

THE UNIVERSITY OF MICHIGAN

Senate Advisory Committee on University Affairs

4008 Fleming Building

ANN ARBOR, MICHIGAN 48109-1340

764-0303

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Regular Meeting of 18 September 1989

ATTENDANCE

Present: Birdsall, Blane, Bord, Borders, Bornstein, Brooks, Burdi, Chesler, Gidley, Chudacoff, Davies, Davis, Diana, Didier, Dobbins, Drabenstott, Dressman, Duell, Eggertsen, Foss, Floyd, Goepfinger, Greenwood, Grosse, Harrison, Hollingsworth, Jensen, Jones, Cherry, Kimeldorf, Lenaghan, Levy, M. Lomax, R. Lomax, Marcelo, McLaughlin, Meyerhoff, Mignolo, Morris, Mosher, Mosberg, Penschansky, Potter, Radine, Rosenthal, Ross, Russel, Olving, G. Smith, P. Smith, L. Tentler, Verhoff, Warner, Whitehouse, Winn, Woods, Wrobleski, Wulff, Ness; Kilham, Savory, Schessler

Absent: Baird, Cameron, Connelly, Croxton, Debler, Dirks, Friedman, Gilgenbach, Gull, Hinton, Jenkins, McLeod, Miller, Morley, Owens, Papalambros, T. Tentler, Turner, Yano

MINUTES

The minutes of 19 June were amended and approved.

MATTERS ARISING

1. Issues raised about the University Council will be addressed at the next meeting.

2. The memorandum to VP Womack from Professor Ness about parking issues was enclosed for information.

ANNOUNCEMENTS

1. The University General Counsel Elsa Cole will brief the Assembly on the Discriminatory Harassment Policy later in the meeting.

2. Virginia Nordby has notified Assembly that she is working on combining the three faculty handbooks (instructional, primary research, librarian) into one book.

3. On Saturday, September 23, SACUA will have a committee-wide retreat from 8:00 a.m. to 12:30 p.m. in the Anderson Rooms of the Michigan Union.

4. There will be a forum on October 25 on initiatives on state relations, especially concentrating on networking with state and local research interests.

5. The new stadium policies were announced. The new rules prohibit bringing containers and umbrellas into the stadium and the consumption of alcohol on the stadium grounds.

6. The October 16 Senate Assembly meeting will take place in room 2011 Modern Languages Building.

7. Vice President Womack has approved the Environmental Protection Task Force and has sent letters of invitation to the nominees.

Rosenthal moved that Senate Assembly make a resolution expressing appreciation to VP Womack for attention to this matter. (seconded). The motion was approved.

COMMITTEE APPOINTMENTS

The following committee appointments were brought to Senate Assembly for approval:

Civil Liberties Board

Maria Comninou, Engineering for a one-year term

Academic Affairs Committee

Alfredo Montalvo, Art for a one-year term

Rules Committee

Tom Lenaghan, English for a three-year term  
Susan Kilham, Biology for a one-year term as SACUA  
liaison

Financial Affairs

Lee Danielson, Business Administration for a  
one-year term

Board of Student Publications

Raymond Tanter, Political Science for a  
1 year term  
Edward Gramlich, Economics, for a 3 year term

Burdi moved that the nominations be approved  
(seconded). The motion was approved.

Membership of the new Advisory Committee on University  
Relations will be considered at the next meeting.

PROPOSAL FOR A FACULTY COMMITTEE FOR A MULTICULTURAL  
UNIVERSITY.

The proposal was distributed to the Assembly and opened  
for discussion.

Bornstein: Why are there student members on a committee  
designed to provide a faculty perspective?

Jensen: Why does this committee have two names: Senate  
Assembly Advisory Committee or Faculty Committee for a  
Multicultural University? Also, I am a little concerned  
about who sets the agenda under the procedures section. I  
think it is only realistic to include the Vice Provost.

Ness: Our charge is to provide a faculty voice to  
administrators, and we have usually always included students  
on our committees. This has been an important means of  
maintaining trust and keeping open lines of communication.  
Therefore, this is both a tradition and a way of increasing  
input. There is a source of tension that develops around  
who sets the agenda, so it is necessary to define this point  
under the procedures.

Savory: This committee is the second advisory committee to the Vice Provost. The existing committee is called the Minority Affairs Advisory Committee and has broad representation (but only two Senate faculty members) including members of the Ann Arbor community. The proposed advisory committee is primarily to provide a faculty voice.

Lenaghan: I think we should probably rename this committee the Senate Assembly Committee for a Multicultural University.

Bornstein: Under the membership criteria, what is ethnicity?

Ness: Some examples would be Hispanic or Arab ethnic group membership.

Grosse: Why not just use the term 'multicultural'?

Floyd: Why aren't the nonacademic staff included?

Ness: They are represented in the other committee.

Lenaghan made a motion to accept the proposal but change the name of the committee to the Senate Assembly Committee for a Multicultural University, to include the Vice Provost among those with input on the agenda, and to substitute the wording: "with a multicultural representation" under membership. (seconded). The motion was approved.

#### UNIVERSITY GENERAL COUNSEL ELSA COLE

General Counsel Elsa Cole was introduced by Professor Ness to the Senate Assembly and asked to give us a review of the status of the Discriminatory Harassment Policies.

Cole presented a synopsis of what has happened with the student harassment policy. It has been discussed at length in the media. The courts struck down the part of the policy that had to do with verbal conduct in the classroom because the wording was too vague and broad.

The University has adopted an interim student policy that is much narrower. It will prohibit language that is directed towards an individual and harm is intended. There are examples given in the policy. This interim policy is in effect until the end of the calendar year, which will give time to develop the new permanent policy. A broader policy is a possibility, but this is a grey area in the law.

The court decision has also had an impact on the Faculty and Staff Harassment Policy. The third paragraph of purpose will likely have to be rewritten, for example. The law is not very clear about what happens in classroom discussions. There are issues of freedom of speech and academic freedom that must be addressed. Also, the procedures for handling reports will have to be rewritten.

Lenaghan: We thank you for coming to the Assembly. The defining language in the policy is hard to understand. My anxiety was diminished when I found that it was derived from the Equal Employment Opportunity Commission (EEOC) guidelines.

Cole: EEOC language has not been challenged in the courts for workplace rules. It may not be appropriate for the classroom atmosphere because of protection for political speech.

Penchansky: Will the opinion hold?

Cole: We have not yet received the written opinion.

Bornstein: I found it deplorable that the courts found it necessary to strike down the policy. The policy makes me nervous because my area, (English) literature, often has language that could be offensive to some people.

Cole: The same protections should extend to written literature used in the classroom.

#### PROVOST VEST

I am grateful for the opportunity to share some thoughts and information. As chief academic officer, I am driven by the fundamental academic nature of the University, and as chief financial officer, I am also aware of the fiscal realities.

My goal is to structure the office in such a way as to maintain excellence in teaching and research, maintain the quality of the faculty, and promote an open environment for research and teaching. I also want to maintain candor and maintain a good working relationship with other officers. I must keep informed on the key academic issues, on the pulse of the University.

There are five main areas of concern:

- Diversity and community
- Academic integrity
- Impact of Federal regulations
- Budget outlook
- Change

Diversity and Community: I am proud that the University has assumed leadership in the task of increasing diversity. We must improve the racial, ethnic and gender balance of the University and improve the level of comfort in the working environment. We must have the wisdom to understand that each generation has its own norms and goals, but we must also eradicate verbal harassment. All of these stresses and strains should move us toward the goal of a community with shared values. There are certain fundamental values that we hold in common, such as basic respect and academic freedom.

This year there were slightly fewer minority freshmen (880) than last year, although the number of Hispanic and Asian-American students was up a little. Minority graduate student enrollments are up 9%. There are 45 new minority faculty this fall, up from 32 last year. This includes 21 Black, 15 Asian and 9 Hispanic.

The University's efforts to establish workable policies on harassment have become a matter of national debate. At issue are the breadth and vagueness of the language as applied to the classroom setting. We must keep our goal before us, but at the same time not limit free and open debate. The President has established an interim policy to keep the environment free of discriminatory behavior while seeking a new policy.

Academic Integrity in Research: This issue is fundamental and fraught with dangers. Governmental intrusion is disturbing. Science has an excellent record of integrity, although there have been a few well-publicized cases of dishonesty. It is our responsibility to have a healthy environment. There is growing distrust at the national level, so we must be concerned about the eroding credibility and the possibility of further federal regulations. In this climate, we must make certain that the regulators recognize the uniqueness of universities. We must be responsible for the highest level of integrity and educate our students in these principles.

Increased Costs of Federal Regulations: An extensive list of areas impacted by federal regulations in the University was presented. They are increasingly costly in terms of time, effort and staff needs.

Budget Outlook: The budget for the 1989-1990 academic year was outlined. The total budget is about \$1.6 billion, with \$593 million allocated for the general fund (an increase of 8.9%). We must encourage the State to move us back toward the top-ranked states in aid to higher education, but the preliminary look at the next budget is not very encouraging. We must continue efforts to hold down costs; serious choices will have to be made. We will have to consider reallocation schemes. Budget Priorities Committee and SACUA will be asked for input.

Change: The shifts will be rapid and revolutionary. We must devise ways to flexibly group scholars in our larger community. Our size and complexity may prove to be an important asset.

Penchansky: What are the special budget needs?

Vest: The Deans and Directors identify these needs and then we take the advice of the Budget Priorities Committee and the staff to arrive at the distributions, which are primarily in the salary programs.

Burdi: Early in the 1980's the University's heavy tenure commitment created some problems during the budget crisis. How does that fit into your planning?

Vest: The tenure load has eased a bit. Another question is what affect abolishing the mandatory retirement age will have. This has been discussed very little. Tenure is likely to remain in its present form.

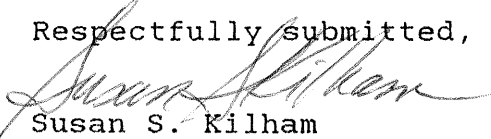
Provost and Mrs. Vest invited Senate Assembly to a reception following the meeting.

(The full text of Provost Vest's remarks are available in the Faculty Senate office.)

ADJOURNMENT

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,

  
Susan S. Kilham  
Senate Secretary