

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of the Regular Assembly Meeting, April 20, 1970

ATTENDANCE

1969-1970 Assembly

Present: Barnes, Bassett, Bertolaet, Bett, Bishop, (Ronald), Bishop, (Robert), Bowman, Brown, Cameron, Carter, Crawford, DeMuth, Frye, Galler, Gilbert, Handler, Hauenstein, Hayward, Hinerman, Hooper, Huntington, Judge, Kahn, Katz, Kolars, Lloyd, Marsden, Meyer, Miller, Norman, Payne, Rondell, Rucknagel, Sandalow, Scherer, Schulze, Shappirio, Sinnott, Sonntag, Southwick, Steiner, Weinberg, Wingo, Stolz, Yable, Yablonky.

Absent: Alston, Bardach, Beardsley, Bergmann, Bole, Castor, Cerny, Coon, Dowson, Eggertsen, Iglehart, Knauss, Krachenberg, Keiler, Longone, Morgan, Pollack, Porter, Kirscht, Richards, Rigan, Rowe, Sherman, Portman.

1970-1971 Assembly: (New members)

Present: Abrams, Asgar, Birch, Cornish, DeKornfeld, Goodman, Graebel, Jensen, Kish, McGee, Nelson, Overseth, Sears, Schuman, Votaw.

Absent: Bowditch, Michelsen, Wilkes, Williams.

CALL TO ORDER

Chairman Payne called the meeting to order at 3:20 p.m. in the Rackham Amphitheatre.

APPROVAL OF MINUTES

The minutes of the meetings for January 19, 1970, and February 16, 1970, were approved as corrected.

REPORT ON SACUA ACTIVITIES

Chairman Payne reported on the activities of SACUA since the last meeting of the Assembly, on March 25, 1970, a special meeting devoted to the BAM strike. Members of SACUA, he said, had served as observers during the disruptions, meeting with members of the Black faculty and also had met with President Fleming at his home the night of March 26.

Chairman Payne also noted that he had attended a meeting of the deans as an observer. He reported that he, Secretary Yablonky and Mrs. Lawson had gone to the BAM office to deliver a statement issued by the Administration on the strike on Friday, March 27. The following Sunday SACUA members met with representatives of BAM and afterwards SACUA issued a statement urging faculty members to permit students to make up any work missed during the strike. Later that evening, SACUA met with BAM leaders following a rally at Rackham. On Monday, March 30, SACUA held a regularly scheduled meeting, a summary of which was distributed to Assembly members. On Tuesday, March 31, SACUA members attended a meeting of deans and executive officers which considered a strike policy on employees. At this meeting, SACUA made several suggestions and the policy adopted by the Regents was one considered by the Assembly in connection with the October 15 moratorium. On Wednesday, April 1, representatives of SACUA attended a meeting of the Regents considering the BAM demands. Representatives of the deans also were present, at their request. SACUA also wrote to Senator Gilbert Bursley and Representative Raymond Smit inviting them to a luncheon which was held today at which the legislators were briefed on what happened during the BAM strike. Professor Payne said he found the two legislators interested and the luncheon was a fruitful session. SACUA also received a copy of a letter which the two men had sent to the Governor.

On Wednesday, April 8, SACUA held a luncheon meeting to nominate members for the Opportunity Awards Committee and to consider establishing a committee for setting priorities for the University. On Thursday, April 9, SACUA met with President Fleming regarding bylaws for the proposed policy board for the Office of Student Services. Professor Payne noted that students want a policy board dominant over the Vice President. The SACUA view, he said, was to strip the language and the matter was to be discussed with the Regents at their open meeting. The Regents at an open meeting Friday morning, April 17, passed interim rules regarding disruptions, setting up a hearing officer who would have power of sanctions. At an afternoon session the same day, a time scheduled to consider bylaws for the Office of Student Services, students spoke disapprovingly of the interim rules passed that

morning by the Regents and the entire time was devoted to that matter. Members of SACUA also expressed disappointment over the Regents' action calling attention to the many years devoted by faculty and students to working out rules and that the community was not involved in the mechanism created by the Regents. Professor Payne said he told the Regents that a major question remained whether the rules worked out by the community would be acknowledged by the Regents.

Chairman Payne also called attention to an ad hoc drafting committee which had been announced by President Fleming, consisting of faculty, students and deans to look at a judicial procedure. Following the Regents meeting, SACUA members met with President Fleming to inquire about the interim nature of the new rules adopted by the Regents. Chairman Payne also noted that suggestions were made that the Regents be part of an ad hoc committee looking at any new, permanent judicial procedure so that they would be fully acquainted with any arguments advanced. Thereafter SACUA met with SGC members. On Saturday morning, April 11, SACUA met with President Fleming and members of SGC for two hours and it was agreed that any new rules should come from within the community with participation by the Regents in the drafting process. President Fleming agreed to canvass the Regents on their participation and reported later that the likely candidates would be Regents Lindemer and Neederlander.

In the comments that followed Chairman Payne's report on SACUA activities, Professor Galler said we should be aware of the potential danger of getting the Regents too much involved in too many issues.

In reply, Secretary Yablonky noted that SACUA was aware of the hazards. Professor Weinberg said he proposed the idea of Regental participation because of the reluctance of the faculty to invest a great amount of time on the matter only to have their work ignored.

Professor Eggertsen asked whether the new rules were the product of the Regents or that of the Administration. Chairman Payne said he was convinced that the Regents were demanding that rules be established, that they were under pressure to move against disruptions, that they had pressed earlier for these rules but that SACUA had insisted that the community be involved.

Professor Rucknagel observed that the Regents are entitled to panic just as we are. He said he was concerned that if the Assembly accepts such rules without comment, we may be subject to more of them.

Professor Weinberg said it was for this reason that SACUA argued that the Regents be involved in the drafting process as a departure from past practices.

Chairman Payne said SACUA discussed the question of whether to release a statement and the final decision was that it would not add to keeping the campus calm. He said it was decided instead to move with speed on the ad hoc committee and the University Council. At the same time, he said, it was agreed that Chairman Payne write a letter to the Regents expressing our concern.

Professor Norman said we had to disabuse Professor Rucknagel and others that SACUA had given tacit approval of the Regents' actions.

Professor Rondell wanted to know whether we should view the Regents' action as trying to broaden their sphere of influence on the campus. Chairman Payne said "no," that he believed the Regents were responding to concern and pressure for action on the rules.

Professor Weinberg noted that in the past the Regents had been dissuaded from acting and had been encouraged to approve the University Council. He said also that the Regents were reacting to the old SGC not to the new one which was more receptive.

Professor Crawford noted that there were irreconcilable differences between the Regents and the previous SGC view on an all-student judiciary. Professor Norman added that the Regents were somewhat unhappy at the failure of the schools and colleges to deal with disciplinary cases.

Professor Eggertsen asked whether one should anticipate strikes later in the term. Chairman Payne said the drafting action will be carried out with urgency. Professor Eggertsen noted the importance of anticipating crises as Chairman Payne had pointed out at the Senate meeting last week.

He asked whether any other course of action had been considered. Chairman Payne said this was the only course of action.

Professor Galler asked what was the next step in appointing members to the committee. Chairman Payne said we have two members to recommend, that the third has not yet been nominated.

Professor Eggertsen asked whether this was not the first time that the Assembly had been repudiated on an important action. Chairman Payne said the Regents probably never got the proposed rules in the form in which they were passed.

Professor Rucknagel asked whether we're sitting in limbo on the next move. Chairman Payne said it's now up to the ad hoc judiciary committee to come up with new rules. One of the frustrating things over the past year, he said, has been the lack of movement on the bylaws with the Regents.

Professor Cameron raised the question whether opposition to the bylaws by the deans and executive committees had played any part in the difficulties over the bylaws. Chairman Payne said he believed the opposition had played a part. He added that SACUA was impressed in meeting with the deans of their awareness and knowledge of the issues.

Chairman Payne offered in nomination for the ad hoc drafting committee two faculty members, Professors Theodore St Antoine of the Law School and Roger Lind, of Social Work. He proposed further that the Assembly authorize SACUA to name the third member.

Professor Eggertsen raised the question as to whether we should take part in the deliberations. He said he was not so sure we should do it.

Professor Hayward said SACUA's agreement to participate on the drafting committee was symbolic of getting the University community back into the action. He moved that the Assembly take action in establishing the ad hoc drafting committee and to elect faculty members to the committee. The motion was seconded.

Professor Hinerman said it was high time to get on with the business. Professor Sinnott, in support, said there weren't many alternatives. He said working through the

COMMITTEE  
APPOINT-  
MENTS

University Council is an alternative but it isn't likely to move as fast.

In a vote on Professor Hayward's motion, the motion was carried.

Professor Brown then moved that the two nominees proposed for membership on the ad hoc drafting committee be approved and that the third be named by SACUA. The proposal was seconded and carried.

Chairman Payne proposed that the following faculty members nominated by SACUA be elected to serve on the Opportunity Program Committee to advise Vice President Spurr on minority group admissions: Professors Loving (Education), English (Social Work), Bowditch (History) and Ritchie (Business Administration).

With no further nominations from the floor, Professor Judge moved that the nominations be closed and that the group be declared elected. The motion was seconded and carried.

Chairman Payne explained that the idea for a calendar questionnaire committee grew out of the Assembly action calling for a return to the nine-month calendar. A part of the motion called for a survey which was tabled. He said that Professor Galler in a letter to SACUA had proposed that a questionnaire be prepared.

Professor Galler moved that the Assembly instruct SACUA to appoint such a committee and charge it to execute such a questionnaire and report the results.

Chairman Payne said that SACUA had agreement from four faculty members who have agreed to serve on such a committee.

Professor Brown wanted to know whether the Assembly would have a chance to see the questionnaire before it went out. Professor Galler noted that the design of a questionnaire is a highly technical thing.

Professor Gilbert asked whether the survey would include students. Chairman Payne said the original motion was to be confined to Senate members.

Professor Brown said it was important to get certain kinds of questions. He proposed that Assembly members feed questions to members of the Committee.

CALENDAR  
QUESTION-  
NAIRE  
COMMITTEE

Professor Bishop moved to amend the motion to include a sampling of students and teaching fellows. The motion was seconded by Professor Lloyd.

Professor Kelly wanted some idea regarding a time schedule. If students are to be included, he noted, it can't be done until the Fall and probably can't be completed until the Winter term. Professor Bishop said some students are transfers from other institutions and that some of these students have had experience with the semester term.

On the motion to amend, the motion was carried.

In a vote on the original Galler motion, the motion was carried.

Chairman Payne said that members of the committee would include Professor Stephen Withey, as Chairman, Dean George Hay, Professor E. Lowell Kelly and Professor Dorin Hinerman.

Professor Abrams, Chairman of the Civil Liberties Board, summarized the Board's report on disclosure of student records. He explained that the study was an outgrowth of the original charge to the CLB when it was established in October, 1967 as the result of disclosures of student names to the House Committee on Un-American Activities. He said the CLB was charged with recommending policies on record-keeping and disclosures of such records. He said the CLB has sought policy on existing records and their use. On the whole, he said, student records have been well handled but there are deficiencies in record keeping. There is no University-wide policy in handling of records. Nor is there any formal statement on such matters.

Professor Abrams said the thrust of the report is directed towards correction of these deficiencies. If the CLB's recommendations are adopted, this will be the first policy statement adopted for the University. He said the recommendations are not written to be specific rules but are guidelines to the individual record-keeping units to devise their own rules. The policy statement makes it explicit that the administrative head of each record-keeping unit bears the personal responsibility for these records.

REPORT  
OF CIVIL  
LIBERTIES  
BC D

Professor Abrams said the CLB consulted carefully with many record-keeping officers and the feedback that the CLB received was that they would be able to live with these policies. Professor Abrams said these policies are fully consistent with the present statement of the Office of Student Services.

Professor Abrams said the CLB recommends that the Assembly endorse the document as a whole with the specific recommendation that the document be forwarded to all units and that they be urged to adopt specific rules.

In response to a question whether students were members of CLB, Professor Abrams replied that there were students on the Board.

Professor Norman wanted to know whether the document should be sent to the Regents. Professor Abrams said the policy statement was not conceived as a bylaw, that the policy statement was seen as a background to an eventual bylaw.

Discussion followed on various sections, seeking clarification of language and coverage of various sections.

Professor Galler moved that the report of the Civil Liberties Board be adopted and that its recommendations become a statement of faculty policy for student records. Professor Hinerman seconded the motion.

Professor Brown wanted to know if a phone call asks for information about a student whether the faculty is not at liberty to comment if the student has not given permission. Professor Abrams made a distinction between giving an opinion which he said was O.K. and making disclosures of information in the records, which he said was not.

Professor Sandalow wanted to know what is to be the status of the document. If the recommendations are intended to be University rules, he said, there are some serious legal questions raised in the language. Professor Abrams said it was not the intent of CLB to set up the document as a set of rules. Professor Sandalow asked whether this should not be stated as a preamble. Professor Abrams said this appears O.K.

Professor Kolars raised questions about the first two sentences of Section #7 and noted that every administrator wouldn't interpret the language in the same way and whether it doesn't place too much responsibility on a particular administrator. Professor Abrams replied that this document is based on the need to know but that the administrator has to make the determination.

In a vote on the motion, the motion was carried.

Chairman Payne noted that the essence of the report of the Committee on the Economic Status of the Faculty covers specific recommendations.

Professor Hayward, who as a member of SACUA served on the Committee, said that the report, in essence, was a progress report. Past reports of the Committee, he said, were presented statistically, comparing data with other institutions. He said it was felt that this year the Committee should come up with a progress report. Part of it, he noted, focuses on fringe benefits and asks for the Assembly's endorsement. The second part deals with salaries.

Professor Hayward noted that there are nine recommendations in the first part, dealing with matters such as health benefits, recommendations for increasing major medical coverage with the TIAA. Also the report instructs the Office of Staff Benefits to obtain data on increasing life insurance coverage, to increase disability coverage and to re-examine the University faculty mortgage policies. The final recommendation states that the faculty should express concern for sinking economic position on the economic inflationary spiral and seeks further information from the Administration.

Professor Norman moved approval of the nine recommendations. Professor Hinerman seconded the motion.

Professor Eggertsen said for the first time the Committee on Economic Status of the Faculty has proposed vigorous bargaining. Is the Committee preparing a new approach to bargaining, he asked.

Professor Scherer said the Committee wanted to indicate that some rather hard times are ahead, that a new approach might be necessary. He pointed out that Central Michigan University has engaged in collective bargaining arrangements

REPORT  
OF COM-  
MITTEE ON  
ECONOMIC  
STATUS OF  
THE FACULTY

with the administration there and has obtained some substantial results.

Professor Bishop said he wanted the Committee to look into the administration's contribution to the retirement fund.

In a vote, the <sup>Nozman</sup> Warren motion was carried.

REPORT  
OF BOARD  
IN CONTROL  
OF INTER-  
COLLEGIATE  
ATHLETICS

Professor Galler called attention to the annual report of the Board in Control of Intercollegiate Athletics which had been mailed out to members of the Assembly and asked that the report be put on the agenda for a future meeting of the Assembly. He suggested also that members of the Board in Control be invited to be present at that time.

MOTION  
APPLAUDING  
CHAIRMAN  
PAYNE

Professor Galler, calling attention to the fact that this meeting would be the final one at which Chairman Payne would be presiding, moved that the retiring chairman receive the thanks of the Assembly. He offered the following resolution: Recognizing that this has been a most difficult year, the Faculty Assembly expresses its appreciation for the very excellent job which Professor Joseph Payne has done as its chairman this year. The motion was passed with a standing ovation and a round of vigorous applause.

Chairman Payne responded by saying that the strength has come from the Assembly during trying times. He said this posed a challenge to the new Assembly to match the record of the present Assembly. He expressed deep gratitude to members of SACUA, with special reference to Vice Chairmen Hayward and Knauss, to Secretary Yablonky and to Mrs. Lawson.

ADJOURN-  
MENT OF  
1969-1970  
ASSEMBLY

At this point Chairman Payne declared the old Assembly formally dissolved by reading the names of the retiring members of the 1969-1970 Assembly. They are as follows: Professors Bardach, Beardsley, Bergmann, Cameron, Cerny, Demuth, Hayward, Judge, Katz, Keiler, Kirscht, Kolars, Miller, Payne, Rondell, Rowe, Sherman, Southwick, Steiner, and Wingo.

CONVENING  
OF 1970-  
1971  
ASSEMBLY

Chairman Payne after welcoming the new members explained that the main item on the agenda was the election of three persons to SACUA. He said the nominating committee had consisted of the three outgoing members of SACUA, Professors Payne, Hayward and Bardach and two members of the Assembly,

Professors Kolars and Steiner. He said the list of nominees had been distributed. He said SACUA would elect the Chairman who would become the presiding officer of the Assembly and the Senate.

In a call for further nominations from the floor, Professor Dorin Hinerman of the Medical School was nominated.

A motion to close the nominations was offered, was seconded and carried.

In the balloting that followed, the following were elected to SACUA: Professors Crawford, Hinerman and Norman.

The meeting was adjourned at 5:45 p.m.

Ben Yablonky  
Secretary

ELECTION  
TO SACUA

ADJOURN-  
MENT