

## **Motions and Voting Results from October 4, 2021 Faculty Senate Meeting**

### **Motion 1 Work Connections**

WHEREAS data establish conclusively that vaccine-induced immunity to COVID infection wanes significantly over time; and

WHEREAS recent data indicate that the effectiveness of current vaccines is far lower than the pre-August 80% figure the administration has cited as a basis for their policies; and

WHEREAS medical conditions and other factors, such as systemic racism or advanced age, render some instructors and staff members particularly vulnerable to both infection and serious negative outcomes; and

WHEREAS we owe these community members protection and support; and

WHEREAS [Work Connections](#), a unit that reports to Risk Management, is tasked by the university to validate the medical documentation staff and instructors submit in support of their requests to work remotely; and

WHEREAS 15 faculty have submitted reports to a community advocates group disclosing that Work Connections failed to support their medically-documented need to teach remotely or to take the paid medical leave they requested, dismissed their and their physicians' valid concerns, and, in some cases, illegitimately interfered in their medical treatment plans; and

WHEREAS Work Connections has frequently refused to validate documentation that established the need to teach remotely, advising faculty to observe social distancing instead, despite the fact that social distance cannot be achieved in their classrooms; and

WHEREAS the current routine denials of instructors and staff concerns about their individual risk contravenes the administration's oft-cited commitment to the health and well-being of instructors and staff; now therefore

BE IT RESOLVED that the University direct Work Connections to validate and support all medically supported requests to work remotely and not substitute their own judgment for that of requesters' physicians; and

BE IT RESOLVED that if medical recommendations require an instructor to socially distance, and if this distancing is not possible, that the instructor be allowed to work remotely; and

BE IT RESOLVED that Work Connections be re-organized and re-conceptualized with significant input from elected faculty governance and representatives of other affected constituencies; and

BE IT RESOLVED that the university institute processes by which determinations by Work Connections can be appealed; this process must be independent while

maintaining strict confidentiality if requested.

Movant:

Silke-Maria Weineck, Grace Lee Boggs Professor of Comparative Literature and German Studies\*, Department of Germanic Languages and Literatures, LSA \*regents approval pending

Supporting Members:

Valerie Traub, Adrienne Rich Distinguished University Professor of English and Women's and Gender Studies and Frederick G. L. Huetwell Professor of English and Women's and Gender Studies, LSA

Emmanuelle Marquis, Professor of Materials Science and Engineering, CoE

Rebekah Modrak, Professor, Stamps School of Art and Design

Su'ad Abdul Khabeer, Associate Professor, American Culture, LSA

Gillian White, Associate Professor, English, LSA

M. Remi Yergeau, Associate Professor of English, LSA

*A total of 681 votes were cast in support of Motion 1 and a total of 329 votes were cast in opposition. The motion passed. 68 abstentions were recorded.*

## **Motion 2 COVID Protocols**

WHEREAS the number of COVID-19 infections in Washtenaw County and at the University has been increasing significantly;

WHEREAS recent data on the vaccine effectiveness against infection by the Delta variant of COVID-19 show it is ~20-30% lower than the pre-August numbers; and

WHEREAS, at current vaccination rates, the number of vaccinated, yet infected, community members is therefore high;

WHEREAS the University of Michigan only requires unvaccinated individuals to be tested for COVID-19, only once a week, a far lower rate than at some peer institutions;

WHEREAS an unvaccinated individual, if positive and asymptomatic, is likely to spread the virus for an average of several days before being tested and quarantined;

WHEREAS many asymptomatic individuals are spreading the virus, unbeknownst to them or the University;

WHEREAS many classes are populated at high density, without social distancing and with unknown air replacement rate;

WHEREAS many individuals use imperfect masks or wear them in imperfect ways;

WHEREAS the university responded to valid criticism of its vague notifications to

students not by making the notifications less vague but by ceasing to notify students and instructors at all; now therefore

BE IT RESOLVED that the testing frequency for unvaccinated individuals be increased to twice a week, and weekly testing be conducted for all community members, at conveniently accessible sites;

BE IT RESOLVED that ResponsiBLUE not instruct vaccinated individuals to automatically check “no” as an answer to the question “Have you had close contact in the last 14 days with someone recently diagnosed with COVID-19,” which induces a false sense of security;

BE IT RESOLVED that notification of close contacts be re-established, which will be timely and include specific details, e.g., about the day and time of the class in which the individual may have been exposed.

Motion submitted by:

Michael Atzmon, Professor, Departments of Nuclear Engineering & Radiological Sciences and Materials Science & Engineering, College of Engineering

Supported by:

Duncan Steel, Robert J. Hiller Professor of Engineering, Professor of Electrical Engineering & Computer Science, Physics, Applied Physics, and Biophysics Program, Senior Research Scientist, Inst. of Gerontology

Allison Alexy, Associate Professor of Modern Japanese Culture, LSA

Dante Amidei, Professor, Experimental Elementary Particle Physics, Physics Department, LSA

Juan Cole, Richard P. Mitchell Collegiate Professor of History, LSA

Miranda Brown, Arthur F. Thurnau Professor and Professor of Chinese Studies

Kate F. Barald, Professor emerita (active) of Cell and Developmental Biology, Medical School and of Biomedical Engineering, College of Engineering, Associate Director, co-founder and Director emerita of the NIH-sponsored Postbaccalaureate Research and Education Program (MIPREP)

*A total of 563 votes were cast in support of Motion 2 and a total of 439 votes were cast in opposition. The motion passed. 76 abstentions were recorded.*

### **Motion 3 Choice of Methods of Instruction**

WHEREAS instructors have primary responsibility for curriculum, subject matter, and *methods of instruction*; and

WHEREAS the [Statement on Government of Colleges and Universities](#) by the American Association of University Professors (AAUP) asserts that "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and *methods of instruction*" (emphasis added); and

WHEREAS the [University of Michigan Faculty Handbook](#), published by the Office of the

Provost, also states, "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and *methods of instruction*" (emphasis added); and

WHEREAS "methods of instruction" include the modality in which instruction is delivered; and

WHEREAS current students, while strongly desiring an in-person residential experience, are also open to their courses involving a mix of in-person and online methods of instruction; and

WHEREAS evaluation, feedback, and course-correction regarding instruction should occur through existing departmental channels such as directors of undergraduate/graduate studies, deans, chairs, course evaluations, peer faculty feedback, and elected curriculum committees; and

WHEREAS the great majority of instructors are committed to offering high-quality instruction for students and give careful thought to methods of instruction; and

WHEREAS the faculty insist on their autonomy with respect to teaching; now therefore

BE IT RESOLVED that the University's current policy, which effectively coerces an in-person method of instruction, denies a fundamental prerogative of the faculty and flouts the stated views of the AAUP and the U-M Office of the Provost; and

BE IT RESOLVED that the University immediately re-evaluate and adjust its policy for in-person instruction, so as to better incorporate the legitimate input of the faculty.

Motion sponsor:

Kentaro Toyama, W K Kellogg Professor of Community Information, School of Information ([toyama@umich.edu](mailto:toyama@umich.edu))

Co-sponsors:

Valerie Traub, Adrienne Rich Distinguished Professor of English & Women's and Gender Studies, and Frederick G. L. Huetwell Professor of English and Women's and Gender Studies, LSA ([traubv@umich.edu](mailto:traubv@umich.edu))

Yi-Li Wu, Associate Professor of Women's and Gender Studies and History, LSA ([yiliwu@umich.edu](mailto:yiliwu@umich.edu))

Su'ad Abdul Khabeer, Associate Professor, American Culture, LSA ([drsquad@umich.edu](mailto:drsquad@umich.edu))

Fred M. Feinberg, Handleman Professor and Area Chair, Marketing, Ross School of Business and Professor of Statistics, Department of Statistics ([feinf@umich.edu](mailto:feinf@umich.edu))

John Whittier-Ferguson, Professor of English, LSA ([johnaw@umich.edu](mailto:johnaw@umich.edu))

*A total of 611 votes were cast in support of Motion 3 and a total of 403 votes were cast in opposition. The motion passed. 64 abstentions were recorded.*

#### **Motion 4 Handling of Sexual Misconduct**

WHEREAS President Schlissel falsely stated to the entire University community that he had been unaware of “[any allegation whatsoever](#)” regarding Martin Philbert’s sexual misconduct before January 2020 ([link to documents negating the President’s claim](#)); and

WHEREAS the new “Equity, Civil Rights and Title IX Office” reports to President Schlissel, who had information about sexual misconduct involving Martin Philbert before he took office as Provost, yet made no reasonable inquiry to follow up on significant evidence of the same; and

WHEREAS at least [one member of the 2017 Provost Search committee and many members of the administration knew of sexual misconduct complaints](#) against Martin Philbert while he was being considered for advancement to Provost; and

WHEREAS there is currently no requirement for the provost and president to read annual faculty evaluations of deans, or for deans to read annual faculty evaluations of chairs; and

WHEREAS opaque processes of appointment or reappointment of deans or chairs stifle the possibility of potential information on misconduct being brought forward; and

WHEREAS the new “Equity, Civil Rights and Title IX Office” still employs the deeply problematic single-investigator model, in which one person chooses whom to interview, conducts interviews, examines the evidence, and makes a determination, and which fails to provide due process or checks and balances for bias; and

WHEREAS the new “Equity, Civil Rights and Title IX Office” is still headed by an individual who is defending suits by [multiple women at a peer institution](#) alleging that her office “[repeatedly violated federal civil rights and sex discrimination law when handling cases](#)” (which she denies and which remain unresolved); and

WHEREAS the University is making minor changes in its policies with respect to sexual misconduct, but has largely done so without the input of those most adversely affected by its previous policies; now therefore

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert’s misconduct and their attorney that: For all faculty or administrative appointments for which a search committee of faculty, staff, and/or students is formed, the university shall require and retain a written statement/certification from each committee member that they disclosed all known or suspected details of any allegations of sexual misconduct with all other members of the committee; and

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert’s misconduct and their attorney to: Require all leaders of all units to document in writing in a staff or faculty member’s personnel file the factual basis for decisions on discipline relative to any allegation of sexual misconduct, to ensure accountability of those who do not properly act on such allegations; and

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert's misconduct and their attorney to: Require the "Equity, Civil Rights and Title IX Office (ECRT)" to reference in writing any and all prior reports as a step in investigating and compiling reports on subsequent allegations, i.e., to access the data it has on hand to inform itself of facts, and permit the ECRT to act on iterative reports by re-opening or re-framing investigations as a way to call attention to and actively search for patterns of sexual misconduct; and

BE IT RESOLVED that the University immediately form a committee made up of survivors of sexual misconduct by Philbert, Anderson, Conforth, and Lasecki, if willing, as well as informed faculty and staff to create an additional set of recommended policies to be presented directly to the Board of Regents and published in the Michigan Daily.

Movant (emails and presents motion): Rebekah Modrak, Professor, Stamps School of Art & Design

Supporting Members:

Stephen Ward, Associate Professor in the Department of Afroamerican and African Studies and the Residential College and Director of Semester in Detroit, LSA

Yi-Li Wu, Associate Professor of Women's and Gender Studies and History, LSA

Stefan Szymanski, Stephen J. Galetti Collegiate Professor of Sport Management, School of Kinesiology

*A total of 701 votes were cast in support of Motion 4 and a total of 243 votes were cast in opposition. The motion passed. 134 abstentions were recorded.*

### **Motion 5 Remote Teaching for Parents with Young Children**

WHEREAS the number of COVID cases among young children are on the rise throughout Michigan, and children below the age of 12 cannot be vaccinated at this time; and

WHEREAS pre-schools, kindergartens, and schools in the area have already seen intermittent closures or moved instruction online; and

WHEREAS it is reasonable to expect further closures or shifts to virtual instruction; and

WHEREAS the additional burden on instructors who care for young children is considerable and at times unmanageable; and

WHEREAS this burden is unevenly distributed, leading to measurable negative effects on the careers of women and people of color in particular and care-givers in general; and

WHEREAS it is the University's interest and responsibility to enable UM instructors to thrive in both teaching and research; now therefore

BE IT RESOLVED that the University provide all instructors and staff who care for young children the option to move their teaching or their office work online if their children cannot attend school in person, whether because they are unvaccinated or must quarantine, or are receiving medical or mental health care at home; and

BE IT RESOLVED that this process be handled at the departmental level; and

BE IT RESOLVED that the University devote significant resources to materially and structurally support parents of young children; and

BE IT RESOLVED that SACUA immediately appoint an ad-hoc committee to determine recommendations as to the shape and extent of this support.

Movant:

Benjamin Paloff, Professor of Slavic Languages and Literatures and of Comparative Literature

Supporting Members:

Maya Barzilai, Associate Professor, Frankel Center for Judaic Studies, and the departments of Middle East Studies and Comparative Literature

Juan Cole, Richard P. Mitchell Collegiate Professor of History

Kristin Dickinson, Assistant Professor, Germanic Languages and Literatures

Fred M. Feinberg, Handleman Professor and Area Chair, Marketing, Ross School of Business and Professor of Statistics, Department of Statistics

Christi Merrill, Associate Professor, Departments of Asian Languages and Cultures and of Comparative Literature

Gillian White, Associate Professor, English, LSA

*A total of 681 votes were cast in support of Motion 5 and a total of 320 votes were cast in opposition. The motion passed. 77 abstentions were recorded.*

### **Secretary**

A total of 210 votes were cast in support of **Librarian Deirdre Spencer** who will serve as the next Faculty Senate Secretary for a three-year term starting November 1, 2021. Professor Colleen Conway received 113 votes, and there were 19 abstentions.

### **Parliamentarian**

A total of 449 votes were cast in support of **Professor Paul Fossum** who will serve as Faculty Senate Parliamentarian for a three-year term starting November 1, 2021. 128 abstentions were also recorded.