

The University of Michigan
University Senate
Senate Assembly
Resolution #041723-1

Senate Expansion to Admit Clinical Professors, Archivists, and Curators

WHEREAS the University Senate is the University of Michigan's shared governance structure through which faculty are represented and contribute to a collective voice concerning institutional policies and other matters of University-wide concern;

WHEREAS the Senate Assembly voted on February 9, 2023 to consider Clinical Assistant Professors, Clinical Associate Professors, Clinical Professors, Archivists, and Curators for possible admission into the University Senate at this time, but not Lecturers;

WHEREAS Librarians do not have a unit within the Senate Assembly and depend upon the generosity of the School of Information in providing Librarians an Assembly seat as a courtesy;

WHEREAS the Senate Assembly's existing apportionment would not be affected by admitting the Clinical Professors, Archivists, and Curators if (1) no unit comprising the Senate Assembly could be apportioned more than 17 members and (2) the Assembly was increased in size by three so that the Librarians, Archivists, and Curators were apportioned three representatives;

WHEREAS ongoing challenges in higher education suggest that reasonable voting restrictions in the University Senate Rules intended to help preserve the institution of tenure are warranted;

WHEREAS the Senate Assembly voted on March 22, 2023 to consider an implementing resolution based on the elements of a proposal to expand the University Senate to include Clinical Professors (Assistant, Associate, and Full) as well as Archivists and Curators;

WHEREAS this resolution herein is offered to the Senate Assembly as that implementing resolution, reflecting the Senate Assembly's choices regarding which Faculty to consider and what restructuring model to follow, pursuant to the Senate Assembly's prior votes;

WHEREAS any change of this magnitude ought to be placed to a vote before the entire University Senate and requires changes to the Bylaws of the Board of Regents;

BE IT RESOLVED, that the Senate Assembly approves the following changes to the University Senate Rules, subject to subsequent approval by the University Senate and, for all necessary changes in the Bylaws of the Board of Regents, approval by the Board of Regents of the University of Michigan:

University Senate Membership

- 1.1 The current University Senate ($\approx 4,151$ total) shall be expanded by admitting all faculty with a 50% or greater appointment as a Clinical Professor (Assistant, Associate, and Full) ($\approx 1,771$ total) or as an Archivist or Curator (≈ 39 total).
- 1.2 Clinical Professors, Archivists, and Curators admitted pursuant to Section 1.1 shall be full voting members of the University Senate, with all the associated rights, privileges, and responsibilities thereof, subject to any restrictions provided herein.

Senate Assembly

- 2.1 The Senate Assembly will be increased in size to 77 members.
- 2.2 Each unit represented in the Senate Assembly will be limited to a maximum of 17 Senate Assembly members.
- 2.3 All Librarians, Archivists, and Curators will constitute their own unit for the purposes of apportionment in the Senate Assembly.
- 2.4 Each unit will independently decide how to apportion the faculty composition of its Senate Assembly representatives, including as follows:
 - (1) LSA will decide faculty representation from each of humanities, natural sciences, and social sciences;
 - (2) All units will decide its composition of representatives among tenure-track, research, and clinical faculty; AND
 - (3) Librarians, Archivists, and Curators will decide the composition of representatives among its three groups.

Voting

- 3.1 Whether while serving on a committee, in the Senate Assembly, or in the University Senate, all University Senate members will be eligible to vote on all resolutions, except only tenure-track faculty are eligible to vote on tenure-related issues.
- 3.2 For the purposes of Section 3.1, “tenure-related issues” shall include these non-exhaustive examples of issues:
 - (1) All aspects of the rules, guidelines, procedures, and other requirements governing the University’s evaluation, promotion, and retention of tenured and tenure-track faculty;
 - (2) All aspects of the rules, guidelines, procedures, and other requirements governing the University’s dismissal, demotion, or terminal appointment of tenured and tenure-track faculty,
 - (3) All benefits specific to tenured and tenure-track faculty, including any sabbaticals, leaves, and retirement benefits that are specific to tenured and tenure-track faculty;
 - (4) The following, as they relate to tenure:
 - (i) Academic freedom;
 - (ii) Course content;
 - (iii) Instruction method modality;

- (5) All advocacy related to preserving tenure at the University and in higher education, in general.
- 3.3 Voting restriction decisions pursuant to Section 3.1 are made by the Chair and Vice Chair of SACUA, in consultation with the Faculty Senate Office.
- 3.4 Revising the membership provisions of the University Senate rules shall require a 2/3 vote.

Enactment

- 4.1 NOTWITHSTANDING THE ABOVE, this resolution will not have any authoritative effect until after the following additional acts first occur:
 - (1) Notice of these proposed amendments to the Senate Rules shall be communicated to the members of the University Senate by publication in the *University Record* as soon as reasonably practicable after the Senate Assembly approves the proposed amendments;
 - (2) Within thirty days following such publication, a meeting of the Senate shall be called in accordance with its Rules to consider this resolution;
 - (3) A University Senate vote on whether to approve this resolution shall be completed within 72 hours after the end of the University Senate meeting, by electronic vote and in accordance with all University Senate Rules;
 - (4) No action to consider changes in the Regents' Bylaws by the Board of Regents shall be requested without the University Senate first voting to approve these proposed amendments;
 - (5) An action request shall be submitted by the SACUA Chair to the Board of Regents recommending the changes to the Regents' Bylaws specified in Attachment A as soon as reasonably practicable after a University Senate vote approving this resolution;
AND
 - (6) The Board of Regents approves the recommended changes specified in Attachment A or changes substantially in accord with Attachment A.
- 4.2 In the event that the Board of Regents approves the recommended changes specified in Attachment A and this resolution thereby gains authoritative effect, the revisions to the University Senate Rules provided in Attachment B shall also become immediately effective.
- 4.3 If the Board of Regents should instead approve Bylaw changes that are revised versions of the changes recommended in Attachment A, then the following shall occur:
 - (1) The SACUA Chair shall submit for Senate Assembly approval a revised version of Attachment B that is modified as minimally as possible to be in accordance with the revised Regents' Bylaws;
 - (2) The question then placed before the Senate Assembly for a vote shall be whether the SACUA Chair has satisfied Section 4.3(1) above;
 - (3) Following a Senate Assembly vote of approval as provided herein, the modified version of Attachment B shall thereby become immediately effective.

Senate Assembly Approval: _____

Attachment A

The University Senate respectfully requests the Board of Regents to revise the following sections of its bylaws.

Sec. 4.01. The University Senate

The University Senate shall consist of all members of the tenured or tenure-track professorial staff,¹ the executive officers of the University, the deans of the schools and colleges, such members of the research, clinical, archival, curatorial, and librarian ~~library~~ staff as may be designated in accordance with standards and procedures approved by the Senate Assembly, and such other major officers as may be designated by the Board of Regents from time to time. The chair of the assembly shall preside at meetings of the University Senate. In the absence of the chair, the vice chair of the assembly shall preside. 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. Jurisdiction over academic policies shall reside in the faculties of the various schools and colleges, but insofar as actions by the several faculties affect University policy as a whole, or schools and colleges other than the one in which they originate, they shall be brought before the University Senate.

Sec. 4.03. Senate Assembly Composition

There shall be a Senate Assembly which shall consist of ~~seventy-four~~ seventy-seven senate members apportioned among the various schools and colleges according to the number of senate members in each school or college. However, no Senate Assembly unit shall be apportioned more than 17 members. For the purposes of Senate Assembly apportionment, UM-Dearborn members shall constitute a “UM-Dearborn” unit; UM-Flint members shall constitute a “UM-Flint” unit; and all Librarian, Archivist, and Curator members from all campuses shall constitute a “Library” unit of the Senate Assembly. The assembly shall make a reapportionment every three years. The members of the assembly shall serve for terms of three years (or longer in accordance with Sec. 4.07) so adjusted that the terms of approximately one-third of the members shall expire each year. A member who has served one term will not immediately be eligible for re-election.

¹ *Explanatory note:* While most faculty do not view themselves as “staff,” this “professorial staff” term is used throughout the Regents’ Bylaws and is defined to “include professors, associate professors, and assistant professors” (Sec. 5.01). While adding “tenured or tenure-track” before “professorial staff” does not alter the historical understanding that, for the University Senate, this term is referring to the tenure-track faculty, this addition would provide useful, explicit clarity.

Attachment B

Subject to University Senate approval and the approval of the Board of Regents to the Bylaw revisions specified in Attachment A, the following sections of the University Senate Rules are revised as follows.

ARTICLE 1. THE UNIVERSITY SENATE

Section 1. Membership

The University Senate shall consist of all members of the tenured or tenure-track professorial staff,² the executive officers of the University, the dean of each school or college, such members of the research, clinical, archival, curatorial, and librarian ~~library~~-staff as may be designated in accordance with standards and procedures approved by the Senate Assembly, and such other major officers as may be designated by the Board of Regents from time to time.

Research personnel who hold Primary Research rank (Assistant Research Scientist, Associate Research Scientist, Research Scientist, Senior Associate Research Scientist, Senior Research Scientist, Distinguished Senior Research Scientist) and have a full-time appointment as a regular staff member shall be designated as members of the University Senate.

~~Librarians of any rank who have full-time appointments as regular staff members shall be designated as members of the University Senate.~~

Faculty who have a regular, primary appointment of at least 50% as a Librarian, Archivist, or Curator of any rank shall be designated as members of the University Senate.

Clinical Faculty who have a regular, primary appointment of at least 50% as a Clinical Assistant Professor, Clinical Associate Professor, or Clinical Professor shall be designated as members of the University Senate.

~~Visiting, or Adjunct or Clinical Professors, or acting or interim appointees to executive or Dean positions are not entitled to Senate membership in the absence of a regular professorial appointment. Directors of centers or institutes who do not hold professorial rank are not entitled to Senate membership unless they qualify under the preceding ~~three~~ four paragraphs.~~

Section 6. Voting

(1) Who May Vote. Only members of the University Senate as defined in Article I, Sec. 1 shall be entitled to vote at Senate meetings.

² See footnote 1.

(2) Whether while serving on a committee, in the Senate Assembly, or in the University Senate, all University Senate members will be eligible to vote on all resolutions, except only tenure-track faculty are eligible to vote on tenure-related issues.

(3) For the purposes of Art. I, Sec. 6(2), “tenure-related issues” shall include these non-exhaustive examples of issues:

- (i) All aspects of the rules, guidelines, procedures, and other requirements governing the University’s evaluation, promotion, and retention of tenured and tenure-track faculty;
- (ii) All aspects of the rules, guidelines, procedures, and other requirements governing the University’s dismissal, demotion, or terminal appointment of tenured and tenure-track faculty;
- (iii) All benefits specific to tenured and tenure-track faculty, including any sabbaticals, leaves, and retirement benefits that are specific to tenured and tenure-track faculty;
- (iv) The following, as they relate to tenure:
 - a. Academic freedom;
 - b. Course content;
 - c. Instruction method modality;
- (v) All advocacy related to preserving tenure at the University and in higher education, in general.

(3) Voting restriction decisions pursuant to Art. I, Sec. 6(2) are made by the Chair & Vice Chair of SACUA, in consultation with the Faculty Senate Office.

(4) Emeriti/ae professors shall be entitled to attend Senate meetings without vote.

Section 8. Rules

(1) Adoption. The University Senate may adopt rules concerning its own government and procedure 4 and concerning its officers and committees.

(2) Amendment. Rules adopted by the Senate may be changed or amended by a majority vote, subject to the voting restrictions provided in Art. I, Sec. 6(2), except revisions to change Senate membership require a 2/3 vote. A motion to amend the Rules is not a procedural matter for purposes of Section 5 (Agenda).

(3) Cases Not Covered. In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed.

ARTICLE II. THE SENATE ASSEMBLY

Section 1. Composition

(1) Elected Members. There shall be a Senate Assembly that shall consist of ~~seventy-four~~ seventy-seven Senate members apportioned among the various schools and colleges according to the number of Senate members in each unit whose total appointment is at least 50%, and those members of SACUA whose terms on Senate Assembly are expired (See Article 11.5(I)). For the purposes of Senate Assembly apportionment, UM-Dearborn members shall constitute a “UM-Dearborn” unit; UM-Flint members shall constitute a “UM-Flint” unit; and all Librarian, Archivist, and Curator members from all campuses shall constitute a “Library” unit of the Senate Assembly. In any school or college this count would include fulltime Senate members, those with a fractional appointment in only that unit, and those with fractional appointments in two or more units whose largest fractional appointment occurs in that unit. Senate members with equal fractional appointments in two or more schools or colleges (and with no larger fractional appointment in any other unit) shall choose one of the units for voting in an election and shall be counted with that unit for the purpose of determining representation. The Assembly shall make a reapportionment every three years. The members of the Assembly shall serve for terms of three years (or longer in accordance with the following paragraph) so adjusted that the terms of approximately one-third of the members shall expire each year. A member who has served one term will not immediately be eligible for reelection. The reapportionment shall be made the basis of the headcount described above using the Hill method (as used by the US House of Representatives, see Appendix) so that each unit shall have at least two members, except for units that have fewer than twenty eligible Senate members; such units shall be allocated one member each. However, no Senate Assembly unit shall be apportioned more than 17 members. The apportionment shall be recorded in the minutes of the Senate Assembly meeting at which it is approved.

Members of the Senate Advisory Committee on University Affairs whose terms on SACUA extend beyond their Assembly terms shall be voting members of the Assembly during their terms on SACUA.

(2) Ex Officio Members. The Secretary of the Senate shall be a member of the Assembly, ex officio, and without vote.

(3) Two non-voting retired Senate members. Two retired Senate members shall be chosen as non-voting members of the Senate Assembly. They shall be appointed by SACUA, with approval of the Senate Assembly and in consultation with The University of Michigan Annuitants Association. They shall serve staggered two-year terms, beginning at the same time as those elected members of the Senate Assembly.

Section 3. Election of Members and Alternates

The members of the Assembly apportioned to each school or college shall be elected by the members of the Senate in such school or college within time limits determined by SACUA. Each unit will independently decide how to apportion the composition of its Senate Assembly

representatives. Whatever nomination procedure is used, at least twice the number of nominations per vacancy shall be made. A permanent vacancy shall also be filled by election, this not to exclude naming the candidate receiving the next highest vote at the most recent election. The members of the Senate in any school or college may provide for the designation of one or more alternates to serve at any meeting or meetings of the Assembly in place of any member of that school or college who is unable to attend. Any such alternates so provided shall be members of Senate. Any alternate attending a meeting of the Assembly shall inform the Secretary prior to the meeting. Such alternate may vote during the meeting and participate in the meeting to the same extent as any regular member. In the event that a vote is held after a Senate Assembly meeting, ordinarily Senate Assembly members shall be the electors. Assembly members take office on September 1.