October 6, 2023

Call meeting to order

- Plan to adjourn 5min early to help facilitate Zoom'd out calendars

Attendees (green = present):

- Naomi Binnie - University Library
- Adam Burak– Engineering (Chair)
- Arlo Clark-Foos - CASL (Dearborn)
- Mimi Dalaly – Public Health
- Luca Giobbio – LSA-Political Science (undergraduate)
- Shanna Kattari - Social Work
- Jacob Lederman - Dept Behavioral Sciences (Flint)
- Rebekah Modrak (SACUA Liaison)
- Massy Mutumba - Nursing
- Wayne C. Petty - Music, Theatre & Dance
- Eric Vandenberghe - Faculty Senate Office
- Kristen Verhey – Medical School
- Oleg Zamulin- LSA
- Luke Mccarthy- Faculty Senate Office

Agenda:

1. Approve previous meeting minutes (last year)?
   - Approved
2. Introductions
3. Review of charge
4. Review of last year's recommendations
   - Luke: SACUA has been discussing Recommendation 1:
     i. The Provost's annual review of Deans should include precise, measurable and published criteria. These criteria should be published on the Provost's webpage.
5. Determine specific goals for the year (Topics)
   - Constrain our focus to what is achievable
   - Articulate a goal for each charge, or multiple goals to select from
6. Charge officers (Topics)
   - Grievance Officer
   - Bylaws Officer
7. Organize an in-person meeting (lunch provided) to foster committee cohesion (Topics)

Topics:

- Goals

  - Grievance
    - Review the most significant challenges in the existing faculty grievance system and develop recommendations for improvement.

- The existing faculty grievance system was a frequent topic last year, with many faculty noting flaws in the current system. In particular, the current faculty grievance system has no "teeth," with the dean of a unit being free to incorporate or ignore a grievance hearing board report.
- Last year we recommended both a survey and a revised/centralized website for the grievance process. Maybe take it a step further this year and draft a resolution? A resolution to do what? Maybe appropriate resources to develop the website?
- What part of the grievance process should we be focusing on?
- Rebekah and Shanna were kind enough to share their personal experiences with the grievance process.
- Wayne also shared his colleague's experience with the grievance process.
- It seems that an overriding issue is that even were the Grievant to win the grievance, there is no requirement for anything to happen.
    - Radio silence after a successful grievance.
    - No teeth to grievance process.
    - Totally up to the administration's discretion what to do.
        - This potentially includes the Griever themselves.
- What is the issue?
    - Lack of rules?
        - There should be a clear document from each unit.
    - Not following the rules?
    - Different rules?
        - The Grievant and Griever seem to get different treatment.
            - Griever gets access to all the institutional resources.
                - Including legal counsel.
            - Grievant gets cut off once the grievance is filed.
                - Current process vilifies the Grievant.
                - No advocate for the Grievant.
                - Academic HR is not neutral
- Different units use different grievance models
    - This allows some units to "gerrymander" the grievance board
    - How should a grievance panel be organized?
- The University doesn't seem to try to avoid a grievance
- What are some concrete steps that can be taken to improve the process?
    - Allow the option that an advocate to speak for the Grievant at the hearing?
    - Arbitrary (no rules), and nothing happens even if the Grievant wins.
        - Formalize grievance rules.

- - - ○ ==State actions that must be taken if a grievance is successful.==
    - ○ Bylaws
        - ■ Develop best practices for the development of published bylaws in all units and departments, with consideration for DEI concerns.
        - ■ While larger units and departments generally have bylaws, smaller ones may not. The lack of transparency regarding rules can create confusion and undermine having an inclusive work environment.
        - ■ ==A lot of units do not have any rules, or unpublished rules, and operate mainly from discretion==
        - ■ ==Do our units have bylaws?==
            - ● ==What kind of rules are we talking about?==
            - ● ==Merit increase vs regular raise.==
        - ■ ==Go back to individual units and identify bylaws.==
        - ■ ==It has been suggested that administrators may threaten to put letters in employees' files in an attempt to gain compliance.==
    - ○ Other topics that may supersede these?
        - ■ More than two topics may be a stretch, but we can consider other topics *in lieu* of grievance or bylaws.
- ● Charge Officers
    - ○ Would it be beneficial to have a specific person to lead the individual topics?
    - ○ Is anyone passionate about either topic, or interested in serving in this role?
- ● In-person meeting
    - ○ It would be helpful for the committee members to meet each other in person, to prove that these people exist in real life.
    - ○ This could be a lunch meeting somewhere.
    - ○ Alternatively we can hold a "walking" meeting, where we meet at a park or something rather than an office.
    - ○ How can we do this equitably, to be considerate of colleagues on different campuses?
    - ○ Suggestions for where we should hold this?
    - ○ ==Shanna would be willing if everyone agrees to mask==
        - ■ ==Luke, Eric, and Adam willing to mask==

Draft Charge:

Special committees are established by Senate Assembly as authorized in Section 4.06 of the Regents' Bylaws. In collaboration with the Faculty Senate Office and SACUA, special committees assist Senate Assembly with its work. Senate Assembly special committees are charged with bringing faculty voice and perspective to a broad range of university activities including policy and procedure.

Committee on Oversight of Administrative Action (COAA)

Committee Chair: Adam Burak, College of Engineering

<u>SPECIFIC CHARGE 2023- 2024</u>

1. Review the most significant challenges in the existing faculty grievance system and develop recommendations for improvement.

   DRAFT NOTE: The existing faculty grievance system was a frequent topic last year, with many faculty noting flaws in the current system. In particular, the current faculty grievance system has no "teeth," with the dean of a unit being free to incorporate or ignore a grievance hearing board report.

2. Develop best practices for the development of published bylaws in all units and departments, with consideration for DEI concerns.

   DRAFT NOTE: While larger units and departments generally have bylaws, smaller ones may not. The lack of transparency regarding rules can create confusion and undermine having an inclusive work environment.

3. Consider emergent issues or topics brought forward by COAA committee members for discussion over the course of the year. While coordinating with the Faculty Senate Office to help avoid duplicating work that SACUA has now referred to itself or to another committee, the committee may also continue discussing any issues or topics raised in the committee's most recent annual committee report.

   DRAFT NOTE: Added just to give you more flexibility as you respond to your committee members.

Last year's recommendations:

COAA Recommendations Regarding the Evaluation of Deans

The Committee on Oversight of Administrative Action (COAA) has reviewed and recommended the following enhancements to the existing [Dean Evaluation practice](). In addition, the COAA attaches a [track-change version]() of the current Dean Evaluate form.

Problem Statement 1: Faculty often receive precise and measurable performance feedback during their annual reviews with their Department Chair and/or Division Chief. This constructive, evaluative feedback is meant to continuously advance the faculty. The Provost's existing, published annual review guidance for Deans lacks specificity and measurable feedback, which may limit their professional growth ability to succeed in their role.

   <u>Recommendation 1</u>. The Provost's annual review of Deans should include precise, measurable and published criteria. These criteria should be published on the Provost's webpage.

Problem Statement 2: Faculty within each of the University of Michigan Ann Arbor's 19+ Schools as well as Dearborn and Flint [campuses]() are appropriately equipped to provide feedback related to their Dean's performance. Further, despite the collection of annual review data (quantitative and qualitative) on each Dean: (1) there are limited structures in place to gather important unit-specific feedback to contextualize these data and (2) evaluation data are neither retained nor synthesized by members of each unit to inform the Provost's annual review of each Dean.

   <u>Recommendation 2.1</u>. The Provost, after seeking input from each school's Executive Committee, should establish a unit-specific Faculty Advisory Committee to provide evaluative feedback for each Dean.

   Note bene: Our committee respectfully provides some of the following guiding principles for consideration with regard to the composition and reporting structure for each Faculty Advisory Committee (FAC):

   - There should be unit-specific FACs, while recognizing variability in the number of faculty across units (e.g., potentially increasing the risk of identification by a faculty member's direct reports).

- The FACs should be composed of a demographically diverse and representative (including across rank) pool of faculty.
- The member faculty should not have administrative responsibilities.
- The FACs should report directly to the Provost.

Recommendation 2.2. The Faculty Advisory Committee's synthesized recommendations to the Provost, informed by existing annual quantitative and qualitative survey responses, should be incorporated into the Provost's annual review for each Dean (especially for the consideration of their reappointment).

Note bene: Our committee had considerable discussion regarding the retention period for the FAC's synthesized recommendations, but was not able to reach consensus during this academic term.

COAA Recommendations for a Central Web Page for Procedure Implementation for U-M Faculty Experiencing Harassment and Retaliation

The Committee on Oversight of Administrative Action (COAA) recommends the development and continued curation of a central web page for faculty who are experiencing harassment and retaliation. The COAA has developed two recommendations to guide the development of this web page, along with some preliminary content to initiate this process.

Problem Statement 1: University of Michigan faculty may be subject to harassment and retaliation. These situations are noted for their associated induced stress, which is inadvertently compounded by a lack of centralized information to guide faculty regarding their rights and/or resources available to them (whether free and/or fee-based). While Academic HR does have a dedicated page for Faculty Grievance procedures, that page is primarily a collection of links to procedural documents. Other U-M specific offices have dedicated websites about services they offer (e.g., the Faculty and Staff Counseling and Consultation Office the University Ombuds). In addition, there are numerous SPGs that are relevant, in addition to the U-M Faculty Handbook. For faculty facing emotionally and mentally taxing harassment and retaliation issues, figuring out where to look for information to help guide their decision making can feel overwhelming.

Recommendation 1. The Provost's office should develop a centralized web page providing faculty-specific guidance (across all U-M campuses) for those experiencing harassment and retaliation.

Note bene: A similar model may be considered to address the needs of all U-M community members.

Problem Statement 2: The needs of and/or resources for faculty facing harassment and retaliation may differ across U-M campuses, schools and departments. In addition, the needs of the faculty are anticipated to be dynamic over time.

Recommendation 2. In partnership with the AAAC, The Provost's office should create a survey to solicit input regarding the perceived information and resource needs of the faculty (by campus, school and department) related to harassment and retaliation. The survey findings should guide the prioritization and phased development of the web page.

Draft Initial Content
- Primary Considerations
  - A more approachable and user-centered design description of the grievance process
  - Identify shared versus distinct pathways for implementing the U-M policies within different schools and campuses
  - Identify resources within and outside of U-M for faculty (e.g., legal counsel, mental health support)
- Additional Considerations
  - Information linking to the University's faculty/staff counseling service (FASCCO)
  - Resources available for U-M faculty (e.g., those not involving non-U-M administrators)
  - Resources for U-M faculty facing harassment and retaliation (including those experienced externally through social media) that are free versus fee-based

- - U-M's public safety/police department (DPSS)
    - Idea of a panic button within one's department
  - Frequently asked questions (e.g., to address resources available to faculty who work remotely versus in-person)

- [SPG 201.89-1](#) for discrimination and harassment
- [SPG 601.90](#) for protection from retaliation

Discuss action items from last meeting: During our meeting we discussed our committee's liaising with other committees. In particular, we discussed efforts to partner with the Administration Evaluation Committee (AEC). We agreed to identify what is in our sphere of control, stay focused on our approved charge, and strive to remain productive during our time together this year.

Review Charge and update evaluation processes: During our meeting we reviewed the steps that we would take to advance each charge. We noted action items associated with specific areas of focus underneath each charge. We finished reviewing/updating the first charge and the first bullet point underneath the second charge. We agreed to start the next meeting with reviewing the action items and complete the review of the second charge.

Evaluation of Deans and Department Chairs

- Critically review processes (and their strengths and weaknesses) across UM Schools, Departments and campuses
    1. Consider our opportunity to inform the new independent central ethics, integrity and compliance office for the Ann Arbor, Dearborn and Flint campuses, including Michigan Medicine.
        a. **ACTION ITEM**: Donny to reach out to Silvia about making an official recommendation to serve as a liaison (we represent all 3 campuses)
        b. Identify recommendations to make it easier to "cut the red tape" at U-M departments, schools and campuses?
    2. What is done with results
    3. Issues brought to our attention with existing workflows and expected timelines

Evaluation of processes for UM employees experiencing harassment and retaliation

1. Recommend specific modifications to existing processes to enhance objectivity, fairness to all parties, and resources available to UM employees
    1. What would our "customers" want in terms of resources rather than asking what the University offers?
        i. Mapping out the process of going from complaint through resolution, and what processes are recommendations vs SPGs (the latter are obligations to follow)
            1. Is there discretion to follow recommendations?

  2. **ACTION ITEM**: Gabriela and Massy - can you forward the mapping and SPGs at Flint and Ann Arbor?
 ii. Does it (e.g., exit interviews, role of an Ombuds) differ by department, school, and campuses?
 iii. Who would we interview?
 iv. Invite OGC to attend a future COAA meeting.

2. Recommend specific modifications to faculty grievance resources (e.g., transitioning the grievance form to an electronically available portal on the Academic Human Resources website) to enhance their availability
 1. What would our "customers" want in terms of resources?
 2. What would be the barriers to creating such a resource?
 3. Codify and examine the effectiveness of the role of the Ombuds in the process (pre, during and post)?
 4. How to more effectively use the mediation process? Can this be another layer to increase effectiveness?

See piece in the Detroit Free Press