

Minutes of 20 November 2000
Approved 22 January 2001

**THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING**

MINUTES OF 20 NOVEMBER 2000

ATTENDANCE

Present: Andrews, Antonucci, Bonner, Brown, Burns, Drach, Dunkle, Fisher, Gobetti, Guthrie, Kalisch, Karni, Karnopp, Karr, Ketefian, Lawson, Linder, Lubeck, Malkawi, Masson, Mateo, Merchant, Moseley, Navvab, Powell, Riebesell, Robertson, Rocchini, Rosenthal, Scheiman, Sears, Sheil, Taylor, Trumpey, Watkins, Wingrove, Yakel, Yeo

Alternates: Deborah Walker, Nursing

Absent: Alcock, Anderson, Atreya, Bhavnani, Boyd, Brophy, Brusati, Burdi, Clark, Deskins, Dick, Erickson, Faerber, Greenberg, Harrington, Hart, Hills, Jacobsen, Juster, Marcelo, Marshall, McDonagh, Murphy, Ni, Papadopoulos, Perfecto, Peterson, Reisch, Rosano, Rush, Savage, Sedman, Taghaboni, Uribe, Vicinus, Ward, Winger, Wright

MATERIALS DISTRIBUTED

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 23 October 2000
3. Senate Assembly Schedule 2000-2001
4. SACUA Nominating Committee: list of eligible candidates
5. Letter to N. Cantor from J. Lawson, dated 26 May 00 regarding Faculty Compensation Guidelines
6. Memorandum to J. Lawson from N. Cantor, dated 31 Oct 00 regarding faculty compensation guidelines study committee recommendations
7. Letter to L. C. Bollinger from J. Lawson dated 18 Oct 00 regarding SACUA response to draft Conflict of Commitment/No-Compete policy
8. Draft Conflict of Commitment/No-Compete Policy, dated September 2000

Chair Lawson convened the meeting at 3:15 P.M.

CONSIDERATION OF THE MINUTES OF 23 OCTOBER 2000

The minutes of 23 October 2000 were approved.

ANNOUNCEMENTS

Chair Lawson expressed thanks to the members of the Senate Assembly who attended the Regents' Candidate Forum on 23 October. She announced that a forum arranged by the U-M chapter of AAUP would take place on Tuesday, 5 December 2000 at noon in the Pond Room of the Michigan Union. The title of the forum is "Whistleblowers' and the University: Arbitration - Mediation – Retaliation." She pointed out that additional information could be obtained by following a link established at the faculty governance web page: www.umich.edu/~sacua/.

Chair Lawson next introduced SACUA Executive Assistant T. Schneider to explain the procedure for formation of the SACUA nominating committee for 2001-2002. Mr. Schneider called attention to distributed item #4. He pointed out that at the December meeting Senate Assembly members are obliged to elect four retiring members of the Assembly and two retiring members of SACUA for membership on the Nominating Committee.

Chair Lawson then introduced Professor R. Lindner and invited him to make an announcement about Faculty Compensation Guidelines. Professor Lindner stated:

“Four years ago, your Committee on the Economic Status of the Faculty took up a series of faculty complaints about the manner in which compensation decisions occurred in an number of campus units. The Committee formulated a series of compensation guidelines, including non-discrimination, openness, consistency, peer review, communication, and accountability. You endorsed that document. There followed a year's worth of discussions with the administration over the adoption of these guidelines, in which we refined their scope and character. At the end of that process, the provost convened an advisory committee, including faculty, administrators, and experts from the personnel campus. Her committee revisited these and other compensation issues, and they made recommendations that included the particular CESF guidelines I have just mentioned. We have now received notification from the provost that the deans, all of them, have accepted these recommendations. Their implementation will now follow. SACUA is very pleased at this news and we thank the provost for her favorable action.”

VISIT OF PROVOST CANTOR

Chair Lawson introduced the provost and invited her to address the Senate Assembly at 3:24 P.M. Provost Cantor remarked that she wished to use the opportunity to review some ongoing activities related to multiple topics.

A. Undergraduate Students

1. The provost stated that the U-M participated in a national project called the National Survey of Student Engagement, and that initial results had been released during the previous week. She said that the U-M had received high marks in three categories: level of academic challenge, amount of active and collaborative learning, and enriching academic experience, but had scored less well on level of interaction with faculty and the issue of a supportive campus environment. Cantor reminded the audience that she chairs a commission on the undergraduate experience established by President Bollinger. She said that the commission wants to capitalize on the diversity and richness of experience at the U-M by recruiting students who want to be here. She said a related goal is to increase the degree of personal contact between faculty and students. She added that the undergraduate experience is intertwined with the quality of life of the faculty.

2. The provost reported that associate provost L. Monts has created a provost's council on student honors. She said that its goal is to identify student candidates for prestigious fellowships using criteria to define talents other than strictly by grades and test scores.

3. Provost Cantor commented that the numbers of first-year students have increased this year. She pointed out that the Alumni Association is taking a large role in recruiting students who are not residents of Michigan.

4. The provost expressed sorrow at the tragic death of a student caused by celebratory consumption of alcohol. She said there was a need for collaborative efforts to curb alcohol abuse among the student population.

B. Faculty Issues

1. The provost said that the administration is pleased with the new faculty compensation guidelines, which she said were approved by the deans by unanimous vote. She said the deans are now reviewing their practices in relation to the policy guidelines.

2. She reported that she had attended a retreat two weeks previously at which about 90 faculty and administrators discussed mentoring. She described the practice of mentoring as a challenge to community building. She said she had discussed the subject with the deans at the Academic Programs Group earlier in the day. Cantor said that they were discussing how to have mentoring activities factor into the merit review process.

3. The provost pointed out that both the Senate Assembly Tenure Committee and her accreditation process committee had developed parallel sets of recommendations about tenure procedures. She said that staff in her office will draft a set of principles which will

be sent to the units along with reports of the two committees. She said that feedback will be directed to the APG and to the Academic Affairs Advisory Committee.

4. Provost Cantor said that the university administration had joined Fathom.com last week, and that the action does not constrain the institution from entering into other on-line education ventures. She said that the role of the U-M in Fathom.com is as an academic partner, but that faculty will not be compelled to produce material for the venture. She added that once the U-M administration has opened that door, it may wish to form other for-profit partnerships. Consequently, she said, the president will establish a committee chaired by special assistant to the provost J. Hilton to develop policy for the faculty. She said there will also be attorneys involved as well as administrators and faculty.

C. Other Initiatives and Connections

1. The provost said that a party of deans and executive officers traveled to Detroit to observe community based research programs including a community based health research project.

2. She said that the administration is working on ways that university components such as the arboretum, museums, the Bentley Library, and musical societies can serve as bridges to the community. She expressed high praise for the Arts of Citizenship Program, and she reminded the audience that the Royal Shakespeare Company will be coming to the campus.

The provost concluded her prepared remarks at 4:05 P.M. A member of the audience asked if the State Legislature was continuing to express concern about the amount of non-resident recruiting that was practiced by the university. The provost replied that she is trying to preserve the composition of the undergraduate population as 70% Michigan residents. She said that the legislature watches the numbers closely. The provost finished her remarks at 4:07 P.M.

CONFLICT OF COMMITMENT POLICY

Chair Lawson called attention to distributed items 7 and 8. She pointed out that the president had asked SACUA to endorse a draft policy statement stipulating constraints to faculty involvement with independent on-line education ventures, but that SACUA could not provide endorsement and called for wide faculty discussion. She explained that the item was on the current Senate Assembly agenda and that it would be on future agendas if there was need to do so. Provost Cantor pointed out that the purpose of the president's committee is to have lots of faculty input. She said the policy needs wide discussion because it is important and wide-ranging.

Chair Lawson invited assistant general counsel J. Alger to speak to the Senate Assembly about the proposed policy. Alger began his remarks at 4:12 P.M. He pointed out that the University of Michigan has existing conflict of interest and conflict of commitment

policies based on traditional limitations of time and space. He said that the president has raised the question of how the policies should apply in the age of the Internet. Alger said that the question needs faculty input and the shared governance process.

Professor Riebesell asked if the proposed policy was meant to apply to part-time faculty who have other employers. Alger replied that initially the policy was directed at full-time U-M faculty. Professor Rosenthal asked if the policy was directed in any way at emeritus faculty. Alger replied that existing policies are silent on such issues. Professor Riebesell pointed out that there is an apparent contradiction between encouraging connections with outside activities and the conflict of commitment policy. Alger responded that the policy would not achieve its desired effect if at the end of the day it did not encourage partnerships.

Professor Gobetti asked what type of appeal procedures would exist to provide faculty with redress from arbitrary decisions by administrators. Alger replied that the issue has already been raised, but that he does not have an answer. Professor Gobetti stated that the policy offers a potential for abuse. Alger expressed agreement. Professor Navvab pointed out that in order to appeal a decision it is necessary that there be a set of criteria for decision-making. He asked if any such criteria exist. Alger replied that there were presently none, but that the committee needs to deal with that.

Professor Gobetti asked if there was a timetable for developing the policy. Alger replied that the president wants to move expeditiously, and that the committee has a big job. Professor Yeo asked if a faculty member left the university whether the university would assert ownership of the web-based courses designed by the professor. Alger said that the question was more about copyrights and ownership. He said that existing policy does not stipulate on the subject.

Professor Gobetti asked how the committee would communicate with the faculty. Chair Lawson pointed out that some members of the committee would be drawn from SACUA or the AAAC. She said that e-mail communications and the faculty governance website could be used. Alger stated that he did not know how many members of the committee would be chosen by election from the faculty as opposed to being appointed administratively. He said the committee would contain a cross-section drawn from across the campus.

Professor Riebesell asked if the policy would apply only to the Ann Arbor campus or to Flint and Dearborn, as well. Alger responded that the policy was meant to apply to all three campuses. A member of the audience pointed out that if the administration intended to encourage faculty to become involved in on-line education ventures, it would be necessary to broaden the definition of scholarship for promotion and tenure. Alger expressed agreement, but he stated that the committee would focus only on copyright and intellectual property.

Another member of the Assembly observed that the new part of the policy seems to be the prohibition of competition. Alger replied that the new part is about how university

strictures apply in the digital environment. He invited communications through his e-mail address: jonalg@umich.edu.

Professor Navvab encouraged members of the Senate Assembly to consult the feature article of the 19 November 2000 *New York Times Magazine* titled “This Campus is Simulated” for background and insight into the key issues of property and opportunity that are at issue. Chair Lawson pointed out that the Faculty Governance website provides links to intellectual property policy statements at other universities.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

The meeting adjourned at 4:35 P.M.

Respectfully submitted,

John T. Lehman

Senate Secretary