

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of the Regular Assembly Meeting of September 17, 1973

ATTENDANCE

Present: Allen, Anton, Bishop, Brockway, Brown, Buning, Caldwell, Cartwright, Cassidy, Cohen, Cooperrider, Danielson, Darvas, Dernberger, Ehrenkreutz, Evaldson, Farrand, Adams, Gikas, Heller, Higgins, Hoffmann, Hymans, Ilie, Jameson, Johnson, Kaplan, Kell, Holbrook, Larkin, Lehmann, Lloyd, Loomis, Magrill, Mohler, Nystuen, Oberman, Ostrand, Paul, Rowe, Sana, Sawyer, Springer, Taren, Terwilliger, Williams, Wilson, Zweifler, Goodman, Hildebrandt, Kincaid

Absent: Berki, Colburn, Floyd, Lucchesi, Hertzler, Creeth, Kelsey, Kerr, Kish, Krachenberg, Lagler, Lands, Kline, Schmickel, Seligson, Sibley, Taylor, Vander, Vaughn

Guest: Vice-President Fedele F. Fauri

CALL TO  
ORDER

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

APPROVAL  
OF MINUTES

The minutes of the June 18 meeting were approved as distributed.

ANNOUNCE-  
MENTS

Chairman Goodman made the following announcements:

The Committee on the Economic Status of the Faculty was going to meet shortly with the administrative officers concerning the 1974-75 budget. Faculty members were encouraged to communicate their ideas on the subject.

A copy of the latest report to HEW concerning the University's Affirmative Action Program had been forwarded to the SACUA Office by Dr. Nellie Varner.

A letter had been received from ACRICS, describing proposed new user fees for faculty and staff members, and inviting comments upon them.

A slight change in the wording of the charge to the Academic Affairs Committee seemed in order. The present charge read as follows: "This Committee shall advise and consult with the Vice President for Academic Affairs on

matters pertaining to teaching, learning, and scholarship that involve the University at large." SACUA was proposing that the words, "and on any other matter brought before the committee by the Vice President, by SACUA, or by other means. To that end, it shall also keep itself informed of all matters of interest to the academic community at large and shall study, investigate, or take action where appropriate or necessary" should be added. Since the change was slight and was intended to bring the statement in accord with reality, it seemed unnecessary to present a formal resolution. Accordingly, it was being brought before the Assembly as an announcement, with the thought that questions and objections could be lodged at this point. Professors Ilie and Hymans expressed concern at the breadth of the new statement. Chairman Goodman explained that the committee was not asking for a broader mandate, but merely wanted the language brought into harmony with the facts. After a brief further discussion, Chairman Goodman agreed to review the statement with the Academic Affairs Committee and report back to the Assembly at the October meeting.

A working group of three faculty members was being set up to consider the issue of textbook royalties and other related issues.

The faculty handbook, which had been promised for some time, was expected to be ready for review by the Academic Affairs Committee shortly.

President Fleming would give the annual State of the University address in Rackham Lecture Hall, to be followed as usual by a reception in the League ballroom-- on October 1.

ADDRESS BY  
FEDELE F.  
FAURI, VICE-  
PRESIDENT  
FOR STATE  
RELATIONS  
AND  
PLANNING

The next item on the agenda was an address by Fedele F. Fauri, Vice-President for State Relations and Planning.

After acknowledging Chairman Goodman's introduction, Vice-President Fauri turned to the current legislative outlook. He said that in relative terms, the University did rather well this year. Much of this was due to the efforts of his co-workers, Dick Augenstein (Legislative Relations Officer), Larry Fincher (Assistant to the Vice-President), and Doug Sherman (Ass't. Vice-President & Director of Capital Planning). Also, President Fleming's efforts have been very effective and he has given a great deal of his time to this activity. Vice-President Fauri pointed out that the appropriation process differed somewhat from descriptions in civics textbooks. Higher education was no longer in the favored category it had formerly enjoyed. The pressures of rising enrollment in the

'60s and the impetus from Sputnik were now gone. The autonomy suit (now before the State Supreme Court) had caused a negative reaction in the Legislature. There was a strong effort to hold down higher education costs in the State, which had risen from \$227 million to \$382 million, or 68 percent, in the last five years.

The appropriation process could not be said to be based on objective standards. Program budgeting was strongly favored by the Executive Branch, and the University had filed volumes of material with the Budget Office, but the Legislature wouldn't buy it, and the Budget Office was backing away. No allowance for program changes had emerged from the Budget Office. Vice-President Fauri said that the appropriate process hadn't changed much since the 1940's, when he was in the State Government. Good personal contacts were still the most important feature.

This year the Legislature had added \$1.3 million to the Governor's recommendations, making a total increase of \$8.5 million over 1972-73, for a total of \$88,500,000 for the University of Michigan (Ann Arbor campus). In a tight budget, that \$1.3 million added made the difference between a 4.3 percent and a 5.5 percent salary increment. The University's percentage increase was 10.7 percent, compared with 9.2 percent for MSU and 9 percent for Wayne. The picture was similar in capital outlay, with the University (Ann Arbor campus) getting \$10.5 million for the current year, while MSU got \$8.2 million and Wayne got \$3.7 million. On the other hand, the picture wasn't all bright; a high tuition increase was required to offset the effects of inflation and changes in residency rules.

Last year the picture was similar; the University received a \$7.3 million increase from the Legislature in funds for general operations, while MSU and Wayne received increases of \$6 million and \$5.2 million respectively.

In assessing the reasons why the University had done relatively well during the past two years, Vice-President Fauri said that the main ingredient was individual contact with members of the Legislature. This approach, carried out over many years, had a cumulative effect that could not be duplicated in any other way. For example, President Fleming had probably had ten meetings with the chairmen and other members of the Appropriations Committees, in addition to his appearances at hearings. Recently, faculty participation in this

process had increased. Last year Dr. Hinerman (then chairman of SACUA) had met with a number of the legislators. Members of the Proper Role Committee, including Professors Jensen and Kaplan, the chairmen of the Committee, had met with six or seven members of the two Appropriations Committees. Legislators' reactions to these contacts have been very favorable. For the last several years, about three meetings a year had been arranged between faculty members and legislators and budget officers, and Mr. Fauri thought that these meetings had been constructive.

The future outlook was heavily clouded by the Governor's tax cut. The cut would reduce revenues by about \$155 million in the current fiscal year and about \$225 million in the next fiscal year, so that the worst was yet to come. Meanwhile the race against inflation would continue. This year the Governor's budget had been \$2 billion 650 million, and the Legislature ended up close to this figure. This represented an increase of 15.6 percent for all units of government but only 10.5 percent for higher education. The \$1.3 million extra from the Legislature was not an increase for higher education, but had come from funds that the Governor had earmarked for other universities.

After concluding his talk, Vice-President Fauri remained at the podium to answer questions.

Professor Kaplan commented that a report on the BPES meeting held last spring would soon be ready. He had spoken with Mr. Sturtz, State Budget Director, who is directly concerned with BPES and who had told him that no decisions had been based on it as yet, in agreement with Mr. Fauri's statement.

In answer to a question by Professor Oberman on recent comments on faculty travel, Mr. Fauri pointed out that the figures had not been divided by the number of individuals involved. The University was highest, with about \$598,000 ascribed to travel expenses for the three University of Michigan campuses.

In answer to a question by Professor Caldwell, Mr. Fauri said that the Flint and Dearborn budgets were considered at separate hearings from the general University appropriation. They had done better than the rest of the University because their enrollments had gone up sharply.

Professor Cohen asked how sensitive the Legislature was to the effects of the court decision on residency requirements, which affected the University more than other Michigan institu-

tions. Mr. Fauri replied that the Appropriations Committees of the Legislature were sensitive to the problem, but only to the extent of saying consideration would be given to revenue loss in 1974-75. A letter from the Governor also promised to give the matter serious consideration when next year's budget was being put together. However, no help was forthcoming for the current year. He pointed out that there are no members of the Legislature from this area on either Appropriations Committee. He predicted that there would be more reaction from the Legislature after people began paying the higher tuition fees and registering complaints about it. In answer to a comment from Professor Kaplan, he added that it was best for the University to let events take their course in this respect; encouraging parents to write legislators could be risky.

Chairman Goodman said that there were a lot of questions connected with the tuition increase, and that a group had been put together to study the issue systematically. The faculty members of the group, Professors Farris and Shapiro, would meet with SACUA and President Fleming to discuss the question the following Monday. Chairman Goodman promised a report on the matter at the next Assembly meeting.

REPLACEMENT  
OF SACUA  
MEMBER

The next item on the agenda was the filling of the vacancy on SACUA left by Professor Sandalow's resignation. Chairman Goodman reminded the Assembly that Professor Sandalow had been on leave for the past year. When he returned he had decided to resign from SACUA rather than rejoin it for the current year. Professor Danielson had been substituting for him on SACUA, and the simplest arrangement was to ask him to stay on, which he was willing to do. However, SACUA recognized that the rules called for giving the Assembly a choice in this matter. Accordingly, he asked the Assembly at this point whether they wanted to delay action for a month while a second candidate was sought, or whether they were willing to make an immediate decision.

Professor Sawyer moved, with a second by Professor Kell, that Professor Danielson should be declared elected. After a brief discussion, the motion was passed unanimously.

REVISION  
OF RULES

The next item on the agenda concerned the revision of rules relating to the election of SACUA members, and to the time of seating of new Assembly members. Resolutions on these points had been introduced at the June Assembly meeting, and are reproduced below:

RESOLVED: That the term of office of new Senate Assembly members will begin with the April meeting of the Assembly. The term will be considered concluded immediately prior to the start of the April Assembly meeting.

RESOLVED: That Article III, Section 5 of the Rules of the University Senate, the Senate Assembly, and the Senate Advisory Committee on University Affairs be amended to read as follows:

Section 5. Election

(1) Procedure. Before the end of the term in which elections occur, the newly constituted Assembly shall organize for the ensuing year and shall choose from its membership the members to serve on the Senate Advisory Committee on University Affairs (SACUA). Members of SACUA shall be elected by the Assembly from a slate listing nominees submitted by a Nominating Committee composed of the three outgoing members of SACUA and three outgoing members of the Assembly elected by the Assembly, plus nominations from the floor. The names of the nominees chosen by the Nominating Committee must be transmitted to Assembly members . . .

Chairman Goodman reviewed the issues very briefly and opened the first resolution for discussion.

Professor Darvas asked whether the composition of the Nominating Committee would not make SACUA a self-perpetuating body. Professor Goodman pointed out that this was even more true under the current procedure, in which the entire Nominating Committee was composed of outgoing SACUA members.

Professor Larkin suggested that a majority of the Nominating Committee should be non-SACUA members. Professor Taren agreed with him, saying that lame ducks were saddled with legacies from the past. Professor Loomis asked whether Professor Larkin wanted the committee to be increased in size to seven or more members. Professor Larkin said that would be all right, but Professor Anton urged that the committee should be kept small. He suggested that the experience of having been on SACUA, particularly going through the sessions where names were selected for committees, was valuable in selecting new nominees.

Professor Hymans, noting the desirability of having members on the Nominating Committee who could tell new nominees what was involved, moved formally that the resolution should be amended to make the Nominating Committee consist of two outgoing SACUA members and four additional outgoing members of the Assembly. The motion was seconded by Professor Heller.

Professors Kell and Mohler asked whether continuing Assembly members could also be placed on the committee. Chairman Goodman pointed out that doing so would in effect reduce the pool of available candidates for SACUA. Since finding candidates willing to run was already a major problem, he was opposed to any measures that would make it worse.

The amendment was passed by a voice vote.

Professor Caldwell asked whether the third SACUA member could be nominated from the floor, and Professor Lehmann asked how two from the three outgoing SACUA members would be chosen. Chairman Goodman ruled that the ambiguity should be resolved by specifying that the two SACUA members were also to be chosen by the Assembly.

The resolution was then approved by a voice vote. As amended, it read finally:

RESOLVED: That Article III, Section 5 of the Rules of the University Senate, the Senate Assembly, and the Senate Advisory Committee on University Affairs be amended to read as follows:

Section 5. Election

(1) Procedure. Before the end of the term in which elections occur, the newly constituted Assembly shall organize for the ensuing year and shall choose from its membership the members to serve on the Senate Advisory Committee on University Affairs (SACUA). Members of SACUA shall be elected by the Assembly from a slate listing nominees submitted by a Nominating Committee composed of two outgoing members of SACUA and four outgoing members of the Assembly elected by the Assembly, plus nominations from the floor. The names of the nominees chosen by the Nominating Committee must be transmitted to Assembly members . . .

Chairman Goodman then introduced the second resolution, with a minor change of wording inserted to take care of the possibility that the outgoing Assembly might want to hold a

special meeting in April. As revised, the resolution read as follows:

RESOLVED: That the term of office of new Senate Assembly members will begin with the April meeting of the Assembly. The term will be considered concluded immediately prior to the start of the first Assembly meeting on or after April 15.

Professor Kaplan asked whether he was correct in understanding that the new Assembly would still elect the new SACUA members at the first meeting if the resolution was passed. Chairman Goodman replied that this was correct. He said that while offering the resolution would remove some awkwardness and confusion, the root of the problem would still be there; but possible alternatives had been examined and seemed unattractive.

The resolution was passed by a voice vote.

Professor Lehmann asked whether the SACUA chairman for the preceding year would chair the April meeting. Chairman Goodman replied that that would be so, since the new chairman would not have been chosen at that time.

The next agenda item concerned the election of Assembly members. Three resolutions were before the Assembly for action. The first of these read as follows:

RESOLVED: That Article II, Section 1 of the Rules of the University Senate, the Senate Assembly, and the Senate Advisory Committee on University Affairs be amended to read as follows:

Section 1. Composition

(1) Elected members. There shall be a Senate Assembly which shall consist of sixty-five Senate members apportioned among the various schools and colleges according to the number of Senate members in each unit, as determined by a head-count. In any school or college this count would include full-time Senate members, those with a fractional appointment in only that unit, and those with fractional appointments in two or more units whose largest fractional appointment occurs in that unit. Senate members with equal fractional appointments in two or more schools or colleges (and with no larger fractional appointment in any other unit) shall choose one of the units for voting in an election and shall be counted with that unit for the purpose of determining representation. The Assembly shall make a reapportionment every three years . . .

Professor Allen, who was chairman of one of SACUA's sub-committees who did the ground work for the resolutions, said that this resolution was meant to give more specific meaning to the phrase "number of Senate members in each school or college" in the current rules.

Professor Higgins asked why a head-count was proposed, saying that to him full-time equivalents would be a much more logical basis for computation. Professor Hildebrandt, who had been responsible for working out the last reapportionment, said that the printout that the Bylaws Committee got from the Administration showed where people were located, but the data were not based on full-time equivalents. Consequently this was not a practical basis for representation.

Professor Cohen said that while neither alternative was indefensible, he felt that the proposal embodied in the resolution was clearer and more specific, and it treated people more as individual human intelligences than one based on F.T.E. would be.

In answer to a question from Professor Cooperrider, Dr. Hildebrandt said that the last apportionment had not been based on F.T.E.'s.

In the course of further discussion, Professor Lehmann suggested that units with numerous part-time people would be over-represented. However, Mrs. Downs pointed out that clinical professors and adjunct professors were not counted for this purpose.

After some further discussion, the resolution came to a vote and was passed by a show of hands.

The second resolution was then taken up. It read as follows:

RESOLVED: That Article II, Section 3 of the Rules of the University Senate, the Senate Assembly, and the Senate Advisory Committee on University Affairs be amended to read as follows:

Section 3. Election of Members and Alternates

The members of the Assembly apportioned to each school or college shall be elected by the members of the Senate in such school or college within time limits determined by the Senate Advisory Committee on University Affairs. Whatever nomination procedure is used, at least twice the number of nominations per vacancy shall be made. A permanent vacancy shall also be filled by election, this not to exclude naming the candidate receiving the next highest vote at the most recent election.

(resolution continued)

The members of the Senate in any school or college may provide for the designation of one or more alternates to serve at any meeting or meetings of the Assembly in place of any member of that school or college who is unable to attend. Any such alternates so provided shall be elected. Any alternate attending a meeting of the Assembly shall advise the Secretary of his presence prior to the meeting and identify the member whose place he is taking. Such alternate may vote and participate in the meeting to the same extent as the member for whom he is acting.

Professor Allen said that the chief points of the resolution were that there should be at least two nominees for each open Assembly position, that permanent vacancies should be filled by election, and that temporary vacancies should be filled by yearly-elected alternates who would have full rights of participation in any meetings that they attended as replacements.

The focus for the subsequent discussion was the provision that there should be twice as many nominees as vacancies. Professor Cooperrider moved, with a second by Professor Darvas, that the sentence in the resolution specifying this (the second sentence of the first paragraph) should be deleted and inserted in the third resolution. He said that this provision was too paternalistic, and was based on the needs of the larger units but not well adapted to the smaller ones. He claimed that the governing faculties were sufficiently mature to make their own rules for such purpose. In small units, at least in the Law School, the problem was one of recruitment rather than of selection of candidates. Everyone knew everyone else, and there was no need for the protection implied by this provision.

Professor Allen expressed disagreement, saying that the survey undertaken by her subcommittee showed that many units had no firm procedures for choosing Assembly representation at all. She felt that having a choice was important.

Professor Rowe supported Professor Cooperrider, saying that his unit had a hard enough time finding a single candidate for their Assembly seat.

Professor Hymans suggested that the provision might be reworded to state merely that there should be more nominees than positions. Professor Bishop asked whether the problem

wasn't just as bad for larger units as for smaller ones. Professor Springer said that as a new member, he felt that the Assembly spent too much time on minor matters, and that this was relevant to a person's willingness to serve.

Following a call for the question by Professor Oberman, the amendment was defeated by a vote of 17 to 22. The resolution was then passed, with two votes cast in opposition.

The third resolution was now presented, as follows:

RESOLVED: That the Senate Assembly adopts the following guidelines to be used by the schools and colleges in their nomination and election of Senate Assembly representatives:

It is not within the authority of the Senate Assembly to direct the several schools and colleges in the choice of their operating rules, but it is the sense of the Assembly that, within each of the schools and colleges, the following principles be operative:

- a. That policies pertaining to nomination and election procedures, advertisement of elections, replacements to fill vacancies, provision for alternates, and the like, be in writing and readily available to the members of that faculty.
- b. That balloting in elections for Senate Assembly representatives be by mail.
- c. That nominees appearing on the ballot--especially in large units--be introduced with brief biographical resumes.
- d. That representation of the several academic ranks be a matter of concern for each unit.
- e. That the written policies of the several units, as well as the related reports of Senate Assembly committees, be available for the guidance of other units engaged in procedural review.

Professor Allen pointed out that Part (d) of the original resolution, which had been its most controversial provision, had been reworded.

There was no discussion, and the resolution was passed by a unanimous voice vote.

QUESTION OF  
NON-SENATE  
MEMBERS  
SERVING ON  
ASSEMBLY  
COMMITTEES

Chairman Goodman said that the question had been raised about putting non-members of the Senate on Senate committees. He asked for a straw vote on this issue.

Professors Cohen and Darvas said that they thought there was danger in setting a bad precedent.

The straw vote was taken, and was almost unanimously opposed to this suggestion.

NOMINATIONS  
AND  
APPOINTMENTS

SACUA submitted nominations to fill vacancies on two committees as follows:

Research Policies Committee - two-year term,  
Bennett J. Cohen, Professor, Laboratory Animal  
Medicine (replacing Prof. Edw. S. Epstein)

University Cellar Board of Directors - present  
to 1/1/75, James M. Miller, Ass't. Professor,  
Industrial & Operations Engineering (replacing  
Professor Stephen Kimbleton)

Both nominees were elected unanimously.

OLD  
BUSINESS

Under the heading of Old Business, Chairman Goodman drew attention to the fact that the Regents would again be taking up the question of disclosure of faculty salaries in their next meeting, and that they had designated an hour-and-a-half for five-minute presentations by anyone in the University community who wished to express themselves on the subject. He was going to speak in opposition to disclosure, in accordance with the stand taken by the Assembly when it last voted on the question; he invited others who wished to present their views to sign up for five-minute spots. He also remarked that the questionnaire circulated by CESF had shown 68.7 percent of respondents opposed to disclosure.

NEW  
BUSINESS

Under the heading of New Business, Professor Darvas stated that while a 5.5 percent salary raise had been announced, some units had received increases in their salary budgets that were

substantially less than this. This meant that they could grant average increases of 5.5 percent only by cannibalizing, that is, reducing the number of positions. He asked that CESF look into this matter.

ADJOURN-  
MENT

The Assembly adjourned at 5:29 p.m.

Wilfred M. Kincaid  
Secretary