

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Assembly Meeting, December 15, 1975

- ATTENDANCE Present: Professors Baublis, Bishop, Bornstein, Brown, Child, Rucknagel, Cohen, C., Cosand, Crawford, Dernberger, Deskins, Eisley, Gikas, Gray, Browne, Harris, Ilie, Kachaturoff, Kaplan, Kish, L., Lands, Leary, Lehmann, Olson, Lindberg, Livermore, Lytle, Magrill, Nesbitt, George, Seligson, Terwilliger, Votaw, Weeks, West, Hoch, Colburn, Johnson
- Absent: Professors Adams, Berki, Browder, Christensen, Cornell, Corpron, DeKornfeld, Flynn, Smith, Hildebrandt, Hoffman, Horsley, Jones, Kell, Kelsey, Kessler, Kish, G., Lucchesi, Millard, Mullen, Murphey, Proctor, Tubergen, Aupperle, Sherman, Sibley, Soucek, Springer, Stross, Taren, Van der Voo, Williams, Wilson
- Guest: Dr. Nellie Varner, Director, Affirmative Action Program
- CALL TO ORDER The meeting was called to order by Chairman Johnson at 3:22 p.m.
- APPROVAL OF MINUTES The minutes of the Assembly meeting of November 17, 1975 were approved.
- ANNOUNCEMENTS For the information of the Assembly Chairman Johnson noted the following:
- a. Members of the Assembly would find at their seats the copy of a statement on "University Policies and Biological Hazards", presenting the thoughts of Committee B with respect to the conduct of research into recombinant DNA.
- b. SACUA had met recently with members of the committee established by the Assembly to review its election procedures, receiving a progress report on the committee's efforts to date. It is expected that a document will be received for review by SACUA in February and subsequent consideration by the Assembly.
- c. SACUA had met, too, with chairpersons of Assembly committees, both parties finding the session a rewarding one. By way of promoting more effective communication among the several committees, arrangements have been made for the exchange of agendas and, in some cases, minutes.
- d. The resolution concerning faculty involvement in the work of the Program Evaluation Committee, adopted by the Assembly in November, had been discussed with the Steering Committee by the SACUA chairman recently, following which Vice-President Rhodes called the resolution to the attention of deans and directors, endorsing the spirit.
- e. A suggestion from Professor Loomis that consideration be given the appointment of an annuitant to the Committee on the Economic Status of the Faculty had been referred to CESF, which concurred in the recommendation. Given the Assembly's assent, the suggestion was to be implemented. Professor Kaplan so moved, and the motion, having been seconded, carried unanimously.

f. So that the Assembly would be informed of SACUA's reaction to a recent request, Chairman Johnson read a letter from the President of the Israel Institute of Technology, urging endorsement of a resolution passed by its Senate in protest of the resolution of the United Nations General Assembly condemning Zionism. Without prejudice to the substance of the matter, SACUA had felt it inappropriate to use the Assembly for the purpose (as indicated in its minutes of December 8, 1975) and was so reporting. No contrary opinion was heard from the Assembly.

AFFIRMATIVE
ACTION
PROGRAM

Chairman Johnson was pleased to welcome Professor Varner, who had been invited to report to the Assembly on the progress and status of the University's program of affirmative action as its director for the past three years. Professor Varner expressed appreciation for the opportunity to do so.

Having been instituted in September, 1972, the program had set itself a three-year timetable, with a new timetable to be laid out in the coming year. The Department of Health, Education, and Welfare has meanwhile approved the University's program. The latter will, however, prove meaningful only to the degree that all possible energy is expended in realizing its objectives, Professor Varner declared. In short, it is expected that vigorous efforts will be made to bring women and members of minority groups into all areas of the University work force.

While some progress has taken place, it is not impressive, as Professor Varner's figures demonstrated. In 1972 minority group members constituted 6% of the faculty, in 1975 6.6%, a slight improvement. Women comprised 13.6% of the faculty in 1972, 14.6% in 1975, but the slight increase must be weighed against the fact that they are still predominantly at the lower ranks. Apart from the relatively modest gains, one needs to be mindful, too, of the appreciable turnover rate, with termination a considerable problem in both groups. Reasons for the latter are not altogether clear, though a study undertaken by the Institute for Social Research may provide some of the answers.

By way of trying to account for the limited progress, Professor Varner observed that, among other things, there is still a failure on the part of some to distinguish between non-discrimination and affirmative action. The University is required by law to honor both. There is, however, an important distinction to be drawn. Non-discrimination, as its name suggests, implies neutrality, objectivity, passivity in a sense; affirmative action, by contrast, represents an active, vigorous campaign to recruit members of the groups in question. It means that very special efforts will be made to bring into the University work force members of groups that have previously experienced discrimination.

In all of this, the participation of the faculty is vital, Professor Varner stressed. One must be willing to depart from traditional recruitment practices; new and more effective search procedures must be instituted; referral routes must be utilized to the full. Apropos of these considerations, Professor Varner pointed to the fact that an attitude of non-discrimination is a necessary but not sufficient condition for the success

of the program. There is, for example, invariably at least one white male among any group of applicants, who is as well qualified as any woman or minority group member in the pool. His selection could be construed as non-discrimination; it would not, however, represent affirmative action.

Nor is it a fact that qualified women and minority group members are unavailable. Departments intent on finding them have succeeded. But they have made special efforts to identify and contact them, and to have them referred. What is most important, Professor Varner stressed, is good faith efforts, active and enterprising participation in the process. For, as she indicated, we should be expected to have a higher success rate than less prestigious institutions; The University of Michigan, after all, holds considerable attraction for women and minorities. In connection with our efforts, she also reminded her audience of the need to recruit members of these groups as graduate students by way of handling the problem of availability with foresight.

Even under present budgetary limitations there remains considerable opportunity to hire personnel, as witness the weekly listings in the University Record, Professor Varner pointed out. At this time the administrative ranks contain only 3.8% minority group members and 6.5% women. One needs to keep in mind, therefore, the opportunities that exist as chairpersons, directors, deans, and at higher levels of administration. Again, however, the situation requires continuing attention; the problem is not only one of hiring but also one of retention. The aim is not simply to recruit appropriate persons to the faculty, but to keep them, and to help them move through the ranks by providing opportunities along the way for the kind of ground-level experience that will enable these groups to compete successfully for higher level administrative positions as they become available. Under the present budgetary constraints, the tendency to terminate assistant professors in order to retain positions has an impact on minorities and women. Hence a memorandum from the administration asks that prospective terminations in either category be carefully reviewed; one would not want to lose whatever ground has been gained.

By the way of summary, Professor Varner exhorted the members of the Assembly to bring all possible efforts to bear on their units to the end that the challenge of affirmative action be met creatively and successfully. There is, for example, the possibility of cooperative ventures among related disciplines; so too, where funds are limited, joint appointments can often be arranged, thus distributing costs across units. The faculty is the key instrumentality, Professor Varner reiterated, and the success of the program rests largely on the energetic pursuit of qualified minority and women candidates through vigorous search, direct contact, and full utilization of special referral routes. Subsequently, in the course of responding to several comments, Professor Varner again had occasion to emphasize that there is no substitute for a first-hand campaign at the unit level, utilizing the resourcefulness of the faculty in finding, recruiting, and retaining colleagues in whose behalf the affirmative action program was created.

Inasmuch as Professor Varner will be resuming her professorial duties and assuming a position as Associate Dean in the Graduate School, the Assembly expressed its appreciation for the dedication and effectiveness with which she has directed the affirmative action program and wished her well in her new role.

GEO NEGOTI-
ATIONS

Inasmuch as SACUA had recently been invited to propose faculty representatives in connection with the current GEO negotiations, as well as asked whether participation at the bargaining table was sought, Chairman Johnson reminded the Assembly of its actions during last year's negotiations. At that time the Assembly had voted not to seek a place at the bargaining table but rather to restrict participation to naming representatives to the Advisory Committee to the University Negotiating Committee, who could protect faculty interests in the course of negotiations. The representatives--Professors Lehmann, McKeachie, and Olken--played an active role, and the arrangement seemed to have served its purpose. Hence SACUA was recommending that the Assembly assume a similar posture during the current round of negotiations. The Assembly concurred unanimously.

The Assembly was reminded, too, that Professors Kaplan and Seligson had served as its observers at the public bargaining sessions, though no action was taken on this score at the moment, inasmuch as it is not yet known whether the present sessions are to be open. Meanwhile, a motion to appoint as faculty representatives to the Advisory Committee the three nominees proposed by SACUA was seconded and carried unanimously. Hence, Professors Charles F. Lehmann, Robert T. Lenaghan, and Pauline Sherman will so serve.

SACUA
VACANCY

Since Professor Cohen was to be on leave and absent from campus during the winter term, 1976, the Assembly was being asked to vote on candidates proposed by the nominating committee to serve as his replacement on SACUA for the duration of his term, which will expire on April 19, 1976. In the subsequent vote Professor Dernberger was elected.

TESTIMONIAL

In recognition of his contributions, the Assembly was pleased to endorse a resolution in behalf of Professor Cohen, offered by Professor Lehmann, as follows:

"On the occasion of the departure of Professor Carl Cohen from this body, it is moved that:

the Senate Assembly express its unanimous appreciation for the many and varied contributions of Professor Carl Cohen during his tenure as a member of the Assembly, as Chairman, and as a member of SACUA; and

his selfless regard for the welfare of the faculty and of the University community be most gratefully acknowledged."

NOMINATIONS
AND APPOINT-
MENTS

The Assembly voted unanimously to appoint the following to the vacancies noted:

Dr. Margaret A. Leary to a 2-1/2-year term on the Budget Priorities Committee, replacing Professor Cooperrider;

Professor Gaynell M. Burt to a 3-year term on the University Cellar Board of Directors, replacing Professor Feldt;

Professor Terrance Sandalow to complete the term of Professor Cooperrider on the Tenure Committee, and to serve a 5-year term beginning September 1, 1976;

Professor Harvey Brazer to the Financial Affairs Committee, temporarily replacing Professor Fusfeld during the winter term, 1976.

GENETIC
RESEARCH

Under the heading of other business, Professor Weeks indicated the resolution he wished to introduce at the proper time concerning proposed research at the University in recombinant DNA. He took occasion, however, to comment first upon the statement that had been distributed on behalf of Committee B (a copy of which appears as an appendix to these minutes), which had been appointed to recommend policies for the conduct of such research. The statement as such was an excellent one, he felt, though some of its language (for example, the term "hazard") required careful definition. His own resolution was therefore being proposed precisely because he saw the efforts of Committee B as very significant and wished them to serve as more than window-dressing, worse yet, window-dressing after the fact, should such research be instituted before Committee B has issued its report.

As general discussion proceeded, Professor Ilie suggested also that certain aspects of the Committee B statement (for example, definition of the degree of risk) be spelled out more explicitly. There is, to be sure, a language problem, admitted Professor Livermore, the Assembly's representative to the committee. In fact, assessment of risk had occupied the attention of scientists at the Asilomar Conference and is now a central consideration as the National Institutes of Health draw up a set of standards. The scientific community indeed awaits the latter, and it is the University's understanding that research of the type under discussion will await their publication. Professor Cohen, a member of Committee B, affirmed the comments of Professor Livermore, noting that in all of this there is what might be termed a threshold question, that is, whether research of this character should be conducted at all.

In subsequent discussion the concern on the part of members of the Assembly with the degree of risk inherent in research on recombinant DNA made itself evident, Professors Livermore and C. Cohen attempting to provide some general notions concerning the definition of high, moderate, and low levels of risk respectively. In this connection Professor Kish observed that the decisions are too important to be left to the experts,

expressing satisfaction with the concern being shown by the Assembly and Committee B. He noted, in passing, the study being conducted by ISR with respect to the use of human subjects in research, suggesting that the findings might have relevance for the present discussion. Professor Olson, on the other hand, pointed to a possible precedent in the Assembly's concern with the issue of classified research, though Professor Cohen doubted that the latter provided the best analogy.

Interest was expressed on other counts as well, Professor Gikas, for example, wondering whether the resolution to be proposed by Professor Weeks would prohibit work on the modification of laboratories. In this connection it was Professor Livermore's understanding that the latter would not proceed until NIH had acted on the University's grant proposals in late winter, and that research activity would await the availability of the NIH guidelines. In response to other comments, he pointed out, too, that while Committee B has been attempting to discuss its concerns with others, it is only advisory to the Office of the Vice-President for Research, and the effect of its ultimate recommendations remains to be seen. Though the committee would probably not have veto power, it is hoped its recommendations will be respected.

It was in this latter vein that his resolution was being proposed, Professor Weeks declared, that is, its intent was to insure that the report of Committee B would receive the most serious consideration before research in recombinant DNA proceeds. With the preceding discussion as background, he was invited by Chairman Johnson to propose the resolution, which read as follows:

"Whereas the proposed research at the University in recombinant DNA has both great risks and great potential benefits, and Whereas Committee B was created to recommend policies for the conduct of such research, Therefore, we urge the Committee to explore aggressively the ethical and legal acceptability of such risks; Moreover, we urge that the funds voted by the Regents in their November meeting for implementing such research not be expended until there has been reasonable time for Committee B to formulate its report and for that report to be discussed by the University community."

The motion having been seconded, and there being no further discussion, the chairman called for a vote. The resolution was approved unanimously.

ADJOURNMENT

There being no further business, Chairman Johnson wished the members of the Assembly a happy holiday season, and the meeting was adjourned at 5:15 p.m.

Erasmus L. Hoch
Secretary

Appendix (copy of statement by Committee B)