

Minutes of 8 September 2014 SACUA
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
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Present: Holland, Lehman, Masten (chair), Mondro, Schultz, Smith, Weineck, Ziff; Schneider, Snyder

Absent: Oey

Guests: President Schlissel, members of the press

MATERIALS DISTRIBUTED

1. Draft agenda
2. Draft minutes of 25 August 2014 SACUA
3. Draft Resolution: Authorization of One-Time Senate Electronic Vote
4. Tentative SACUA liaison assignments
5. Confidential Faculty Hearing Committee documents

Chair Masten convened the meeting at 2:45 P.M. The draft agenda was approved.

CONSIDERATION OF MINUTES

The minutes of 25 August 2014 were approved.

EXECUTIVE SESSION

The meeting entered executive session at 2:45 P.M. to prepare for SACUA's meeting with President Schlissel. The meeting resumed open session at 3:00 P.M.

VISIT OF PRESIDENT SCHLISSSEL

The guest arrived at 3 P.M. After a round of introductions, the president invited questions from the members of SACUA. Professor Weineck asked him to comment about the situation at the University of Illinois regarding the withdrawn job offer to Professor Salaita. The president said that universities are places to learn how to speak with each other about complicated issues where there are often divergent points of view and groups tend to talk past one another. He added that his knowledge of the case was limited to media reports and that he did not know enough about it to comment intelligently at depth. He said that he was a great believer in free speech, high academic standards, and in civility and respectful treatment of others. Professor Weineck stated that she was alarmed by the fact that faculty governance had

apparently been excluded from decision-making in the case. The president replied that if that were true, he would share her concern.

President Schlissel said that the question prompted him to raise the subject of shared faculty governance and its meaning at the UM. He said that in his view there are certain aspects of university functioning in which the faculty has the first voice: academic standards, curriculum, requirements for a degree, ideal student population, preparation, concentrations and majors. He said that the administration should be largely respectful of those types of decisions. He stated that non-academic areas were more challenging, but that the administration should nonetheless involve faculty, and that faculty should be consulted early in the development of policies that touch the faculty and that faculty should have lots of opportunity to criticize and discuss the issues. He explained that the faculty cannot own the management of a \$6.5 billion enterprise because there are too many faculty and their views are too divergent.

Professor Lehman remarked that the Regents' Bylaws define the faculty role as advisory, but to fulfill that role there must be open and transparent communication from the administration. The president replied that in practice the role of the faculty can be much stronger than implied by the Bylaws. For example, he said, it was hard for him to imagine how any administrator would want to overrule the faculty on matters that were strictly academic. He added, however, that such a case might arise when not every department is similarly strong, successful, and striving for excellence. In such cases, he said, the role of the deans, chairs, provosts and presidents is to uphold university standards when departments are failing.

Chair Masten pointed out that there is not often a sharp line between administrative and academic purviews. He cited the example of extension of the tenure probationary period over strong opposition from elected faculty governance. The president replied that the policies for awarding tenure are very much academic policies, although they have consequences that are very broad. He said he would imagine that the faculty themselves would have brought forward the issue if there was unhappiness or a problem with the existing tenure clock. He added that what he was really challenged with at an institution possessing the scale and breadth of the UM is how he can reach out to the faculty. He acknowledged that his interactions with elected governance groups like SACUA was one way, but that he imagined that, like other institutions he has worked at, not all faculty feel represented by the formal institutional structures. He said that the question of how to reach out and get the sense of more than 3000 faculty was very challenging.

Professor Schultz asked the president to describe his experiences with faculty governance at the University of California Berkeley. President Schlissel responded that the rate of participation of faculty in shared governance was modest; perhaps 100 attended meetings with the chancellor, provost, or deans. Often the sessions devolved from collaborations to complaints. One positive feature, however, was inclusion of the elected head of the faculty senate in meetings of the council of deans. He said that doing so provided non-administrative perspectives to those meetings despite the fact that they remained closed to the press and were confidential. He said that the discussions were much richer than otherwise, and that the practice had the effect of lifting the attention paid to shared faculty governance. He said he was pleased to learn that the SACUA chair will attend one meeting of the Academic Program Group (APG) each semester. Chair Masten pointed out that the first such meeting in over 20 years was scheduled for

Wednesday, 17 September 2014. The president said that he will also attend APG meetings to get a sense of the issues, although he will not chair the meetings.

Professor Weineck revisited the distinction between academic and administrative spheres with reference to two recent examples of excluding faculty from formative discussions about things that affect their ability to work: Administrative Services Transformation (AST) and new building design. She said that much seemed to hinge on the meaning of the word 'consult.' President Schlissel replied that consultation requires involvement early when new, significant ideas and structures are being developed, and must be continued in an iterative fashion in an effort to get things right. He said it requires good faith. He pointed out that he experienced a reorganization corresponding to AST at Berkeley, and that a similar sociology played out there. He said that he realized that clearly some things were done here unwisely, but that at Berkeley there were similar suspicions, lack of good will in all directions, and that it is still an evolving structure. He said the savings were not as large as had been advertised, but that some economies of scale and backup for functionality had been realized.

Professor Smith called attention to the North Campus Research Complex (NCRC) and asked whether the vision is to build a new way to do research or simply to rearrange people to new space. He questioned whether it was wise to continue expanding so much. The president replied that we need to figure out what the right size is of the federally funded research community given the realities at the federal level. He said that eventually the UM will have to establish for itself a steady state size, and more importantly, will have to figure out how to function strategically. He said he has noticed that the UM is almost unimaginably decentralized, which makes it a great place to be a dean, but really challenging to be a provost. He said that the advantage of the UM is the breadth of its excellence, but that extreme decentralization makes it harder to capture synergies one level above the unit. In direct reference to Professor Smith's question, the president said that Medicine owns the NCRC and the structure is 70% occupied. He said it might be more helpful to think holistically across the campus in future decisions, but it is not obvious where such conversations can occur, though he would like to work on that challenge.

Professor Holland remarked that units are very different in size, and that the disciplinary diversity in schools like LSA presented management challenges. President Schlissel said that the logical principle dictating most professional school units is the discipline they are serving. He noted that disciplinary integration has to exist at least at the level of the provost and president if not at the level of a dean. Rather than examine the unit structures, he said, he prefers to promote better ways to work across them. Professor Schultz remarked that interdisciplinary success seems confined to research and not to teaching. The president acknowledged that team teaching is great when it is done well, and that obstacles would be a great topic to explore.

President Schlissel then asked SACUA for advice regarding transparency of salaries. He said the topic is a source of suspicion, and because the information is subject to FOIA, he sees no reason not to release it. To his surprise, however, he has met some resistance from Medical School faculty to releasing clinical incomes and from the Business School faculty regarding income from executive education programs. Professor Ziff pointed out that administrative bonuses triggered the initial concern. Professor Holland said that he favored full transparency because it is public money. The president replied that some units have ways of generating salary

that go beyond public money. He added that Medical School representatives have complained that such disclosures might disadvantage them in competition for staff. Professor Schultz asked what practices are followed by our public peers. The president said that Berkeley reports base salary as well as total. He said that practice proved titillating initially, but interest later subsided. Professor Smith said that he likewise favored full transparency, and that contrary arguments sound specious. The president asked what interest was served by full disclosure. Professor Smith replied that when faculty are asked to tighten their own belts, it might be comforting to know that administrators are not continuing to receive \$100,000 bonuses for simply doing their jobs. Besides, he said, if you are going to put out information, put out the truth. The president averred that Professor Smith had made a good argument.

President Schlissel then told SACUA that his goal was to make the UM a place where faculty think they can do their best work. He asked what we should be doing to reach that goal. He said he would be grateful if SACUA or the Senate Assembly would put some thoughtful effort into defining what it is about the environment that enables our best scholarship and what is missing. He said his mission is to make this a place that can attract the most talented and energized faculty and the highest caliber of students. He said he wished to increase the diversity of both of those groups and to achieve higher levels of excellence. Professor Smith said he thought the main reason people leave is to find a better research environment somewhere else. Professor Smith said that we may not need to construct additional buildings now. He said that his own overriding consideration in staying at the UM was the intellectual environment rather than his salary or laboratory facilities. He cited the president's earlier comments about the limitations of decentralization and suggested that challenges to working above the unit level restrict faculty abilities to engage in broad programmatic initiatives. Professor Lehman pointed out that faculty at Canadian universities seem to achieve excellence in many cases without the boom and bust access to rich research funds that characterizes U.S. science research. Consistency in support for research is more important. The president replied that U.S. academic science has been afflicted with the Malthusian problem by training multiple graduate students who in turn multiply geometrically whereas resources can grow at best arithmetically.

President Schlissel concluded his visit by saying that he hoped to get the faculty engaged with the issue of athletics, but the topic would have to be deferred to a future meeting. He said he would consult with Chair Masten about the topics and format for his meeting with the University Senate on 22 September 2014.

The guest left the meeting at 3:45 P.M.

ANNOUNCEMENTS

1. Football tickets for Miami of Ohio are still available.
2. The provost will meet with SACUA on 15 September.
3. The new president will speak at the Senate Meeting on 22 September.
4. Committee Day is scheduled for 29 September.
5. The 20 October meeting of the Senate Assembly will include a Regents' forum for candidates.
6. The November meeting of Senate Assembly will focus on athletics issues. LSA has declared a theme semester about Sport and the University.

STATUS REPORTS

Model and Unit Grievance Procedures-

Professors Masten and Schultz raised this subject with the provost at a regularly scheduled private meeting. She is pursuing units currently not in compliance. Education and the School of Public Health have agreed to make adjustments to conform to the model policy. Medicine wants to postpone its compliance until its next set of elections. LSA is problematic. The deans and department heads undertook revision of their grievance policy and the executive committee approved it despite its deviation from the model policy. It was offered for discussion at two faculty meetings and was adopted by vote. Professor Weineck pointed out that LSA faculty meetings are dominated by department chairs. On a related topic, the University Ombuds, Professor Giordani, is undertaking a review of units ombuds and the training they receive, if any.

Office of Institutional Equity Procedures-

Deferred to Executive Session.

Ongoing grievances and Faculty Hearing Board Committee inquiries

Deferred to Executive Session.

Fitness for Duty and Professional Standards for Faculty SPGs and Tenure-

The provost has asked general counsel to provide SACUA with an explanation about the language used in the draft policy document about fitness for duty.

Unit deviations from University-wide policies and procedures-

The policy document that triggered this concern has been sent back to the executive committee of Pharmacy for review and revision.

Total Compensation Propriety and Transparency-

President Schlissel addressed this topic today.

Administrative Services and IT Rationalization, Implementation and Oversight

A full complement of representatives to these governing bodies now exists. The first meetings of these groups begin next month.

Senate Rules Amendments

A proposal follows.

PROPOSED ACTION ITEM FOR SENATE ASSEMBLY

Chair Masten called attention to distributed item 3. Professor Holland moved (Smith seconded):

Whereas, The Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs (hereafter, the Rules) require a quorum of the Senate to conduct certain business; and

Whereas, A Senate quorum has proved difficult to achieve, thereby preventing necessary business from occurring; and

Whereas, The Rules (Article 1, section 6, paragraph 2) provide that “A mail vote by Senate members on any issue on which the Senate is competent to act may be authorized at any Senate meeting by a majority vote of those voting;” therefore, be it

Resolved, In the event that the Senate fails to achieve a quorum at its Winter 2015 meeting, the Senate hereby authorizes a one-time vote of the Senate to be conducted electronically on amendment of the Rules as may be proposed by the Rules Committee and approved by the Senate Assembly.

After discussion and friendly amendment of the language that is reflected in the text above, SACUA members expressed their readiness to vote. The Action was approved by unanimous vote with no dissent or abstentions of record.

NEWSLETTER STATUS

Chair Masten suggested changing the name ‘newsletter’ to ‘bulletin’ or ‘news.’ He said there were some formatting issues to be resolved in the Senate Office. The communication will include announcements about the upcoming Senate meeting, the visit of President Schlissel, and the Academic Freedom Lecture. Professor Oey has suggested that it also include possible reporting requirements for sexual harassment and the policy for minors on campus.

UNFINISHED BUSINESS

An electronic notice must be sent to the Senate faculty about the special meeting of the University Senate featuring a visit by President Schlissel and the resolution proposed above.

EXECUTIVE SESSION

The meeting entered executive session at 4:40 P.M. to discuss (1) an update from the Faculty Hearing Committee and amendment of its charge, (2) Committee assignments: status and remaining issues, and (3) Senate Secretary.

The meeting resumed open session at 4:58 P.M.

The meeting was adjourned at 4:58 P.M.

Respectfully submitted,

John T. Lehman
Interim 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 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."

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