.
