

Minutes of 30 January 2006
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Senate Advisory Committee on University Affairs
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MINUTES OF THE SACUA MEETING OF 30 JANUARY 2006

Present: Combi, Giordani (Chair), Gull, Lehman, Meerkov, Seabury, Smith, Younker, Zorn; Schneider

Absent: none

Guests: President Coleman, F. Askari, N. Tambre, D. Gershman, K. Bergquist

MATERIALS DISTRIBUTED:

1. Draft Agenda
2. Electronic mail message from B. Giordani to J. Lehman, dated 19 January 2006, regarding SACUA minutes of 19 December 2005
3. Draft minutes of 9 January 2006
4. Draft minutes of 9 January 2006, account of provost visit, annotated by the provost
5. Electronic mail message from B. Giordani to J. Lehman, dated 19 January 2006, regarding SACUA minutes of 19 January 2006
6. Draft minutes of 23 January 2006
7. Draft memorandum to E. M. Gramlich from B. Giordani, dated 31 January 2006
8. Draft statement: Importance of Tenure
9. [Resolution about tenure probationary proposals](#), approved by Senate Assembly 23 January 2006
10. [Resolution about Unit Shared Governance recommendations](#), approved by Senate Assembly 23 January 2006
11. [Report of the Unit Shared Governance Task Force](#)
12. Electronic mail communications to M. S. Coleman regarding topics for 30 January meeting with SACUA
13. Memorandum from S. Berent to B. Giordani, dated 27 January 2006, regarding multidisciplinary teaching
14. Voted Actions of SACUA
15. Draft motion regarding student absences from class
16. Petition from School of Dentistry clinical faculty
17. Pharmacy Benefits Oversight Committee, mission and role of the committee, plus request for SACUA delegate to the committee

18. Memorandum to B. Giordani from E. M. Gramlich, dated 16 December 2005, regarding refreshed cognate panel
19. Academic Program Group agenda for 23 January 2006 meeting
20. SACUA/Senate Assembly planning schedule, updated 31 January 2006
21. Memorandum from B. Giordani to E. M. Gramlich, dated 23 January 2006, regarding SACUA Faculty Hearing Committee report

Chair Giordani convened the meeting at 2:05 P.M.; the draft agenda was approved.

CONSIDERATION OF MINUTES

The minutes of 19 December 2005 were reconsidered and a wording change was approved to clarify the fact that Professors Giordani, Gull, and Krasny had met with members of the provost search committee.

The minutes of 19 January 2006 were corrected and approved.

The minutes of 23 January were approved.

ANNOUNCEMENTS/UPDATES

Chair Giordani announced

1. The chair and vice chair met with President Coleman on 11 January. Topics included the registrar's office, registration brackets, the advising system, setting priorities for the registrar's office, and the importance of faculty input to that office.
2. The chair and vice chair likewise met with the provost on 11 January, and also discussed the registrar's office and registration brackets. The provost further agreed to arrange a meeting to include the provost, SACUA chair, and Lester Monts. The provost affirmed that he would accept wording changes that had been proposed to recommendations F2 and I2 of the Unit Shared Governance Task Force report. The meeting also included discussion of the faculty grievance process. The provost suggested forming a joint task force of faculty and administration. The chair said that he is currently collecting materials from other CIC schools regarding their grievance processes.
3. Subsequently, Gramlich, Monts and Giordani did meet. Associate provost Monts expressed his willingness to meet with SACUA and AAAC on a regular basis and to share information. He said that he would like to receive faculty input directly.
4. There are three active faculty grievances at present. Professor Meerkov proposed that SACUA set an agenda item for appointing a grievance task force.

COMMITTEE LIAISON REPORTS

Development- Professor Younker reviewed a recent meeting, characterizing it as informative.

Student Relations- Professor Seabury reported about two recent meetings. The committee prepared a 1400 word letter to the *Michigan Daily* in response to controversial cartoons that have been published. The committee also received reports about the new food service, multifunctional facilities, and counseling services. He said most meetings are consumed by presentations. Student evaluations will be a future topic.

Financial Affairs- Professor Combi reported that the recent meeting concerned investment of the endowment. He noted that Michigan's endowment has been growing.

Research Policies- Professor Combi reported that RPC has continued its discussion of multidisciplinary research issues.

Civil Liberties Board- Professor Gull said that the CLB met earlier in the day. He reported that the CLB is posting information about issues on its web site. The postings will feature discussions about free speech, privacy, hate speech, the Patriot Act, hate crimes, on-line expression, materials on dorm room doors, as well as broadcasting and journalism at the university.

AAAC- Professor Zorn reported that an upcoming major agenda item before the committee will be undergraduate admissions.

Multicultural- Professor Meerkov said that the committee is working on its report about minority faculty at the U-M. He said that Mr. Jeff Lee has joined the group and is providing staff support.

University Secretary- Professor Meerkov reported that the Secretary of the University told her advisory committee that one of the current top issues at the U-M: involves Unit Shared

Governance. In response to request from committee, the Secretary said that she would think about a mechanism for a direct channel of communication between faculty and Regents.

Budget Study- Professor Smith reported that K. Bruhnsen has been unable to meet with the committee because the transition in pharmacy benefits management has been difficult. The BSC has decided to update its report on how the university uses its resources for instruction. He said that SACUA should expect its report by the end of March.

SENATE ASSEMBLY RESOLUTION ON UNIT SHARED GOVERNANCE

SACUA reviewed the action taken by the Senate Assembly on 23 January. Professor Meerkov stated that it would be most productive if the central administration would support the resolution. In such a case, it would be appropriate to draft a letter to deans and executive committees asking them to follow the recommendation. He added that if the central administration would not support the will of the Assembly it will be necessary to pursue the matter through faculty channels such as the Rules Committee of the College of Engineering, for example.

Finally, he said, as "Blue Book" about unit and central governance is revised, there should be a chapter added about unit executive committees. Chair Giordani said that he and Mr. Schneider have assembled documentation from bylaws and SPGs that indicates the Assembly resolution represents the legitimate purview of the faculty. Professor Seabury remarked that, in any event, the matter still needs to be addressed by unit faculty.

VISIT OF UNIVERSITY PRESIDENT

The guest arrived at 3:05 P.M.

Unit Shared Governance-

The president said that the provost is the appropriate officer for discussions about unit shared governance practices. She added that in her personal view she likes the way that things work now, because she believes the provost needs some discretion in appointing executive committee members. Professor Seabury cited classic work on “privilege” that indicates people never give it up willingly. He suggested that the faculty may be trying to assert their legitimate privilege over their own executive committees.

Professor Meerkov inquired if the president thought it would be a good idea for SACUA to meet with the provost-designate during one of her visits to Ann Arbor. The president pointed out that Provost Gramlich is still in the position of authority, but she said such a meeting would be OK if he agrees.

Student Visa Problem-

The president reported on the status of a well publicized case of a graduate student who had been denied re-entry to the U.S. owing to a visa problem. She said that the student received a visa on Friday, that the problem has been resolved, and that the student would return to her duties. She said that several university offices worked on this problem, and that arrangements would have been made for alternative sources of financial support if necessary. Professor Seabury thanked the president for clarifying the matter.

Shared Governance Task Force-

Professor Meerkov asked to which administrative office should be directed the recommendations from the University Shared Governance Task Force when they are completed. The president said it depends what is recommended in the report.

Punitive Teaching Loads-

Professor Lehman reported that he has received complaints from faculty who claim they have been assigned punitive teaching loads in retaliation for expressing criticism of department or unit administrators. The punitive loads are identified as higher course loads than peers, and denial of GSI assistance. The president suggested that the concerns should be discussed with their deans. Chair Giordani suggested that the faculty members could consult with the central faculty ombuds or avail themselves of the grievance process.

The guest left the meeting at 3:20 P.M.

VISIT OF CESF CHAIR

Professor Askari joined the table at 3:20 P.M. He reported that faculty compensation at the U-M is now lagging behind peer institutions. But, he said, the biggest problems are with health care. He stated that the program for providing retiree health care benefits is fiscally insolvent. The current unfunded liability is in excess of one billion dollars. He forecast that the

departmental recharge rate is poised to skyrocket, and that the Benefits Office has no remedy. He said the current recharge is 2%, but that it will soon rise to 10% for the same benefits. He said that no money is being put aside for retiree health care.

SACUA members expressed deep concern about the news. They asked whether the administration had any plan in mind. Professor Askari replied that it appears the administration is either hoping that a public benefit program will materialize, or is waiting for the U-M system to implode. He noted that the Benefits representatives are starting to tout the claim that Harvard recently cancelled health care benefits for retirees as a potential model.

Professor Smith asked whether some of the growing U-M endowment could be committed to this unfunded liability. Professor Askari replied that he understands that the endowment is not flexible; that much of it is committed to specific purposes. Chair Giordani asked if the problem can be fixed. Professor Askari replied yes, that just as businesses make plans to manage liabilities, this problem can be managed, too. He suggested there may not be strong incentive for administrators to grapple with it because they would likely be long gone when the bottom drops out.

Professor Lehman asked the CESF chair to estimate the odds that U-M retirees will be denied health care benefits in the foreseeable future. Askari responded that the odds were very high and that the administration agrees with this assessment. He said that past platitudes have vanished and the question is one of the degree of cuts: partial or total. He noted that the situation raises significant issues about deferred compensation in that faculty salaries have been taxed to pay current retiree health care costs with the expectation of recovering the funds later when they as retirees receive health care benefits. He added that the problem appears to be far bigger at the U-M than at peer schools.

Professor Smith suggested that faculty may not come to the U-M if there are poor benefits here. Professor Askari replied that he thought, in general, young faculty who come here are naïve about health care benefits.

Professor Meerkov asked who is responsible for management of the situation. The CESF chair responded that the president has ultimate responsibility. He pointed out that some rudimentary management mechanisms have been implemented such as hiking copays and copremiums. These measures force retirees to take ever more revenue from their retirement income to pay for health care. But, he said, the administration could budget for it if they so wished.

Professor Meerkov asked whether CESF could propose a plan for managing the looming crisis. Professor Askari said that CESF could put a plan together, but there would not be unanimity of opinion. He said that difficult question was how to implement painful recommendations. He said CESF would need a month to produce a several page proposal that includes models for possible solutions. He noted that the CESF is scheduled to report to the Regents in June.

ACTION OF SACUA 013006-1 Professor Lehman moved that SACUA charges the CESF with developing a report that includes recommendations for managing the shortfall in funding for retiree health care benefits by early March (multiple seconds).
The action was approved by unanimous vote

Total Compensation-

The CESF chair reported that another on-going issue with the administration is CESF's interest in learning the true total compensation packages to faculty, which include not just the published salaries but supplemental payments as well. He said that the administration is willing to release only aggregate statistics, not the underlying data distributions. Professor Meerkov asked if it is true that U-M executive officers are paid on par with private school administrators, but faculty are not. Professor Askari replied that such seems to be the case, but that accurate data are difficult to obtain. Professor Meerkov suggested that if only imperfect data are available, they can still be a basis for comparison. He proposed the topic as one appropriate for a Fall Term report from CESF.

The guest left the meeting at 4:17 P.M.

FLEXIBLE TENURE CLOCK RESPONSE

SACUA members reviewed distributed item 7 and suggested a minor wording change. Professor Smith reported the status of on-going review of data about the tenure probationary period with members of the provost's staff. He noted that data show that within the Medical School there is no difference in time to tenure decision whether or not an individual takes time off the tenure clock. In LSA, however, time off the clock correlates with shorter times to tenure, possibly because the time off is spent in academic pursuits.

Smith also reported that the provost's staff have suggested that they might not have given the faculty the "right" data for their analysis. In response, the faculty working group will consult directly with the people who maintain the database.

ACTION OF SACUA 013006-2 Professor Smith moved that SACUA adopts the following statement on "Importance of Tenure" (Yunker seconded):

Importance of Tenure

American universities have earned an esteemed position in the eyes of the world, regarded as engines of ingenuity, enlightenment, and secular social conscience. Their ascendancy was rooted in concern for the common good, with recognition that the common good requires free search for truth and its free expression. Academic freedom is the great force that powers these engines, and academic freedom has three elements: (1) freedom of inquiry and research, (2) freedom of teaching within the university, and (3) freedom of extramural expression and action. Tenure provides assurance that these freedoms will endure, so that universities can educate generations of students who think for themselves, who express their thoughts ably, who can recognize

tyranny or demagoguery, and who thereby protect American democracy. A strong tenure system is a close companion to human freedom.

The tenure probationary period controls the quality of the tenure process. Tenure is a compact between institution and individual for the common good, not for the exclusive benefit of either. Consistent, well-defined and fair probationary periods enable both individual and institution to assess each other's worthiness. Timely decisions prevent the tendency to retain marginal partnerships for narrow and self-serving purposes. The quality of an institution of higher learning is linked to the strength and consistency of its tenure policies.

The action was approved by unanimous vote.

OLD/NEW BUSINESS

Faculty Fund for Student Scholarships-

Professor Meerkov reminded the group about his proposal to establish a program whereby faculty could contribute to scholarships for students. The chair said that he communicated the idea to the vice president for Development, but there has been no response. Professor Zorn said that SACUA should try to learn if there is already a system in place. Professor Younker suggested that this might be an opportune time to tap into expertise on the Development Advisory Committee. Professor Meerkov stated that he was also interested in developing a weekend academic program for children of economically disadvantaged families.

CTools Advisory Committee-

Professor Smith reported that the default status of course web pages would be that they are private rather than public. Doing so protects the "fair use" nature of any copyrighted material listed there.

Student Absences-

Chair Giordani asked SACUA members to review a draft motion about student absences from class owing to official events (distributed item 15). Members discussed the language briefly and agreed to return to the issue at a future meeting.

Multidisciplinary Teaching-

The chair called attention to distributed item 13 about multidisciplinary teaching. Professor Combi suggested that SACUA should check the status of the university task force on this subject.

Nominating Committee-

The nominating committee will meet Monday, 6 February 2006, following the SACUA meeting.

Faculty Hearing Committee Report-

Professor Lehman asked for a status report on the response from a department chair to a Faculty Hearing Committee report and SACUA action regarding manipulation of the course evaluations of a faculty member in the chair's office. SACUA agreed to wait one or two weeks before taking further action.

Grievance Review Boards-

PROPOSED ACTION OF SACUA

Professor Lehman moved that the faculty grievance monitor shall notify SACUA when 3 months has lapsed since a grievance review board report finding in favor of the faculty grievant was issued, and what the disposition has been, if known.

Consideration was postponed until the next meeting, pending receipt of information from the office of general counsel.

Petition from Dental School clinical faculty-

ACTION OF SACUA 013006-3 Professor Smith moved that SACUA supports the request from Dental School clinical faculty to Senate Assembly for their participation in the on-line evaluation of academic administrators through the AEC process (Meerkov seconded). The Action was approved by unanimous vote

Members asked that Senate Office staff make inquires to learn whether a university-wide list of clinical faculty could be obtained.

Unit Shared Governance Recommendations- Professor Meerkov pointed out that the president has stated that SACUA should discuss the Assembly's shared governance recommendations with the provost. Professor Younker urged that the discussion begin with provost Gramlich before involving the future provost.

Prescription Drug Oversight Committee- Professor Smith called attention to distributed item 17 and to its request that SACUA name a representative to join the committee. SACUA reaffirmed that Smith had been selected as the SACUA representative, and he agreed to serve.

ACTION OF SACUA 013006-4 Professor Lehman moved that SACUA invites the members of the University Shared Governance Task Force members to meet with SACUA on 6 February 2006 in order to discuss the status of Task Force activities and next steps (Smith seconded). Number approving- 6 Number disapproving - 0 Number abstaining - 2

EXECUTIVE SESSION The meeting entered executive session to act on nominations for GRB cognate panel appointments.

The meeting adjourned at 5:55 P.M.

Respectfully submitted,

John Lehman
Senate Secretary

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.