

Minutes of 21 November 2005  
Circulated 21 November 2005  
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Approved 12 December 2005

**THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
21 NOVEMBER 2005**

**Present:** Abdoo, Aller, Annich, Becker, Brock, Brown, Burant, Cebulski, Combi, Dowling, Fraser, Frost, Giordani, Graham-Bermann, Green, Hollar, Jackson, Kim, Koopmann, Lachance, Lange, Lehman, Lemos, Luera, Maddock, Meerkov, Mitani, Neuman, Pohl, Powell, Prygoski, Quint, Seabury, Senkevitch, Stark, Stoolman, Thouless, Younker, Ziff, Zorn

**Alternates:** Cowdery (Flint - for Farmer), Durfee (Engineering - for Hu), Kanicki (Engineering - for Schultz), Mengozzi (Music - for Matjias), Pedraza (LSA - for Volling), Wechsler (Medicine - for Albers)

**Requested Alternate, none available:** Garton (Medicine), Liu (LSA), Ohye (Medicine), Sabel (Medicine)

**Absent:** Agrawal, Benamou, Ben-Shahar, Bhavnani, Carson, Chang, Fricke, Gull, Hutchinson, Li, Ludlow, Moran, Potter, Pritchard, Sahiner, Sellers, Smith, Smock, Streetman, Watkins, Younger

**MATERIALS DISTRIBUTED**

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 31 October 2005
3. Report of the committee to consider a more flexible tenure probationary period, dated 30 June 2005
4. Letter from J. Kurland of the national office of AAUP, dated 15 September 2005, regarding proposed changes to the tenure probationary period at the University of Michigan
5. Frequently asked questions about the report of the committee on a more flexible tenure probationary period, undated.

The meeting was convened by the chair at 3:20 P.M. The proposed agenda was adopted with provision that there be discussion of regional campus participation in the on-line AEC evaluation under Old Business.

### **CONSIDERATION OF THE MINUTES OF OCTOBER SENATE ASSEMBLY**

The minutes of 31 October were corrected and approved.

### **ANNOUNCEMENTS**

Chair Giordani announced that Professor Robert O'Neil, past president of both University of Wisconsin-Madison and the University of Virginia, will attend the 12 December Assembly meeting to talk about the tenure probationary period. His remarks will be followed by a panel discussion with representatives from the provost's committee, the AAUP, and others. Action items will likely be offered.

The chair reported that the Senate Secretary has transmitted the tenure questions adopted 31 October 2005 to the unit executive committees as authorized by the Assembly.

The chair asked the members of the Assembly how the unit faculties are addressing the Conflict of Interest/ Conflict of Commitment policy initiatives. Representatives reported that Nursing and the Library have just started discussions; no other reports were forthcoming.

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### **Action of Senate Assembly 112105-1**

The chair invited the motion: The secretary of the Assembly shall send the model COI/COC policy adopted on 31 October 2005 to the unit executive committees on behalf of the unit assembly representatives. (Multiple members signaled support.)

Vote on the Active Motion-

The action was adopted by unanimous vote.

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The chair said that he delivered the Chair's annual report to the Board of Regents on 17 November 2005, and it was followed by a luncheon meeting of SACUA with the Regents; topics included, *inter alia*, tenure probation, COI/COC, and administrator evaluations.

### **VISIT OF INTERIM PROVOST**

Chair Giordani invited interim provost Gramlich to deliver the annual address from the provost at 3:30 P.M. The provost read from prepared remarks: (<http://www.provost.umich.edu/speeches/SenateAssembly2005.html>). He reviewed the economic landscape facing higher education, and the challenges facing the U-M and other universities. He ended his prepared remarks at 3:52 P.M.

Professor Zorn asked whether there would be a shortfall between the financial needs of students and money available for financial aid. The provost replied that current needs were being met, and that doing so in the future is an important priority.

Professor Frost asked whether there is a return to policy encouraging entrepreneurial activities by academic units, and if so, where the money would go. The provost replied that he did not think there would be a return to the kind of extension service that existed decades ago, but that the administration is looking at technology transfer as a way of increasing revenues, but that is still small. He noted that schools such as the Business School obtain revenue from executive education. In general, he said, the administration was looking at everything.

Professor Fraser asked how the U-M stock portfolio was performing. The provost said that he was in the process of reviewing that information for the Regents. He said that the U-M has the highest endowment per student of all public universities, and that its rates of return are in the top quarter of all universities in recent years. He said we are not at the point where a lot of that money can be used to defray general fund expenditures, but that perhaps that may begin to change five years from now.

Professor Stark asked when restrictions by the federal government on export controls will begin to ease. The provost replied that he was not an expert on that subject, but that he has heard other similar complaints. He said the atmosphere in Washington is not conducive to easing restrictions right now. Professor Adams asked whether there were any trends emerging in ways that state universities gain public support. The provost replied that the Regents have reserved 4 hours to talk about finances in December. He said there are a variety of approaches, all of which have pros and cons; he said this might be the time to consider different strategies.

The guest left the meeting at 4:05 P.M.

#### **VISIT OF LSA DEAN MCDONALD**

Dean McDonald took the floor at 4:05 P.M. He explained that he had served as co-chair of the provost's committee to review tenure policy. He introduced other committee members who were in the audience. He reviewed the activities and recommendations of the provost's committee with close parallel to distributed item 5 (see Appendix). He then invited Professor Stewart to take the floor and to address specific gender-related issues. Their remarks concluded at 4:22 P.M.

Chair Giordani opened the floor for questions. He first asked how many people currently have instructional appointments at less than 80% effort, and where they were located across campus. Dean McDonald replied that he understood there were more than 100 individuals in that status, and that they are in multiple units. Professor Thouless said that he did not see anything in the existing Regents' Bylaws that precludes part time tenure, and asked why, therefore, a change was needed. Dean McDonald replied that he did not think there was anything in rules, per se, but that current understanding is that if people are at less than 80% effort they are not on the tenure track. Professor Abdo said

that she did not see in the recommendations any explanation of how part timers would be able to meet tenure standards. McDonald replied that procedures would have to be developed at the unit level.

A guest from the gallery asked whether there was some authority being transferred to the provost that does not exist currently. Dean McDonald said that the only proposed Bylaw change was to the probationary time limit. He said that there is currently a lack of transparency about the criteria for extensions and about the criteria for early tenure decisions. He added that tenure standards and the time needed to achieve them may be separable.

Professor Zorn said that he understood that if LSA departments put candidates forward for early tenure and they are declined at the unit level, the faculty are dismissed. McDonald replied that he was correct. A member from the gallery stated that such practice was not universal across units, and could be changed.

A member of the Assembly asked whether McDonald envisioned a screening process to identify those who need extra time. McDonald replied that it could be handled in a variety of ways, using sets of criteria. Professor Maddock said that she felt disadvantaged by having to get an extension when all she needed was the difference between 4.5 and 5 years before tenure review. She said that 10 years seems excessive, based on her experience. Chair Giordani suggested that it would be more productive to sort out policies and standards before trying to change RB 5.09.

Dean King from the School of Information said that the interdisciplinary work required in his school takes longer than the usual probationary period. He said that the current system penalizes new assistant professors who don't have postdoctoral experience. Professor Riles pointed out that both LSA and Engineering allow up to 2 years extension and that there is already a lot of freedom in various policy documents if they are properly understood and implemented.

A guest from the gallery stated that there is pressure on new assistant professors to develop interdisciplinary research programs because that is where the money is in biomedical research. Professor Giordani responded that maybe the Medical School should rethink its policy and criteria for award of tenure. Professor Lange said that it sounds as though junior faculty in the Medical School and the School of Information are being penalized by a set of tenure criteria that lead to the need for a longer probationary period than is currently the norm. She is concerned that if the need for a longer tenure clock is not exceptional but commonplace in these Schools, then perhaps the tenure criteria need to be revised instead of invoking a longer probationary period. Conversely, if the need for a longer tenure clock is exceptional and not commonplace, then the policies already in place that permit extensions (pointed out by Professor Riles) may be sufficient. She suggested that standards should perhaps be such that people can achieve tenure within existing time frames. Dean McDonald said that the time limits constrain research programs. He said that the current system does not permit more ambitious plans.

Professor Koopmann pointed out that when an administrator hand picks a committee it might be suspect because it could have been constructed to deliver a predetermined outcome. He said that faculty should choose committees for important decisions. He said that a good tenure committee should be able to evaluate faculty quality independent of whether they currently hold a federal grant. He said there is too much emphasis on cookie cutter models.

A member of the Assembly remarked that people tend to forget that limited tenure probation is to the benefit of the faculty. He said that existing rules seem to be fine overall, but there is poor understanding of the tenure process. Dean McDonald replied that many valid concerns had been expressed. He said that units have to set the criteria for tenure but that the central administration has an interest in the duration of the probationary period. He said there is significant sentiment across units that there is need to think about flexibility in tenure.

The discussion concluded at 5:03 P.M. Professor Giordani reaffirmed to the Assembly that it has a valid right to assert its opinions and recommendations to the Board of Regents with respect to tenure policy.

#### **OLD BUSINESS**

Professor Fraser reported that the UM-Dearborn faculty chair has contacted all UM-D Senate Assembly representatives and asked them to communicate UM-D's decision to participate in the AEC on-line evaluation of university administrators. Professors Lehman and Riles replied that the request from UM-D could be accommodated so long as Dearborn faculty governance helped provide names and affiliations of current administrators. Dearborn evaluations would not be contemporaneous with those of Ann Arbor this year, because the Ann Arbor evaluation period is drawing to a close.

The meeting was adjourned at 5:10 P.M.

Respectfully submitted

John T. Lehman  
Senate Secretary

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#### **University of Michigan Bylaws of the Board of Regents, Sec. 5.02:** *Governing Bodies in Schools and Colleges*

In each school, college, or degree granting division of the University, including those at the University of Michigan-Dearborn and at the University of Michigan-Flint, the governing faculty shall be in charge of the affairs of the school, college, or division, except as delegated to the executive committee, if any, and except that in the School of

Graduate Studies the governing board shall be the executive board, and in the Medical School shall be the executive faculty.

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**APPENDIX**  
**Remarks by LSA Dean T. McDonald to Senate Assembly**  
**21 November 2005**

**Introduction:**

The Committee to Consider a More Flexible Tenure Probationary Period was appointed to look at a range of questions about the timing of the tenure review at the University of Michigan. The deliberations of the Committee produced agreement on several important points:

- First, tenure is a foundation of our academic freedom and intellectual life together and should not be weakened.
- Second, a finite probationary period leading to a real chance of tenure should be maintained, because that strengthens our intellectual community and serves as a competitive advantage in faculty recruiting.
- Third, the goal of the probationary period and tenure itself is to produce and protect a faculty with the highest standards of scholarship, teaching, and service.
- Fourth, we distinguish between the standards for achieving tenure and the amount of time necessary to achieve those standards. Current policies seem to hold back those whose outstanding work meets the standards early, penalize those whose outstanding work needs more time, and prevent those with part time appointments of less than 80% from being reviewed for tenure at all.
- Fifth, we recognize that our schools and colleges are not identical and require enough flexibility to devise policies that work in their own fields and disciplines.

The Association of American University Professors (AAUP) recommended a six year probationary period in 1941. In 1944 the University adopted a maximum probationary period of eight years. Around these rules, various implicit and explicit understandings have grown: when a review for tenure is "early" or "late," how a year "counts" toward time in the probationary period, or might be "excluded" from it, etc. The Committee was surprised to learn how long this policy had been in effect without review. Changes in family and academic life since 1944 require us to revisit and review these rules, a point that the AAUP itself made in its 2001 "Statement of Principles on Family Responsibilities and Academic Work".

The Committee offers answers to questions it has heard since the issuance of its report. We believe that continued faculty discussion is essential to the development of sensible policy.

**What we did not recommend:**

- A change to an Ivy League style of tenure track
- A ten year probationary period for everyone
- A change to all tenure clocks in the university
- A relaxation of standards for tenure
- The use of flexibility to prolong weak cases.

**What we did recommend:**

"The Committee recommends that the University adopt policies that create more flexibility in the tenure probationary period. Our central recommendation is that each school and college identify a presumptive time of tenure review and then create fair and consistent policies that may accelerate or postpone the tenure review for faculty members depending on their situations. To permit such policies to develop in the schools and colleges, two crucial changes need to be made in University policy: 1) revising Regents' Bylaw 5.09 to extend the maximum probationary period from the current eight years to ten years, so that schools and colleges have the freedom to provide longer tenure probationary periods when that is justified by their policies; 2) oversight of school and college policies by the Provost or Chancellor to ensure that school and college policies define fair and clear criteria for decisions about accelerating or postponing the timing of the tenure review. We also recommend a new policy to make it possible for faculty members to work part time and remain on the tenure track, accruing years of service on a prorated basis. These recommendations are intended to adapt the institution of tenure to the realities of contemporary scholarship and faculty life."

Note we are concerned about

- Changes in personal and intellectual life that require more flexibility
- Both early and late cases
- The lack of transparency about criteria for tenure ñ early, late, otherwise
- A lack of clarity among junior faculty about what can and cannot be grounds for acceleration or delay
- A system which, on paper, entitles them to only one year exclusion for any and all grounds.
- The situation of those with tenure track titles but appointed at less than 80% time who are guaranteed no review for tenure.

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