Minutes of 18 April 2005
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THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
18 APRIL 2005

Present: Abdoo, Agrawal, Aller, Berent, Burant, Cebulski, Combi, Giordani, Goldman, Green, Gull,
G. R. Holland, Hollar, Hu, Huntley, Jackson, Koopmann, Lachance, Lehman, Lemos, Luera, Matjias, Meerkov, Orr, Pedraza, Peters, Pohl, Prygoski, Quint, Rush, Sahiner, Schultz, Seabury, Smith, Stark, Thouless, Wechsler, Zorn

Alternates: Ashe (LSA-Nat Sci for Lange), Brock (Medicine for Sagher), Cowdery (Flint for Kahn),
Murphy (LSA-Soc Sci for Benamou)

Requested Alternate, none available: Chang, Fricke, Hutchinson, Liu, Mitani

Absent: Albers, Andersen, Annich, Bartlett, Ben-Shahar, Bhavnani, Brown, Colas, Ensminger, Fishman, Ludlow, Moran, Neuman, Ohye, Potter, Pritchard, Robertson, Ross, Schwendeman, Senkevitch, Sension, Severance, Seyhun, Simpson, Smock, Tropman, Watkins, Whatley, Younker, Ziff

MATERIALS DISTRIBUTED

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 21 March 2005
3. Proposed Conflict of Interest/Conflict of Commitment Policy and supporting documents.
4. Criteria based approach to Shared Faculty Governance
5. Report from Senate Assembly Rules Committee and supporting documents
6. Report from Administration Evaluation Committee with proposed Action Items

The meeting was convened by the chair at 3:21 P.M. The proposed agenda was adopted.

CONSIDERATION OF THE MINUTES OF MARCH SENATE ASSEMBLY
The minutes of 21 March 2005 were approved as submitted.

ANNOUNCEMENTS/UPDATES
Chair Berent announced:

1. The annual meeting of the U-M Ann Arbor Chapter of AAUP will occur at noon on Wednesday 27 April 2005; the meeting is open to the public.

2. A revision of Conflict of Interest/Conflict of Commitment Policy has been distributed in draft form (distributed item 3). Comments should be sent either to the Assembly chair, to the Senate Office, or to vice president Marvin Krislov. Vice president Krislov has taken the lead responsibility for revising the policy. Faculty governance was initially told there would be more time to deliberate on the proposal, but we have suddenly learned that the administration plans to finalize the policy statement this week. Krislov was quoted as saying there is pressure to get this done as soon as possible, but he agreed to 3 May 2005 as the deadline for response from faculty. In the chair_s opinion the policy draft was written in a judgmental manner, and there is the likelihood that unit-specific implementation of the policy could be more stringent than the language of the general SPG (Standard Practice Guide).

Professor Giordani asked Assembly members to provide the Senate Office with courtesy copies of any comments they sent to vice president Krislov. A member of the Assembly asked if the policy was being developed by normal procedure. Chair Berent replied yes, but added that he thought there was something else driving it. Professor Gull asked if it was true that the Regents are formulating a Conflict of Commitment policy for themselves. The chair replied yes. Professor Giordani stated that the Regents are driving hard to have a policy for faculty and staff. Professor Seabury expressed the irony of the fact that the Regents get to write their own policy, but that policy for the faculty is being developed by the administration.

Professor Giordani cited associate provost James Hilton as saying that the implementation of new COI/COC policy will occur at the unit level in consultation with the faculty. Because unit issues are different, practices may vary across units. Professor Rush stated that, in practice, decisions will invariably be made by the dean or chair. He noted that most of the comments about the draft SPG are calling for an appeal process. He asked whether the Assembly needs to repeat that recommendation. Chair Berent replied yes, send it forward even if it is redundant with previous recommendations.

REPORT FROM THE RULES COMMITTEE
Professor Riebesell, chair of the Rules Committee, began his report at 3:35 P.M. The report closely paralleled the distributed items 5. He completed his prepared remarks at 3:49 P.M. Chair Berent said that it was his understanding that the report would be looked over by SACUA and then be brought back to the Assembly with recommendations for possible action. Professor Riebesell responded that such was his understanding, as well.

AEC RECOMMENDATIONS
Professor Lehman, Senate Secretary and ex officio chair of the AEC (Administration Evaluation Committee) began his report at 3:50 P.M. The report exactly paralleled distributed item 5. He offered the action items from the report as an active motion before the Assembly, duly introduced by a Senate committee.

ACTION OF THE SENATE ASSEMBLY 041805-1

Professor Giordani asked the AEC to accept as a friendly amendment the addition of language to Action Item 6 of the AEC report stating that nominations to the AEC will occur in parallel to other faculty governance committees. Professor Lehman polled the members of the AEC present in the Assembly audience, and all consented to the amendment. The AEC report and recommendations were adopted by unanimous vote of the Assembly, with no abstentions of record.

ACCESSIBILITY OF AEC RESULTS

Professor Lehman next placed before the Assembly a request from the AEC for guidance about access to the results of faculty evaluations. He noted that two requests for access to the results had been made to the FOIA (Freedom of Information Act) office, and that both requests had been granted with the exception of units with less than about 10 faculty members. Several members questioned whether arbitrary size cutoffs made sense. Professor Allers remarked that in reality the evaluations are effectively open already. Other members said that the results should be treated the same as course evaluations.

ACTION OF THE SENATE ASSEMBLY 041805-2

Professor Rush moved that the annual results of faculty evaluation of administrators published on the AEC website should be accessible without restriction. (Multiple seconds)

Discussion of the Active Motion-

A member inquired how long the results should remain posted. Professor Schultz commented that an argument against posting the results publicly could be that faculty could thereby more easily rid the institution of poor administrators by letting them leave with their pride intact. A member proposed that the results should remain posted for a period of one year from the time of evaluation. Professor Rush said that he would accept the proposal as a friendly amendment. One of the seconders, however, said that he would not accept the proposal as a friendly amendment.

Vote on the Active Motion-
      Number approving- 27
      Number disapproving- 11
      Number abstaining- 2

Professor Stark asked the Assembly to consider making the evaluation system open to others in the university community who are not members of the University Senate. Chair Berent responded that it was a good topic for deliberation, but that he preferred to adhere to the agenda. He invited Professor Stark to raise the issue under New Business.

SHARED GOVERNANCE DOCUMENT
At 4:25 P.M. Chair Berent called attention to distributed item 4. He said it was being offered for Assembly consideration as a potentially powerful tool to achieve consensus between administration and faculty. His presentation paralleled distributed item 4. He then asked the Assembly for approval of the document with the charge to implement it and report back to the Assembly.

ACTION OF THE SENATE ASSEMBLY 041805-3
      Professor Rush moved that the Assembly approves a Criteria Based Approach to Shared Faculty Governance, and charges SACUA to implement it and report back to the Assembly (Koopmann seconded).

Discussion of the Active Motion-
      A member of the Assembly inquired about thresholds for invoking various criteria, and particularly what to do about activities that occur only within one unit. Chair Berent replied that the key point should be whether the activity affects other units. Professor Lehman suggested that the title of the proposed initiative should more properly be "Criteria-based Approach to Shared University Governance." Chair Berent conducted a straw poll of the Assembly and consented to the change.

      Professor Koopmann stated that the initiative would be a great step forward. Professor Rush expressed agreement and explained further that his motion is intended to charge SACUA with negotiating the document with the administration.

Professor Meerkov asked what the opinion of the president and provost has been thus far. Chair Berent replied that it has been discussed only as a concept, but that he (Berent) views it as an opportunity. Professor Pedraza responded that the provost has said the criteria are too general. She said the president did not say much, but indicated this could tie the university in knots. Chair Berent said that there is work still to be done.

Professor Thouless expressed reservations about the document. He said that he considered central faculty governance to be the Senate and Senate Assembly, whereas the document seems to assume it is SACUA. Chair Berent replied that most day to day contact with the central administration occurs through SACUA. Professor Pedraza added that the document does not yet have specific examples included, but both SACUA and Assembly Committees are included. Professor Thouless responded that it is an unfinished document that the Assembly is being asked to approve. He said that it seems to be a blank check, and that he, for one, did not know what he was voting on.

Vote on the amended Active Motion-
      Number approving- 19
      Number disapproving- 17
      Number abstaining- 4

Professor Thouless called for a Quorum Count. 40 eligible members were present; total Assembly membership is 79.

FINAL REMARKS FROM THE CHAIR

At 4:50 P.M. Chair Berent offered final remarks as Assembly Chair. He noted that because many individuals operate in dual roles within the university the lines between administration and faculty become blurred. He referred to the position statement he made in 2002 when he ran for election to SACUA, saying that many of the issues remain relevant today. He remarked that then, as now, the university was in the midst of a change in administration.

He said that last spring faculty priorities were narrowed to eight issues:

1. faculty quality of life, including childcare, benefits, and parking
2. intellectual property rights
3. evaluation of administrators
4. tenure track/non tenure track growth; ratios of clinical to tenure track faculty are changing, especially in some units
5. shared governance
6. grade inflation and grade alteration
7. research support for junior faculty
8. IRB (Institutional Review Board) concerns

He noted that subsequently faculty governance had also co-sponsored an ethics forum. He expressed his thanks to SACUA and said it had been a privilege to be its chair. He acknowledged the members of SACUA, with reference to retiring, continuing, and new members. He also thanked the members of the senate office staff and student assistants. Finally, he announced that Professor Giordani had been elected chair of SACUA for the coming year.

OLD BUSINESS
There was no old business.

NEW BUSINESS
There was no new business.

The meeting adjourned at 4:48 P.M.

Respectfully submitted,

John T. Lehman
Senate Secretary

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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.