

Minutes of 20 October 2014 Senate Assembly Meeting
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THE UNIVERSITY OF MICHIGAN
UNIVERSITY SENATE MEETING
SENATE ASSEMBLY MEETING
20 OCTOBER 2014

Present: Adunbi, Adler, Adlerstein Gonzalez, Battacharrya, Baker, Beck, Biteen, Bertacco, Bradley, Broglio, Custer, Danziger, Ellis, Fiore, Garcia, Gocek, Grafe, Holland, Jacobsen, Jones, Keshamouni, Kileny, Lavoie Smith, Liu, Malek, Masten, Oey, Princen, Raphael, Rothman, Shaefer, Schultz, Silveira, Smith, Swain, Veatch, Wang, Weineck, Winful, Young, Ziff

Requested Alternate: Burrow, Campbell, Casida, Fagerlin, Hayes, Hershovitz, Johnson, Katapodi, Lim, Schloss, Zeisberg

Alternates: Csankovszki, Indjejikian, Myers, Kao

Absent: Atchade, Barolo, Brown, Campbell, Chen, Cervetti, Cohn, Cotera, Dolins, Fraser, Friesen, Grosh, Kee, Krishner, Lehman, Mitchell, Mondro, Pandey, Primus, Ro, Ryan, Turnley

MATERIALS DISTRIBUTED

1. Agendas for Senate Assembly
2. Draft Minutes of the 22 September 2014 Senate Assembly meeting
3. Responses of candidates for University of Michigan Regents to questions posed by SACUA.

Chair Masten convened the meeting of the Senate Assembly at 3:15 P.M. The proposed agenda was approved.

MINUTES

Consideration of the minutes of 22 September 2014 was postponed.

ANNOUNCEMENTS

The Senate Assembly-hosted Regents Candidates Forum proposed for the current meeting was cancelled due to inadequate candidate availability. A forum, hosted by Ford School, is scheduled for Friday, October 24, 2014, 4:00 PM, in Weill Hall, Annenberg Auditorium. Candidates responses to questions posed by SACUA are distributed (item 3) and will be posted on SACUA website.

The 24th Annual University of Michigan Senate's Davis, Markert, Nickerson Lecture on Academic and Intellectual Freedom featuring Professor Douglas Laycock of University of Virginia Law School speaking on "Religious Liberty and the Culture Wars" will take place on Thursday, November 6, 2014, 4:00 PM, in Honigman Auditorium, Law School.

The next Senate Assembly meeting will occur on Monday, November 17, and will include presentations and discussions of University of Michigan athletics policies and governance. Invited guests are Anne Curzan, Faculty Athletics Representative, Barbara Brush, chair of the Academic Performance Committee, and Yago Colás, UM representative to the Coalition on Intercollegiate Athletics.

Professor Oey talked about the "faculty code" for LSA, which she and others had not seen but is evidently available to the executive committee. At the request of Professors Oey and Weinert, LSA Dean Martin has now posted the document on the web. It contains guidelines about conduct, grading, how committees get staffed, how people are elected to the executive committee, quorum rules, etc. A member of the Assembly asked if there are plans to revisit the code in the future. Answer, not at this time. Another member asked if all units have such codes. Answer, probably not, you will have to ask your unit.

OVERVIEW OF FACULTY GOVERNANCE

Chair Masten reported a follow-up on President Schlissel's visit from last month. The president said that ownership is shared with the administration but that faculty have the first and loudest voice on academic matters. On administrative and business matters, he said that though the university leadership had the first voice, it needs to exercise early and iterative consultation with the faculty so that they work together from the earliest stages, are as transparent as possible, and make the best decisions.

The chair reported the history of decision-making authority according to AAUP surveys. In 2001, a survey showed that faculty had lots of authority on curriculum, degree requirements, committee memberships, etc., while salaries, short-range budgets, and construction projects were the purview of central administration. Things like tenure, chair appointments, and teaching loads were more joint action.

Between 1970 and 2001, there was a big increase in faculty input nationally on many of these issues, but Michigan has evidently gone in the opposite direction.

Formal authority is defined by the University Bylaws. Sec. 5.03, Powers and Duties of the Governing Faculties: faculties are vested with plenary powers to make rules and regulations concerning other matters such as grading regulations, class attendance, committee organization and related internal matters.

Sec. 5.06: The Deans and Executive Committees. The dean acts as an executive officer. If an executive committee has been created, the dean shall be ex officio chair. For example for LSA: Sec 11.30: The College of Literature, Science and the Arts: The

executive committee consists of the dean and six members, appointed by the board on recommendation by the president. The top vote getter in the elections is not necessarily appointed, and we have several instances where this has occurred, for various reasons.

The University Senate is defined to include all tenure/tenure track faculty, librarians, full-time research scientists, university executive officers and deans, a total of more than 4000 members. The Senate Assembly consists of 74 elected representatives, including Flint and Dearborn campuses. SACUA – Senate Advisory Committee on University affairs, is the elected executive committee for both the University Senate and the Senate Assembly. There are 21 Senate Assembly Committees, one for each executive officer and others for special issues.

REPORT OF SACUA'S ACTIVITIES AND DISCUSSIONS DURING THE SUMMER

SACUA Chair Masten reported on topics and issue on which SACUA has been working. Among these are:

1. Model grievance procedure report (April 8, 2014). Several units have deviated from the university guidelines. Education and Public Health have now modified their procedures to conform to the model. Medicine has agreed to conform their rules in 2015. Law, the Ross Business School, and LSA have remaining deviations from the model procedures. The deviations of Law and Ross were deemed to be small. LSA has the largest deviations.
2. SACUA has received several complaints regarding the Office of Institutional Equity. SACUA has charged the Faculty Hearing Committee with investigating these complaints. As described in the Faculty Handbook (Section 10.h), the Faculty Hearing Committee, created in 1987, exists specifically to handle complaints that can't be handled by unit grievance procedures.

Question: Does this committee handle Flint and Dearborn. Answer: no. Question: If a faculty member has a problem or complaint, what is the process? Where should they go first? Answer: First try to work out the problem with the people involved, then work with your school's ombuds and/or university ombuds, before going to a grievance process. Ombuds interactions are much less contentious than a grievance process.

There were four grievances filed by faculty last year. Professor David Smith pointed out that the grievance committee is advisory, but the provost makes the final decision. An Assembly member from LSA reported that she had served as LSA ombuds and had never received any training and had never heard a case.

3. SACUA continues to discuss the administration's proposed Fitness for Duty policy, which is intended as an alternative to Regents' Bylaw 5.09 for dealing with cases where faculty are unable to perform their "essential functions." The

administration removed all language related to medical conditions because of concerns related to the Americans with Disabilities Act. SACUA is concerned that the policy be specified in such a way that it cannot be used as a means to remove or discipline faculty for nonmedical reasons. Professor David Smith noted that there is an existing fitness for duty SPG on the books for all faculty and staff; this new one will be tailored specifically for faculty.

4. Unit deviations from University-wide policies and procedures.
5. Advisory Board on Intercollegiate Athletics (ABIA Confidentially Agreement)
6. Total compensation propriety and transparency
7. Administrative services and IT Rationalization, implementation and oversight
8. Organization and communication. Under the Rules of the Senate and Senate Assembly, some issues require a vote of the entire Senate, for which it has been difficult to obtain the necessary quorum. The Rules Committee is working on changes to the rules to address this problem.
9. Meetings with the Academic Program Group (the “deans’ committee”). Chair Masten met with them last month and has been invited to another meeting in Winter semester.
10. Communications. SACUA continues to work on development of a newsletter to help keep faculty informed of topics and issues of interest.
11. Committee numbers and composition. An Ad Hoc Committee on Committees is reviewing the overall structure of the Senate Assembly committee system and will make recommendations to the Assembly at a future meeting.

APPOINTMENT OF SENATE ASSEMBLY MEMBERS AS LIAISONS TO SENATE ASSEMBLY COMMITTEES

Chair Masten introduced for discussion a proposal to ask Senate Assembly members serve as liaisons to Senate Assembly Committees. The primary motive for doing so is to increase communication between faculty serving on topic committees and elected faculty representatives.

A member of the Assembly asked why committee and Assembly meetings have to be done physically. Answer: There may not be enough information exchange. Committees are interacting with vice presidents, and need a face-to-face discussion. A delegate from Flint pointed out that serving on additional committees in Ann Arbor would be a burden. The Flint faculty use electronic vote after meetings. Chair Masten said that we could do that, but there is concern that there would be lack of

deliberation. If an Assembly member is already on a committee, then they could be named the liaison.

Concern was expressed about the burden that might be placed on junior faculty, and that maybe they should be exempt. A question arose about whether the liaison would act as an observer. Answer: Currently SACUA members are full voting members. Some committees meet just once or twice a semester, others meet much more often.

Comment: Does SACUA have a bylaw to regularly review the number of committees?
Answer: We are doing this now, but there is not a regular process prescribed in the rules.

A straw poll indicated that most members favored naming a Senate Assembly liaison to each active committee.

UNFINISHED BUSINESS

There was no unfinished business.

The meeting was adjourned at 4:40 P.M.