



Committee on the Economic and Social Well-Being of the Faculty (CESWF)
Yasmina Laouar (Chair)

Date: 05/10/2024

To: SACUA

Subject: Report on Activities of the CESWF for 2023-2024

Members:

Hakem Al-Ruston
K. Rivet Amico
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Elham Mahmoudi
Elif Oral
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Suzanne Selig
Yulia Sevryugina
Louise Stein
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SACUA Liaison:

Rebekah Modrak

Meeting Dates:

Mon. 9/25 from 1-2pm
Mon. 10/30 from 1-2pm
Mon. 12/4 from 1-2pm
Mon. 1/29 from 1-2pm
Mon. 2/5 from 1-2pm
Mon. 2/26 from 1-2pm
Mon. 3/25 from 1-2pm
Mon. 4/22 from 1-2pm

Committee Charge

Aim #1: Review the current UM Standard Practice Guide on protection from retaliation and develop recommendations for policies designed to:

- 1.1 Protect faculty autonomy in the classroom, including curricula, teaching methods, and grading, in an effort to avoid student retaliation seeking punitive actions from administration.
- 1.2 Protect faculty from retaliation from other faculty or administrators.

Aim #2: Review the current conditions and drivers that may lead to faculty burnout and develop recommendations for how to address those conditions.

Aim #3: Explore whether to have an event in the winter term, supported with the planning, logistical, and financial assistance of the Faculty Senate Office, which would promote an open dialogue amongst faculty to advocate for academic freedom.

Aim #4: Consider emergent issues or topics brought forward by the CESWF committee members for discussion over the course of the year. Additionally, consider any issues or topics raised in the committee's most recent annual committee report, while coordinating with the Faculty Senate Office to help avoid duplicating work that SACUA has now referred to itself or to another committee.



Aim #1: Report of activities

Objectives

Review the current UM Standard Practice Guide on protection from retaliation and develop recommendations for policies designed to protect faculty autonomy in the classroom, including curricula, teaching methods, and grading, in an effort to avoid student retaliation seeking punitive actions from administration (i), and protect faculty from retaliation from other faculty or administrators (ii).

Committee Actions

To address our objectives, we have outlined a series of questions for discussion:

- What deficiencies exist within the U-M Standard Practice Guide (SPG)?
- What is the statute of limitations for former students or any members of the U-M community who have been away from campus for an extended period to file accusations against faculty members?
- What criteria dictate the initiation of an investigation? Why are some claims addressed by U-M while others are not?
- Which authority at UM is responsible for determining whether a specific complaint warrants an investigation, and which does not? Is the decision to initiate an investigation the prerogative of a specific authority, such as a dean, or does it involve multiple individuals?
- What challenges do faculty members encounter regarding access to information during ECRT investigations?
- How does the presumption of innocence for faculty members impact their career progression, such as promotion? What protections, if any, do faculty members have during investigations?
- In what ways can unfounded complaints and investigations adversely affect the well-being of the faculty community?
- What are the repercussions for a faculty member's career after being declared innocent? Are there any university initiatives to support faculty members in such cases, whether through career assistance or financial aid?
- How straightforward or arduous is it for a faculty member to file a claim and initiate an investigation? Does the university facilitate this process differently for student claims compared to faculty claims? Considering that student claims primarily involve faculty members, while faculty claims often target other faculty members or higher authorities, is there a potential bias in the handling of these claims?

Guests

- Michèle Hannoosh, Ph.D.
Professor of French
LSA History of Art
University Faculty Ombuds
- Luke McCarthy, J.D., Ph.D.
Direct of Faculty Senate Office

Information Obtained

The committee (CESWF) has conducted an analysis of the SPG and the operations of the Equity, Civil Rights, and Title IX (ECRT) office, with the overarching goal of upholding the highest standards of fairness, equity, and respect within our academic community. Through this analysis, we have identified opportunities to clarify the SPG, strengthen due process, and safeguard

faculty from undue trauma.

Our analysis revealed several critical areas requiring urgent attention and improvement. These areas predominantly relate to:

- a) Protecting faculty from various forms of retaliation.
- b) Ensuring fairness and due process in investigations.
- c) Maintaining transparency in investigative processes.
- d) Avoiding adverse effects on faculty involved in investigations.

Recommendations

We propose policy recommendations aimed at achieving the following objectives:

- a) Strengthening faculty independence within the classroom, including curricula, pedagogical technique, and evaluative processes.
- b) Ensuring a safe and equitable work environment in which faculty are protected from retaliatory or otherwise injurious actions of students, administrators, or other faculty members.

General Recommendations:

- **Develop a specific SPG for classroom content-related complaints:** A new or revised SPG should explicitly address student complaints against faculty concerning classroom content, particularly clarifying faculty and departmental authority in curricular decisions.
- **Extend protection against retaliation:** The SPG should include detailed provisions to preserve academic freedom and protect faculty from retaliation by peers or administrators.
- **Clarify procedures and authorities:** Establish clear guidelines and transparency for the initiation and process of investigations, including defining the roles of various agents, authorities, and offices within the University.
- **Enhance support during and after investigations:** Implement policies to support faculty during and following investigations, including reputation management and financial assistance, particularly in cases where they are found not responsible for any violation.

Specific Recommendations: Grouping our recommendations in the order a faculty member might experience adverse consequences of an investigative process, we offer the specific recommendations below.

Allegations. Our analysis identified opportunities for U-M to protect faculty from retaliatory allegations of students, faculty, staff, or administrators.

1. Inadequate protection from student retaliation: The current SPG 601.90 does not adequately address retaliation from students concerning classroom content and experience. It focuses primarily on protecting individuals who report or participate in investigations into wrongful conduct, not on student complaints against instructors regarding course content. This leaves a gap in safeguarding academic freedom and faculty independence in curriculum, pedagogical technique, and evaluative process.

Recommendation: Amend the current SPG to safeguard faculty against retaliation from students and former students, especially concerning classroom content and teaching methods. More specifically, provide an explicit statement of what can and cannot be the basis for a student complaint of wrongful conduct.

2. Lack of specific measures against retaliation by faculty/administrators: There is no specific SPG that directly guards against retaliatory actions initiated by fellow faculty members or administrators. While retaliation in general is addressed, the specificity required for these instances is missing.

Recommendation: Develop a dedicated policy within the SPG that directly addresses and protects against retaliatory actions initiated by fellow faculty members or administrators. More specifically, provide an explicit statement of how the University can and will determine if actions are retaliatory.

Due Process: Our analysis identified opportunities for U-M to strengthen perceptions of fairness and transparency throughout an investigation.

3. Unclear time limits for filing accusations: There appears to be no definitive time limit for former students or community members to file accusations against faculty. Yet chronology may create practical challenges to evidence collection and varying requirements (such as those of Title IX) may influence the process.

Recommendation: Establish and clearly communicate a standardized time limit for submission of accusations against faculty, taking into consideration the nature of the accusations and the practical constraints of evidence-gathering.

4. Ambiguity in criteria for initiating investigations: The decision to initiate an investigation depends on the nature of the complaint. While some cases, such as those pertaining to sexual and gender-based misconduct, may appear to be well-regulated, others seem to be subject only to the discretion of deans and policies within academic units. This decentralized approach creates inconsistency, mistrust, and potential confusion about the process.

Recommendation: Provide detailed guidelines and criteria for when and how investigations are to be initiated, ensuring consistency and transparency in the process across different units and types of complaints.

5. Authority in investigative decisions: The authority to decide whether a complaint warrants investigation varies. For Title IX cases, the Title IX Coordinator has the responsibility, but other cases may depend on administrative figures such as deans, often in consultation with Academic HR and the OGC.

Recommendation: Clearly define the roles and responsibilities of different authorities (such as the Title IX Coordinator, deans, etc.) in deciding whether to initiate an investigation, to ensure a standardized approach. Additionally, explicitly state the conditions under which a complaint or investigation will be transferred from one authority to another.

6. Limited access to information in ECRT investigations: Faculty involved in ECRT investigations, either as complainants or respondents, face challenges due to limited access to information and the anonymity of reports. Faculty should expect an opportunity to respond to allegations and examine evidence prior to its inclusion in a final report. Withholding information and its interpretation until the final report contributes to the perception that due process has been violated, preventing the verification of information and biasing outcomes of investigative processes.

Recommendation: Improve the process of information sharing in ECRT investigations, balancing confidentiality with the need for transparency for all parties involved. Ensure



that faculty are presented with all allegations and evidence and provided with a chance to respond in advance of the preliminary report and again before the issuance of the final report.

Adverse Implications: Our analysis identified opportunities for U-M to develop measures for maintaining faculty well-being after an investigation concludes.

7. Impact of investigations on career progression: Investigations, especially those not related to ECRT, can slow down career progression such as tenure and promotion. Clear policies and procedural requirements are necessary to manage these situations and protect faculty rights.

Recommendation: Implement policies to protect faculty members' career progression during investigations, especially ensuring fair treatment in cases leading to no finding of misconduct.

8. Harmful effects of baseless complaints: Baseless complaints can have a chilling effect on academic freedom, lead to reputational damage, lower faculty morale, and negatively influence mental and physical health.

Recommendation: Establish mechanisms to mitigate the impact of baseless complaints, including support designed to maintain academic freedom and manage reputational damage.

9. Insufficient post-investigation support: There are no initiatives in place to assist faculty who have been found not guilty of accusations or not responsible for violations. The University does not typically provide support for reputational or financial recovery post-investigation.

Recommendation: Create support systems for faculty who are cleared during the investigative process, including potential reputational rehabilitation and financial assistance as needed.

Note: These recommendations were officially submitted to SACUA in February 2024.

Aim #2: Report of activities

Objectives

Review the current conditions and drivers that may lead to faculty burnout and develop recommendations for how to address those conditions.

Committee Actions

To address our objectives, we have outlined a series of questions for discussion:

- Are there issues related to work-life balance, such as long working hours or difficulty disconnecting from work, that contribute to exhaustion?
- How do institutional policies, including tenure and promotion criteria, impact your stress levels and job satisfaction?
- How does the administrative workload, including committee assignments and paperwork, affect your overall job satisfaction?
- What specific regulatory or bureaucratic processes do you find most challenging to navigate, and how do they contribute to your stress levels?
- Are there ways in which the institution can streamline or improve administrative procedures to alleviate the burden on faculty?



- How do increasing demands from students for mental health support affect your role as their teacher and mentor and your overall job satisfaction?
- What are the specific challenges you face in addressing student mental health needs within the classroom or academic context?
- What are exactly the demands for faculty who are not trained to detect mental health issues to fulfil this role that has a little to do with their expertise.
- How do student expectations for high grades impact your teaching approach and your perception of your role as an educator?
- Are there instances where you feel pressured to inflate grades, and if so, how does this affect your job satisfaction and stress levels?
- How can the institution better support faculty in addressing student concerns about grades while maintaining academic integrity?
- How does the constant pressure to secure grants (especially in the face of declining external funding sources like NIH) affect your overall job satisfaction?
- How does the fear of having to close a lab affect your long-term research planning and your ability to mentor students and junior faculty?
- What resources and assistance does the university currently provide to faculty members who are struggling to secure research funding, especially in the face of declining external funding sources?
- Are there mechanisms for fostering collaboration and interdisciplinary research that can help faculty access alternative funding sources or diversify their research portfolios?

Guests

- Kelcey Stratton, Ph.D.
Clinical Assistant Professor
Department of Psychiatry
Chief Behavioral Health Strategist in UHR
- Tom Waldecker, MSW, ACSW
Director Director of Faculty and Staff Counseling and Consultation Office (FASCCO)
- Luke McCarthy, J.D., Ph.D.
Direct of Faculty Senate Office

Information Obtained

It has become increasingly evident that faculty members are facing mounting challenges and burdens that threaten their ability to fulfill their academic duties effectively. From navigating intricate administrative processes to addressing the increasing demands for student support, faculty members are stretched thin by responsibilities extending beyond their core teaching and research roles. It is incumbent upon us, as a university community, to acknowledge and address these challenges to safeguard the well-being and success of our faculty. The committee has identified several factors contributing to faculty exhaustion, including:

1. Expanding Administrative Tasks: The proliferation of administrative tasks adds significantly to faculty workloads, diverting their focus away from core academic responsibilities.
2. Challenges Inherent in Addressing Student Mental Health Issues: Faculty encounter a growing demand for support for student mental health within academic settings, necessitating additional time and resources.
3. Rising Pressure from Student Expectations for Grades: Grade inflation and raised expectations place additional strain on faculty and influence both pedagogical strategies



and perceptions of academic rigor.

Recommendations

1. Streamlining and Humanizing Bureaucratic Processes

- Administrative Process Simplification: Collaborate with administrative departments to identify and streamline bureaucratic processes university-wide. Introduce digital solutions and clear, accessible guidelines to reduce the burden of paperwork on faculty. In some cases, face-to-face meetings are more effective and allow for greater capacity to communicate experiences. For example, in one-unit, face-to-face meetings with administrators allowed faculty to articulate their desires/interests in annual course instruction, facilitating effective communication.
- Improved Departmental Support Services: Ensure transparent communication of new regulations and requirements by departmental chairs and encourage collaboration with faculty in policy development.
- Providing Administrative Support for Teaching: Appoint an administrator to assist faculty with time-consuming tasks such as letter submissions for student applications to graduate programs or other pathways requiring a letter of recommendation.
- Policy Review and Revision: Incorporate feedback from faculty members, review, and revise university policies regularly to enhance clarity and user-friendliness.
- Recognition and Reward Systems: Implement mechanisms to recognize faculty service and contributions beyond traditional academic roles, fostering a culture of shared responsibility and collaboration.
- Comprehensively Quantifying Workload: Create a point system to quantify all service tasks assigned to faculty members, including the number of graduate students one is advising.

2. Addressing Increasing Demands for Student Mental Health Support

- 24/7 Access to Mental Health Services: The University should implement expanded mental health services with round-the-clock access for students to accommodate their diverse needs.
- Unified Reporting and Support Mechanisms: Establish a centralized reporting system for faculty encountering students with mental health concerns and provide streamlined access to resources and support services.
- Faculty Training on Boundaries and Support: Develop comprehensive training programs to equip faculty with appropriate skills to support students while maintaining professional boundaries.

3. Addressing Student Demands for High Grades

- Promotion of Academic Transparency: Institute policies that promote transparency in grading procedures and expectations, with clear communication of criteria to students. Encourage departments to discuss consistent standards.
- Cultivation of a Learning-Centered Environment: Shift the focus from grade attainment to intellectual growth by emphasizing critical thinking and mastery of course content.
- Faculty Empowerment and Support: Empower faculty to uphold academic standards and autonomy in evaluative decisions. Provide departmental and institutional support when challenges arise regarding grade inflation and student demands. A memo from the student to the faculty, clearly and parsimoniously articulating the basis for questions about a grade or a grade appeal, must be a required starting point for any consideration about grading.
- Find Alternatives to the Grading Scheme: Work with faculty to find creative ways to grade students, such as pass/fail courses or a contract system where students and faculty agree



on a certain quantity and quality of work to receive a particular grade agreed upon early in the semester.

Note: These recommendations are still in a preliminary stage and require further discussion and scrutiny by the CESWF committee during the next year, pending the committee's decision to pursue this aim.

Aim #3: Report of activities

Aim #3: Explore whether to have an event in the winter term, supported with the planning, logistical, and financial assistance of the Faculty Senate Office, which would promote an open dialogue amongst faculty to advocate for academic freedom.

Note: The committee did not prioritize this aim due to the emergence of the faculty retiree benefits issue in January, which required immediate attention.

Aim #4: Report of activities

Objectives

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

Committee Actions

The Committee on the Economic and Social Well-Being of the Faculty (CESWF) has received concerns from retired faculty regarding recent modifications to U-M retiree health plans. Consequently, we have convened meetings to thoroughly discuss this matter and formulate recommendations.

Guests

- Donald Anderson, retired Faculty
- Robert Fraser, retired Faculty
- Margaret Kahn, retired Faculty
- Linda Southward, retired Faculty
- Charlotte Whitney, retired Faculty
- Luke McCarthy, J.D., Ph.D.
Direct of Faculty Senate Office

Information Obtained

We found that these changes have led to disruptions in medical care for affected retirees, primarily due to insufficient notice and inadequate means to mitigate associated costs. Consequently, we have formulated a set of recommendations.

Recommendations

Immediate Recommendations:

1. U-M should promptly take steps to alleviate the impact on affected retirees by considering the following measures:



- Provide current retirees an option to be "grandfathered" into the prior U-M Medicare Supplement plan for a limited time until the fall Open Enrollment, even potentially at a higher cost.
- Pursue the "gold carding" of prominent providers, such as Michigan Medicine, to waive prior authorization requirements for treatment.
- Provide additional administrative assistance and prompt financial support to retirees who need to disenroll from the new U-M plan and seek a separate Medicare Supplement plan. Retirees in critical medical treatment situations in 2024 should receive financial assistance to defray their sudden, unexpected costs.

2. U-M should enhance and expand its communications to the U-M active and retired community concerning the following:

- The rights and processes available to retirees regarding disenrollment and reenrollment, including that a revised policy allows retirees to leave the U-M Medicare Advantage plan at any time and re-enroll during fall Open Enrollment if they have maintained Medigap and prescription drug coverage in the intervening period.

Long-term Recommendations:

For future changes of this magnitude, we recommend the following:

- Avoid disrupting retiree care as much as possible.
- Undertake a comprehensive year-long communication and outreach effort to all of the University community before implementing such changes, including by communicating the following:
 - o The decision-making process leading to the change and its rationale.
 - o The extended implications for current employees and future retirees, including expectations regarding similar changes in the future.
- Develop and communicate a pre-established mitigation plan for those adversely affected, ensuring they have viable alternatives if their healthcare is disrupted.
- Create mechanisms for transparent assessment of current benefit plans to incorporate direct feedback from retirees.
- Collaborate with the Faculty Senate's standing Committee on the Economic and Social Wellbeing of the Faculty (CESWF) to review future health plan changes before implementation. CESWF, as a tri-campus committee, serves as an excellent forum for soliciting additional faculty feedback and providing recommendations while significant changes are under consideration.

Note: These recommendations were officially submitted to SACUA in March 2024.