

Minutes 6 March 2017
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
Monday, March 6, 2016 3:15 pm
Room 4025, Fleming Building

Present: Atzmon, Carlos (Bluejeans), Lehman, Ortega, Schultz (chair), Smith, Szymanski (Bluejeans), Wright, Weineck (Bluejeans): Potter, Schneider, Snyder

Absent: none

Guests: Interim Provost Paul Courant; Kelly Cunningham, Special Counsel to the Provost; John Ware, GEO president

3:15 Call to Order/Approval of Agenda and Minutes
There were no minutes to approve.

3:15 Announcements
Chair Schultz announced the forthcoming lecture by Chandler Davis

3:18 Preparation for Guest
Chair Schultz discussed the meeting that he and Professor Atzmon had with Interim Provost Courant. Topics included hiring guidelines, the Graduate Employees Organization (GEO) for a twenty-hour per week maximum work load, concerns about current rules defining the composition of the faculty. Professor Atzmon also raised the issue of variable titles awarded to individuals who held post-doctoral positions (chiefly the use of the title Assistant professor for people who had been hired outside normal faculty hiring processes into presidential post-doctoral positions in the College of Engineering). Professor Lehman asked what SACUA committee dealt with privacy issues. He said that the chief of campus security said that there were 1700 surveillance camera on campus, and wishes to know is how long the recording are archived. Professor Weineck said that Sol Berman, the University's privacy officer, was the person to talk to (<https://www.safecomputing.umich.edu/about/information-and-infrastructure-assurance-staff>).

Chair Schultz opened the discussion of the twenty-hour rule (number of hours of on-campus employment) for Graduate Student Instructors (GSIs). Mr. Ware said that the rule did not apply during breaks, and that the regulation is somewhat vague. He said that University Human Resources (HR) has taken the position that twenty hours is the maximum number of hours a GSI can work within a given week, that averaging hours across weeks to obtain a twenty-hour per week average for the period of employment violates the rule that prohibits anyone in many visa categories working on campus more

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than twenty hours a week while classes are in session (including the F-1 visa, which the overwhelming international graduate students are on—30% of GSIs are currently international students).

3:30 Guest: Interim Provost Paul Courant

Interim Provost Courant said that he was discussing budgets and processing promotion cases. The tenure cases are currently arriving in the provost's office while the budget process is roughly two-third complete.

Chair Schultz said that SACUA has been interested in knowing more about the promotion review process in the provost's office, and publication of the identity of people reading case books at the provostal level. Interim Provost Courant said that the readers are experienced faculty, often with administrative experience.

Interim Provost Courant said he was pleased that the Library was preparing a course on "true news" (<https://www.michigandaily.com/section/academics/new-minicourse-fake-news-be-taught-university-next-semester>). Professor Weineck said that she was interested in developing a required course for first year students on how to tell the difference between good and bad information since an educated person should be able to tell true from false.

Mr. Ware reopened the discussion of the twenty-hour rule for GSIs. He said that the existing GEO contract looks at work hours on an average basis, allowing supervisors to require work that fluctuates above twenty hours a week so long that it fluctuates down so that no more than twenty hours for the appointment period). The fluctuations are the result of exams or assignments being turned around quickly. This presents a problem for international GSIs because the current contract allows supervisors to make them work hours in excess of those permitted by their visas. Professor Weineck asked if the GEO had confirmation that the State Department views the situation this way. Mr. Ware said that the State Department is vague on the point, but that the University of Michigan's International Center advises people conservatively (and has passed this advice on the University HR).

Professor Wright asked for clarification about the way that hours are calculated, noting that GSI's are on a salaried and not an hourly appointment. Switching from a model of "20-hour average" to "no week in excess of 20 hours" for all GSI's will inevitably mean that they will work less than a full 50% appointment throughout the semester – effectively granting an across-the-board pay increase. He inquired whether the proposed rule change could apply only to those GSI's on an F-1 visa. Mr. Ware said that, given the expected workload for a 50% GSI appointment (12.5-20 hours per week), the imposition of the twenty-hour limit will disadvantage 70% of GSIs onto whom work will be shifted at peak times. Interim Provost Courant observed that courses have natural ebbs and flows of work. Professor Weineck pointed out that work load differs according to school and unit, according to the types of courses to which GSIs are assigned (faculty-taught courses or courses where the GSI was the principal instructor). Mr. Ware said that the contract limits what Faculty can require, but does not prescribe the way GSIs run courses in which they are the principal instructor.

SACUA expressed a variety of concerns, with Professor Lehman wishing for a letter of instruction from the State Department and Chair Schultz being worried that that extra work would be required of on non-visa holders.

Mr. Ware said that the lack of regulatory clarity is a source of risk.

Professor Smith asked if first year students can be employed as GSIs. Mr. Ware said that first year students are appointed as GSIs in many fields.

Chair Schultz said that Mr. Ware would like support for the GEO position from SACUA, and pointed out that faculty have obligations for the welfare of graduate students who are GEO members. He also expressed concern that investigation of the State Department's policy could invite unwelcome scrutiny from the Federal Government.

Ortega asked about the basis of the International Institute's advice on the twenty-hour week. Mr. Ware said that he has not been able to get the University's interpretation in writing, but that the International Institute wanted to advise people to behave in a safe way. This concluded discussion of the twenty-hour week.

Chair Schultz returned to the privacy issue; Professor Lehman said that he will contact the University's chief privacy officer.

Chair Shultz opened discussion of the recommendations for hiring in publications from ADVANCE (<http://advance.umich.edu/index.php>), pointing out that the language appears to recommend practices at variance with current departmental practices, singling out the possibility raised in these publications that departments provide unranked lists of faculty candidates, with no without an up or down, departmental vote on those candidates, Deans as a way of promoting diversity. He asked if this was happening, and whether hiring practices should change, as a part of Diversity, Equity and Inclusion (DEI) programs?

Interim Provost Courant said that one of the animating principles of the ADVANCE best practices is to minimize the accumulation of bias across the course of a career. He said that he had found it useful, in his departmental life, to follow the ADVANCE recommendation that members of search committees list the attributes that a potential hire will have in some detail since that promotes a more disciplined approach in hiring, allowing for the admixture of DEI concerns to those of academic quality. He hopes that faculty will discuss the advice provided by the ADVANCE booklet when thinking about what is applicable to a search.

Chair Schultz asked whether there have been significant changes in hiring junior faculty. Interim Provost Courant said that there has been more serious discussion of hiring at the senior level because of ADVANCE.

Professor Ortega said that the accreditation standard in the School of Social Work required faculty to have input in hiring process, practices vary across the university by department. Interim Provost Courant said different departments do thing in different ways, pointing to differences in practice between the Medical School and Literature, Science and the Arts (LSA), making the notion that could be one set of uniform procedures is implausible. He said that this was not an argument for caprice, but a recognition of disciplinary differences. He added that the Provost's office reviews hiring procedures.

Professor Atzmon raised the issue of the procedures for hiring presidential post-doctoral fellows, making it possible for a department chair and a faculty member to write a letter arranging a hire that would not be known to department faculty as a whole, and that such positions came with the title of Assistant Professor (albeit not a tenure track assistant professorship) to enhance the prospect of securing outside funding. Interim Provost Courant said he will look into the issue. Professor Weineck said that, while appointments could be made without a collective decision in LSA, it was best if departments voted on appointments to these positions.

Chair Schultz asked about transgender bathrooms and proposals from Tim Johnson about staff maternity leave. Interim Provost Courant said that the university policy is to have more transgender bathrooms. Professor Weineck said that it would be useful for members of the transgender community to have a written statement saying that they can use whatever bathroom they wish. Interim Provost Courant says this would be helpful and will check policy. Chair Schultz asked if faculty governance issue a statement in support of the Maternal leave policy, (while noting some concern that this is not a parental leave request). said that has respect for Dr. Johnson and his principles and invites SACUA to opine on the subject.

4:18 Interim Provost Courant left the meeting

There was discussion of the GEO request. Professors Potter and Weineck and Lehman said SACUA needs to know the actual policy.

Professor Ortega asked if there is an evaluation process for STRIDE and ADVANCE. Chair Schultz said that he would send the handbook to Committee for an Inclusive University (CIU) asking for feedback.

4:15 Rules Committee

Chair Schultz called attention to the e-mail he has sent to Professor Frier. See appendix for the text of the message to Professor Frier.

Professor Weineck asked about the advantages of expanding the Senate Assembly. Chair Schultz said that clinical faculty have their own issues, and that if clinical faculty were allowed into the Senate Assembly, it would shift the Assembly's weight very heavily in the direction of the Medical School. Professor Weineck suggested that clinical and emeritus faculty could have modified representation. Professor Smith said that the university changes all the time and that SACUA should recognize this—something needs to be done to make clinical faculty more welcome. Professor Weineck said that clinical faculty should not be part of the Faculty Senate because tenure is not an issue for them while protecting tenure is the core issue of faculty governance. She suggested that the clinical faculty organize themselves and then ask for representatives to the Senate Assembly.

4:35: Approval of the SACUA ballot and the Senate Assembly agenda

Chair Schultz asked if opening of Senate Assembly meeting to secure a quorum when the meeting began. could be pushed back to 3:30, Professor Smith said that people would come later.

The candidates for SACUA are Professors J. Beatty (U-M Dearborn); K. Eaton (Medical School); J. Ellis (UM Flint); A. Gailus (LSA); S. Malek (Medical School); N. March (LSA).

Chair Schultz asked if a statement could be read on behalf of Professor Beatty, who will not be at the Senate Assembly meeting. Ms. Snyder suggested that Professor Beatty provide a video statement. Professor Atzmon said that she could be asked if she wanted to send a statement or have a representative.

4:43: The SA and ballot were unanimously approved

4:44 Transgender Bathroom Use

Professor Wright said we should craft a policy consistent with our beliefs. He proposed the following text “The University of Michigan is committed to working to create a safe and inclusive space. All members of our campus community are at liberty to use bathrooms consistent with their gender identity.”

The measure passed unanimously.

4:52 The creation of the Bicentennial Faculty Governance Lifetime Achievement Award

This is a one-off award to be given at the October awards ceremony.

Eligibility: Any emeritus faculty member of the University of Michigan. Those who have previously received faculty governance awards are ineligible.

Award: the recipient(s) will be awarded \$1,500 in the Fall of 2017.

Selection Criteria: Exceptional distinction reflected in central faculty governance service to the University over a significant period of time.

Nomination and Selection Committee: the nine-member committee shall be comprised of the voting member of SACUA.

The deadline for submission of the Awards Nomination in May 1, 2017.

The document was passed as proposed.

4:55 Matters Arising

There will be future discussion of Academic Freedom Lecture Fund (AFLF) issues and Coalition on Intercollegiate Athletics (COIA).

Professor Lehman said he would like to have Laurita Thomas come to a SACUA meeting

5:00 Adjournment

Respectfully submitted,
David S. Potter
Senate Secretary

University of Michigan Bylaws of the Board of Regents, Sec. 5.02:
Governing Bodies in Schools and Colleges
Sec. 4.01 The University Senate

"...[t]he 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

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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."

Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs:

Senate: "In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed."

Assembly: "The Assembly may adopt rules for the transaction of its business. In appropriate cases not covered by rules of the Assembly, the rules of the University Senate shall apply."

SACUA: "The committee may adopt rules for the transaction of its business."

Appendix 1: Questions to the Rules Committee



Robyn

Snyder <rasnyder@umich.edu>

Questions to Rules Committee

Faculty Senate Chair <facultysenatechair@umich.edu>

Sun, Feb 26, 2017 at 10:03 PM

To: Bruce Frier <bwfrier@umich.edu>

Cc: SACUA <SACUA@umich.edu>

Dear Bruce,

I would ask that the Rules Committee consider some questions that have concerned me for some time.

FIRST, what is the definition of faculty for purposes of: 1) qualifying for RB 5.09 protections (for "teaching staff"), 2) access to the unit grievance procedures (for "faculty"), and 3) invoking the SACUA Faculty Hearing Committee (for "faculty").

In other words, who is eligible and under what circumstances? What concerns me is that SACUA sometimes assists or even represents "faculty" or "teaching staff" or others who are not members of the University Senate? If so, is this a problem?

RB 5.01 states:

1. The term *faculty* shall include members of the teaching and research staff together with the executive officers, the directors of various teaching, research, and library units, research associates, curators, and persons with similar duties.
2. The term *teaching staff* shall include professors, associate professors, assistant professors, instructors, lecturers, and teaching fellows.

SECOND, how can we address the perennial problem of needing a quorum of the entire Senate for the University Senate Secretary election when a quorum is a near impossibility? Can there be an accommodation that would allow the election by the Senate Assembly instead? Alternatively, should we allow for electronic voting? Is the only way to transition to these newer forms by voting in a Senate with a quorum?

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THIRD, how can we address the quorum difficulties occurring at Senate Assembly meetings too? Should there be a different system for utilizing alternates?

FOURTH, besides quorum issues, is the current Senate Assembly size of 74 members optimal? Should the University Senate be expanded to include retired faculty and/or clinical faculty and/or others?

Please let me know your committee's response to these questions. Thank you for all of your help over the years, Bruce!

Bill

Faculty Senate Chair

6052 Fleming Administration Bldg.
503 Thompson St. Ann Arbor, MI 48109-1340

Appendix 2: E-Mail from Chair Schultz on GSI Hours

From:

William Schultz <schultz@umich.edu>

Date: Wed, Feb 22, 2017 at 1:57 PM

Subject: Re: 20 Hour/Week Max for GSI

To: GEO President <president@geo3550.org>

OK. I'll seek endorsement. In the meantime, please feel free to use it. In the opening, I have stated my proviso that it is not yet endorsed by SACUA. Bill

On Wed, Feb 22, 2017 at 1:30 PM, GEO President <president@geo3550.org> wrote:
Thank you, Bill I

think this is good. It will be stronger to have endorsement from SACUA. In the mean time, if I refer to

or share this note publicly, do you expect I'll be making it harder to get that endorsement?

John

John

Ware, President

Graduate Employees' Organization

AFTMI

Local 3550, AFLCIO

On Tue, Feb 21, 2017 at 11:25 PM, William Schultz <schultz@umich.edu> wrote:

John,

I write on my own behalf. If suggested or required I can seek endorsement from SACUA after Spring Break.

I endorse the email support by LEO for the GEO request that all GSIs have a strict limit of 20 hours for each and

every week to protect those GSIs that have F1 visas.

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In addition, I wish to bring further points that support GEO's request, even though they may impose additional constraints and challenges for faculty. GSIs are students as well, and a large percentage of them are taking classes. The time periods where they may be asked to work more than 20 hours (to grade midterm and final exams, and final projects and papers) are likely to coincide with critical times in the courses the GSIs are students. Reducing the peak grading periods could be accomplished by spreading these requirements throughout the semester. This might mean having 2 or more midterm exams instead of one. Undergraduates appear to prefer more exams, with the much greater possibility of having significant grading feedback before the various drop/add deadlines. Project and paper grading could be spread out similarly. Final assignments could have preliminary sections or assignments well before the end of the semester. The students would appreciate the intermediate feedback. Holding fast to the requirement that project assignments be turned in before the last day of classes would further help the end of semester crunch. Hence, I believe there are several advantages for our graduate and undergraduate students with improved pedagogy and minimal interference with faculty traditions and preferences. Let me know if you have questions or suggestions.
Bill Schultz, Faculty Chair