

Minutes of 19 September 2005
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MINUTES OF THE SACUA MEETING OF 19 SEPTEMBER 2005

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

Absent: None

Guests: L. Gnagey, K. Adams

MATERIALS DISTRIBUTED

1. Proposed agenda
2. Draft minutes of the SACUA meeting of 27 June 2005
3. Draft minutes of the SACUA meeting of 29 August 2005
4. Draft minutes of the SACUA meeting of 12 September 2005
5. Draft minutes of the SACUA meeting of 12 September 2005, annotated by E. M. Gramlich
6. SACUA/Senate Assembly Planning Schedule, updated 19 September 2005
7. Draft Senate Assembly agendas for September, October, and November
8. Charge to Shared Governance Task Force, undated
9. Model Policy for Conflict of Interest/Conflict of Commitment, Draft 5: Draft Resolution for Senate Assembly, 26 September 2005
10. Electronic mail communications between J. Lehman and B. Giordani regarding Model Policy for Conflict of Interest/Conflict of Commitment, 13-15 September 2005
11. Faculty composition from 1988 to 2004, Ann Arbor Campus. Office of Budget and Planning, 13 April 2005
12. Report of the Committee to Consider a More Flexible Tenure Probationary Period, dated 30 June 2005
13. Standard Practice Guide 201.65-1, 15 Jul 2005: Conflicts of Interest and Conflicts of Commitment
14. Electronic mail message from T. Schneider to P. Mazumder, dated 6 May 2005, regarding memo confidentiality

Chair Giordani convened the meeting at 2:05 P.M. The draft agenda was adopted.

CONSIDERATION OF MINUTES

the revisions submitted by the interim provost (distributed item 5) regarding his visit on 12 September, and agreed to accept the changes. Further consideration of the minutes of 12 September was postponed pending incorporation of changes into the draft minutes.

ANNOUNCEMENTS/UPDATES

Professor Meerkov reported that he contacted two people about possibly serving as chair of the task force on shared university governance; although they assented to serve on the committee they declined the role of chair. He said that he believed it would be most efficient to constitute a single task force to deal with both shared governance and unit governance. He proposed that the university president be invited to designate someone to join the committee who could provide administration perspectives and serve as liaison with administration. He said the plan would be to revise the "Blue Book" about principles of governance by adding two new sections: one on shared governance and one on unit governance. He said that the task force should be able to provide SACUA with a draft report by the end of 2005.

Chair Giordani said that he wanted to ask the Senate Assembly for volunteers for the task force; Professor Meerkov agreed that it was certainly possible to do so. Chair Giordani then circulated distributed item 8, with proposed membership and charge to a task force dealing with shared governance alone.

ACTION OF SACUA 091905-1 Professor Gullm oved thatSA CUA accepts the charge and membership as listed in distributed item 8 (Zorn seconded).

Professor Meerkov expressed concern that the concept of "criterion based governance" was as yet too unfocused to use in a decision-making framework. Chair Giordani cited the draft minutes of the Senate Assembly meeting of April 2005, at which meeting the Assembly voted to accept a criterion based model for shared governance and charged SACUA with implementation and reporting back to the Assembly.

Professor Smith moved that the motion be amended to include a president's or provost's appointee as part of the task force. The suggestion was accepted as a friendly amendment. Chair Giordani proposed that Professor Berent be named as chair of the task force, and that the name of a specified former administrator be removed from the list of task force members. This, too, was accepted as a friendly amendment.

The Shared Governance Task Force shall consist of Stanley Berent (Chair), Tom Weisskopf, Lou D'Alecy, Semyon Meerkov (SACUA representative), Keith Riles (AAAC representative), Jon Rush (AAAC representative), and Janine Maddock (past AAAC representative). A delegate from the President and or Provost will also be requested. Professor Berent shall prepare a draft document incorporating the Criteria Based Approach to Shared University Governance into the Principles of Faculty involvement in Institutional & Academic Unit Governance at the University of Michigan ("Blue Book"). The Task Force will then meet to review, modify as necessary, and accept the document, meeting as needed with the Provost. Following completion of the Task Force's work, the document will be submitted to AAAC for review, acceptance, and

further discussion with the Provost. AAAC will then return the document to Senate Assembly, through SACUA, for faculty approval.

Vote on the amended Active Motion:
Number Approving- 6 Number Disapproving - 2

VISIT OF TENURE COMMITTEE CHAIR K. ADAMS

Evaluation of Tenure Report-

The guest joined the meeting at 2:54 P.M. Chair Giordani called attention to distributed item 12 and remarked that Professor Adams had been a member of the committee that developed that report. Professor Adams reviewed the origin of the report and the process used to develop it, including comparisons with other universities. He said that many of the provisions in the report represented flexibilities that are already available but that may not be widely known.

Professor Adams said that the proposal to slow the pace of the tenure probationary clock in proportion to part-time service could fairly be called controversial. Chair Giordani asked if there was, in fact, a maximum probationary period of 13 years regardless of appointment fraction. Professor Adams replied that such interpretation is ambiguous, and that by his reading there is no cap on the probationary period.

Chair Giordani said that SACUA had originally understood that the report would be circulated and that the committee would re-convene during Winter Term to consider the feedback. However, feedback is now requested by January at the latest. Professor Adams replied that there was nothing scheduled on his calendar for future meetings of the committee. However, he said, if the faculty say that the report is inadequate, he supposed the committee could be sent back to the drawing board.

Professor Zorn proposed a hypothetical scenario in which a chair encourages a junior faculty member to accept a 1/3 fraction tenure track appointment by arguing that the individual's teaching load would likely slow scholastic achievements. He asked if there was any discussion of such potential abuses. Professor Adams replied affirmatively and agreed that a danger exists.

Professor Lehman asked if the report represented the unanimous opinions of the committee members. Professor Adams replied that the report should not be called unanimous, but that it was a consensus report. Professor Lehman asked if the committee had weighed the career implications of holding people in long probationary time periods, only to discharge them much later in life. Professor Adams replied that it had been considered, but that longer probation also meant there could be more data about performance, and moreover, personal connections made over long times might actually make it harder to let the people go. He added that there was also consideration about early decisions in the sense that there should be a higher bar for early promotion, and that the consequences of failing an early evaluation needed to be reconsidered.

Professor Smith said that there must be data about tenure success versus time in the probationary period, owing to the fact that exceptions have been practiced for quite some time. Professor Adams responded that he did not see any data come before the committee, and

discussions had been qualitative. Professor Smith reiterated his confidence that suitable data exist and he said that it is absolutely essential that faculty evaluate them. He commented that a female professor characterized the report to him as a proposal that would markedly discriminate against women. Professor Adams replied that the committee was not saying that a person cannot pursue the regular time frame for tenure. Professor Smith said that the document as written does not say that. He said it should have made explicit that there is an expectation, but that there could be exceptions to the general expectation. Professor Adams agreed that the point could have been made more strongly in the document.

Professor Adams said that the report consisted of three major themes: (1) the tenure clock, (2) part-time appointments, and (3) general flexibility. He acknowledged that the prospect of part time tenure could prove to be a hornets' nest. Chair Giordani asked if the committee sensed that under its proposals each unit could make up its own rules and thereby the university community as a whole would lose its identity. Professor Adams replied yes, there was concern expressed. He noted, however, that the composition of tenure committees is not specified in rules for some units even now. He noted that during the recent re-certification review the committee of visitors identified a need for more oversight of unit behavior regarding tenure decisions. He said there was an appropriate role for faculty in a final review to ensure that each unit in fact followed its own policy. Professor Lehman observed that this underscores the need for a faculty university-wide tenure committee to advise the executive vice president for academic affairs at the final tenure decision level. Professor Adams agreed, and suggested that it should also be possible to have faculty from other units help inform tenure decisions at department or unit levels.

Professor Smith asked whether tenure resides within a unit or within the university as a whole. Professor Zorn reminded the group about the fate of tenure lines when the Department of Geography was discontinued. Tenured faculty did not automatically have tenure outside that unit.

Expansion of University Senate Membership-

Chair Giordani asked that the Tenure Committee review the implications of expanding University Senate membership to include clinical faculty, lecturers, and assistant librarians. He added that response to the tenure report was of higher priority. Professor Adams said that his committee has not focused on issues involving part time or non tenure track personnel, or on unit policies relevant to them. Chair Giordani asked if tenure exists anywhere in the university for part time faculty. No one around table had a definitive answer. Professor Smith declared that the information does exist and can be found.

Professor Adams said that consideration of distributed item 12 will be moved to the top of the Tenure Committee agenda. He also referenced distributed item 11 as evidence that the changing composition of the faculty required attention. The guest left the meeting at 3:34 P.M.

Professor Smith moved that SACUA staff shall assemble data for review and that SACUA shall develop a report about past experience at U-M regarding length of the probationary period versus success rate at time of tenure decision (Seabury seconded).

Professor Smith pointed out that a data set exists in the Senate Office that was constructed by Smith and by past SACUA vice chair R. Lomax. He said the data are suitable for this analysis if they are updated from 1996. He offered to work closely with the staff to ensure timely completion of the task.

Vote on the Active Motion:
The Action was approved unanimously.

COI/COC MODEL POLICY

Chair Giordani called attention to distributed item 9. Professor Smith suggested that multiple models exist for the construction of the ultimate determinative committee that would decide final faculty appeals. He suggested that a fair solution would engage both SACUA and the Office of the Provost. Professor Younker expressed agreement, but added that ultimate voting authority by the Senate Assembly would invest the faculty at large with the process in more so than if SACUA took it over. She said she would support a model that gave the final vote to the Assembly. Professor Smith said that the Assembly would be presented strictly with a slate on which up or down vote was requested.

ACTION OF SACUA 091905-3

Professor Younker moved that distributed item 5 is approved by SACUA and is submitted to the Senate Assembly as an Action Item (Smith seconded).

Vote on the Active Motion:
The action was approved unanimously.

SENATE ASSEMBLY AGENDAS

SACUA members reviewed distributed item 7. They agreed that Action 091905-3 be inserted as an action item immediately following the president's address. If the item is not resolved in September, the October meeting will include a panel question and answer session including administrators who will be invited to respond to questions generated by the deliberation of the Action Item.

Professor Seabury recounted recent experience in the School of Social Work when representatives of the administration came to introduce the new SPG about conflicts of interest and commitment (distributed item 13). He said that faculty response was universally negative. He said that it was absolutely appropriate to require administration representatives to answer questions from the Assembly.

Professors Meerkov and Combi left the meeting at 4:00 P.M.

OLD BUSINESS

Chair Giordani reported

1. There has been no response yet from National AAUP regarding his request for comment about the tenure revision document, and that he has sent a follow-up reminder.
2. There has been no response from the president regarding the selection committee for the academic freedom visiting professorship.
3. Potential members of the taskforce asked to re-evaluate possible changes to Regents' Bylaws regarding Senate rules are asking for more time.
4. The Academic Performance Committee (APC) voted to ask that the originally proposed bylaw revision be withdrawn, and is currently working on a memorandum of understanding with the Office of the Provost. The APC voted to ask that the original proposal be withdrawn. There is strong sentiment that the determinative nature of the committee must not be eroded. This may become another action item for Senate Assembly. The key issue involves reporting relationships and authority.

LIAISON REPORT

Professor Smith reported that the C-Tools committee is functioning effectively. He said that he has learned that in some units administrators are having themselves added to the ownership list of sites, but that faculty can correct it. He commented that a professor of nursing may bring issues of academic freedom in teaching forward that require attention.

EXECUTIVE SESSION

The meeting entered executive session at 4:25 P.M. Discussions included membership in the Shared Governance Task Force and a progress report from the Faculty Hearing Committee. Professor Younker left the meeting at 4:30 P.M.

The meeting adjourned at 4:40 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.

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