

AAAC End-of-Year Report AY2019-20

Kentaro Toyama

August 5, 2020

AAAC members: Ketra Armstrong, Lola Eniola-Adefeso, Elena Gallo (SACUA liaison), Michael Hess, Enrico Landi, Chris Liu, Michael Mendez (graduate student representative), Rebekah Modrak, Elissa Patterson, Priti Shah, Kanakadurga Singer, Chitra Subramanian, Hsiao Hsin Sung Hsieh, Kentaro Toyama (chair), Sergio Villalobos Ruminott, Adam Zhu (CSG undergraduate representative).

This was an eventful year for the AAAC, involving a transition in provosts, implementation of a campus-wide sexual misconduct “umbrella policy,” revisions to Bylaws 5.09/5.10, and the first few months of the global coronavirus pandemic. There was also a distinct sense that while the administration was open to input from the AAAC on many issues, some key decisions made by U-M leadership were ultimately not swayed by the AAAC or other representative faculty bodies.

This document overviews (1) the AAAC’s activities with respect to its AY2019-20 charge from SACUA; (2) issues raised by the Provost; (3) issues that were not on the SACUA charge; and (4) larger issues that arose during the year. Throughout, issues that are proposed for the AY2020-21 charge are noted **in red**.

Issues from the SACUA Charge

First, a review of the items on the AAAC charge for the year. (Below, the bulleted text is copied directly from the charge.)

- Evaluate faculty involvement in searches for unit administrators, including in the appointment of search committees and provision of input to them.

This point was raised on Oct. 2, 2019, with former Provost Martin Philbert, in connection with the ongoing [OIE Director search](#). Provost Philbert was quick to note that the search committee included Prof. Joy Beatty, SACUA chair, and that efforts would be made to reach out to SACUA to nominate members of other EO search committees.

This question arose again on Mar. 20, 2020 (after Provost Philbert resigned) with respect to search committees for high-ranking executive officers, and was mentioned on [Apr. 17, 2020](#), to then-Interim Provost Susan Collins. She noted that overall, she is always open to input from faculty, but that EO searches are handled by the Office of the President, who “welcomes faculty input.”

Overall, the AAAC believes there has been progress on this front in the last one or two years, but that SACUA and AAAC will need to remain attentive to ensure faculty representation.

- Understand and provide input into the planned modifications to Regents Bylaws 5.09 and 5.10, regarding processes around termination of tenured faculty.

The AAAC spent portions of several meetings on this topic, and provided input along the process, with [recommendations](#) that aligned with faculty polls about the bylaws: avoiding pay suspension before a finding of guilt by the Hearing Committee; ensuring that program discontinuation does

not lead to the termination of tenured faculty. (As a member of the Faculty Working Group who proposed revisions to the Regents, Prof. Toyama also pressed for these changes through various channels, including an [op-ed](#) and private emails to the Regents.) In the Winter, the Regents voted to approve their own revisions, rejecting the AAAC recommendation to avoid a pay suspension provision for violent conduct and “job abandonment” – the latter not specified in any detail. **A significant question under the coronavirus pandemic is whether the “job abandonment” clause will be used to suspend pay for tenure-track faculty who refuse to teach in person.**

- Understand and provide input into changes to Office of Institutional Equity (OIE) and its processes. This includes understanding and responding to the third-party report about OIE that was completed and released in AY2018-2019.
- A relevant issue carried over from previous years is that of ensuring due process for faculty under OIE review. In particular, are faculty able to appeal the facts of a case brought against them.

On [Nov. 8, 2019](#) and [Dec. 11, 2019](#), these points were raised in the context of the “Sexual Misconduct Umbrella Policy” that was [drafted and circulated](#) for comment in the Fall. The AAAC made a [series of recommendations](#) – some clarifying, and some substantial – including the possibility of faculty appeals of the facts, the hearing, and the outcome of an OIE investigation. Other recommendations were for some form of faculty oversight of OIE; avoidance of punitive Interim Measures for accused employees prior to a determination of guilt; hearings conducted by impartial, trained, hearing officers; review panels populated by employee peers. It is unclear whether the final policy has been adopted (it appears to have been, but with no formal announcement: <https://sexualmisconduct.umich.edu/>), but as far as the AAAC is aware, none of the substantive recommendations made by the AAAC have been adopted at this point. **Requesting an update on the status of the policy should be on the charge for AY 2020-21.**

Notably, former Provost Philbert appeared open to the possibility of high-level faculty oversight of OIE. The AAAC was not able to follow up on this point, since Provost Philbert was suspended soon after. **It is recommended that the possibility of faculty oversight of OIE – by some body selected by SACUA – be put on the charge for AY2020-21.**

- Ask about any known repercussions due to the changes in SPG 601.22 – on faculty-student relationships – in AY2018-2019.
- Ask about any known repercussions due to the changes in SPG 601.38 – on mandatory reporting of felonies – in AY2018-2019.

The AAAC decided in the Fall to ask about these issues late in the Winter, as the changes to the SPGs were still recent. However, in the Winter, the pandemic took over the agenda, and these items on the charge were dropped. **It is recommended that these items remain on the charge for AY2020-21.**

- Ask about the nature and impact of the recent ~50 new lines hired under DEI initiatives.

On [March 20, 2020](#), the AAAC met with Chief Diversity Officer, Rob Sellers. He provided an overview of university-wide DEI activity. He noted that there was significant improvement in awareness of DEI issues on campus, and improving student demographics with respect to some underrepresented minorities (e.g., Latinx students, Pell Grant recipients). But, there was a long way to go (e.g., Black student numbers, URM faculty retention). The specific question about the impact of the ~50 additional lines was not raised.

- Evaluate whether oversight of Michigan Press is in line with Bylaws.
- Understand university support for study abroad programs, and specifically whether there are redundant structures: Are there structures that do work that overlaps with the International Institute, and if so, are they necessary?

The AAAC did not prioritize these issues, and they were ultimately not raised with the provost during the academic year.

- Work with SACUA to improve communication between faculty governance bodies and faculty at the university.

The AAAC did not take any formal steps along these lines, but on several occasions with respect to key issues such as the 5.09/5.10 revisions and the Umbrella Sexual Misconduct Policy, AAAC members were encouraged to seek input from their units, and that input was incorporated into discussion and feedback to the U-M leadership. **It is recommended that this item remain on the charge for AY2020-21, as an ongoing effort to keep faculty better connected to faculty governance.**

Issues Raised by the Provost's Office

Beyond the charge from SACUA, AAAC also engaged with a number of issues raised by the Provost. In all of these cases, the Provost sought feedback from the AAAC, and committee members were happy to provide it. The Provost requested feedback on...

- The Sexual Misconduct Umbrella Policy (as above; [discussion notes](#));
- Materials for U-M's re-accreditation process with the Higher Learning Commission;
- Enterprise Strategic Risk Management ([notes](#)).

Issues Raised by AAAC Members

Finally, a number of issues were raised by AAAC members during the academic year. Most of these items were discussed within the AAAC. In some cases, the issues were also raised with the Provost.

- What is the status of policies around faculty writing letters of recommendation for students, especially after the [Blue Ribbon Panel's recommendations](#) on the topic?

Provost Collins, who was on the Blue Ribbon Panel, [responded](#) that the intent was for units to read and discuss the issue. No formal policy about recommendation letters is planned.

- What is the status of Prof. John Cheney-Lippold, who was sanctioned by his unit and/or the university for retracting an offer to write a letter of recommendation for a student, and then for discussing the issue with his students?

The AAAC met with Prof. Cheney-Lippold. Though some of the initial sanctions he experienced were withdrawn, others were not, and a threat of 5.09 (tenure dismissal) remains. There are some residual issues here around poor due process, politics interfering with academic freedom, overly broad interpretations of SPG 201.96 on professional conduct, etc. **It is recommended that this item be put on the charge for AY2020-21.**

- When will the university conduct a study on faculty salary disparities by gender and race?

This item was moved by SACUA to the Committee on the Economic Status of the Faculty, but the AAAC felt it was important enough to ask for an update. The issue has been on the AAAC agenda since at least 2017 (3 years!), with the administration claiming throughout that time that there is some reason they cannot reveal for why it cannot be conducted at this time. There have been at least two previous such studies commissioned by the university in [2007](#) and again in [2012](#). This year, Provost Collins confirmed only that she had no updates as of [Apr. 4, 2020](#). **It is recommended that this item be put on the charge for AY2020-21. Recent momentum from the Black Lives Matter may add urgency to this issue.**

- University plans and policies around COVID-19.

This issue dominated the meeting on [Apr. 4, 2020](#). AAAC members provided their input on issues raised by Provost Collins. In May, the AAAC also submitted a [recommendation](#) for the university to provide a default one-year extension of the tenure clock for all junior faculty. The Provost responded that the university already has a provision by which anyone can petition for such an extension, and that it would not change the policy. While AAAC members disagreed, it did not feel the issue was sufficiently important to merit further action.

Broader Issues

There were a number of themes that were discussed within the AAAC throughout the year, and which deserve ongoing attention.

- At least under Provost Philbert, there was a tendency for AAAC requests to discuss specific topics to be met by long-ish presentations from guest Executive Officers, leaving very little time for questions or Provost response. **It is suggested for future AAAC meetings that the chair try to implement a “flipped classroom” style of meeting where (1) relevant slides and documents are forwarded to AAAC members in advance; (2) AAAC members are requested to read the materials and to prepare questions; and (3) guest EOs are discouraged from giving presentations.**
- As big issues came and went before the AAAC, the committee increasingly came under the feeling that the administration’s interest in hearing feedback was not always supported by a genuine openness to changing policy. On many issues, the AAAC attempted to distill its recommendations to a very small number – sometimes just one – yet, even these were often not implemented. While the AAAC welcomes the Provost’s interest in hearing feedback, and hopes that will continue, there is a possibility that the administration is not really listening. **Going**

forward, the AAAC could track the degree to which the administration responds flexibly to feedback.

- There were some concerns on the AAAC that the university administration is prioritizing legal, financial, and public relations values at the expense of academic ones. However, as this is a diffuse pattern of behavior not clearly visible within any single given issue, it is difficult to respond effectively against. The AAAC may wish to discuss this point going forward.