

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of the Regular Assembly Meeting, May 18, 1970

ATTENDANCE

Present: Abrams, Alston, Asgar, Barnes, Bertolaet, Bett, Bishop, (Robert), Bishop, (Ronald), Bole, Bowditch, Bowman, Brown, Carter, Castor, Coon, Cornish, Crawford, DeKornfeld, Eggertsen, Frye, Galler, Gilbert, Goodman, Graebel, Handler, Hauenstein, Hinerman, Huntington, Iglehart, Jensen, Kahn, Knauss, Krachenberg, Lind, Lloyd, Longone, Magee, Marsden, Meyer, Michelsen, Morgan, Nelson, Norman, Overseth, Pollack, Richards, Rider, Rigan, Rucknagel, Sandalow, Schulze, Schuman, Sears, Shappirio, Sinnott, Sonntag, Weinberg, Yablonky, Yagle.

Absent: Bassett, Birch, Dowson, Hooper, Kish, Portman, Scherer, Stolz, Votaw, Wilkes.

CALL TO ORDER

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

Chairman Knauss noted that new members of the Assembly had just concluded an earlier meeting at which they were briefed on the organizational structure and problems facing the Assembly and its various committees. Members of SACUA who serve on the various committees, those advisory to the Vice Presidents, the other standing committees and ad hoc committees, reported on their operations and the current issues before them.

Chairman Knauss called attention to recent events at Kent State University and on other campuses and stressed the need for a strong faculty government as represented by the Faculty Assembly, one he said, that has been willing to work hard and make decisions. On hindsight, he said, there are many more things we did right rather than what we did wrong during the past year.

He said he was concerned about over-reaction in the country, that universities have fallen into an adversary relationship, where groups are being played off against one another. The principal challenge, he said, is to

find ways to look at common problems.

Chairman Knauss, calling attention to the Memorial Service which was held recently in Hill Auditorium for the four students killed at Kent, asked that members of the Assembly stand in a moment of silence for the students killed at Kent State and at Jackson State College in Mississippi.

REPORT OF  
SACUA  
ACTIVITIES

SACUA Vice Chairman Sinnott was called on to report on recent activities of SACUA. He noted that there had been two formal meetings since the last Assembly meetings. At the first, Professor Knauss was elected chairman and Professor Sinnott was elected vice chairman. The brief meeting also discussed a proposal for dealing with resources allocation at the University, a matter which is on the agenda for today's meeting. A subsequent meeting with Vice President Smith and the deans also dealt with the matter. SACUA also met with members of the central administration and members of SGC on plans to co-operate with a coalition group planning a peace march in Ann Arbor. During the march, May 6, members of SACUA marched in the parade together with a number of other Assembly members and other faculty. Their role was to reinforce the job of some 50 students who were serving as marshalls.

SACUA Vice Chairman Sinnott reported that after a number of students walked out of Hill Auditorium during the memorial service for Kent students and occupied North Hall, SACUA served as observers. Later that day, SACUA met with President Fleming, other central officers, members of SGC and Police Chief Walter Krasny to discuss the occupation of the building. There was some trashing of the building during the night but on the whole there were no major disturbances nor confrontations. On May 8, another meeting called by the administration was attended by members of SACUA and the SGC and city officials. Students during the week-end finally withdrew from the building; meantime, SACUA had set up a system of monitors to work around-the-clock had the occupation of the building continued.

Professor Sinnott reported that SACUA held its regular monthly meeting with President Fleming during which a review of the occupation of North Hall was

discussed as well as a discussion of the strike policy statement and a proposal to create a commission of resources allocation. On May 11 SACUA met for a further discussion of the proposed strike policy, discussed plans for a meeting with new Assembly members and approved funds for coding of questionnaires being sent out to teaching fellows.

APPROVAL OF  
MINUTES

The minutes of the Assembly meeting for March 16, 1970, were approved as distributed.

ELECTION TO  
MICHIGAN  
UNION BOARD

Chairman Knauss explained that the item on the agenda calling for the election of a member to the Michigan Union Board would be deferred, pending completion of action by SACUA in proposing nominees.

ELECTION OF  
STUDENTS TO  
COMMITTEE ON  
COMMUNICA-  
TIONS

Chairman Knauss explained the procedure called for in the naming of members to the newly created Committee on Communications, that the Assembly is to select two students from a panel of four nominated by SGC. He noted that the Assembly had directed SACUA to interview the SGC nominees and that SACUA now proposed the following: Phil Anderson, a Medical student and member of SGC and Jeff Tirrengil, an LS&A student and member of LS&A Student Government.

On a motion from SACUA, the two students were declared elected by the Assembly.

RESOURCES  
ALLOCATION  
COMMISSION

Professor Weinberg, speaking for SACUA, presented the background on the proposal to establish a Commission on Resources Allocation. He asked for unanimous consent to take off the table a resolution tabled at the special March meeting of the Assembly dealing with the matter and to substitute one before the Assembly which was submitted with the call to the meeting. His motion was seconded and carried.

Professor Weinberg said the proposal grew out of several related matters, in part from the Assembly meeting and in developments stemming from special SACUA meetings with the Budget Committee and SACUA meetings with President Fleming, the deans and members of SGC. In view of these consultations, he said SACUA

feels it is in a position to present a plan here. But he warned that the Assembly must realize that our view alone cannot be counted. What we are asking is that President Fleming establish a commission with recommendations for a specific plan. He said that if there are changes of the specific plan by the Commission once it goes to work, the Assembly will have a chance to review the new proposals.

Regarding the plan, Professor Weinberg said the concept calls for the creation of a presidential commission appointed by the President. All appointments are for a period of two years, as provided for in IA. He said there was need for time for the group to get busy to work on the substance of the problem but the group also needed a chance to study appropriate procedures for the operation of that group. He noted also that the attempt is to make the charge broad enough both in procedural matters and substantive ones in considering priorities. He also called attention to the provisions for periodic publicity as provided for in section II B. In concluding, Professor Weinberg said there appears to be support for this plan elsewhere in the community.

Chairman Knauss said the report is before the Assembly as a motion from SACUA. He noted that Vice President Smith was at the meeting to answer any questions or to comment on the proposal.

Vice President Smith said the creation of a commission to work on the budgetary process and priorities has been developed with the central officers, deans and other groups. The commission, he said, might produce some ways to insure wider participation and wiser decisions in some regard.

Professor Alston asked whether the nominations to the commission from the Academic Affairs Council was to be left completely open. Professor Weinberg replied that the Council would presumably nominate deans since the Council was largely composed of deans. Professor Alston said he questions the wisdom of half of the Commission being made up of people who are essentially administrators.

Professor Brown, referring to the same provision, asked who would select the members to the commission. Professor Weinberg said the President would make the final selection.

Chairman Knauss said the principal emphasis was that the commission would be basically informational. For that reason, it was thought important to have vice presidents and deans on the commission to provide access to information.

Professor Nelson said the commission ought to be given powers to inform the faculty on the procedures for establishing a budget. Professor Weinberg referred to IIB, which, he noted, gave the commission the power to issue study reports and recommendations and also IIE which empowered the commission to establish its own operating procedures.

Professor Eggertsen cited a statement made to the Senate in September, 1964, at the time the new Assembly structure was being considered, which called for participation by the faculty in formation of University policy in the development of the annual general budget. He said this proposal was one of the basic reasons for the establishment of the Assembly.

Professor Sandalow asked for clarification of section IIA (2) which empowers the commission to study and make recommendations "on the current and projected allocation of resources." Professor Weinberg said that there are areas that ought to be looked at as, for example, the athletic program, parking, and the golf course. The funding of the Opportunity Awards program, he noted, has raised such questions. The idea was to give the commission broad leeway. On the other hand, he said, the idea was not for the commission to go over every item in the budget.

Chairman Knauss said there is some question that the commission might be drowned in paper work.

Professor Sandalow said the proposal is an attempt to achieve a broader role in the budget-making process. The three faculty members or the three student members, he said, are not likely to be in touch with what their

constituency wants. He said he was not troubled by this as much as with IIA (2). He said he would be happy to see the commission focus on IIA (1) on what are the difficulties in the priority-setting process.

Professor Sandalow moved to amend the motion to strike section IIA(2). The motion was supported.

Professor Weinberg, speaking against the amendment, noted that we're aware that this is a sensitive area. But, he said, if a commission is to be precluded from considering such an issue, it's likely to be severely hobbled. He pointed out that if the commission gets into an area where it is not informed, there are provisions in section IID for calling in experts and holding hearings.

Professor Sandalow said other factors will come into play other than a reasoned analysis. He said he was not as optimistic as Professor Weinberg is in the way in which power will be exercised. He added that he was concerned about the manner in which some of the information which has been confidential will be used.

Chairman Knauss said much which has been talked about is public information. The problem is interpreting it. He noted that the commission could operate in executive session when it chose to do so.

Professor Eggertsen said a committee some years ago talked about this problem, that it wouldn't be necessary to talk about every budget every year. He said it would be difficult for the commission to function if it didn't have information on the current and projected allocation. If you take that out, he said, you don't leave much.

Professor Gilbert said the commission does not require adequate representation to function properly.

Professor Sinnott said sections (1) and (2) can't be separated. The current allocation is an important factor; the projected factor is related. Otherwise, he said, it becomes merely a listing of priorities. The commission, he said, must get into the allocation of priorities.

Professor Galler said these people have to study the problem and get informed on the existing process. There is a chance for reasoned analysis to come out.

In a vote on the Sandalow amendment to strike the section, by a show of hands, the motion was defeated.

Professor Rucknagel, referring to the composition of the commission, moved that the three faculty members and the three deans selected by the President be from different schools. The motion was seconded.

Professor Weinberg suggested that the Assembly agree that President Fleming provide the widest representation from the various schools in composing the commission. He said that this could be done with a covering letter to the President rather than writing it into the proposal.

Professor Bowditch said he is opposed to the suggestion. He said LS&A is larger and he wants to know about the size of other units.

Professor Pollack raised the idea of proportional representation for larger units as in the composition of the Assembly. He noted that somewhere near 40 per cent of the faculty is in LS&A.

In a vote on Professor Rucknagel's motion, on a show of hands, the motion was defeated.

Professor Bole proposed that the word "shall" be substituted for the word "may" in section IID to make the proposal less permissive. The motion was seconded.

Professor Crawford urged we go with the document which is relatively open and that the commission after study will come up with new proposals. He urged we not try to tie down the group.

Professor Yagle said there is nothing in the report which requires the commission to come back to us other than through the three members nominated by the Assembly. He asked that the proposal incorporate an obligation to make such a report to the Assembly.

On a vote on the motion to alter the language of IID, by a show of hands, the motion was defeated.

Professor Shappirio moved to amend section IIB to include the phrase, "to the University community," in the second line of the section after the words, "issue study reports."

Professor Brown said the Assembly should be the recipient of study reports.

Professor Yagle said he was not happy with the composition of the commission but some information should be available to the University community, even including students, that some information might be made public only to the faculty, or students. This commission should be responsive to the Assembly and it should be spelled out so that this be made clear.

It was moved that the words, "to the Senate Assembly" be added so that the new insertion would read, "to the Senate Assembly and to the University community." The proposal was acceptable to Professor Shappirio, mover of the original motion.

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

Professor Alston moved that IA be altered by substituting six faculty members from a panel of twelve instead of three faculty members from a panel of six as proposed.

Professor Rucknagel said he was not as much concerned by representation or proportionality but rather that the commission be broad enough to represent various views. He said this could help the President if he elects a group providing as wide a range as possible.

Professor Weinberg said if you insist on six faculty, it implies six students. This commission will come back not only to us; this is a University-wide commission. At this particular stage, he said, if you run the group up to 20 or more members, little will be done.

In a vote on the Alston amendment, the motion was defeated.

In a vote on the original SACUA motion to establish the commission, the motion was carried.

Chairman Knauss also offered as a SACUA motion Item #2 on the covering page, which reads:

"The Assembly urges there be greater faculty involvement at the school and college level, and that faculty members attend budget meetings with their department chairman, deans and the vice president for Academic Affairs."

Chairman Knauss pointed out that the thrust of this motion is to urge activity at the college level.

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

PROPOSED  
REGULATIONS  
ON STRIKE  
POLICY

Chairman Knauss called on Professor Norman to present the background on the proposed regulation on a strike policy. He noted that Dean Van Wylene of the Engineering College who was on the committee was present at the Assembly meeting. He added that faculty members who were not members of the Assembly were present and have asked permission to speak on the matter.

Professor Norman said at the time of the BAM strike at a meeting held with Vice Presidents Smith and Pierpont and the deans and SACUA, a discussion initiated by the administration dealt with the action to be taken against those engaged in the strike. The discussion centered around any policy which would be retroactive. The discussion also pointed up the fact that there was difficulty in determining equitability. On April 1 and April 2, at a special meeting of the Regents, the Regents deferred action on a strike policy and charged the President with naming a committee to draft a policy, the committee to include two faculty members. On April 15, President Fleming named the committee, including Dean Francis Allen of the Law School, Dean Van Wylene, and Professors Norman and Abrams. Four meetings were held and a document was issued May 4, copies of which were distributed to members of the Assembly with the call to the meeting.

Professor Norman said the highlights of the discussion is related to the Hutchinson Act which forbids strikes by public employees. The policy statement in the first sentence is drawn from the state act. There is precedent in labor contracts for the concept of a no work -- no pay policy. In some negotiations, in some instances, it is an item for negotiation.

Professor Norman said SACUA's argument in opposition to the proposed regulation centered largely around already available procedures in colleges, that to set up new procedures to apply only to one faculty activity were not desirable. He said SACUA drafted a one paragraph statement, dated May 7, which was included in the call to the meeting, for submission to President Fleming and the Regents, urging that the Regents defer action on the proposal and at the May 14 meeting of the Regents Chairman Knauss was present and action on the proposal was deferred.

Chairman Knauss called attention to a press release from the Regents, copies of which were distributed to Assembly members. He noted that the release suggested an alternative whereby schools and colleges would administer any policy.

Chairman Knauss suggested the Assembly move to convene as a Committee of the Whole. The motion was offered by Professor Hinerman, seconded and carried.

When the Assembly was reconvened after sitting as a Committee of the Whole for fifteen minutes, Professor Weinberg moved that SACUA be authorized to call a special meeting devoted to the strike policy.

The motion was seconded and carried and it was agreed to hold the meeting on Monday, June 1.

LIND  
PROPOSAL

Professor Lind called attention to a proposed motion which had been distributed to Assembly members, the text of which is as follows:

The Senate Assembly shares the widely-expressed strong concern regarding the extension of American war effort into Cambodia, the violent deaths of

students on university campuses, and other indications of serious problems in the nation. National leaders, both academic and political, are urging the country's young people to use the existing political institutions to work for peace and for domestic betterment. The Assembly directs SACUA to establish an ad hoc committee to examine alternatives and to make recommendations on ways in which the university can promote student and faculty involvement, such as rearrangement of the university calendar, workshops on effective political action, clearing house for dissemination of information and channeling of efforts. The committee shall be composed of one member each from The Academic Affairs Committee, the Student Relations Committee, and the Committee on University Relations, and six members from the general university community. (It is assumed that there will be student representation on the committee.) The Assembly requests that the committee report to the June meeting of the Assembly.

Professor Lind said SACUA has had representations from a number of groups on the campus regarding the desirability of taking some action on recent events. He said the matter was discussed in SACUA last week and he was charged to write this motion, which, he noted, has the approval of SACUA. He said the intent here in creating the ad hoc committee is not to delay action but to achieve action. He said SACUA felt it was not in a position to consider all proposals including the alternative of a calendar revision. He said SACUA felt there was some need to allow time to consider the various alternatives.

Chairman Knauss, calling attention to the proposed composition of the committee, noted that there would be substantial student membership.

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

Professor Kahn moved that the proposed regulation on strike policy be widely distributed through the University Record and other mechanism.

DISCUSSION  
OF STRIKE  
POLICY

Professor Crawford said he wasn't sure that this strike policy has widespread support from the administration and the Regents. Distributing it in this manner, he said, might give the wrong impression.

Chairman Knauss said it probably would be helpful to have the proposed regulation widely distributed.

Professor Kahn said the article in the Record should indicate the weight of support or non-support.

Chairman Knauss said we don't necessarily need a motion to obtain publicity.

Professor Kahn withdrew his motion.

Chairman Knauss urged that any views on the strike policy be submitted in writing to SACUA. He also called for suggestions on procedures.

Professor Eggertsen asked for information on what various people who missed work did in making up that work. He said it should be up to each member to say so who missed work.

Professor Crawford said we don't know how to handle this issue. He said, I don't like this policy. The problem is what do you substitute for it. He asked what is going to be done if there is a teaching fellows strike. A far more critical matter, he said, is how would you judge the matter if the man on your right decided to strike. He said we have been challenged with coming up with an alternative to the proposal.

Chairman Knauss noted that the document also includes teaching fellows and staff.

Professor Magee asked whether there hasn't been a policy buried somewhere. Professor Norman replied there is no such policy.

Professor Carter said to ask the faculty to adopt a strike policy is a little out of order. He said the Assembly might endorse the voluntary withholding of compensation for voluntary withholding of services.

Professor Weinberg said he'd be loathe to buy this road but would rather turn the issue around to perceptions of the positive role of the faculty as faculty. He said we should emphasize the professional responsibilities which faculty members take seriously. He said it is not a pattern in which faculty devise schemes for withholding services. He said we ought to make an effort to focus the attention of the Regents on these other aspects on our relations to the institution.

Dean Van Wylen said the proposed regulation was a poor way to solve the problem, even with the reservations posed by the central administration. He said perhaps we can devise a better way of handling the problem.

Professor Gloria Marshall, speaking for the Black faculty and staff, said the document represents another step in the Regents' determination to take repressive measures against those who seek change. She said that there are those of us in the Black faculty who feel services have been withheld from Black students for a considerable length of time. Those of us in the Black faculty who helped BAM felt we were serving the university, not withholding service. She said the Black faculty and staff will prepare a document for presentation at the special June meeting of the Assembly.

Chairman Knauss urged that other statements be submitted to the SACUA office for distribution to the Assembly.

Professor Ryder said everything he's heard has all been negative statements. He moved that "it is the Assembly's judgment and resolution that the provisions of the regulations as they apply to the faculty are ill-advised." The motion was supported.

Professor Hinerman moved to table the motion until the special June 1 meeting. The motion was seconded and carried.

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

ADJOURN-  
MENT

Ben Yablonky  
Secretary

MEETING WITH NEW ASSEMBLY MEMBERS - May 18, 1970: 1:00 - 2:45 p.m.

The meeting was primarily concerned with describing the structure of faculty governance, and the areas of concern of various Assembly committees.

ATTENDANCE

Kenneth R. Magee  
D. L. Hinerman (SACUA)  
Ejner Jensen  
Oliver Overseth  
Warren Norman (SACUA)  
David Birch  
Howard Schuman  
Henry J. Meyer  
Kamal Asgar  
Finn Michelsen  
Fred Goodman  
R. L. Sears  
Mike Ryder  
Herbert Cornish  
James O. Wilkes  
William Graebel  
Maurice Sinnott (SACUA)  
John Bowditch  
Tom DeKornfeld  
Roy Nelson  
Robert Knauss (SACUA)  
Ben Yablonky (SACUA)  
Gerhard Weinberg (SACUA)