

DRAFT Minutes of 21 October 2019

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Approved

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
Monday , 21 October 2019
Michigan League, Henderson Room

Present: Ahbel-Rappe (by virtue), Ali, Barzilai, Bawardi, Beatty (by virtue), Castilho, Caulfield, Chen, W. Chen, Conway (by virtue), Dal Cin, Dinov (by virtue), Fabilli, Fenno, Finlayson, Gnedin, Hartley, Herbert, Huang, Indjejikian, Jenkins, Jones, Junghans, Kahn, Kosnoski, Lagisetty, Lepri, Liu, Malek (by virtue), Manera (by virtue), Mao, Marsh (by Virtue), McInnis, Morgan, Passey, Rao, Sales, Sandhu, Singer, Snyder, Spencer (by virtue), Tonomura, Toyama, Traynor, Trumpey, Zhu

Alternate Requested: Butt (SEAS), Byon (Engineering), Costa (Nursing), Kahle (Nursing), Kattari (SSW), Meek (LSA) , Meyer (LSA), Myers (STMD), Partridge (LSA), Van Berkel (SEAS)

Alternate Present: Karla Goldman (SSW)

Absent: Andrias, Blackburn, Carver, DiFeo, Gallo (by virtue), Kannatey-Asibu, Knoblauch, Laurence, Liang, Mendlow, Nelson, Papaleontiou, Philipich, Shah, Shtein, Soloway, Subramanian, Suwanabol, Tonomura, Turnley, Wright, Croft, Helton, Rosemberg

3:18: Call to Order, Approval of Agenda and Minutes, Announcements

3:21 The agenda was approved. The Minutes for September 23, 2019 were approved. There were 3 abstentions.

Chair Beatty announced that the meeting was being recorded as a pilot to make meetings more accessible. The eventual goal is to have meetings recorded and then posted for people who have missed them. BlueJeans could potentially be used in the future. She encouraged Senate Assembly members to announce their name and to use the microphone when making comments.

Chair Beatty referenced a Senate Assembly Committee Update handout that includes summaries of what committees have been working on during the last month. Upcoming meetings are also listed on this document. Chair Beatty acknowledged that Senate Assembly work is being conducted broadly across campus. She recommended that Senate Assembly members email committee chairs, whose names are listed on the update document, with questions. These summaries can help Senate Assembly members identify issues of interest for follow up and potential discussion. Chair Beatty encouraged Senate Assembly members to bring issues back to their units for feedback.

Chair Beatty mentioned that U-M Ann Arbor recently hosted the Big Ten Academic Alliance Faculty Governance conference. All the chairs and vice chairs of faculty senates in the Big Ten (with the exception of Rutgers) attended. Chair Beatty shared topics that were discussed at the conference including academic integrity, issues with proctors, mandatory training for disability accommodations, sexual misconduct, sports wagering issues, and course evaluation policies. Chair Beatty described a Chick-Fil-A resolution at Purdue. Purdue built a new student dorm with a Chick-Fil-A dining outlet, and some campus members there were upset due to values that were perceived as inconsistent with Purdue values, particularly related to the LGBTQ community. Additional topics included intellectual property resolutions related to online courses, data management policies, benefits and promotion of non-tenure track faculty, and external political influence through large donations. Chair Beatty described an example of the Koch brothers who wanted to give money

to Nebraska for a center on campus, which lead to questions about potential external political influence that could be associated with such a donation. Chair Beatty also mentioned an issue that came up about disability accommodations and the failure of disability services to consider teacher input to ensure that the accommodations do not giving disproportionate advantage to some students over others.

Chair Beatty recognized the diversity of faculty senate structures in the Big Ten with some including students, alumni, and staff, and the diversity of governance structures with some members of boards of trustees or boards of regents who are elected or appointed, including student or alumni donors. Different faculty senates also have differing levels of influence with some routinely involved in high level decision-making. Issues of participation and achieving quorum are a shared problem. Chair Beatty gave an example of participation problems at Rutgers last year where a proportionally higher number of students participating can result in potentially unbalanced representation due to the lack of faculty representation. An additional example Chair Beatty described was a recent Research Policies Committee meeting she attended in which Dearborn and Flint faculty were represented, as well as post-docs and graduate students, but with limited Ann Arbor faculty attendance to participate in discussions about research policies that influence the entire UM system.

Professor John Traynor, Senate Assembly Representative, wondered if there is anything Senate Assembly should be doing to facilitate participation. Chair Beatty noted that Senate Assembly often responds to topics reactively, and she questioned whether Senate Assembly should be more proactive in addressing issues. Chair Beatty acknowledged that faculty governance is all volunteers, and she asked how to get in front of timely issues. Chair Beatty stated that the Faculty Senate Office is leaning on the new Faculty Senate Director, Dr. Banasik, for support in building and maintaining communications across campus.

Vice Chair Conway noted that there was great communication among institutions at the BTAA conference, and now we are starting to communicate with each other about next year's conference to be held at Nebraska. Communication and sharing is helpful. The theme of the conference was that if a key topic or concern hasn't happened on your campus yet, it will likely happen in the future.

3:34 Senate Assembly Representative Professor Toyama gave a 5.09 committee update and a unit report about the School of Information.

Professor Toyama is chair of the Academic Affairs Advisory Committee which advises the Provost. Professor Toyama described the Regents 5.09 Bylaw, which concerns the removal of a faculty member with tenure. He described the issue as important to everyone. He identified Interim Secretary Potter as a member of the committee along with 9 or 10 faculty members, some who were nominated by SACUA and others by the Provost. He indicated that as he understands it, that the main reason the Regents have wanted to consider a revision of the Bylaw is that there have been cases where tenured faculty have committed acts seen by the public as egregious crimes, where guilt seems certain, but these Bylaws currently require the university to continue to provide full compensation and benefits for the accused during the hearing and, according to Bylaw 5.10, for an additional year. Professor Toyama explained that the original intent of the Bylaw was to ensure protection from political pressures. He explained that the committee is trying to meet two boundary conditions. If the faculty member turns out to be guilty of an egregious crime, they want to provide as little compensation as possible from the moment that determination is made. If someone is innocent, or if there are political foundations of the complaint against the faculty member instead of objective performance issues, they want to maximize protection. The committee is still working through this. In mid-November, preliminary recommendations will be provided to the Provost and Regents. Final recommendations are due in February. Professor Toyama solicited feedback from Senate Assembly. He plans to put together a brief summary of what has been discussed to his School, and he will send to the Senate Assembly Representatives as well.

Interim Secretary Potter confirmed that Professor Toyama did a good job of summarizing the issues. He noted that the committee is working very well together, and that people's views are important to consider.

There has also been an opportunity to look at procedures in other schools as well to align with best practices at other universities.

SACUA member Malek asked about the definition of egregious, and whether any crime is an egregious crime. He asked whether a crime may be a misdemeanor or some other offense.

Professor Toyama responded that the committee's charge is to define what egregious might be, and they are talking about having a faculty committee that holds a hearing so as to decide on a case-by-case basis. The question of egregious is related to whether pay should be suspended while the full tenure-removal process is happening.

Professor Toyama noted that the committee recognizes that actions meriting removal of tenure are different from, if often correlated with, illegal actions. The question of egregiousness for the university may differ from actions classified as felonies. Some things may not be crimes, but may not be acceptable to the university, and other things may be crimes but are not of consequence to the university.

SACUA member Marsh made a point to provide background for those in attendance. He stated that there is a general feeling that this would not be coming up if the process that has been used in the current cases this year had moved faster. He continued that the main thing that seems to be bothering the Regents is that the process seems to take a very long time. Professor Marsh continued that he believes that the current process is rigorous. He encouraged the committee to preserve due process while hastening the process.

SACUA member Manera encouraged the process to ensure that salary not be cut for faculty who are not guilty, and that a process be followed first. Professor Toyama stated that there has been discussion about putting withheld salary funds in escrow, or otherwise ensuring that suspended pay is provided in determinations of innocence.

Representative Samer Ali stated that the 5.09 procedure and the felony policy are predicated on the presumption that our criminal justice system works okay. He disagreed with this assumption and stated that there are several exoneration projects at the law school, and other projects. He stated that arrests and convictions are racialized.

Professor Toyama responded that the current process is separate from the legal process.

Overall, there is a concern by the Regents that the legislature could step in when a faculty member who appears to be guilty of an egregious crime in the court of public opinion appears to be making hundreds of thousands of dollars per year without teaching or conducting other work.

3:44 Senate Assembly Representative Professor Toyama Unit Report – School of Information

The School of Information was formerly a library science school that was reconstituted by the Regents in 1996. Their work is at the intersection of information, technology, and people. The School is very interdisciplinary. This is a small unit with no departments. There are about 60 faculty members, of which about 50 are tenure track. The School offers 5 degrees and the PhD program has about 90 students. The School has two master's programs that typically have 500-600 students in total. There are about 250 students in undergraduate programs. The School is proud of a new fully online master's of applied data science degree that was recently launched. A challenge has been rapid growth. The student population has more than doubled. A department structure may be needed in the future. To connect Senate Assembly, Professor Toyama sends emails about issues that are coming up in Senate Assembly to all faculty in the School. Because the School is small this doesn't pose problems.

Chair Beatty inquired about the School of Information seat that was delegated to the library. Professor Toyama was not familiar with these details. Chair Beatty stated that this may be an issue to discuss in the future to determine whether the library should have its own Senate Assembly seats. Professor Toyama indicated that he is working to get faculty more involved. He is in his final year as a Senate Assembly member.

3:48 Senate Assembly Representative Meredith Kahn Unit Report – Librarian for Gender and Sexuality Studies

Representative Kahn identified her pronouns as she/her/hers. She is part of a team of librarians and functional specialists who are based in the graduate library and is part of a library system that reports to James Hilton, Dean of Libraries and Vice Provost for Academic Innovation. The library as a unit includes a number of units across all three campuses with a variety of reporting structures. There are multiple libraries around campus that have different reporting lines. The Flint and Dearborn libraries report through chancellors. Librarians, archivists, and curators work at the libraries. Of 250 FTEs, 90% are on the Ann Arbor campus. 80% of this number are librarians, 10% are archivists, and 10% are curators. The library's system of promotion requires a demonstration of excellence, research activities, and service. Employees are evaluated by peers, but there is no tenure. Representative Kahn explained that while librarians do not have their own students, everyone's student are their students. They show students how to do research, and they are one of the largest student employers on campus. Representative Kahn explained that the libraries are proud of the Shapiro Undergraduate Library, Albert Kahn Associates Archives, and of the fact that they have received generous support to build collections. They have a budget of nearly \$25 million annually for collections. Although they are acquiring more and more electronic materials, a challenge is to continue to find space to store physical items. The libraries are adding 70,000 print items to collections each year. Representative Kahn explained that it is not cheaper or easier to be responsible stewards of existing and new collections as digital format has increased. The University Library, Provost's Office, and Architecture Engineering and Construction services worked to develop a building study for a print repository that could house at least 6 million volumes. The study is currently under review. It has not been approved and funds have not been secured for it. It is still currently an idea. Representative Kahn stated that what would help connect Senate Assembly to librarians is for librarians to have proportional representation. There are more than 200 librarians on campus, and librarians do not hold their own seat. Instead, they hold a seat from the School of Information.

Representative Caitlin Finlayson from Dearborn asked whether there are plans to create more seamless use of materials between the three campuses.

Representative Kahn answered that yes, much of the new electronic resources are negotiated for access across all three campuses, but she acknowledged an issue with catalogs that is currently being addressed. Representative Finlayson followed up with a statement that the library is small at Dearborn with a decreasing budget. Availability of journals has been inconsistent year to year due to licensing issues. She inquired about the possibility of licensing materials as a group to include all three campuses. Representative Kahn confirmed that licensing for Flint and Dearborn is usually one of the first things requested when entering licensing agreements.

Representative Melvin McInnis asked how resources that have accumulated in faculty offices can be recycled. Representative Kahn explained that the library has a gifts in kind policy. However, most items in people's offices are not useful. Better World Books can connect books with readers. The library does not facilitate recycling of materials in faculty offices.

A Representative inquired about Buhr Remote Shelving Facility. Representative Kahn gave background information about Buhr. Buhr is the oldest storage facility, which is by the athletics campus. Six facilities are rented to store materials. Decisions are made based on use, access, and condition of materials.

4:04 Senate Assembly Representative Caitlin Finlayson Unit Report – Dearborn

Representative Finlayson is an associate professor of English at Dearborn. There are 9,468 students at Dearborn broken out across four colleges including Arts, Sciences, and Letters; Engineering and Computer Science; Business; and Education, Health, & Human Services. Dearborn is primarily an undergraduate institution. Graduation figures include 774 masters, 1,400 bachelors, and 10 doctorates. Graduate programs are mainly in education, engineering, and computer science. Dearborn serves Michigan mostly with 94% of students at Dearborn being from Michigan compared to 52% of undergraduates in Ann Arbor coming from out of state. 91% of students stay in Michigan after they graduate. 72% of undergraduates are non-traditional students. 38% are first generation and 27% are students of color. There are also many working students. A typical English classroom for her includes a quarter of first generation students, about 1/3 of students are

working parents with family responsibilities. Students usually fit into multiple categories of nontraditional students. They also have about 30% Arab American students and a number of students who speak English as a second language. As her third year on Senate Assembly, one thing Senate Assembly keeps coming back to is diversity, equity, and inclusion. She would like Senate Assembly to think more broadly about what that means, taking into account regional campuses and how these campuses can be supported in the education of students in Michigan. A challenge is that 39% of the student population are student transfers. This is likely to increase due to the Michigan Transfer Agreement which requires the institution to accept all credits from community colleges. Sometimes students are not prepared when they transfer, and then retention can be an issue. There is a new mandatory foundations course starting next year that teaches basic research and university life skills to help students to be successful. Dearborn has a six-year completion rate. There is a desire to lower this rate, but this can be challenging when some students do not wish to complete their degree more quickly due to competing demands on their time. In Representative Finlayson's experience, at times nontraditional students have been encouraged to take more credits than they can handle, so pushing for a faster completion rate doesn't always benefit students. Representative Finlayson indicated that students can be supported for retention through the food bank, emergency housing, and services to help keep students on campus and engaged to complete their degrees.

Representative Finlayson stated that another challenge, which is also a strength, is that 94% of students are from Michigan. This is a challenge due to a dip in Michigan's population. A majority of the institution's working income comes from tuition, so decreases in enrollment have a big impact. The dip in enrollment there was 3% and will likely continue. The College of Arts, Sciences, and Letters has been restructuring. Administrative assistants are being relocated to other places, and they are being shared.

Representative Finlayson indicated that positive things are also happening. There has been an increase in graduate programs, particularly in the College of Engineering and Computer Science. Online classes are also growing. College of Arts Sciences and Letters now has a 20% by 2020 initiative where 20% of its courses will be online, rotating online and in person.

Representative Finlayson also noted that a diversity, equity, and inclusion issue that has been expressed by both Flint and Dearborn faculty. There is a division between the regional campuses and the Ann Arbor campus, such as in arts education, educational opportunities are becoming more limited at Dearborn and Flint. Cultural life is present in Ann Arbor but is being scaled back at regional campuses. Students still want the opportunity to study humanities and arts, and this is concerning to faculty.

4:19 Chair Beatty indicated that due to the interest of time, Dr. Banasik's segment would be postponed to a later Senate Assembly meeting.

4:20 James Hilton, University Librarian and Dean of Libraries, Vice Provost for Academic Innovation

Dean Hilton is visiting to discuss the library and the Library Council, and to discuss issues he sees the library facing going forward. Dean Hilton indicated that while walking around campus he has heard the library referred to as something quaint. However, there is a lot of activity going on at the library. 4.2 million people come through the library per year, and counts are going up. The library provides collaboration and study space, and services. When thinking about the library, it is challenging to get people to think about the services the library provides in addition to the collections the library provides. When people come to the library, they discover services. There are over 14 million volumes at the library. People are still using print books. There are requests for ebooks, journals, and prints. There is a rise in demand for digital materials and nearly no decline for print materials. Requests for digital materials are in addition to print requests. The library is the number two provider in the country for inter-library loans, as well as the number two borrower. This shows the vibrancy of scholarship happening at Michigan, and that owning and accessing materials have to be thought about separately. The prime directive is to get scholars what they need. The library delivers to faculty offices and to libraries. There are 40,000 reference transaction per year. The library provides instruction in public sessions and in workshops, does information literacy classes, partners with academic departments. The library also does scholarly sprints to explore areas in partnership with a team of librarians

to explore archival data in research and metadata. The library is a research library, and it also engages in conservation. Other institutions may make decisions on what to keep based on whether Michigan has it, which can present challenges. They repair books and do both physical and digital conservation. The library also provides research management services.

Dean Hilton stated that the library has an active commitment to publishing. The mission is to help enable scholarship to help it be birthed, distributed, and help keep it to the grave and beyond. There are 2,000 original contributions published per year and 10 million downloads. The library has large physical spaces including 750,000 square feet of public facing space and storage in eight facilities, which includes Buhr. Space is so constrained that moving something from one place has a domino effect on other places.

Dean Hilton described the Library Council is a committee mandated by the Regents that is advisory to the University Librarian. The committee used to meet once or twice every year or two because it was required. This was frustrating because libraries are in the midst of incredible change, and they need thought partners. So they worked closely with Senate Assembly. It was challenging to pick members because this happened too late. They have now expanded membership and made it rolling so people could serve longer. They try to meet every two months. People can talk about what they wish to talk about, but in the absence of concerns coming from members, Dean Hilton needs active thought partners. Dean Hilton described “loomings” as things that are ahead them, which can be good or bad, but cannot be ignored. Dean Hilton went through some loomings that the Library Council is working on, such as receiving the largest donation in the library’s history which is large enough to renovate the third floor of Shapiro. Bound journals are held there, and there is agreement that those journals do not need to be stored on central campus. The renovation is a pilot to see the interaction between collections, services, and collaboration space. Another looming is University Presses’ shared fate. Scholarship in the humanities and social science depend on the publishing infrastructure of the press. Traditionally this infrastructure was supported by robust sales. Today monograph sales are down over the past 20 years across the sector. Collection budgets are declining at most libraries, though we are holding steady. Revenues have consistently fallen below budget and are 11% down across the sector this year. In 2014 the University of Michigan Press was taken out of auxiliary status and made part of the library. It is run separately and is mission rather than revenue driven. A third looming is transformative agreements. Dean Hilton described the lack of a contract between the UC system and Elsevier as an example where attempts were made to enter a transformative agreement which would be a distribution between paying to read and paying to publish with open access. This is complicated for Michigan because Michigan publishes disproportionately.

Chair Beatty asked what is transformative about a transformative agreement. Dean Hilton explained that it is called “transformative” because it is trying to transform a model of scholarship that is based only on subscriptions.

SACUA member Manera asked whether an analysis has been done to see how much it would cost Michigan to pay for each publication published. Dean Hilton replied that along with Big Ten colleagues Michigan is paying to have that analysis done. Rather than shift the costs to authors, the question is what would the institutional cost be, what are the institutional resources, and how can that space be navigated?

SACUA member Malek described paying for publications already. He asked for clarification about what open access means. Dean Hilton defined open access as free to read. He also acknowledged that there are disciplinary difference concerning costs to publish. The publishing system is broken in different ways in different disciplines.

SACUA member Abhel-Rappe asked about open access and the Michigan Press. Dean Hilton clarified that the library is trying to identify in what disciplines open access works, and in what disciplines it doesn’t work, and how to make sure there is funding for the mission of the press. Presses that are currently making money either have an endowment, they have a best seller, or they run the press like a for-profit which affects editorial and marketing decisions. The University of Michigan Press focuses on editorial excellence. A funding model needs to be identified that can sustain it.

Dean Hilton spoke about an additional looming, “sticky interdependence.” What you had in the library determined what scholarship could be done at that location. In a networked world, that strategy does

not work. He asked how collections can be managed in coordinated ways. He explained that print copies need to be preserved, but every copy is not needed, and every institution does not need to own everything.

Representative Ann Sales asked about competitive advantage. Dean Hilton believes that competitive advantage comes from the quality of the faculty, students, and services you provide regardless of where materials come from.

4:57 Matters Arising

Chair Beatty asked whether there are topics that came up today or that have come up from the previous meeting that anyone would like to bring up for a future meeting.

Representative John Traynor asked about having a discussion about library seats. Chair Beatty responded that Senate Assembly seats are allocated using an equation based on how many faculty members are in the school or college. The make-up of Senate Assembly is Regentally defined. Representative Traynor asked to have an additional conversation about this issue.

A Senate Assembly Representative inquired about the opportunity to ask additional questions about Dearborn.

Representative Kahn suggested that she and Dean Hilton could return to speak about open access.

5:01 The meeting was adjourned.

Respectfully submitted

MaryJo Banasik
Director, Faculty Senate Office

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.

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 advice 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.

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.