

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

MINUTES OF APRIL 15, 1991

ATTENDANCE

Present: Anderson, Angus, Bord, Borgsdorf, M. Brown, Cameron, Chesler, Croxton, Debler, Diana, Douthit, Drabenstott, Duell, Eggertsen, Foss, Gazda, Gilgenbach, Goepfinger, Green, Hollingsworth, Jacobs, Jenkins, E. Jensen, Jones, Kimeldorf, Koopmann, Levy, Lomax, Loveland-Cherry, MacAlpine, Marcelo, Markus, Montalvo, Mosher, Ness, Olson, Penchansky, Raper, Rosenthal, Saxonhouse, Schwank, C. Smith, L. Tentler, Teske, Warner, Woods, Yang; Schwartz, Savory, Schessler, Toth-Fejel, Heskett.

Absent: Billi, A. Brown, Burdi, Chiego, Crandall, Daly, Didier, Dirks, Fellin, Friedman, Greenwood, Gross, Gull, Hayashi, Houk, A. Jensen, Kabamba, Larson, Mignolo, Morley, Mosberg, Ocasio-Melendez, Papalambros, Porter, Potter, Radine, Razzoog, Russell, Senkevitch, G. Smith, Stein, Wheeler, Williams.

MINUTES

The minutes of March 18 were approved as revised.

ANNOUNCEMENTS

By May, 1991, the "Fundamental Tenets of Membership in the University Community" should be ratified by all schools and colleges at the University of Michigan.

"PERSPECTIVES ON THE UNIVERSITY COMMUNITY". PRESENTATION BY VICE PRESIDENT FOR ACADEMIC AFFAIRS AND PROVOST GILBERT R. WHITAKER

Provost Whitaker described the many different ways in which he is impressed with the vitality of the University community. He provided examples of the wide range of activities that take place on campus on any given day and at any given time. He believes that the attention the University community has given to the development of new knowledge has lead to complexity. The nature of teaching in a research university is a national issue of growing importance. Learning as it occurs at this University is a major issue, whether the individual involved is a student or a researcher. Students in different units have different needs, and faculty in different units have different reward structures. The differences within our community account for a large part of our strength.

While decentralization is among our greatest strengths, it can make it more difficult for people to cooperate with one another. We need to think of local ways to find out more about one another. We need more events on campus that bring people together. The retreat that SACUA held in March

on the budget is a good example of a successful effort to bring people together to deal with an important theme.

PREVIEW OF THE FY 1991-92 COMPENSATION STATEMENT TO BE MADE TO THE BOARD OF REGENTS, EUGENE IMHOFF, CHAIR, COMMITTEE ON THE ECONOMIC STATUS OF THE FACULTY

As a prelude to the semi-annual presentation that the Committee on the Economic Status of the Faculty (CESF) makes to the Regents, Professor Imhoff shared the following with members of the Senate Assembly. The report focuses on three issues: 1) leveraging of faculty, 2) UM faculty salary ranking with peer institutions, and 3) post-employment health care benefits.

Leveraging of faculty: Current data suggests that there is a ratio of 3.7 noninstructional staff to every instructional staff member on campus, excluding hospital employees. Much of this increase is believed to stem from the effort to facilitate faculty research. The data includes only those faculty assigned to a school/college. Interestingly, over half the leverage of the faculty is outside the schools/colleges. Much of the growth in non-faculty positions can be attributed to doubling of funded research on campus. However, central administration has twice as many administrative staff as do the schools/colleges.

Faculty salary rankings: The data presented compare UM to 18 peer institutions, organized by faculty rank. At the UM over 1,000 faculty received salary increases that were below the rise in the cost of living. The median percent increase in salary per year for high level administrators has been higher than the median faculty salary increase.

Post-employment health care benefits: The present accumulated value of the University's obligation for this benefit is estimated to be in excess of \$200 million. However, there is presently no funding for this benefit. The present annual cost of these benefits is \$6.9 million, while the total cost for retirees and actives is \$33 million. This is the amount that would need to be funded now, and the unfunded obligation (\$200 million) is continuing to grow.

DISCUSSION OF THE REVISED SEXUAL HARASSMENT POLICY

Kay Dawson distributed the revised draft to members of the Assembly. She addressed the assembly and indicated that some minor changes had been made to the policy as a result of input received from a variety of campus groups. Among the key elements of the document is the encouragement given to complainants to come forward. The focus of the document is to investigate and resolve complaints quickly and fairly. Ms. Dawson reviewed the major issues confronting individuals and institutions in the matter of sexual harassment, considering the range of issues a complainant deals with when determining whether or not to report the issue.

Professor Martin Gold, Chair of the Civil Liberties Board (CLB) presented three conclusions or threats to civil liberties that the CLB identified in the policy. One was the denial of the right to have an attorney present during the investigation. Second, the lack of comment in the policy

on the use of sexual epithets or insults. Third, the fact that the policy permits complaints to be made to people who have power over the accused without the accused ever knowing the source of the complaint.

Ms. Dawson remarked that the intention in not permitting an attorney to be present at the hearing was designed to make the procedure resolution oriented rather than litigation oriented and it was not a violation of an individual's civil rights.

Professor Croxton asked if the procedures in place for students will also be put into place for faculty. Professor Jacobs asked when an individual is released from employment because of their involvement in a sexual harassment case, when does the grievance procedure take effect? Professor Smith noted his agreement with Professor Gold's third point reiterating that the policy seems to have little concern with protecting the rights of the accused. Professor Saxonhouse expressed the need to protect the accused and to make the policy user-friendly, thereby enabling the complainant to come forward. Professor Anderson noted that tension exists when there is a consensual relationship, suggesting also that the grading of a student's work who is involved in such a relationship be turned over to another faculty member. She also suggested that, if possible, there be a woman available to receive complaints and that the information be made widely available on how to make a formal complaint. She further emphasized the need for a quick resolution to these matters. Professor Rosenthal stated that she sees this document as one that will evolve over time. She encouraged members of the Assembly to support it and to evaluate how it works over a period of time. She asked if the administration was open to having a document that could evolve with the passing of time. Ms. Dawson responded that we need 2-3 years experience with the policy to determine its effectiveness. Professor Jensen urged members of the Assembly to support the document despite its weaknesses. He also expressed concern about the lack of opportunity for rebuttal by the accused. Professor Ness urged support of the policy indicating that the University is at risk of suits without a policy in operation. He reminded the Assembly that the policy currently in place lacked faculty involvement. Professor Debler stated that he believes the policy needs to evolve and urged the creation of an oversight committee who would be able to recommend revisions promptly. Professor Koopmann asked at what point the victim gets involved in the process when an anonymous third party makes the complaint? Ms. Dawson responded that there is a difference between reporting and complaining. The accused must be informed and the University can call the complainant as a witness.

The question was called by Professor Teske and seconded by Professor Jenkins. The motion to support the policy was approved with 28 members supporting it, 10 opposing, and 2 abstaining.

NEW BUSINESS

SACUA Chair Peggine J. Hollingsworth introduced James Diana, the incoming Chair of SACUA and Ejner Jensen the new Vice Chair. Professor Debler moved that Hollingsworth receive an expression of thanks for her efforts as Chair of SACUA for the past year.

The new members of SACUA, Bord, Cameron and Goeppinger were recognized as were the outgoing members, Ness, Rosenthal and Warner (see Appendix).

James Diana addressed the Assembly citing Hollingsworth's accomplishments, which included the Nickerson, Markert, Davis Lecture on Academic and Intellectual Freedom, faculty input into the creation of the new sexual harassment policy, as well as her leadership, dignity and strength in dealing with the central administration. For the future he hopes to focus on developing a strong voice on financial matters as well as academic issues, e.g., evaluating faculty.

ADJOURNMENT

The meeting was adjourned at 5:14 p.m.

Respectfully submitted,

Diane G. Schwartz
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Senate Secretary

APPENDIX TO MINUTES OF 15 APRIL 1991:

REMARKS BY OUTGOING SACUA CHAIR, DR. PEGGIE J. HOLLINGSWORTH

It is now time to turn over the reins of leadership to a new Chair of the Senate Assembly and the Senate Advisory Committee on University Affairs. Before I introduce him to you, however, I would exercise the prerogative of the retiring Chair to make a few observations and comments and to take this opportunity to extend my gratitude to those who made this past year productive and meaningful.

Early in the past year, the members of SACUA and the chairs of the various Senate Assembly and other committees involved with faculty governance met at Oxford House to discuss directions and themes for the coming academic year. It was clear at that meeting that many, if not most, of the issues addressed in recent years by other outgoing Senate Assembly chairs in their closing remarks remained to be resolved. Such issues included multiculturalism and diversity, the sense of community and the quality of campus life, the impact of changes in the economic environment, and the role in society of the University and the societal responsibilities of its faculty. Underlying consideration and resolution of these issues, however, were two dominant themes, effective communications and strong faculty governance.

During the years that I have been involved with faculty governance, first as a member of the University Senate and most recently as its Chair, I have become increasingly conscious of and concerned with the role of various discrete constituent groups which exist within the University community in determining the overall scholarly, academic, social and cultural goals of our institution. A list of these groups would include Regents; administrators, both central and unit; support staff; teaching faculty; research faculty; a

relatively new and expanding group of non-tenure track "service" faculty; and undergraduate, graduate, and postgraduate students. Particularly striking has been the lack of communication among these various constituent groups. It seems clear to me that improved communications among these groups could lead to respect for each other's views and values, to mutual understanding, and to the development of a commonality of commitment and purpose in identifying and pursuing the fundamental goals of the University.

During the past year SACUA, the Senate Assembly, and others in the University community have taken steps to develop and improve channels of communication among these various constituent groups. For example, the members of SACUA met with individual Regents in an informal luncheon setting to discuss issues of concern to the faculty. SACUA also arranged for a series of formal presentations by faculty members to the Board of Regents as a whole in which the service role of University faculty groups was emphasized. In addition, the Senate Assembly heard a series of presentations by administrative officers in which the interface between faculty, administration, and the public was discussed. The President and the Provost continued this past year to meet at regular intervals with SACUA and also met with the Senate Assembly. An important event, one which was the first of its kind, was the highly successful and productive retreat organized this past March for the deans and members of the executive committees of the various units, the top administrative officers of the university, and a number of faculty with special expertise to address topics related to maintaining the quality of the university in an era of severe cost constraints. Finally, the Chairs or SACUA liaisons of our Senate Assembly Committees and other special committees, such as the Budget Priorities Committee and the Board in Control of Intercollegiate Athletics, have made reports to the Senate Assembly.

To increase the awareness of the entire university community of activities of the faculty and of the governance system, a regular series of reports were published in The University Record which outlined activities of the various committees involved in faculty governance and in advising the university administration. Finally, brief summaries of each Senate Assembly meeting were provided in a format which could be communicated directly to the members of the individual units. It is my hope that in the coming year efforts to improve communication among the various constituent groups in the university will not only be continued but will be expanded to include others not yet reached, others such as students and support staff.

During this past year, the faculty governance system has had the opportunity to demonstrate both its strengths and its weaknesses in relation to issues which were addressed. We were called upon to ponder and offer advice with regard to the Safety and Security Task Force Report and its implementation, the Sexual Harassment Policy, the proper use of information technology, administrative growth within the university, changes in the meaning of tenure and the role of research scientists and other non-tenure-track or clinical faculty, and the impact of the university upon the environment, to name only a few issues considered by SACUA and the Senate Assembly. During this past year, we adopted the "Fundamental

Tenets of Membership in the University Community," and established the Distinguished Public Service Award and the Twenty-Five Year Service Award, the latter which remains to be implemented. But most important of all was the action taken by the Senate Assembly last October to establish the annual Davis, Markert, Nickerson Lecture on Academic and Intellectual Freedom and the Academic Freedom Lecture Fund. These actions of the Senate Assembly will serve to make certain that we are ever cognizant of the importance of academic and intellectual freedom to the viability of our University. The first Davis, Markert, Nickerson Lecture, which was delivered by Robert M. O'Neil, Founding Director of the Thomas Jefferson Center for the Protection of Free Expression and Professor of Law from the University of Virginia, was considered by most to be a resounding success. The need to strengthen faculty governance, to bring more faculty into the governance system, and to stimulate the interest of faculty in governance will always be with us and will require our dedicated attention. Central to achievement of the fundamental goals and objectives of the University, goals related to an improved sense of community and greater racial, cultural, and gender diversity demand strong, widespread, and enthusiastic support and active involvement by the members of the University Senate.

I would like to conclude by expressing appreciation to those of you who have contributed so much to the successes of this past year. Those of us who remain on SACUA are pleased to welcome as new members Donald Bord from our Dearborn campus, George Cameron from the School of Business Administration, and Jean Goeppinger from the School of Nursing. We sincerely appreciate the contributions of those colleagues and companions who are leaving us, Gayl Ness, Marilynn Rosenthal, and Kate Warner. Each one has had a very special, central, and influential role in the function of SACUA and the Senate Assembly. This past year Sue Kilham, who served as Secretary to SACUA and the Senate Assembly, left us to take a position at Drexel University in Philadelphia. Sue was an esteemed colleague and is a close personal friend. We are pleased that Diane Schwartz from the Taubman Library has stepped in to take Sue's place. I would like to thank Chuck Olson, who has served this year as parliamentarian, and Charles Smith, who prepared the short summaries of the Senate Assembly meetings. I would also like to recognize the Chairs and members of the Senate Assembly Committees who have contributed many hours of precious time to the furtherance of the process of faculty governance.

We are extremely fortunate to have at the University of Michigan a highly competent staff in the Faculty Senate office. I am deeply indebted to Laina Savory, Teryl Schessler, Sandra Heskett, Sharon Wieland, and Sandy Toth-Fejel for their wise counsel, strong support, and enduring loyalty. I would also like to extend a special note of gratitude to Mary Jo Frank and Jane Elgass of The University Record who have done so much to take our message to the university community and report on our activities. And last, and perhaps most important of all, I would like to express my appreciation to those of you who have served as representatives of your units on the Senate Assembly. You are the custodians of the University to whom its future is entrusted. Thank you.

I would now like to introduce the new Chair of the Senate Assembly, Professor James Diana from the School of Natural Resources.