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To SACUA:

I would like to be considered for a position on the Standing Judicial Committee. I've seen and experienced enough relevant examples to know that it is important and fortunately is rarely required.

Last year I was chair of the College of Engineering Rules Committee, when we developed a mechanism whereby the College could reduce a faculty member's pay. It had strict criteria, procedures involving faculty peers, with multiple stages where the faculty member could provide input. Despite this, it was voted down largely because people believed that occasionally it would be used inappropriately. While the strict procedures in 5.09, including mechanisms for the faculty member to defend themselves, may still be considered inappropriate by some, I think the meeting rules that SACUA and the administration created, and the use of a Standing Judicial Committee of faculty, will help overcome objections.

You suggested that mediating experience would be useful. I've been an unofficial mediator between faculty and PhD students in situations involving claims of theft of intellectual property, and of plagiarism. All cases were resolved rather quickly. However, far more important is that I've seen both sides of situations that could have ultimately involved 5.09 procedures. My wife, then an assistant professor in Statistics here, was sexually harassed by her department chair, and also denied tenure. We strongly disagreed with the procedures used: using an untrained ad hoc committee to investigate denial of tenure, where every tenured faculty member was given a description of the sexual aspects; and then the procedures for sexual misconduct, which strongly protected her privacy. Based on her case, relevant university procedures were significantly revised. Meanwhile the former chair resigned. What I learned from knowledgeable sources is the extent to which the University made it clear that they would invoke formal dismissal procedures if necessary, but convinced him that challenging it would be quite damaging to him. Hence if 5.09 is invoked there is a serious breakdown, and using an untrained committee would not be appropriate.

On the other side, I saw instances in the SUNY system where the dismissal procedures were inappropriate. I started at SUNY-Binghamton (now Binghamton University) in 1976 and was surprised that there was a faculty union. It had been formed because of instances at some of the colleges where rather arbitrary procedures were used to punish faculty. With a bit of digging I ultimately learned quite a bit about some of the cases. The ease at which the various college administrators could do this was shocking. It essentially forced the system-wide faculty to form a union to protect the faculty at some of the colleges. Here too I believe that strict dismissal criteria and very clear procedures were needed, and having a faculty hearing, using a standing committee of faculty that were trained in the rules and their implementation, was sorely needed.

Based on my experiences, I think I'd be an appropriate member of the Standing Judicial Committee

Regards,