

Minutes of 18 April 2016  
Circulated 19 September 2016  
Approved 19 September 2016

THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
Monday, April 18, 2016  
Palmer Commons, Forum Hall

**Present:** Aidala, Atzmon, Baker, Bhattacharyya, Beck, Bertacco, Broglio, Brown, Chen, Erickson, Fossum, Fraser, Friesen, Gaggio, Jones, Kaartinen, Keshamouni, Kupferschmid, Lehman, Liu, Malek, Mondro, Moss, Nielsen, Orady, Ortega, Pecina, Princen, Roddier, Rothman, Sanchez, Schultz, Schwank, Skolarus, E. Smith, D. Smith, Swain, Szymanski, Vinokur, Welsh, Weineck, Winful, Woodard, Wright, Ziff, Zimmerman

**Alternate Requested (Alternates):** Carlos, Casida, Cattaneo, Cohn, Gocek, Grosh, Kileny, Kirshner, Krivokapic, Lyman

**Absent** Adlerstein Gonzalez, Adunbi, Atchade, Bagley, Bruch, Mortenson, Dolins, Ellis, Freeman, Jacobsen, Lenk, Li, Lim, Pandey, Raphael, Schloss, Shafer, Veatch, Wang

3:20 Call to Order/Approval of Agenda and Minutes

The agenda was approved

The minutes for the meeting of March 21 were emended and approved

3:23 Announcements

Chair Weineck called the Senate Assembly's attention to the persecution of academics in Turkey which now involved members of our University community. Chair Weineck said that 5 faculty members and 10 graduate students are implicated in these events and called attention to the petition on this effect. The General Counsel and VP for Government Relations have already intervened to see what they can do to protect the Turkish community.

3:30 Canvas Guests: Professor Sean DeMonner, Executive Director of Teaching and Learning Information Technology; Heather Kipp; Professor Nigel Johnston; Dr. Ronit Greenberg Center for Research on Learning and Teaching (CRLT)

Professor DeMonner discussed CANVAS implementation, saying that as of September all courses will be run through CANVAS Learning Management System, that CTools sites will be available through summer 2017 to give faculty to move content. He did not know what would be done after August 2017, suggesting that material would be retained in an administrative environment. Project sites will be available at least through August 2017. Roughly 2/3 of course are currently being offered through CANVAS.

Dr. Greenberg reviewed a survey of faculty responses to CANVAS. Faculty members have said that it was easy to use, had a better interface than CTools, had more tools and options and did what people needed. Faculty also complained that moving was disruptive, that they wanted more features, there were things that they needed, that there were misconceptions about what CANVAS could do, and that there was need for better training. There were also some technical issues. In Fall 2014 74% of faculty (self selected) wanted to use CANVAS, 19% were neutral; 7

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% were unhappy; in Fall 2015 the number was 66%, 23% were neutral, 11% were unhappy with the new system.

Professor DeMonner said that the project team examined the increase in unhappiness. He noted that positive sentiment tends to greet new technology, which raises expectations, the users tend to be disillusioned as they realize that the new system is not transformational. There is then a move to a new plateau of productivity, another study showed that there are different segments of a population of adopters, early adopters wish revolutionary changes; the bulk of the population tend to be more pragmatic. CANVAS has been providing workshops (1500 participants); drop in hours at the library in the “Scholars’ Place,” Convert2Canvas, customized programs for individual units, faculty learning communities, instructor and student guides, an ITS service center, and 24/7 support from the vendor. New ideas include the identification of a cadre of students who will help faculty move to CANVAS, improving on-line training, a large course institute. There are 61 teams and 80 individuals available to help train course staff as well as targeted communication to instructors who are new to CANVAS.

Professor Johnston discussed the value of CANVAS saying that it would enable faculty to do things we have always done more efficiently, and enable faculty to do new things. He discussed the grading aspect of CANVAS, which he says had offered students better feedback. He pointed to the new possibility of using of video, which can cut through student overload.

A Senate member said that he was unhappy with the move (which he had made). He said that for the foreseeable future we will still be using CTools and CANVAS and wondered if the move to CANVAS was efficient (he asked if tweaking CTools would have been better). He wondered why we needed to use outside proprietary software?

Professor Demonner said that we are paying an outside entity to use CANVAS but that there are contractual protections in the event of a meltdown at the vendor. He said that he had worked with CTools for a decade and that CANVAS used technologies that are more modern and that there are things that can be done with CANVAS that would have been cost-prohibitive to do with CTools. The staff maintaining CTools is supported by the General Fund, but that it better to reassign resources away from CTools.

An Assembly member said that the syllabus function on CANVAS is dysfunctional. Professor Demonner said that he could provide assistance.

Chair Weineck said that the move to UNIZIN forced the move to CANVAS.

Professor DeMonner said that we could have paid the membership fee without adopting CANVAS but part of the strategy with UNIZIN is to share data with other institutions.

An Assembly Member said that students may like features of CANVAS better, and asked if there was a response form students could use. Dr. Greenberg said that students liked the grade function and comments in speed grader; Professor Johnston said he had asked students and discovered that students found CTools was very stagnant.

An Assembly Member said that he found that there were good features to CANVAS and students liked it, and said he liked the ability to teach students from home in emergency situations. The only negative experience was when a student was making a presentation and did not record it; he asked that the recording function be made more transparent.

An Assembly Member asked if CTools would be dead by the end of next year and was concerned about some members of the faculty who might be forced to adopt CANVAS because they would not be able to access their old CTools sites. He suggested that the old CTools sites be available for people to make transitions.

Professor DeMonner said that existing CTools sites would be available to Fall 2017 and that it could be the case that they would be kept active for a longer period. He said that his group was working with departments to find people on sabbatical who might not be aware of the need to make the change.

An Assembly Member said that she used CANVAS, but she had found that it was difficult to move material and that the time frame for transition was too short. Professor DeMonner said that one of the drivers for the time line was the student experience; students found being in both worlds was hard.

Professor DeMonner said that his group would look at the timeline for eliminating CTools, but he said that there were significant costs associated with CTools, and that it was difficult to maintain an outdated system.

Chair Weineck asked if faculty could request that their materials could be moved from CTools. Professor DeMonner said that faculty who wanted to have all their courses moved could make a plan to use a student to help make the transition. He said that there was a lot of material in CTools that no one used, and it would be expensive to retain that material.

An Assembly Member said that the cost was not great, and that all material could be moved without significant cost. Professor DeMonner said that this had not been discussed with the vendor.

An Assembly Member asked if Professor DeMonner had a sense of how many courses would need to be transferred. She also noted that site maker had recently been decommissioned. Professor DeMonner said that the approach for the transition was that faculty would identify the material they wanted migrated, and that everything faculty members wanted from CTools would be migrated to CANVAS.

An Assembly Member said that most people do not care very much about what system they use, that technological changes come all the time and that faculty found this tiresome—she also said that she did not find the move to CANVAS was difficult. Professor DeMonner said that there will need for solid messaging to faculty; he also said that that some CTools sites that are of value to the University and those would be retained.

Chair Weineck said that the transition would be problematic for a group of faculty with complicated sites, and who had ignored communications. They would likely show up looking for help at the last minute. Professor DeMonner said he thought that this could be handled, but that there were limits on the number that could be helped under those circumstances. He said that some units had asked for help identifying faculty who had not made the transition.

An Assembly Member asked about the length of time that “drop in” education in CANVAS would be available and the “drop in” hours at the library? The hours May 7<sup>th</sup> are M-Th 10-4 at Scholars Space in the Shapiro Library; T10-4 in the Duderstadt Media Center for two weeks after the beginning of term. The same Assembly Member said that the on-line resources were not sufficiently helpful for complicated issues.

Professor DeMonner invited members to send further questions, Chair Weineck said that in her department a graduate student had been hired to go to all the training sessions and that had proved very helpful.

#### 4:25 SACUA Run-Off Election (Professors Marsh and Ortega)

Professors Marsh and Ortega delivered statements

4:35 40 Senate Members were present to vote; the ballots were distributed.

Professor Ortega was elected.

#### 4:30 Professional Standards SPG

Chair Weineck discussed the development of the Professional Standards SPG, which she said was often invoked to sanction faculty, and could be used in this way because it was vague. She said that the SPG should be intelligible and restrained, that the Provost had stricken the most problematic sentences and had inserted a “reasonable person” standard, so that the SPG only applies to behaviors that hinder members of the community. She said that SACUA did not get everything it wanted, which included central faculty governance involvement in unit sanctions.

4:45 Office for Institutional Equity (OIE) Appeals Proposed Resolution

Chair Weineck reviewed SACUA interactions with OIE. On March 9<sup>th</sup> SACUA released a report issued by a subcommittee consisting of Professors Holland, Lehman, Mondro (<http://facultysenate.umich.edu/wp-content/uploads/sites/22/2015/04/SACUA-OIE-Report-public-version-final-3-9-15.pdf>). The primary findings of the committee were as follows:

1. The executive officers of the University take immediate steps to assure that OIE follow its own procedures and remove the discretion of OIE to deviate unilaterally from its procedures.
2. As recommended by SACUA in its April 2014 report, the current OIE procedures be reviewed and revised, in consultation with SACUA, to ensure “due process and procedural fairness, including but not limited to, fair and adequate notice, fair investigation processes, and the ability to obtain an independent, meaningful and timely appeal of findings.”
3. Any decision or action arising in connection with an OIE investigation involving termination, dismissal, or demotion of a faculty member be pursued through the procedures provided in Regents Bylaw 5.09.
4. Immediately, and until such time as new acceptable procedures are adopted, all decisions and actions involving reports, investigations, or findings of OIE be subject to review under existing Grievance Procedures.
5. In light of the serious procedural deficiencies in their cases, and of compelling doubts about the validity of the OIE findings raised by the FHC investigations and in this report, the actions taken against the three complaining individuals be reversed until their cases can be reconsidered in a forum with appropriate due process protections. In addition, a review of other OIE cases involving faculty should be conducted to determine whether similar problems have arisen in cases that have not been brought to our attention and, if so, appropriate remedial actions be taken.

Chair Weineck outlined the cumbersome use of the grievance procedure (that a grievance would be turned down then appealed to SACUA which could then find that the grievance could be filed). In the meantime the University has enacted a new policy for students which gives them the right to appeal both sanctions and findings, and we feel that due process protections for faculty should be the same as for students. The provost had indicated that she is open to considering a new appeals process. Chair Weineck says that the process would be enhanced if the Senate Assembly would pass SACUA’s resolution.

4:50 the motion was moved

Whereas students who are either complainants or respondents in investigations conducted by the Office of Institutional Equity (OIE) can appeal both OIE’s findings and sanctions imposed as a consequence of OIE findings and

WHEREAS faculty must be entitled to the same due process protections as other members of the university community, and

WHEREAS fair investigations of charges of misconduct against faculty benefit from and at times require peer evaluation,

RESOLVED that the Senate Assembly requests that the University institute a policy

- a. by which all OIE findings in which faculty are the complainants or the respondents be reviewed at the faculty’s request by a body of their faculty peers which will be empowered to recommend reconsideration of the findings
- b. by which both OIE findings and sanctions against faculty can be appealed to the same body or an appointed body at least half of whom will be members of the UM faculty senate.



Professor Lehman and Chair Weineck noted that many of the cases that have been investigated, did not involve actual charges against faculty who had been sanctioned. Professor Ortega asked why the motion as tied to students, Chair Weineck said that the student policy was important as the administration had admitted the potential fallibility and appealability of OIE findings. A Senate Assembly Member and Chair Weineck discussed the wording of the resolution. Professor Smith said that the administration said that it valued the opinion of Senate Assembly. A Senate Assembly Member asked what “the same body meant” in B. The proposal was emended so that B will read “by which both OIE findings and sanctions against faculty can be appealed to the same

body of their faculty peers or an appointed body at least half of whom will be members of the UM faculty senate.”

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RESOLUTION 041816

The following resolution passed unanimously:

Whereas students who are either complainants or respondents in investigations conducted by the Office of Institutional Equity (OIE) can appeal both OIE’s findings and sanctions imposed as a consequence of OIE findings and

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- b. by which both OIE findings and sanctions against faculty can be appealed to the same body of their faculty peers or an appointed body at least half of whom will be members of the UM faculty senate.

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5:00 Adjournment

Next Senate Assembly Meeting: September 19, 2016

Respectfully submitted

David Potter  
Senate Secretary

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**University of Michigan Bylaws of the Board of Regents, Sec. 4.01:**

*The University Senate*

The senate is authorized to consider any subject pertaining to the interests of the university, and to make recommendations to the Board of Regents in regard thereto. Decisions of the University Senate with respect to matters within its jurisdiction shall constitute the binding action of the university faculties.

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**University of Michigan Bylaws of the Board of Regents, Sec. 4.04:**

*The Senate Assembly*

The Senate Assembly shall serve as the legislative arm of the senate.

The assembly shall have power to consider and advise regarding all matters within the jurisdiction of the University Senate which affect the functioning of the university as an institution of higher learning, which concern its obligations to the state and to the community at large, and which relate to its internal organization insofar as such matters of internal organization involve general questions of educational policy.

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FACULTY SENATE  
**SENATE ASSEMBLY**  
UNIVERSITY OF MICHIGAN

**Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs:** In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed.