

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Regular Meeting, October 23, 1978

ATTENDANCE

Present: Aupperle, Barnett, Berg, McClendon, D. Brown, M. Brown, Browne, Scearse, Caldwell, Cooper, Corpron, Crichton, Dabich, Diamond, Dingle, Frost, Elving, Flener, Gay, Friedman, Holbrook, Gordon, Harris, Rush, Hinerman, Hungerman, Jones, Lyon, Koran, Leary, Lindberg, Lynch-Sauer, Merte, Naylor, Nisbett, Gabrielsen, Parkinson, Penner, Porter, Portman, Poznanski, Rabkin, Romani, Rowe, Simonds, Tilly, Tonsor, Trojan, Vasse, Verhey, White, Winans, Zorn, Abdel-Massih, Schulze, Livermore

Absent: Angus, Baumgarten, Brazer, Cohen, Coon, Eckert, Edwards, Fekety, Fowler, Gull, Herbert, Morley, Powers, Burckhalter, Grassmuck

Guests: Professors Thomas Anton, Emily Cloyd, W. Robert Dixon, Edward Gramlich and William Kerr.

CALL TO ORDER

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

MINUTES

The Minutes of September 18 were approved after correction.

ANNOUNCEMENTS

There were no announcements.

INTRODUCTION OF VICE-CHAIRMAN, FACULTY COMMITTEE ON THE PRESIDENCY

Chairman Livermore introduced the Vice Chairman of the Faculty Committee on the Presidency, Professor William Kerr (Chairman Professor Harold Johnson could not attend). Professor Kerr stated his expectation that the Faculty Committee would be listened to in the search for a new president and urged members of the Assembly to keep the Committee informed of its opinions and sentiments. There was no comment by the Assembly on the recently published guidelines governing the search.

REPORT OF THE
COMMITTEE ON
THE ECONOMIC
STATUS OF THE
FACULTY,
PROFESSOR
EDWARD
GRAMLICH,
CHAIRMAN

Professor Gramlich said that the Committee has a two-fold function: First, to supply a factual analysis of the faculty's financial status and second, to recommend a compensation package. The analysis, at least has proved generally useful to faculty, administrators and others. The recommendation has sometimes been accepted, sometimes not. This year a 14.5% increase was recommended by CESF but the Regents accepted an administration proposal for an increase of 10.1%. Gramlich illustrated the process by which the 14.5% figure was generated. He showed a graph displaying the rate of increase in U.M. faculty salaries from 1972-78 in relation to the rates of increase of several comparable groups. Over the past seven years U.M. faculty salaries have improved by 40%, the salaries of faculty at 13 peer institutions by 44%, consumer prices by 50%, Federal Civil Service salaries by 59%, Michigan personal income by 60% and Michigan Civil Service salaries by 68%.

A survey by our administration of prospects at peer institutions showed that we would need a 12.5% increase in order to catch up with them. The CESF figure thus represented "catch-up" plus a little more. The Administration figure, which the Regents accepted, represents about a 50% "catch-up" with salaries at peer institutions. It was argued that a "phased catch-up" makes more sense in a year when there is strong pressure for State budget cutbacks.

Professor Elving launched the commentary by noting that historically we have been receiving about half of our salary request. Do the Regents believe that their more modest figure will have an effect on the legislature? He went on to question the value of the work of CESF if the legislature and now the Regents ignore our requests. Chairman Livermore interposed that the Administration was partly motivated by a desire to see if the legislature might accept the principle of "catch-up." For several years, he explained, the University has asked for a maintenance plus a catch-up figure, but has regularly received only a figure approximating "maintenance." This year the smaller catch-up figure is designed to appeal to the realism of the catch-up principle. Professor Elving was not satisfied. He stated the University will receive a fraction of its request and individual faculty members will receive, in the end, just a fraction of what the University is granted. Professor Caldwell noted that faculties at several public college and university campuses in Michigan had recently received consistently good increases.

After Professor M. Brown clarified his understanding of how the percentage of increase is computed, Professor L. Jones pointed to Table 5 of the CESF Report.

It shows, he said, a discrepancy between the total salary package and the average salaries by rank. He thought it indicated a systematic reduction of the rate of increase actually paid to faculty. Gramlich explained Table 5 as referring to the budget request of two years ago, and hence there was no discrepancy. Professor Elving said that CESF ought to be attentive to more than average salary figures. He called for particular facts about what happens over time...to salaries of people who are not promoted. It was pointed out that average figures would still be involved. Gramlich added that Elving's request raises the issue of how the increase received by the University is managed internally. Professor Tonsor said that the way to find out particular facts about salaries is to publish individual salaries. He thought that most of his colleagues who preach openness in other matters would greet such a proposal with dead and horrifying silence. Livermore responded that the University policy on non-disclosure was thought to reflect faculty desires. He asked if Tonsor wished to make a resolution on the matter. Professor Tonsor asked that it be placed on the agenda for discussion.

Professor Aupperle then shifted to another topic. He asked when CESF would report on the impact of the new Social Security legislation. Gramlich replied that the Committee had just begun to work on it and would report later in the year. He described plans for the study.

Professor D. Brown then praised the report saying CESF deserves our warmest commendation. Professor Gordon, reflecting on his attendance at Regents' meetings, said that the Regents appear quite bloodless about the work of CESF. They receive the report once a year and then hear no more about it from the faculty.

Professor Friedman said that perhaps we need anecdotal data to make the argument of financial need more persuasive. Gramlich said that such data were considered this year but in the end not included. He would like to see comprehensive information about recruiting problems collected and used. Professor Nisbett agreed that we need concrete evidence and need to give a picture of people suffering. Professor Elving doubted that such evidence is really available. He said that the point is that the laborer is worthy of his hire. We should emphasize high quality. Livermore said that he thought both the CESF Report and the Regents' response reflect the assumption that the Administrative officers have the principal job of making

a persuasive case to the State. Professor Tonsor picked up on this. While he dismissed the importance of anecdotal material, he was convinced that if the Regents and administration fail to take faculty salaries seriously, we will have a union...a destiny he would like to avoid. Livermore then raised the possibility of the CESF recommendation in the future making a special plea for differential compensation for those who have benefitted least in the past, e.g. full professors. Professor Gramlich responded by analyzing the reasons why Michigan, in comparison with its peers, pays the lower ranks very well but the highest rank not so well. Livermore reminded the Assembly that in recent years the legislature has refused to fund more than 59% (what it calls the State share) of the University needs. The source of the rest is to come from tuition. Hence, a one percent rise in salaries has come to mean a corresponding one percent rise in tuition. We are clearly in trouble on this issue because rising tuition discourages many excellent out-of-state students. Professor Elving ended the commentary by noting that while faculty compensation is regularly made a high priority, other bills are always paid first.

APPOINTMENT OF
THE FACULTY
I REPRESENTATIVE
TO THE BIG TEN,
THE NCAA AND
THE WHCA

Chairman Livermore noted that Professor Marcus Plant was retiring from this service after twenty-four years, and that the faculty was about to undertake an important changing of the guard. He introduced Professor Judy Judd of the Board in Control of Intercollegiate Athletics. Professor Judd presented both an account of the procedures of the Search Committee for a new representative and the credentials of the Committee's candidate: Professor Thomas J. Anton. The Assembly accepted the nomination unanimously. Professor Anton then spoke briefly about his new assignment. He said that the major issue of the next few years will be how to organize Women's Athletics. He encouraged the faculty to advise him personally and to advise the Board in Control of its interests and sentiments. He closed by reflecting on the previous discussion of salary disclosure. Five years ago, he recalled, as a member of the Assembly, he had argued for publication of faculty and administrative salaries. He remembered suffering a humiliating defeat.

OTHER
APPOINTMENTS

The following appointments were approved by Senate Assembly:

1. SARC
Bruce Friedman, Professor of Pathology - one-year term
Charles A. Jones, Ass't Professor of Social Work - two-year term
2. Budget Priorities Committee
Robert P. Weeks, Professor of Engineering Humanities - one-year term

GUIDELINES ON
PRIVACY AND
ACCESS TO
INFORMATION

Chairman Livermore supplied background to this document which was inspired by the Freedom of Information Act.

Professor Porter asked if the reference to "financial status" was equal to "salary." The point was not clarified.

Professor M. Brown asked what the thrust of the document as a whole was. Chairman Livermore said that it was a response to the Freedom of Information Act and that it attempted to specify exemptions and obligations. The Act was apparently not intended to restrict the rights of individuals.

Professor Friedman cited Section IV B 6f vi, concerning the consequences of faculty withholding information from the University. The section seemed fuzzy to him. Professor Abdel-Massih cited Section B.1 as much too general (the section concerned the information collected by the university). Professor Naylor asked where these rules might be published. It was suggested that the new Faculty Handbook might be amended to include them. Professor Friedman wondered whether the computer security director ought not to be asked to testify as to what information is stored in the computer. Several members then recognized that Sections A.7 and B.1 were linked and were altogether too general and vague in their implications. Professor Porter, for example, hoped that letters commenting on promotions were not retained in anybody's file. Professor Gordon hoped that a person's income tax record was not a part of what the University regarded as "needed information." Professor Simonds doubted that "good" information would be collectable. Professor White pointed out that the stimulus to the Guidelines was an effort to protect the files of students.

The Assembly agreed that the justification of the Guidelines needs to be presented by those responsible for them.

PROPOSED TENURE
POLICY :
SECTION 4

Professor Robert Dixon resumed his review of the document prepared by the Tenure Committee. He noted that the changes of the Bylaws made in Section 4 were all additions to already existing language and were intended in every case only to facilitate due process. There are no substantive changes to existing tenure policy in Section 4.

Professor Lyon pointed to places in Section 4 where the wording is incorrectly quoted from the Bylaws. He asked if the Committee were trying to cover other groups than the professorial staff under tenure rules. Professor Cloyd responded that such would seem to be the case given the language employed. Professor Berg appealed to the Committee to use verbatim quotation where they mean to quote from the Bylaws.

Several members queried the proposed power of the Tenure Committee to reverse original hearing decisions. There was considerable discussion. The term "reverse" has a legal meaning which does not necessarily imply that the remedy sought by the appellant will be granted.

Professor Naylor asked if parts of Bylaw 5.09 (covering the dismissal of a faculty member) were missing. Professor Dixon said that no part had been consciously omitted. Professor Barnett pointed to a "may"- "shall" distinction on p. 10 of the document, and Professor Dixon explained that the Tenure Committee may review a case where it is alleged that due process was not followed, but shall review cases where injustice is alleged. In some instances, in other words, justice may be served without literal conformity to all specified procedures, and the mere failure to conform to specified procedures will not in itself be a cause for reversing an original hearing decision.

Professor Crichton asked for the distinction between the jurisdiction of the Tenure Committee and that of SARC. Professor Dixon explained that the Tenure Committee only hears cases where tenure has been broken, or where the term of appointment has been abrogated in the case of those persons without indefinite tenure.

There were no further comments on Section 4 of the proposed tenure policy.

ADJOURNMENT

The Assembly adjourned at 5:20 p.m.

Earl J. Schulze
Senate Secretary