

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Regular Meeting, June 19, 1978

ATTENDANCE

Present: Members Aupperle, Barnett, Baumgarten, Berg, P. Jones, Browne, Butler, Caldwell, Coon, Cooper, Corpron, Crichton, Dabich, Saxonhouse, Dingle, Downen, Edwards, Flener, Fowler, George, Gordon, Harris, Heers, Gedney, Hinerman, Koran, Leary, Lindberg, Lynch-Sauer, Merte, Naylor, Nisbett, Ostrander, Parkinson, Penner, Portman, Powers, Poznanski, Rabkin, Romani, Rowe, Abdel-Massih, Simonds, Tilly, Tonsor, Trojan, Uttal, Verhey, Feringa, Zorn, Livermore, Schulze

Absent: Angus, Blumenfeld, D. Brown, M. Brown, Cohen, Eckert, Elving, Fekety, Gay, Gelehrter, Gull, Hungerman, L. Jones, Juvinall, Morley, Porter, Sinsheimer, Vasse, White

Guest: Professor W. Robert Dixon, Chairman, Tenure Committee

CALL TO ORDER

The meeting was called to order at 3:15 p.m.

MINUTES

The minutes of the May meeting were approved after correction. (On p. 1, Aupperle should read Barnett)

ANNOUNCEMENTS

Livermore announced that the guidelines on secret, intelligence-gathering activities are being revised.

He cited the University Record account of an interview of Professor Corpron and himself as reflecting concerns discussed by SACUA as a whole. There is a special interest in increasing the role of the faculty in making decisions affecting University policy.

ELECTION OF REPLACEMENTS ON ASSEMBLY COMMITTEES

A list of the members of Assembly committees, along with SACUA's nominations of new members for these and other University committees (with the addition of Robert Blackburn for a three-year term on the Board for Student Publications), was distributed to the Assembly. Livermore summarized the history of nominations and appointments to Assembly committees--the role of SACUA, the acknowledged insufficiency of knowledge on which Assembly members might base their votes, the report of the special committee on appointments in 1971. He ended by requesting that the whole

slate be moved. The slate was moved and seconded. There were no nominations from the floor. The slate was approved unanimously.

PROPOSED
TENURE
POLICY

Livermore introduced the long-awaited report of the Tenure Committee, and introduced Professor Robert Dixon, chairman, who led a discussion of the Foreword and Section 1.

Professor Dixon explained that the assumption behind Section 1.a was to spell out all the categories of appointments that are properly faculty appointments. He noted that the report attempts to define for the first time the title, "part-time faculty". Professor Berg asked for clarification of the status of those who combine teaching and research appointments. Dixon answered that the report defines as full-time all those faculty whose total appointment in the University is 100%, however divided between or among units.

Professor Caldwell described a situation on the Flint campus of faculty members whose service as lecturers, in some cases for many years, was being disregarded in the computation of service towards tenure. He thought that there had been a mishandling of titles and appointments by previous administrators. Professor Dixon said that there was no provision in the report for correcting this situation.

Professor Barnett noted that appointments in the School of Architecture are uniformly .8. Dixon explained that members of the School of Architecture with .8 appointments were considered full-time. The same is true in Engineering. Professor Naylor agreed, saying that in the College of Engineering a faculty member with full-time duties has full-time tenure no matter the source of the money that pays his salary.

Professor Dixon now turned to the definition of tenure in Section 1.b.

Professor Gordon noted an ambiguity. Is tenure in a position in a college or unit or in the University? Dixon replied that the Tenure Committee deliberated the question at length and decided that tenure exists in a school or college and not in the University.

Professor Jones pursued the topic another step. He asked, if one has a split appointment, where does one have tenure? Dixon answered that one has tenure to the extent of one's appointment, e.g., .5 in one position and .5 in another. Professor Uttal added

that it was the intent of the Tenure Committee not to try to answer every question, but to give the broadest possible protection to faculty members.

Professor Naylor questioned the idea that tenure is in a school or college. He has found no explicit support for that position in the Regents's Bylaws. Professor Uttal claimed that the last paragraphs of Section 5.08 of Regental Bylaws, on appointments, gives support to the position of the Tenure Committee.

Professor Verhey asked for clarification on the relation of appointment fractions, financial sources, and part-time tenure. His request was taken under advisement.

Professor Gordon pointed out that AAUP guidelines on financial contingency suggest that to break the tenure of a faculty member a university-wide financial crisis must be established. Professor Uttal responded that even the AAUP guidelines do not deny that tenure exists in a department or college. They allow for the discontinuance of whole programs as a remedy for financial crisis.

Professor Merte asked about membership in centers and institutes. It was pointed out that some institutes, like ISR, have worked out their own tenure agreements. In general, Professor Dixon said, if a faculty member has tenure in a department but is being paid from "soft money", his salary will be picked up by the department if the soft money disappears.

Professor Nisbett said that important issues are raised when centers and institutes grant tenure. He thought some of the appointments made by centers and institutes were weak, and that commitments to weak appointments were extremely unfortunate.

Professor Dixon turned now to Section 1.c on procedures for making appointments.

Professor Verhey asked if all non-tenured appointments were made by the President of the University while tenured appointments were made by the Regents. The answer was affirmative.

Professor Berg called attention to the obscure language at the end of 1.c. Professor Gedney thought the sentence referring to notice by a faculty member requiring confirmation by the Vice-President was completely unintelligible, and most members of the Assembly agreed.

Professor Saxonhouse asked how one achieves part-time tenure. What is the length of probation? When does the clock start running? Professor Zorn replied that it was difficult to state a general rule about this. There was no agreement on the Committee. The Committee, therefore, decided to leave the issue open to negotiation.

Professor Rabkin asked if by being unspecific we were not inadvertently creating an advantage for part-time people in the general competition for tenure. Professor Zorn thought any such advantage would be insignificant, and he doubted that any general description of terms would prove equitable. Rabkin reiterated his preference for a written-out statement of terms.

Professor Uttal pointed out that the problem of part-time probationary periods was closely related to the issue of honoring service at another institution in the case of new appointments. He thought both issues should be left to negotiations with the hiring departments.

Professor Naylor pointed out that part-time tenure is not mentioned in the Regental Bylaws. He said he tends to be skeptical of attempts to fix the meaning of what are only interpretations and implications of written rules. Professor Dixon agreed that part-time tenure is not mentioned in the Bylaws, but pointed out that part-time tenure exists indeed in the University.

The discussion concluded with a plea by Professor Uttal to consider primary researchers, who are not currently covered by any tenure regulations, to have the same rights and responsibilities as the teaching faculty. Professor Dixon noted that the Assembly had offered a number of suggestions for clarifying the report, and that the Committee would consider them in its revision.

PROPOSED
REVISED
AMENDMENTS
OF PRO-
CEDURES
FOR DIS-
CONTINUANCE
OF ACADEMIC
PROGRAMS

Professor Livermore introduced revised amendments of procedures by reviewing the process that over the last two years guided the formation of the original guidelines. The guidelines have been adopted by the Regents on the recommendation of the executive officers, who had in turn consulted at length with SACUA and other committees. The Assembly endorsed the guidelines last year after full discussion. The same procedures, Livermore said, would be followed with the proposed amendments. The special need is for guidelines on Program Transference, a topic not covered in the original document. He then explained the

differences between the revised amendments and the versions presented for Assembly discussion last month. He proposed that today's discussion proceed sequentially through the list of amendments.

Professor Harris asked why "centrality of mission" was not made the first criterion for discontinuance. He thought that program quality at Michigan could almost be assumed, but that quality in itself should not protect a program from discontinuance. Professor Romani sought to clarify Professor Harris' concern, and Professor Rabkin defended the idea that quality of programs should be given the greatest emphasis.

Professor Koran agreed with Professor Harris that centrality of mission was probably the most politically real criterion. Professor Romani enlarged on his sense of the meaning of centrality. He was not concerned with political realism but with the basic difference between core subjects and disciplines, like the Humanities, and those programs whose reason for being was external to the University, and founded on somebody's perception of current social needs.

ADOPTION OF
FIRST TWO
REVISED AMEND-
MENTS

Professor Romani then moved the adoption of the first two revised amendments, and, after seconding, the Assembly adopted the first two revised amendments unanimously.

Professor Livermore asked for comments on the third and fourth amendments.

Professor Cooper spoke against the original guidelines in their neglect to require faculty approval of recommendations of program discontinuance. He argued that the Regents' Bylaws delegate curricular decisions to the governing faculty, not to officers, deans or executive committees. He therefore offered an amendment to the amendment, to wit: the phrase "after consultation with the governing faculty" should be replaced by the phrase "after consultation with and subsequent approval by the governing faculty of the appropriate school or college." (p. 4, last sentence of first paragraph.)

Professor Caldwell asked for clarification of the sentence in the Bylaws stating that the dean and executive committee shall act for the faculty in matters of budget. Many members of the Assembly acknowledged the difficulty on interpreting the phrase. Some thought it should be interpreted narrowly.

Professor Gordon spoke in favor of Cooper's amendment. He said that the guidelines are an erosion of faculty power over the curriculum.

Professor Tonsor spoke against the motion, complaining that the discussion of program discontinuance, like the discussion of tenure policy, was not concerned with good faculty government but with the protection of programs and interests.

Professor Galler, Associate Dean of LS&A was invited to speak,. He said he seriously doubted that if faculty approval is required in every case of program discontinuance any program would ever be discontinued. Faculty simply will not vote to eliminate the jobs of their colleagues. They will prefer to escape that responsibility by allowing good programs to erode.

Professor Koran pointed out the potential for embarrassment to faculty members whose programs would be publicly debated if discontinuance required faculty approval.

Professors Naylor and Browne were unimpressed by descriptions of the difficulty of faculty debate. They urged support of Cooper's amendment.

Professors Livermore and Poznanski pointed out the importance of the budgetary power of the Dean and Executive Committee. They saw a basic relationship between that power and the curriculum.

Professor Cooper, however, maintained that he does not question the budgetary authority of deans and executive committees but only the surrender of curricular authority by the faculty in the face of the explicit responsibility given it in the Bylaws.

Professor Tonsor argued against the Cooper amendment as being a strict constructionist and narrow view of the constitution and operation of the University. Livermore reminded the Assembly that all amendments would require the recommendation of the Executive Officers before forwarding to the Regents.

AMENDMENT
PASSED

The question was called and the Cooper amendment was passed by a 25-6 vote with several abstentions.

AMENDMENT
ACCEPTED

The other proposed revised amendments were then quickly reviewed. Professor Portman moved an amendment to the last amendment, providing for approval of

the faculty of the "sending" unit in any trans-
ference of programs as well as the approval of the
faculty of the "receiving" unit. Portman's amend-
ment was accepted without vote.

ADJOURNMENT

The Assembly adjourned at 5:35 p.m.

Earl J. Schulze
Senate Secretary