

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Regular Meeting, May 21, 1979

ATTENDANCE

Present: Ackley, Barnett, Bowker, Berg, Bishop, M. Brown, Cooper, Corpron, Dabich, Dingle, Dixon, Fearn, Flener, Fowler, Friedman, George, Gordon, Hilbert, Hungerman, Koran, Lindberg, Simms, Millard, Nagy, Naylor, Parkinson, Porter, Portman, W. Powers, Romani, Rowe, Rush, Saxonhouse, Scearse, Schulze, Senior Burckhalter, Trojan, Verhey, Vinter, J. White, N. White, Wynne.

Absent: Abdel-Massih, D. B. Brown, D. R. Brown, Browne, Burdi, Carpenter, Cohen, DeKornfeld, Eckert, Frost, Garrielson, Gay, D. Gray, Gull, Hildebrandt, Hinerman, Holland, G. Jones, Juvinall, Kirkpatrick, Lynch, McClendon, Morley, Nisbett, L. Powers, Poznanski, Tonsor.

Guests: Interim President A. F. Smith; Professors William Lands, John Jackson.

MINUTES

The minutes of April 16, 1979 were accepted as written.

ANNOUNCE-
MENTS

Chairman Corpron introduced himself and other members of SACUA to the Assembly. He then introduced Interim President Allan F. Smith.

REMARKS BY
INTERIM
PRESIDENT
ALLAN F.
SMITH

President Smith began by declaring how much he has enjoyed working with SACUA and the Assembly over the last months. He said his remarks would concern three topics: new hospital developments, the budget, and other campus building projects.

The new hospital project is back on track. President Smith said that we are now in the final stages of obtaining a certificate of need from the State Department of Health. There have been several profitable meetings. The mood of the meetings, he said, differed from the mood encountered earlier in Detroit.

Whereas earlier the need for the project itself was being challenged, now the major concern is with ways of advancing the project. Over the next six weeks we will make modifications in the hospital plans to conform to the certificate of need requirements. Once that is achieved, he said, the regular legislative process leading to appropriations will begin.

The bulk of the financing for the hospital will come from bonds, for which there already is legislative authorization. Building the hospital, he went on, will be a five to six year job. It will be accompanied by the remodeling of some existing structures and the purchase of a substantial amount of new equipment.

The President said he is often asked if the large appropriation necessary for the hospital project will adversely affect our general appropriations from the Legislature. He thinks it will not. He said that the separation of capital from operational outlays is well established in Lansing. Moreover, discussion with legislators has confirmed that this separation will continue.

President Smith then turned to the 1979-80 budget. He said that nothing has yet happened to the Governor's recommendation. No meetings have been held or even scheduled. There is apparently considerable doubt about tax revenues and about the size of the deficit for this year. We have managed so far to prevent cut-backs in the 1978-79 budget, but there is still jeopardy.

The Governor, the President continued, is likely to introduce a totally new recommendation based on revised revenue estimates. Then we will have to start all over again. The budget process this year can be expected to be slow.

It has become clear, he said, that if the University is to maintain the scope and level of quality of its programs we must develop private sources of support. State appropriations are not likely to be large enough to do the job. We are already, he said, in the business of private fund raising, but the necessity for it has become a new reality. We will have to intensify and broaden our efforts.

The most immediate evidence of the impact of private giving on campus is in building projects. Four projects funded totally from private sources are

now under way: the Law Library, the Alumni Association building, the Ford Library, and the Engineering College's Building #1 (we hope #2 will be funded by the State). These buildings, he concluded, are strong testimony to the vital role private fund-raising is going to play and is already playing.

There was only one question addressed to President Smith. Professor Galler asked if the Legislature might relax the limit on the enrollment of out-of-state students. Mr. Smith replied that so far the topic had not been taken up. He said it was unlikely that such a change would come this year.

FACULTY
ADVISORY
COMMITTEE
ON THE
PRESIDENCY

Professor Romani reported on behalf of the Committee that a short list of candidates has been sent to the Regents. A response is expected in the next few weeks. He said that the next phase would be the interviewing of candidates.

PRIVACY
GUIDELINES

Professor William Lands, a member of the Committee that drew up the guidelines, was asked to lead the discussion.

Chairman Corpron briefly described the purpose of the guidelines, and reviewed previous Assembly acquaintance with them. The guidelines had been revised in the light of Assembly observations.

Professor Freidman asked if Social Security numbers were to be considered private information and thus protected under the guidelines. Professor Lands replied affirmatively. No "public display" would be permitted. He acknowledged that certain practices in the hospital and the library might have to be modified.

Professor Dingle then referred to some stipulations included in the third section of the guidelines. He thought the protection of medical records from the scrutiny even of patients seemed arbitrary. Professor Lands responded that some components of a medical record are restricted from public view by law. In general, the guidelines are meant to supplement existing laws.

Professor Gordon, sensible of a reluctance in the Assembly to act hastily on the guidelines, asked his colleagues to explain why action should not proceed today. Professor Romani said that the guidelines covered

some very important issues and he had hoped for more extensive and better attended debate. Professor Cooper supported Professor Romani's observations and moved that action on the guidelines be postponed until the October meeting. Professors Friedman and Naylor thought the delay would not be productive and urged action now. Professor M. Brown supported the motion for postponement.

Chairman Corpron explained that the motion would require a 2/3 majority. Professor Lands then commented that the guidelines themselves provide an occasion for debate, a debate that will take place in the schools and colleges where the actual rules and procedures for handling information will be established. The guidelines are statements of principle rather than an attempt at implementation.

The motion to postpone action failed. The motion to adopt the guidelines passed by a vote of 33-1.

REPORT
ON
SOCIAL
SECURITY

Professor John Jackson, acting for the Committee on the Economic Status of the Faculty, presented the report of the Committee that reviews the issue of whether or not the faculty should move towards withdrawal from the Social Security system. The long and complex report was distributed to the Assembly. Professor Jackson stated the basic conclusion of the report, to wit: we should not at this time withdraw from the system.

Professor Cecil Nesbitt, who is conducting a similar but more extensive study for the University was introduced. His study, he said, will be ready in the Fall, and CESF will review it then.

Professor Jackson observed that the economics of the CESF report suggests the enormous complexity of the issue, and the unlikelihood that withdrawal from Social Security would be clearly beneficial. His sense of the politics involved in withdrawal suggests that it is even more unlikely.

There were no questions from the Assembly.

PROGRAM
DISCONTIN-
UANCE

Chairman Corpron explained that our business today was to act on amendments put forward at the April meeting, and a suggested revision proposed by Vice President Shapiro on program transference

procedures. He turned first to the amendments on procedures for program discontinuance.

Professor Gordon explained his reasons for voting against the Guidelines. He said that the Regents' Bylaws grant the faculty control of the curriculum, and that the Guidelines limit the rights and responsibilities of the faculty. He thought the separation of curricular and budgetary control in the Bylaws was probably a good thing. It implies that budget decisions made by administrators simply provide a frame-work for program decisions that are the prerogative of the faculty.

Professor Cooper, author of the amendments, defended their sense, spelling out the history of the new language. He said that the amendments are necessary to insure ample input by the faculty. Without the Guidelines there would be no guaranteed faculty voice.

Professor Romani said that he came from that unit of the University where some program discontinuance has taken place. His experience has shown that the Regents' Bylaws are not sufficient. He said the amendments represent incremental improvement in the Guidelines, improving the role of the faculty, and that he thus supported them.

Professor Naylor said that after two years of practice in discontinuance we would no longer be as confused as we were at first. The important issue, he thought, was to restore curricular authority to the faculty. Hence, he favors a return to the Regents' Bylaws where that authority is more assured than in the Guidelines. Professor Gordon reiterated his belief in the central role of faculty decision-making.

Professor Friedman objected that whatever we feel about the Guidelines versus the Bylaws, we do not have the option of going back to the Bylaws. The Guidelines we are amending have already been adopted by the Regents. He added that the budgetary authority is wide-ranging and inevitably affects curriculum.

The question on the amendments was called and they passed 35-2.

Chairman Corpron then turned to the revised language

on program transference. After the intent of the new language was made clear, a motion to accept was made and carried.

OLD
BUSINESS

Chairman Corpron described the activities of SACUA on behalf of SARC recommendations that were rejected by a unit. SACUA petitioned the Regents directly to postpone ratification of the administrative action.

The SACUA presentation was unusual, and noted as such by the Regents. It testified to the strength of our conviction, Chairman Corpron said, that the administrative handling of the case threatened the viability of SARC. The Regents made no formal response to SACUA's presentation. He explained that the Regents tend to stay aloof from tenure decisions, a position with which we are in general agreement. SACUA, however, will request a response.

Professor Hungerman asked if SACUA's action was unprecedented. She noted that in April SACUA's participation in the implementation of SARC recommendations had been made a part of SARC procedures. Perhaps the failure of this case, she speculated, suggests that SACUA participation is not a good idea.

Professor Gordon defended SACUA's action. He said that at least it made clear our concern to have an effective grievance procedure.

Professor Cooper asked if it was possible to bring the case before the Assembly in executive session. He said he thought our grievance procedure at present is not viable.

Professor Corpron explained that SACUA petitioned for delay in the decision not to renew the grievant's contract. He said SACUA felt it was important to support SARC's stand.

Professor Berg objected that for months the Assembly had been hearing expressions of dismay without being fully apprised of the case. There are generally two sides to every issue, he said, and we have not heard the other side. What can we do about it?

Professor Corpron explained that the "other side" cannot for a number of reasons be presented. The larger

issue at stake is that of the appeal procedure itself.
Our record in appeals is not good.

NEW
BUSINESS

Chairman Corpron reviewed briefly the report of the Ad Hoc Committee to Review the Freedom of Speech Guidelines of which he was the Chairman.

There were no comments from the Assembly.

Professor Barnett raised a point of information about the disposition of the amendments to the Program Discontinuance Guidelines, and was told that the amendments go now to the Regents for action.

ADJOURNMENT

The Assembly adjourned at 4:35 p.m.

Earl J. Schulze
Senate Secretary