

Minutes of 24 October 2005  
Circulated 25 October 2005  
Approved 7 November 2005

**THE UNIVERSITY OF MICHIGAN**  
**Senate Advisory Committee on University Affairs**  
6048 Fleming Administration Building  
Ann Arbor, Michigan 48109-1340  
Phone: (734) 764-0303  
Fax: (734) 764-6564  
[www.sacua.umich.edu](http://www.sacua.umich.edu)

Approved Minutes: [www.sacua.umich.edu/sacua/sacua-minutes.html](http://www.sacua.umich.edu/sacua/sacua-minutes.html)

**MINUTES OF THE SACUA MEETING OF 24 OCTOBER 2005**

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

**Absent:** None

**Guests:** L. D'Alecy, T. Moore

**MATERIALS DISTRIBUTED:**

1. Draft Agenda
2. Draft Minutes of the SACUA meeting of 17 October 2005
3. Memorandum to J. Duderstadt, G. Whitaker, and E. Goldenberg from E. Cole, dated 21 July 1994, regarding the relationship of SACUA to other University Bodies, selection and recall of Senate Assembly members, and program discontinuance
4. Draft resolution for Senate Assembly regarding questions for unit executive committees
5. Draft Senate Assembly agenda
6. Model Faculty Appeals Procedures for Schools, Colleges, and Academic Units. 1998 version with 2003 revisions
7. Faculty Grievance Report, 1983-1994. SACUA subcommittee on grievances
8. Electronic mail exchanges regarding Growth of Athletic Programs
9. Agenda for Academic Program Group meeting of 24 October 2005
10. Electronic mail message from J. Zorn to J. Duderstadt, dated 18 October 2005, regarding Growth of Athletic Program
11. Government Relations Advisory Committee 2005-2006
12. SACUA/Senate Assembly Planning Schedule, updated 21 October 2005
13. Letter to B. Giordani from J. Kurland, dated 15 September 2005, regarding initial AAUP response to proposed tenure policy changes at the University of Michigan
14. Report of the Committee to Consider a More Flexible Tenure Probationary Period

Chair Giordani convened the meeting at 2:07 P.M.; the draft agenda was approved.

**CONSIDERATION OF MINUTES**

Consideration of the minutes of 17 October 2005 was postponed pending receipt of comments from the president on the account of her visit.

#### ANNOUNCEMENTS/UPDATES

The chair announced:

1. Professors Giordani and Gull will meet with the president later this week. Chair Giordani invited SACUA members to suggest topics for the meeting. Professor Smith suggested that the chair should pursue faculty concerns about potential changes to Regents' Bylaws that would affect the Academic Performance Committee. Chair Giordani replied that the president has agreed to postpone a decision about bylaws until December pending further discussions.
2. Distributed item 3 is a historical memorandum cited in the previous meeting.
3. Professor Lehman asked the chair and vice chair to make inquires about an item on the Academic Programs Group agenda called "policy on individual faculty grant applications."

#### COMMITTEE LIAISON REPORTS

Government Relations-

Professor Younker reported that the committee met earlier in the day. She said the vice president explained changes in the State formula for funding higher education that suggest funding for the U-M will decline. The committee also was informed about the One United Michigan's effort (a coalition supporting Michigan's civil rights laws) to oppose the "California Initiative," which is Ward Connerly's proposed 2006 constitutional amendment to end affirmative action in Michigan and to roll back Michigan civil rights laws.

Research Policies-

Professor Combi reported that an RPC report about Institutional Review Boards has not yet been finalized and sent to AAAC.

Academic Affairs-

Professor Zorn said the committee will meet Wednesday with the interim provost; agenda items include proposed changes to tenure policy, course evaluations, and undergraduate admissions policies.

Faculty Perspectives Page-

Professor Lehman reported that articles have been published the past two weeks and that another is slated to appear on 31 August.

Budget Study-

Professor Smith said the committee met the previous Friday; it developed a list of questions for staff in the benefits office. The committee is also expressing concern about the lack of a funding reserve for retiree health care benefits.

CTools-

Professor Abdoo from the School of Nursing transmitted supplementary material to the secretary for inclusion in the liaison report. She reported that at the September meeting of the CTools

advisory group, members discussed the possibility and capability of listing photo IDs of students on a course web site, which is feasible technologically not only for CTools, but also for the university directory and for e-mail purposes. Associate provost Hilton had pointed out that the difficulty is that students did not sign a release for this purpose when their photographs were taken for their University ID cards and there are privacy issues that need to be considered and worked out, which is why the pictures are not available for this use at this time. Professor Abdoo said that she personally favors including photos of her students with class lists as well as on CTools because it would help to learn their names by sight. Professor Abdoo reported further that at the August meeting of the CTools group, she asked if there was policy either at the central administration level or within the various units about who is given access to the CTools course sites besides the instructional faculty member and enrolled students. She was prompted to ask the question after reading a request from an administrator asking to be granted access to all course sites. Associate provost Hilton responded that no policy yet existed, and that it perhaps should also be discussed with the Privacy Oversight Committee. CTools staff stated that from their view the matter needs to be discussed by both groups because they frequently receive requests to grant access to people whom course faculty have no idea are requesting access, and the staff feel they are caught in the middle. Professor Abdoo said that, subsequent to the meeting, she and Professor Smith discussed offering the topic as an agenda item for the Senate Assembly. Unit Shared Governance- Professor Meerkov said that he invited the provost to name a staff member from his office to participate in committee discussions, and that Karen Gibbons agreed to attend the meetings. The first meeting will occur on Thursday. Senate office staff are continuing to develop a table of comparison information for the committee's use.

---

#### ACTION OF SACUA 102405-1

Professor Smith moved that SACUA endorses the resolution and set of questions developed by subcommittee members Lehman and Zorn (distributed item 4) and transmits them to the Senate Assembly with recommendation that they be adopted by the Assembly and sent to College Executive Committees on behalf of the unit Assembly representatives (Meerkov seconded).

#### Discussion of the Active Motion-

Professor Smith suggested that the December meeting of the Assembly would be an appropriate time for the body to consider a resolution on the tenure proposals, and that responses to these questions would hopefully be available by that time. Professor Gull suggested that Dean McDonald from LSA could hopefully attend the November Assembly meeting and discuss the administration's proposals. He added that the provost's flexible tenure committee is aware of objections that are being raised, and the committee is trying to arrange a meeting. Professor Lehman asked if the flexible tenure committee kept minutes of its meetings. Professor Gull replied affirmatively and said they should be available through Glenda Haskell.

Professor Smith said that the steering committee is close to finalizing a speaker and date for a forum co-sponsored with AAUP about the tenure proposals. Chair Giordani said that the faculty chair from UM-Dearborn has expressed interest in attending upcoming meetings where the proposals will be discussed.

#### Action on the Active Motion-

The Action was approved unanimously.

---

## OCTOBER 31 SENATE ASSEMBLY MEETING

SACUA members discussed the draft agenda for the 31 October meeting of the Senate Assembly (distributed item 5); they added SACUA Action 102405-1 to the agenda as an Action Item for vote. Chair Giordani said that M. Krislov and J. Hilton will attend the meeting for discussion of Conflict of Interest/Conflict of Commitment policy. Their initial remarks will be confined to a couple of minutes, and the rest of the time will be given over to questions and answers. He asked SACUA members to formulate appropriate questions for the guests.

## GRIEVANCE PROCEDURES

Professors D'Alecy and Moore joined the meeting at 3:00 P.M. Professor Smith introduced the guests as past chair and vice chair, respectively, of SACUA. He identified them as members of the faculty committee that negotiated existing grievance policy with the administration.

Professor D'Alecy stated that he now regrets conceding to the administration's demand that decisions of grievance review boards need not be determinative. In retrospect, he said, the result has been a weak and non functional grievance policy that is plagued by conflicts of interest and that is fundamentally unfair to grievants. He pointed to the fact that faculty rarely use the grievance system as prima facie evidence that it is understood to be feckless.

Professor Moore said that determinative decisions by GRBs must be a fundamental feature of any reformed grievance policy; otherwise they are unfair for the grievants and unfair for the university as an institution. He called attention to distributed item 7. He noted that many of the critical issues listed on pages 12 and 13 of the 1994 report remain unresolved. He explained further that the appeals process is fraught with conflicts of interest on the part of administrators. He said that experience shows that deans don't want to revisit decisions they made at some point in the past, and that is why they reject GRB decisions that go against them. By the same token, the provost appoints the deans and needs their allegiance, so a provost is unwilling to accept an appeal that goes against one of his deans. The result, he said, is that well intentioned faculty who serve on GRBs soon learn that their service is a waste of time, and they refuse to serve again.

Professor Moore said that a key recommendation of the 1994 report that was never implemented was that faculty serving on GRBs should receive independent training through the ombuds. Otherwise, he said, Human Resource representatives are quick to advise the relatively novice GRB members privately that issues brought by aggrieved faculty are not grievable. He suggested that faculty would take charge of the proceedings more assertively if they know that their decisions are likely to be respected.

Professor D'Alecy remarked that the chilling effect of the existing policy on fair dispute resolution is a blight on faculty governance. Professor Smith asked what arguments were advanced by administrators in opposition to efforts for determinative findings. D'Alecy replied that administrators claimed it would place an inappropriate amount of power within faculty committees, and that the deans would never agree with that. Chair Giordani said the AAUP has promoted a model grievance policy in which the findings of the GRBs go directly to the university president and the governing board. He said that UM-Dearborn may have a version of

this model. Professor Meerkov said that might be an acceptable compromise solution for everyone. Professor Moore pointed out that the advantage of such a model is that it does not put an administrator in the position of having to reverse the decision of a direct subordinate. He suggested that SACUA members might want to prepare themselves for future steps by reviewing Regents' Bylaws 4.01 and 4.08, and by insisting on adherence to the authority given to faculty in those bylaws. He also pointed to a 1980 U.S. Supreme Court decision that declared faculty to be in fact managers at their universities.

A brief recess ensued. The guests left the meeting at 4:12 P.M.

#### OLD BUSINESS

##### Athletics Issues-

Professor Zorn called attention to distributed items 8 and 10. He reported hearing continuing objections to the current implementation of seat license fees and to the proposed installation of luxury boxes in the Stadium. He and others acknowledged that these changes are being driven by financial pressures that parallel those felt by intercollegiate athletic programs across the country. Although public reaction to these revenue-enhancing changes appears to have been relatively muted, it might nonetheless be appropriate to invite faculty to express their concerns through an e-mail solicitation. Chair Giordani said that he has learned that a group called "Save the Big House" announced the intention of contacting each member of SACUA about their concerns. Professor Meerkov remarked that the present trend, however distasteful, is probably difficult to reverse. He said that faculty need to remain constantly vigilant to assure that student athletes are not exploited.

##### Faculty Hearing Committee-

A report from the committee is still pending draft revisions.

#### EXECUTIVE SESSION

The meeting entered executive session at 4:25 P.M. Topics included adding a member to the Government Relations Committee, format of liaison reports, charges to committees, and interactions with committee chairs.

#### NEW BUSINESS

Professor Meerkov asked that inquiries be made to learn if faculty were consulted before decisions were made to demolish an existing building and to construct a new Business School Building. He pointed to the decisions as being emblematic of those calling for shared governance deliberation.

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.

###