

Minutes of 5 June 2006
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MINUTES OF THE SACUA MEETING OF 5 JUNE 2006

Present: Combi, Frier, Giordani, MacAdam, Meerkov, Potter, Riles, Seabury, Smith (chair);
Lehman, Schneider

Absent: none

Guests: K. Adams, R. Fraser, D. Gershman, R. Gull

MATERIALS DISTRIBUTED:

1. Draft Agenda
2. Draft minutes of the SACUA meeting of 22 May 2006
3. Draft minutes of the provost's visit to the SACUA meeting of 15 May 2006 annotated by provost's office
4. Electronic mail message forwarded to CESF by J. Leu, dated 2 June 2006, regarding further erosion of faculty and staff benefits
5. Item for Information. Faculty Governance Update to the U-M Board of Regents, dated June 2006
6. 'A culture that tolerates discrimination' by D. J. Nelson. *The Chronicle of Higher Education*, 26 May 2006
7. Resolution regarding proposed changes to Regental By-laws governing tenure, adopted by Senate Assembly on 23 January 2006
8. Report on May 24 meeting of the Committee to Consider a More Flexible Tenure Probationary Period
9. Committee to Consider a More Flexible Tenure Probationary Period Agenda for meeting of 24 May 2006, with attachments
10. Draft report by the Committee to Consider a More Flexible Tenure Probationary Period, for 24 May 2006 meeting
11. Sample contract required for granting probationary period extensions
12. Executive Summary and Annual Report 2005-2006 by the Committee on the Economic Status of the Faculty
13. Resolution by the Joint Benefits Committee of the University of Michigan-Dearborn regarding Medicare B reimbursements for retirees, dated 17 May 2006
14. Letter to SACUA from B. J. Gadberry, dated 29 May 2006, regarding U-M Retirees/Medicare Part B, plus attachments

15. Remarks of Regent Laurence B. Deitch in opposition to the plan to add luxury boxes to Michigan Stadium, dated 19 May 2006
16. Letters: Stadium changes are a joke like Halo times 10, by M. L. Phillips and J. F. Armstrong, The Ann Arbor News, 30 May 2006
17. Electronic mail message to D. Burns from D. J. Lewis, dated 26 May 2006, regarding Athletics
18. SACUA/Senate Assembly Planning Schedule, updated 5 June 2006

Chair Smith convened the meeting at 2:30 P.M.; the draft agenda was approved with one addition.

REPLACEMENT OF SACUA MEMBER

Chair Smith noted that Professor Younker has resigned to accept the position of Associate Dean in the School of Music, and that a replacement must be named to complete her term on SACUA.

ACTION OF SACUA 060506-1

Professor Riles moved that SACUA affirms past practice and hereby ratifies appointment of Professor Potter, runner-up in the most recent SACUA election, to complete the term vacated by the resignation of Professor Younker (multiple seconds).

The action was approved by unanimous vote.

CONSIDERATION OF MINUTES

The minutes of 22 May 2006 were corrected and approved.

The conditionally approved minutes of 15 May 2006 were amended with suggestions submitted by the provost's office regarding the interim provost's meeting with SACUA.

ANNOUNCEMENTS/UPDATES

Chair Smith announced:

1. Dr. Leu's mother passed away last week. The chair sent a gift of condolence on behalf of SACUA.
2. Distributed item 4 expresses concern about benefits reduction pertaining to dial-in access.

Professor Potter remarked that suspension of dial-in access to computing has substantial negative implications for people who use Ctools and related teaching software. He suggested that ITCS representatives be invited to a future SACUA meeting to discuss the adverse consequences of their actions. Professor Seabury pointed out that he personally does not have the option of subscribing to a cable internet service provider, and that he does all of his work from home by dial-in.

3. A private meeting of the SACUA chair and the incoming chair of AAAC with the new provost will take place on Wednesday. The agenda will include the proposal to extend the maximum tenure probationary period and cooperation between faculty governance and the office of the provost.

4. Abigail Stewart will be a guest at next week's meeting.

LIAISON REPORTS

AAAC-

Professor Riles reported that AAAC held its final meeting of the 2005-2006 academic year on 30 May. Much of the meeting was devoted to discussion of the registration brackets issue. The consensus was to push hard on this issue in the coming academic year and to raise it early on with the incoming Provost.

- Regarding the AAAC Student Academic Success Study, there have been several developments, both positive and negative, since the last SACUA meeting:
- Professor Riles spoke with Ted Spencer, Director of Admissions, who refused to cooperate in any way with the study. He said his office is too busy this summer to help the AAAC. He would not even give Riles an hour of his staff's time for them to explain what the obstacles are.
- Professor Riles met with Paul Robinson, Registrar, along with a member of his staff, Andy Cameron, to discuss obtaining data items the AAAC has requested that are in the student records part of the database maintained by the Registrar's Office. Paul promised his full cooperation, and Andy said he would start work on compiling the data.
- Professor Mary Corcoran confirmed her willingness to join the AAAC study subcommittee as an external expert on population study analysis techniques
- The AAAC continues to seek an expert from the School of Education and has identified one promising candidate who is considering joining the subcommittee.
- Last week former Provost Gramlich reported that unnamed persons had questioned whether the expedited IRB review of AAAC's application for exemption from regulation had been too hasty.
- The IRB Chair, Jim Sayer, then personally reviewed the application and reaffirmed the initial exemption approval.
- Dr. Gramlich reported today that the General Counsel thinks the IRB should look at the application yet again, apparently out of concern for protecting student privacy. It should be noted that the IRB Chair has explicitly approved the subcommittee's method for protecting that privacy (separation of data from student identifiers), a standard method for such studies.
- The person in the GC's office handling this issue is Maya Kobersy. Professor Riles left a phone message asking her to call him to discuss what concerns there may be.

Professor Riles said that he finds it astonishing and dismaying that the Admissions Director flatly refuses to cooperate with a study that is supported by AAAC, SACUA, and the Provost. He added that he is also troubled by the fact that the IRB has now been asked twice to review its initial finding that the study by faculty governance is exempt from regulation. Professor Frier suggested that the OGC may be concerned that the data may ultimately be used in a lawsuit. SACUA members asked what Professor Riles suggested should be the next step. Professor Riles said that he would expect the IRB to approve the request yet a third time.

COMMUNICATIONS WITH THE REGENTS

Faculty Governance Update-

Chair Smith called attention to distributed item 5, which he said he had prepared with staff assistance in order to meet an urgent deadline last week. He proposed that in the future all faculty governance updates to the Board of Regents be approved by vote before transmittal. He proposed that each month a different member of SACUA draft the communication for discussion and approval. The next deadline for submitting a communication is 30 June. The topic of the communication and the point person for its preparation will be decided at the next SACUA meeting. SACUA members made some suggestions regarding the format of the communication. Professor Meerkov suggested that a short, in person, presentation to the Board might be useful as a way to amplify the items of communication.

Meetings with Regents-

Chair Smith reported that he has been told that members of the Board of Regents are reluctant to meet in situations where they might be quoted. However, Regent Dietch responded to SACUA's draft agenda, and offered to talk with the SACUA chair. The chair accepted the invitation and agreed to meet tomorrow morning in Regent Deitch's Ann Arbor office. He said that he would seek advice from the Regent about models for interaction that might be workable. Professor Meerkov said that faculty governance needs to explore a mechanism for communications that can be formalized and which meets needs of both groups. SACUA members urged the chair to explore such possibilities with the Regent.

VISIT OF PROFESSORS K. ADAMS AND R. GULL

(McDonald-Weiss tenure committee)

Chair Smith welcomed the guests and invited them to provide an update about activities of the Weiss-McDonald flexible tenure committee. Professor Gull reported that the committee has met and that it plans to re-write its report by the end of June. He said that there was no plan as yet for the committee to meet or vote on the report prior to its transmittal to the new provost. Professor Gull called attention to distributed items 8 to 11, and his account of recent activities closely paralleled the distributed materials.

Professor Adams commented that the proposal about part time tenure has attracted the most criticism, and that there appeared to be widespread opinion that it be taken off the table for the present. He said that the data suggest that by and large the units are following their own rules, but that there does not seem to be enough independent oversight by faculty or the provost of how policies are followed. He said that associate dean Bloom from the Medical School reported that 80% of the respondents in a referendum about tenure proposals were favorable toward them. Professor Adams said that clinical faculty and possibly other non-tenure track faculty were included in that referendum. He added that one glaring lack of information is caused by the fact that no specific examples have been forthcoming about the need for policy changes, for unknown reasons.

Professor Giordani suggested that the Tenure Committee should look into the issue of part time tenure. He asked the guests whether they thought a driving motivation within the committee was the desire to be first major university to increase the maximum probationary period to 10 years. Professor Gull acknowledged that such a goal seems to be the motivation of at least one member, who has claimed "This is the wave of the future."

Professor Giordani said that he was skeptical about the argument that the length of tenure probation should be left to the individual units, allowing for potentially greater variability and more control by the deans. Professor Adams pointed out that, while practices may vary somewhat from department to department, one criterion widely accepted within the Medical School is that a faculty member must obtain a grant from NSF or NIH to demonstrate research independence and success, but this has become increasingly difficult. Professor Giordani expressed agreement, citing success rates of 10% in grant funding, and suggested that perhaps other rubrics of success in academics and research should also be explored. Professor Adams remarked that the faculty voice in tenure policy decisions varies across the university; he expressed his hope that a middle ground could be found.

Professor Gull invited opinion about distributed item 11. Professor Frier said that the U-M is currently being sued about the issue of de facto tenure, and that the contract is an important legal defense for the U-M.

Professor Riles expressed concern that the committee activities seem to be driven by the opinion of one powerful administrator on the committee. He asked whether the committee ever votes. Professor Gull replied that there are no votes and that the co-chairs of the committee will write the committee report with input from the members. Professor Riles pointed out that AEC statistics demonstrate that both Engineering and LSA faculty oppose the proposed changes, but that the summaries presented to the Weiss-McDonald flexible tenure committee (distributed item 9) state the opposite. Professor Gull said that the summaries were prepared by a member of the committee. Professor Potter challenged the summary statements in distributed item 9, saying it was prejudicial to claim something is the LSA unit opinion without explaining how the opinion was obtained.

Professor Adams said that there may be a minority report if the report generated by the committee chairs takes more extreme positions than the members endorse. He noted that the draft report (item 10) was circulated the day before the meeting and that he, for one, had no opportunity to read it before the meeting. Professor Meerkov pointed out that the draft states that the committee favors specific positions. Professor Gull reiterated that there has been no procedure to assure that a majority of the committee has taken a position.

Several members and the guests agreed that the real problem lies with the unrealistic hurdle of requiring R01 grants or their equivalent in some units as a prerequisite for tenure.

Professor Meerkov said that he is very concerned that two powerful administrators are making important decisions that affect all faculty. He suggested that the committee is not taking steps to ensure democratic process. Professor Adams assured SACUA members that he has no intention of signing his name to a report he does not support.

CESF REPORT

Chair Smith invited action on distributed item 12. He noted that at its June meeting the U-M Board of Regents will meet with the CESF chairs from the regional campuses plus the SACUA chair for 1.5 hours in private and then the next day there will be a five minute presentation in the public session.

ACTION OF SACUA 060506-2 Professor M acA dam m oved thatSA C U A endorses the 2005 - 2006 CESF annual report to the Board of Regents (multiple seconds).
The action was approved by unanimous vote.

FOOTBALL STADIUM RENOVATIONS

The topic was postponed pending the chair's meeting with Regent Deitch. Professor Riles expressed concern about the quarter billion dollar price tag for the renovation and suggested that the athletic director be invited to a future meeting of SACUA for frank discussion.

OLD/NEW BUSINESS

There was no old or new business.

EXECUTIVE SESSION

The meeting entered executive session at 4:40 P.M. to discuss Senate Assembly committee membership.

The meeting adjourned at 5:00 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.