

UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Regular Meeting of 20 September 1982

ATTENDANCE

Present: Aberbach, Bailey, Barnard, Barritt, Bishop, Blass, Brooks, Bulkley, Burdi, Cares, Carter, Catford, Cooper, Courant, Crane, Dahl, Danielson, Easley, Fellin, Green, Hagen, Hilbert, Hildebrandt, Hollinger, Hopwood, Hultquist, Janecke, Kaplan, Kelsey, Knudsvig, Lawrence, Lockwood, Loup, Martin, Meyer, Moerman, Mosher, Nadon-Gabrion, Nagy, Pollock, Powell, Rae, Ringler, Robinson, Root, Claflin, Senior, Simon, Solomon, Stevenson

Absent: Barald, Beck, Briggs, Browne, Caffesse, Cassidy, Esteban, Evans, Fraser, Grosse, Haddock, Kahn, Keren, Ludema, Maassab, Morash, O'Meara, Regezi, Rinne, Smith, Tentler, Weiner, Whitehouse, Wieland, Young

CALL TO ORDER

The meeting was called to order by Professor Bishop, chairman, at 3:20 p.m. The minutes of the meeting of 21 June, 1982 were approved.

ANNOUNCEMENT

SACUA and the AAUP are sponsoring a forum on "How Should Universities Respond to the Financial Crisis" at 8 p.m., October 18 at the Hale Auditorium of the Business School. The speakers will be Vice President B.E. Frye, Professor Arch Naylor, Martha Friedman (University of Illinois, past president of AAUP), and Eugene Arden (Dearborn, Vice Chancellor).

MATTERS ARISING

Professor Kaplan reintroduced the motion he had made at the June meeting, supporting SACUA's position on promotions to tenure in units under review. Professor Bishop proposed, and the Assembly agreed, to take up this motion after item 6 of the agenda.

NOMINATIONS AND APPOINTMENTS

There were no nominations from the floor, and the slate of candidates proposed by SACUA was unanimously approved.

ADDRESS BY THE VICE PRESIDENT FOR STATE RELATIONS

Vice President Richard L. Kennedy addressed the Assembly on the subject of the status and future of the University's relationships with the State of Michigan. His remarks dealt primarily with fiscal relationships, specifically the general fund operating budget and capital funds for facilities, although contractual funding for specified studies was also mentioned.

He described the recent history of state appropriations for the University as a decade of deterioration capped off by a three-year crisis. These appropriations will be less in 1982-83 than they were in 1979-80, a decline of \$20-30 million in real dollars. State appropriations next year will likely account for less than 50% of the general fund, compared with 70% in the early 60's and 60% four years ago.

The University needs a strategy not just for recovering inflationary losses but for accomplishing real dollar gains to restore what has been lost. Such a strategy involves three components. First, the University must develop a broad base of public understanding and support. The State Relations Office and the Alumni Association have begun an effort to enlist the aid of alumni in bringing the University's needs to the attention of their fellow citizens and representatives. Similar efforts among students and their families and the business and labor communities are also needed. Second, the University must develop a defensible rationale for public funding that recognizes the differing roles of institutions. All universities teach, but only a few have substantial research as a basic part of their mission. To the extent that such a mission is recognized by external funding sources, the state should provide incentive funding in proportion to the external funding. Third, the University must help develop better working relationships between state government, the private sector, and universities in order to make economic revitalization of the state a reality. Michigan's economy will surely recover, but the University can and should play a role in improving the extent of the recovery, its direction, velocity, and other characteristics.

The past decade did not provide much more hope for facility funding than for operating funds from the state. The hospital project, however, is a notable exception giving us some hope for the future. While some negotiations remain, the stage is set for the sale of State Building Authority bonds enabling the project to be concluded on time and very likely under budget. We expect to start construction, with state funding, on the electrical and computer engineering building in the latter part of 1983. We hope that will be the forerunner of state funding for further renovation or replacement of science facilities, including the proposed chemical sciences building.

It is important to keep in mind that the state government will undergo a dramatic and far-reaching transformation in this November's elections. This will be an unsettling period for state government and for the University. New alliances will need to be formed and new understanding achieved so that higher education is not further disadvantaged.

The increasing maturity and sensitivity, of both the faculty and administration, in dealing with political realities (not to suggest that the University has itself become more political - that would be disastrous) gives a basis for optimism about the future of the University.

Vice President Kennedy concluded his address by thanking Ms. Peggy Kusnerz and the State Relations Committee for their advice.

DISCUSSION

Professor Hildebrandt asked how sensitive the legislature is to the argument for differential funding. Vice President Kennedy replied that history suggests it's totally insensitive, but this may be only because tight budgets left no room for differential funding and made across-the-board appropriations the only politically defensible approach. The governor's recommendations included some differential funding; the idea is viable.

Professor Kaplan said that the push for differential funding goes counter to cooperation of institutions. He asked whether there was cooperation in pressing the legislature to reject the original executive order. Vice President Kennedy replied that there was a good deal of cooperation in convincing the legislature, not that the cut was avoidable, but that alternatives had not been adequately studied. The University lost \$7.3 million in this cut, but the loss will be cancelled by a 5% increase in the state appropriation for next year, if nothing else intervenes. The net result, zero, is about what was expected in July, but it was a painful process getting there. Professor Hagen asked on what base the 5% increase was calculated. Vice President Kennedy replied that it was calculated on the budget before the last executive order but after the previous two; thus, the base budget is down about \$7 million from last September's budget. In reply to a question from Professor Nagy, Vice President Kennedy explained that the \$7.3 million withheld under the latest executive order will be paid on June 30, 1983, but deducted from the next three months' appropriations, so the problem is only postponed to next September. The 5% increase is in the base budget and thus carries forward to next year.

Professor Barnard asked whether the legislature compares the University's service to the state with that of other institutions. Vice President Kennedy said that presently it does not; there is little recognition of the different missions of institutions. Our hope is to change this.

Professor Courant asked about the idea of incentive funding; did this mean matching grants? Vice President Kennedy replied that it was his idea to encourage Lansing to look at what happens here. To the extent that corporations, foundations, and the federal government recognize the research done here, the state should recognize it too.

Professor Hildebrandt asked what the faculty could do to help Vice President Kennedy help the University. Vice President Kennedy advised, primarily, being

the best possible kind of faculty, in teaching and research. This is the message carried by students to their families. He added that the faculty will occasionally be called upon to help forestall poor policy decisions and that some will be involved in state initiatives such as robotics or DNA research. The University's best hope is to develop support from its external constituency - alumni and students' families. This is what legislators and executive agency heads care about.

RESEARCH POLICIES COMMITTEE RESOLUTION ON DEFENSE-RELATED RESEARCH

Professor Bishop called attention to the procedural motion distributed with the meeting agenda; this motion was proposed by SACUA and is therefore properly before the Assembly.

Professor Cooper, who had made the motion to postpone the issue to the present meeting, said that he favors the procedural motion.

Professor Bailey said that, though it was reasonable to let the Research Policies Committee study the issue, he was distressed by the vagueness of the last sentence which would permit the committee to delay its report until June. He would prefer a January deadline. Professor Senior said that the committee might have difficulty meeting such a deadline, since it must also deal with proposed centers and institutes and with other issues such as the Michigan Research Corporation proposal. Professor Cooper suggested March or April as a deadline, and Professor Bishop suggested the wording "no later than April."

Professor Bailey moved to amend the procedural motion to require the report in January. He felt that April was too late as the Assembly meeting often falls in exam period. He also felt that the Research Policies Committee could meet more often than once a month. His motion was seconded.

In reply to a question from Professor Barritt, Professor Bishop said that, while we wait, the old policy, which is the matter in dispute, remains in effect. Professor Cooper suggested asking for a preliminary report in January. Professor Courant said that he found the "motion to punt" reasonable and that the Bailey amendment says "we really care about the issue." Professor Bishop denied any intent to punt. Professor Hildebrandt mentioned that amendments can themselves be amended. Professor Nagy moved, and Professor Hilbert seconded, that "January" in Professor Bailey's amendment be changed to "March."

In reply to a question from Professor Pollock, Professor Bishop said that, if the procedural motion is rejected, the first question to be debated will be whether to substitute Professor Crowfoot's motion (distributed with the agenda) for the Research Policies Committee's resolution.

Professor Nagy's amendment was put to a vote and carried, 23 to 21. Professor Bailey's amendment, as amended, was put to a vote and carried, 36 to 3.

Professor Kaplan suggested that the period from now to March be used by people concerned about defense research to document possible violations of the guidelines and bring them to the Research Policies Committee; the committee could invite input. Professor Bishop said that this is the spirit of the motion and (RPC chair) Professor Moyers's intent.

Professor Janecke suggested that the committee look into rewriting the guidelines so as not to forbid, e.g., the Wright Brothers' research.

The procedural motion, as amended, was put to a vote and carried, 39 to 2.

PROMOTIONS TO TENURE IN UNITS UNDER REVIEW

At the June meeting, Professor Kaplan had introduced a motion supporting SACUA's position on promotions to tenure in units under review. Since the motion had not been previously announced, consideration of it had to be delayed until the present meeting. Professor Bishop opened the discussion by calling attention to SACUA's letter of 6 May to Vice President Frye; copies of the letter had been distributed with the agenda. Professor Kaplan noted that four people had been denied tenure because they are in schools under review. He considered this a very drastic action, especially if it results in termination. Professor Bishop said that none of the four will be terminated unless their units are eliminated, but Professor Hildebrandt said that they would have been terminated if the tenure clock had run out. (Professor Carter said that the two from the School of Art are in their fourth or fifth years.) Since the four people were promoted to associate professor without tenure, the question arose whether such a promotion stops the tenure clock; Professor Bishop replied affirmatively. And Professor Nagy replied negatively. Professor Pollock said that, although the Regents' Bylaws don't define what an appointment without tenure means, they do give the protection of Bylaw 5.09 to anyone here for more than seven years. He added that the administration would disagree with this interpretation but that the question would be legally contestable.

Professor Hollinger said that the issue is not the four present cases but SACUA's position in general. Responding to Professor Cooper's request, Professor Bishop stated SACUA's position: Tenure reviews should be conducted as usual. If the outcome is positive, tenure should be awarded, and the newly tenured faculty should be treated like the other tenured faculty if the unit is discontinued.

Professor Bailey asked what had happened at SACUA's June 6 discussion of this issue with Vice President Frye. Professor Bishop said there had been several such discussions resulting in some compromise; the Regental action in the four cases previously discussed is indicative of Vice President Frye's current position, but no document exists in which this position is formally stated. Professor Bailey asked what would happen if the Kaplan motion passed; Professor Bishop said that the fact would be communicated to Vice President Frye. Professor Hollinger added that SACUA's hand would be strengthened in the continuing negotiations and that, as a co-drafter (with Professor Browne) of SACUA's letter, he would appreciate the Assembly's support.

Professor Hilbert said that it may someday be appropriate to review everything; under Vice President Frye's policy that would end all promotions to tenure. Professor Moerman said that his only concern about the motion is that it may not be strong enough.

Professor Root disagreed, saying that the matter is an administrative one and administrators are reasonable. He said that it just seems common sense not to award tenure in such a situation. There is no jeopardy for a candidate in his fourth or fifth year, and it's not a big issue. In reply to questions from Professor Bishop, Professor Root said that he might favor promoting people who are in their seventh year, but they would get de facto tenure anyhow. Professor Hollinger said that he appreciated Professor Root's distinction between the critical seventh-year cases and the others; he pointed out that SACUA's letter is only about the former. Professor Simon felt that even fourth year or fifth year cases can be critical, if the candidate has a tenure offer elsewhere and the University cannot match it.

Professor Burdi said that there is a move to increase the importance of the University's need as a factor in tenure decisions. If this move succeeds, he said, need may be used in other situations, where no discontinuance is contemplated.

Professor Barritt said that, as a member of a unit under review, he appreciates SACUA's support. He said that Vice President Frye's policy prejudices the outcome of the reviews.

Professor Cooper said that attempting to stop the tenure clock is a violation of the Regents' Bylaws; any change in this direction should only be made by amending the Bylaws.

Before Professor Kaplan's motion was voted upon, Professor Root requested and obtained a statement from the chair that the words "SACUA's position" in the motion refer only to the content of the letter of 6 May. Professor Kaplan's motion was approved without dissent.

FORUM ON FACULTY GOVERNANCE

Professor Bishop made the following statement about faculty governance:

I think that at the April meeting of the Senate Assembly, the first meeting I chaired, I facetiously suggested that I had a two-hour inaugural address to make. There was pressing business that day and I didn't even make a five minute speech. Several members of SACUA have suggested that we need to have some discussion of faculty governance and the purpose of our organization. I have prepared some remarks. Some of them are rather elementary. I hope they will not be insulting to some of you who know as much as, it not more than, I do concerning the organization and function of our governance system. I do hope we can have some response to my remarks and hear from some of you with respect to how you think we should be moving.

I am committed to the idea that the faculty should have a strong voice in the running of this University. I realize that at the U of M the real power is in the Board of Regents and I think that is as it should be. However, I think each of our elected Regents is anxious to hear from faculty and they are receptive to faculty opinion. They see the faculty as a very important resource of the University and they want to hear from us. How do we accomplish this? Can we do a better job? Do we need change in the organization to be more effective? My personal opinion is that our present organization has enough flexibility and channels of communication so that the voice of the faculty can be heard, if you and I work on it and the appropriate initiatives are made. Let's look at our structure.

This amorphous mass from which we want to get opinion and judgment is organized as the University Senate. The Senate includes all members of the professorial staff. In addition to this, and sometimes I think we lose sight of it, the Senate includes executive and central administrative officers of the University, deans, primary researchers and designated librarians. Our bylaws state that the meetings of the Senate shall be held once during the fall term and once during the winter term. There are provisions for calling special meetings. The Senate is authorized to consider any subject pertaining to the interests of the University.

I think it is clear that a large body like the Senate is not an effective legislative body. Thus we have this body, the Senate Assembly, set up as a representative body of the Senate itself. Many would argue that the Assembly also is not an effective legislative body. Most of us would like to see it become a more effective body. How is this to be accomplished? With an operational change or possibly an organizational change?

Before any changes are made, we should review the current situation. SACUA is elected from Assembly members and has executive responsibility for making the operation go. We have standing and special committees of the Assembly. Members of these committees are nominated by SACUA and approved by the Assembly. These committees report through SACUA to the Assembly. SACUA has liaison with these committees throughout the year. SACUA also has liaison with committees which are not committees of the Assembly such as Budget Priorities Committee. Another important liaison which the faculty governance system has is with the Executive Officers of the University, that is the President and the Vice Presidents. These officers meet almost weekly during the year and the Chair of SACUA attends their meetings. This is where policy and budgets are discussed. The recommendations to the Regents and the agenda for the Regents meetings are handled by this body. An informed SACUA chair can have some input at this level. Sometimes he serves as a messenger boy between SACUA and the Executive Officers.

I prefer to call this "representing the faculty" to the best of his or her ability.

In addition to these lines of communications, the President and the Vice President for Academic Affairs attend SACUA meetings approximately once monthly.

We have, then, the University Senate, the Senate Assembly, SACUA and committees of these bodies attempting to speak for the faculty on academic policy and other matters of importance to the University as a whole. It is important to keep in mind that schools and colleges with their deans and executive committees have their own internal systems of governance. These are reporting to the Vice President for Academic Affairs. The faculty governance system deals with University-wide problems.

To whom are we speaking and how do we convey the message? I have already suggested that the power is in the Board of Regents. A formal resolution adopted by this body, the Assembly, and directed to the Regents would be heard by them. A more usual sequence of events might be for us to approve a recommendation from one of our committees and transmit that recommendation to the Executive Officers for their consideration and recommendation to the Regents. We must recognize that we are speaking from a faculty viewpoint with, I hope, the best interest of the University in mind. The Regents are accountable to the people of the State of Michigan for the University as a whole. We would hope that their decisions would be influenced by our opinions but they certainly are not bound by them.

Formal resolutions, debated and acted upon by this body, form one type of communication from the faculty to the Executive Officers and the Regents. Another form is the more informal, continual give and take which goes on between committees and individual executive officers and between SACUA and the Executive Officers. Issues can be raised because individual faculty members or a committee as a group perceives a problem. On the other hand, an executive officer may have a problem on which he wants faculty opinion. He may request this through his advisory committee or he may ask that the problem be referred to the Assembly for formal action.

Let's look at the Senate Assembly Committees and some of their jurisdictions. (slide 1)
First we have committees which are advisory to the respective vice presidents:

1. Academic Affairs--VP for Academic Affairs.
2. Research Policies--VP for Research.
3. Financial Affairs--VP and Chief Financial Officer.

4. University Relations--VP for University Relations and Development.
5. State Relations--VP for State Relations.
6. Student Relations--VP for Student Relations.

These committees meet with their respective vice presidents at approximately monthly intervals, depending on perceived need for action by the committees or the vice presidents.

Next we have Senate Assembly committees which represent interests (slide 2) of the faculty more specifically:

1. Tenure Committee.
2. Rules Committee.
3. Senate Advisory Review Committee (SARC).

The Tenure Committee is available to the faculty to review problems of tenure involving all of us or appeals from individuals. SARC, I am sorry to say is in a rather dormant state at present. It represents our grievance system. It has been judged ineffective by many and at present a task force of faculty and administrative officers are reviewing this problem with the objective of making recommendations for a more effective grievance procedure for faculty members. I would hope that that task force will be reporting during the coming year.

Our Rules Committee advises us with respect to procedures for getting our elections done and our parliamentary procedures carried out.

There are two committees which deserve special attention - CESF and Budget Priorities Committee. (slide 3)

CESF is a committee of the Assembly, made up of faculty members, appointed by the Assembly. It is continually compiling data concerning faculty salaries and serves as our advocate when it comes to dividing up the budgetary pie. As the slide indicates, CESF reports to SACUA and the Assembly but also is in a position to communicate with the VP for Academic Affairs and the Regents.

Budget Priorities Committee has faculty members on it, appointed (slide 4) by the Assembly. However, there are also administrators and students on this committee and the Committee makes its recommendations to the VP for Academic Affairs and the Committee on Budget Administration. (Committee on Budget Administration is the EO's with the VP for Academic Affairs as chairman). It should be noted that BPC is the focus of the reviews of targeted units which are going on currently. The review committees are functioning as subcommittees of BPC. The recommendations

of the review committees are received by BPC and processed as the channels would indicate on the slide. SACUA chair sits on the BPC.

In addition there are other University committees to which SACUA and the Senate Assembly either appoint members or nominate members to the Regents through the Executive Officers. Examples are, The Board in Control of Intercollegiate Athletics, Review Panel for Classified Research and the Civil Liberties Board, Distinguished Faculty Achievement Awards Committee, the Board for Student Publications, Committee on Broadcasting, etc.

I suggested earlier that I did not think organizational changes were necessary to make our faculty governance system more effective. I think the key to making this system work is to have effective people elected to seats in the Senate Assembly who will take responsibility and voice opinions. From there we have to have informed, willing individuals elected to SACUA. Finally, the key to much of this organization's effectiveness is the selection of faculty members who can and will serve on committees and be able to give the time necessary to become informed and then be willing to make judgments.

Successive SACUA's have put a lot of effort into selecting and nominating committee members. We have done so again this year and you have acted on our nominations today. How can we improve on this process? Suggestions will be appreciated. The perquisites that go with these positions are not great--a note on your CV or resume, an occasional thank you from a colleague.

Effectiveness in this program does require time and effort. How much effort should we be expending? After all, we are faculty members with primary objectives of teaching and research. Many of these positions border on administrative jobs. I am sure that the Chair of SACUA would do a better job in his/her third year in the position. I am also sure that that person would behave even more like an administrator if there were a three year term.

No, I do not think that we, as faculty members, should move more into administrative power and function. We have hired administrators, many of whom have come from the faculty ranks. They are familiar with faculty problems. They do have to balance competing interests at times. If, during their deliberations, they receive well considered, rational input from the faculty, the University will be better for it. It is our job to provide that input along with all the wisdom we can pack along with it.

DISCUSSION

Professor Barritt said that he appreciated these remarks. He added that,

for over two years he has bridled at the passivity of the Assembly, a society for polite listening, and he asked whether SACUA had given any thought to stimulating the Assembly to become more active. Professor Bishop said that it had, and he recalled Professor Naylor's changing the seating arrangement. He said that he felt the key is presenting interesting and important issues. Professor Moerman said that we had just given away a big issue (defense-related research) at SACUA's suggestion. Professor Bishop said that it could not have been debated in under two hours. Professor Moerman said the same is true of any important issue. Professor Bishop said that the debate must be prepared well; perhaps special meetings are needed. Professor Moerman felt that the Assembly's structure prevents good debates on big issues. Professor Green recalled that defense-related research had a hot debate last spring and will probably have another next spring. He also pointed out that many issues are under the jurisdiction of the schools and colleges and he encouraged SACUA to have the Assembly concentrate on University-wide issues such as tenure and research.

Professor Barritt said that what the Assembly does best is to adjourn at 5:00. He recalled that the debate on "smaller but better" was cut short by SACUA to fit in other issues and that, after Vice President Frye's statement on redirection, the next two meetings had full agendas, so redirection could not be discussed further. He urged that longer debates be allowed. Professor Bishop said that SACUA will take the matter under advisement but noted that the Assembly itself controls its debates.

Professor Nagy said that we are lucky to get two-thirds attendance at Assembly meetings, even with important issues; he shudders to think what would happen if meetings were more frequent.

Professor Pollock asked whether SACUA feels a need to fill meetings. He said that there is plenty of material without adding fillers. He recalled that he wanted to force debate on the MRC proposal. That was referred back, but related issues are proceeding. As elected representatives, we should make some decisions. That would make it worthwhile to come to meetings and to try to get elected. He remarked that Engineering representatives don't even report to the faculty. Professors Bishop, Hollinger, and Barnard said that such reports are made in Medicine, LSA and Nursing.

Professor Bulkley said that he knew of nowhere else than the Assembly to discuss, across college lines, issues like downsizing. He asked for examples of the Assembly performing as we think it should, examples that could serve as models for new members. Professor Bishop cited the adoption of the "smaller but better" policy. Professor Barritt recalled that the motion and second to cut off debate on this policy came from SACUA members. Professor Nagy said that the policy was debated for at least two meetings. Professor Barritt said it was three, but it's still unclear just how much we approved. Returning to the question of "what has this group ever done," Professor Green recalled that it was very effective in the days of student unrest; it had good debates and got some policies through. He also recalled that, a few months ago, we killed the hazing policy and got Virginia Nordby upset. Professor Senior cited, as an example of Assembly

foresight, establishing discontinuance guidelines before they were needed.

Citing the Assembly's rules, Professor Bishop pointed out that it is easy to put items on the Assembly's agenda and urged anyone with doubts about the procedure to come to SACUA.

Professor Bailey noted that Vice President Kennedy's ideas on differential funding are in our interest. He suggested that the Assembly help him by looking at the University and saying what our place in higher education is. If we don't, the State Relations staff will do it, with less information. Professor Kaplan said that the State Relations Committee does this sort of work and meets with legislators.

Professor Moerman said that the Assembly has many committees and, perhaps, as long as the Assembly has nothing to do, everything is all right and the committees are doing the necessary work. But do we get information about their work? Professor Bishop replied that SACUA gets this information via liaison members. The Assembly gets less timely information, in annual reports or requests for specific action.

OLD BUSINESS

Professor Barritt noted that the discussion had continued past 5:00; he considered this a great step forward. (Professor Senior invited him to stay for another five minutes). He thanked SACUA for providing copies of the charges to the school and college review committees. He said that he presumes SACUA has looked at the review procedures and is satisfied. Professor Bishop said that SACUA is concerned but has no specific objections to the procedures.

ADJOURNMENT

The meeting was adjourned at 5:11 p.m.

Respectfully submitted,

Andreas Blass
Senate Secretary