Members Present: Nancy S. Barrett, Provost and Senior Vice President for Academic Affairs, Chair; Seymour J. Wolfson, President, Academic Senate; Agnes Acsadi; Terrence Allen; Tyrone Austin; Ivan Avrutsky; Ramona Benkert; Veronica Bielat; William Brusilow; Deborah Charbonneau; David Cinabro; Alfred Cobbs; Christopher Collins; William Crossland; Victoria Dallas; Cheryl Dove; Karen Feathers; Maria Ferreira; Judy Field; Judith Fouladbaksh; Andre Furtado; Michael Horn; Patricia Jarosz; Barbara Jones; Thomas Kilson; Rita Kumar; Liza Lagman-Sperl; Rodger MacArthur; Brian Madigan; James Martin; Lisa Maruca; Michael McIntyre; Boris Mordukhovich; James Moseley; Charles Parrish; Elizabeth Puscheck; Susil Putatunda; Daniel Rappolee; Robert Reynolds; Louis Romano; Brad Roth; Nabil Sarhan; Mary Sengstock; Bo Shen; Assia Shisheva; Naida Simon; Antoinette Somers; Timothy Stemmler; Anca Vlasopolos; William Volz; Jianjun Wang; Jeffrey Withey; James Woodyard; Earnestine Young

Members Absent with Notice: Joseph Artiss; Donald DeGracia; Doreen Head; Debra Jozefowicz-Simbeni; Tej Mattoo; Sean Peters; Michele Ronnick; Linea Rydstedt; Alvin Saperstein; David Thomas; Harley Tse; Barrett Watten; Judith Whittum-Hudson

Members Absent: Basim Asmar; Kinglsey Browne; Frederick Florkowski; David Kessel; Winston Koo; Jerry Ku; Jason Mateika; Prahlad Parajuli; Regina Parnell; Frederic Pearson; Aleksandar Popadic; T.R. Reddy; Arun Wakade; Derek Wildman; Russell Yamazaki

Others Present: Johnnie Blunt, Academic Senate Office; Alan Jacobson, Office of Budget, Planning and Analysis; Sarah James, Office of the Vice President for Research; Robert Kohrman, Associate Vice President for Budget, Planning and Analysis; Jay Noren, President; Howard Shapiro, Associate Vice President for Undergraduate Programs and General Education; Kelley Skillin, Office of the Provost; Angela Wisniewski, Academic Senate Office

CALL TO ORDER: Provost Barrett called the meeting to order at 1:38 p.m. This regularly schedule meeting of the Academic Senate was held in the Bernath Auditorium in the Undergraduate Library.

I. CERTIFICATION OF APPRECIATION FOR PROVOST NANCY S. BARRETT

Mr. Wolfson read the following:

Whereas Dr. Nancy S. Barrett has served from 2003 to 2010 as Provost and Chief Academic Officer of Wayne State University;

Whereas Dr. Barrett has worked in collaboration with the Academic Senate to protect the core teaching and research functions of the University at a time of financial distress in the State of Michigan;

Whereas Dr. Barrett has increased the quality of the undergraduate student body at the top of the class with innovative recruitment tactics and has reduced the uncomfortably high attrition rate at the bottom;

Whereas, as a true friend of the Academic Senate, our Nancy has embraced the goal of shared governance and has promoted a spirit of cooperation with the Faculty and Academic Staff; and

Whereas Nancy S. Barrett has been the best provost in the living memory of Wayne State University;

In appreciation thereof, the members of the Academic Senate award this Certificate of Appreciation to Nancy S. Barrett and offer her their best wishes in whatever challenges she may take up in the future.

The Senate members responded with a standing ovation.

Provost Barrett thanked Mr. Wolfson for the many years he has shared his wisdom, leadership, and warmth. She said that she has not had a nicer group of faculty leaders to work with than those at Wayne State. Despite the notion that the same group of people have been in charge of the Senate, many of the people present have served on the Policy Committee during her tenure as Provost. The Provost thanked all of the Senate members for their support. She wished President Noren well in the search for the new Provost and in building an even stronger level of consultation.

I. OPEN FORUM WITH PRESIDENT NOREN
President Noren noted that on the agenda for the Senate was a report on the smoking survey. Whatever the Senate could do to make clear the importance of a statement about smoking on campus would be useful. In 1987, the University of Wisconsin banned smoking on campus. Doing so had nothing but positive effects.

Ms. Shisheva asked about the status of the biomedical research building. President Noren said that the building is the University’s first priority in the Capital Outlay Budget Request. The state provided no funding to Wayne State, the University of Michigan, or Michigan State University in the last Capital Budget. However, the President is hopeful that the state may provide some funds in the coming year because there is bonding capacity in the state. The University and the Henry Ford Health System (HFHS) both have plans for biomedical research centers. Committees from the two institutions are meeting to determine whether they might collaborate on a joint project. Wayne State has, with the assistance of a consultant, analyzed the economic impact of the project. During development and construction the project would provide about 2,000 jobs. When it is operational there would be about 600 jobs in Detroit and 400 jobs statewide and an impact annually of $61 million. President Noren made this clear when he testified before the Senate Appropriations Committee on Higher Education last week. HFHS and the University are in agreement about the nature of the building. The joint committee has reviewed the conceptual designs that were made for the University last year.

Mr. Crossland asked how the new contract between the University and the Detroit Medical Center (DMC) would affect undergraduate medical education. President Noren said the new agreement should not have an effect on the medical students. About one-half of the class will continue at the DMC. Sixty students are now at Henry Ford and it is likely the number placed there will increase. The University is increasing its collaboration with Henry Ford, and, after moving to the single clinical campus, the students rated their experience at Henry Ford as the most popular.

Mr. MacArthur asked if there was a wide spread in the undergraduate medical students’ ratings of facilities. Since the students spend two plus years at one facility, it was important to know if there is a poorly-rated facility so the faculty can improve the education of the students. President Noren did not know the results of the full survey; he had been told only that Henry Ford is the most popular. The full results should be available.

The President sent a memo to the Academic Senate to nominate eight to twelve people for the position of Interim Provost. Mr. Parrish expressed skepticism that there were that many people on campus qualified for the position. President Noren believed there were eight to twelve people on campus with leadership experience to fill the position.

Mr. Parrish noted that when President Noren joined the University he had spoken about the Provost being in charge of the budget. However, according to the description of the position for the permanent Provost, that person would only be in charge of the budget for the schools and colleges. The description did not state that the Provost would have a central role in the overall budget. President Noren said the Provost would have probably the central role in budget. The President’s Cabinet has a Budget Work Group composed of the Provost, the Vice President for Research, the Budget Officer, and the Finance Officer. That group will continue. The Provost will have the central role in budget oversight. Most of that is the schools and colleges. The Provost’s oversight of the budget will be in consultation with the President.

Ms. Shisheva asked about the recent hiring of four administrators despite the freeze on administrative positions. President Noren and Provost Barrett responded. A director of Institutional Research, a position that had been vacant about two years, was filled. Some positions in Finance and Facilities were filled and a director of admissions was hired. The director of on-line programs is a new position. To get approval to hire an administrator, a vice president submits a request to the President.

Ms. Vlasopolos asked about the participation of the Provost in the discussions that the President is having with the Deans and Vice Presidents in preparing the budget for FY 2011. President Noren said that the Provost, the Vice President for Research, the Vice President for Finance and Facilities Management, and the Associate Vice President for Budget, Planning and Analysis attend the meetings he has with the Deans and the Vice Presidents.

Ms. Vlasopolos asked if the Deans were instructed to plan for a budget cut of 15%. President Noren said that based on the announcement that the state would cut its appropriation to higher education by 20%, he had told the Deans to see how they could absorb cuts of 5%, 10%, and 15%. The President is more optimistic now because Governor Granholm stated that she would veto cuts to higher education for FY 2011. Units will probably not have to plan for a 15% cut. A 20% cut in the appropriation for Wayne State means a cut of about $43 million.

In response to a question about priorities, the President said that the priority is the preservation of full-time tenure-track faculty. Other than that, the Deans were asked to submit their ideas for balancing their budgets. Ms. Vlasopolos said that in one college faculty positions were not filled for fear of budget cuts. President Noren said there are 60 on-going faculty searches. The Deans evaluate the searches as the budget process unfolds. President Noren has encouraged Deans to search for faculty and, if they find good candidates, to hire them.

Mr. Volz asked how the University was able to deal with an uncertain budgetary framework resulting from the state’s delays in taking action when students need to know what tuition will be next fall and the University has to prepare financial aid packages. President Noren said that because of financial aid packages, the University will likely make
decisions about tuition prior to the state government approving the FY 2011 budget. The University covered the money students lost in the Michigan Promise for those with need as demonstrated by the Free Application for Federal Student Aid. The University used one-time money to double financial aid for the freshmen who entered in fall 2009, and it will do the same next year. In addition, the Aim Higher for Students campaign has raised $6.1 million in three and one-half months. Alumni believe it is important to support students with scholarships. As tuition is increased, financial aid is increased 17%. Governor Granholm’s budget proposal would convert the Michigan Promise to a tax credit with the criterion for receipt being that you live in Michigan.

President Noren left the meeting.

II. APPROVAL OF THE PROCEEDINGS OF THE ACADEMIC SENATE

It was MOVED and SECONDED to APPROVE the Proceedings of the Academic Senate meeting of January 13, 2010. PASSED.

III. REPORT FROM THE SENATE PRESIDENT

A. Report and Announcements

Mr. Wolfson asked that the statement in honor of Provost Barrett be recorded in the Proceedings of the meeting. The standing ovation was unanimous approval of that document.

Mr. Wolfson asked Mr. Mcintyre, the Chair of the Budget Committee, to report on the meeting held earlier in the day with the Chairs of the budget advisory committees of the schools/colleges/ departments.

Mr. Mcintyre reported that Robert Kohrman, the Associate Vice President for Budget, Planning and Analysis, made a presentation about the budget situation in the state. Mr. Kohrman reported that Governor Granholm’s budget proposal for fiscal year 2011 is hopeful and the University is awaiting the action of the state senate.

Mr. Mcintyre submitted a proposal at the meeting of the budget advisory committee chairs to reaffirm the importance of the academic side of the budget. There were several items in the proposal. One was that the University should exercise tuition restraint at this time. There have been large tuition increases over the last decade and the economic situation is very difficult. The University cannot balance its budget by deciding what it wants, what its resources are, and setting the tuition increase to make up the difference. The other items related to changes in the priorities for the academic side. Over the last 20 years there has been a decline in the percentage of the budget going to the schools and colleges. Mr. Kohrman believed the increase in the last few years was due to the increase in financial aid. Mr. Mcintyre recalculated the numbers to see if there was a decline even with the financial aid included, and there still was a decline. In prior years, the decline was not due to financial aid.

Mr. Mcintyre’s proposal suggested that the Senate ask the administration to increase the percentage of the budget allocated to the schools and colleges in the FY 2011 budget by 2%. That would mean cuts elsewhere in the budget.

Mr. Mcintyre also made two recommendations related to spending. One was that ten tenure-track faculty be added in departments that experienced a significant enrollment increase in the last few years. Enrollment is seen as a way to fund the University. The departments that are gaining enrollment are getting thinner in their ability to teach and provide services to students. The other suggestion was to add fifteen graduate assistants to help in the research and teaching efforts. These recommendations would increase the number of full-time faculty and reduce the dependency on part-time faculty, for which there is general support in the administration.

The Senate Budget Committee will discuss the proposal. Mr. Mcintyre welcomed feedback about the proposal.

B. Election of the Senate President for the 2010-2011 Academic Year

Mr. Woodyard, the Chair of the Elections Committee, stated that the Bylaws call for the election of the Senate President to be conducted at the April meeting. Any person who is a member of the Senate is eligible to serve as President. It would be helpful if nominations were submitted prior to the April meeting, but they will be accepted at the meeting.

C. Proceedings of the Policy Committee

The Academic Senate received the Proceedings of the Policy Committee meetings of December 14, 2009, January
Mr. Wolfson called to the Senate’s attention item #2 in the January 11 Proceedings and item #8 in the January 25 Proceedings regarding the proposed Code of Ethics. Policy Committee thought the proposed Code of Ethics was a violation of the first amendment. The AAUP-AFT filed an unfair labor practice and a grievance against the University. When the Policy Committee was asked to nominate faculty to serve on the task force it refrained from doing so because of the pending litigation. Mr. Wolfson asked the Senate if it would support the Policy Committee’s action.

Ms. Simon MOVED that the Senate support the Policy Committee’s action in not providing names to the administration for the task force. SECONDED.

A member asked if the Senate was at a disadvantage because it was not participating in the discussions.

Provost Barrett chairs the Code of Ethics Task Force and she responded to the question. She wanted to use the e-mail messages that Mr. Wolfson had gathered from the faculty as input. Robert Sedler of the Law School also gave his opinion of the proposal. In these ways faculty voices are being heard. The Code of Ethics will be implemented only for employees who are not represented by a union. The Graduate Employees Organizing Committee also filed a grievance.

Mr. Parrish commented. The Board of Governors Statute, he said, is clear that the Academic Senate is the chief advisor on academic policy with the one exception being in the areas that are covered by collective bargaining. There is nothing more basic to the terms of employment, Mr. Parrish said, when the behavior addressed in the Code allows people to be terminated. Mr. Parrish believes that as the grievance and the unfair labor practice move forward, the administration will be told that the Code of Ethics must be bargained with the union. The union, he said, would have adequate representation to deal with the concerns about academic freedom and the constitutional rights in any negotiations over a Code of Ethics. Mr. McIntyre said that at the last meeting of the Board of Governors, the Chair of the Board gave a strong endorsement of academic freedom. As far as he was concerned, no Code of Ethics that included speech limitations would be approved.

The vote on the motion was taken. PASSED.

Mr. Woodyard asked if there had been a response to the motion passed by the Senate requesting that the academic side of the University be exempt from the LEADS (Linked Employee Assessment & Development System) process. In addition, Senate members had asked for information about the use of LEADS in academia. Mr. Woodyard considered the response to the request unsatisfactory. He asked if the Senate would pursue getting the information that had been requested.

Provost Barrett said that President Noren decided that the LEADS system would not be applied to academic administrators pending the recommendation of the task force that she chairs. If the administrator is tenured or is on the tenure-track they are exempt. The faculty and academic staff are represented on the task force by Michael McIntyre and Douglas Whitman, the Chair of Psychology. The Provost said that the task force members have the information about LEADS in academia. Kelley Skillin, who works in the Provost’s Office, has contacted some of the institutions that use LEADS to find out how the process works. The task force will consider the information.

IV. COMMITTEE REPORTS

A. Results of the Calendar Survey

Naida Simon, the Chair of the Student Affairs Committee, presented the results of the calendar survey. Last academic year, when the administration moved the first day for classes for the fall 2009 term before Labor Day, the Policy Committee charged the Student Affairs Committee and the Elections Committee with drafting and conducting a survey to find out how the change affected students and faculty. Six issues were addressed in the survey:

1. that Michigan prohibits public K-12 schools from holding classes before Labor Day;
2. students may miss one week of work during the summer;
3. the change created a shorter break for students and faculty who attend classes or teach during the summer semester;
4. need to consider the start date for faculty on nine-month contracts;
5. consider student orientation and iStart programs when drafting the calendar;
6. consider whether the revised calendar should have classes start on a Wednesday so classes would not have to be held the Wednesday before Thanksgiving.
Ms. Simon reviewed the timeframe for the committees’ work. Although the committees were given their charge during the winter 2009 term, it was decided to wait until people had experience with the change before conducting the survey. The survey was given between January 25 and February 10, 2010.

The Committees do not know exactly how many people received the survey because people who were on two lists would have received the survey twice. For example, a member of the academic staff who was also a student would have received two surveys.

Five thousand four hundred fifty-six people responded to the survey. Seven hundred and two or 13% of the faculty responded. Three thousand six hundred seventy-six students responded. Two hundred sixty-eight of the academic staff responded. Two hundred eighty-three other employees responded to the survey. Four hundred forty-three employees who were also students responded, and 84 people who identified themselves as other responded.

A plurality (2154 people or roughly 39%) said that starting classes before Labor Day did not affect them. Roughly 29% of the respondents said the change worked well for them. The change worked poorly for about 25% and about 7% of the respondents had no opinion. Almost 2900 people said that the policy of starting classes before Labor Day should be continued. The number who said it should not be continued was 1563.

Mr. MacArthur did not see a clear majority for continuing to start classes before Labor Day. Twenty-five to 30% of the respondents had a poor experience with classes starting before Labor Day; that was a large number.

Provost Barrett noted that there were advantages to starting classes before Labor Day. The survey showed that there was not a major objection to doing so.

Ms. Simon noted that the survey respondents had commented that there needed to be more communication to notify people when classes begin. Notification should not occur only when students register for classes. She also noted that some questions were unresolved. One was whether classes would meet the Saturday before Labor Day. Thirty-five to 40 comments on the survey were unrelated to the calendar.

Mr. Woodyard said that the survey was an outgrowth of a perceived lack of consultation. A motion was made on the floor of the Senate to conduct the survey because the calendar was changed without broad consultation. He added that the survey was not scientific.

Ms. Simon’s presentation is attached to these Proceedings as Appendix B.

### B. Report on the Smoking Survey

Mr. Woodyard acknowledged the work of Ms. Feathers and Ms. Simon on the smoking survey. The Student Affairs, the Faculty Affairs, and the Elections Committees developed the survey. Mr. Woodyard expects that the PowerPoint presentation and the final report of the survey will be posted on the Senate’s web site. The data are on the Student Voice web site.

Seventy percent of the respondents were students, 14% were faculty, 13% were staff, and 3% identified themselves as other. The database for mailing the survey had about 65,000 names. The issue with the smoking survey was the same as with the calendar survey. There are many duplicates on the lists that were used making it impossible to know how many individuals received the survey.

Mr. Woodyard said that both smokers and non-smokers rated the issue as important. The current University policy prohibits smoking in buildings, in University vehicles, and within 25 feet of building entrances.
People were asked to respond to questions about smoking at building entrances, second-hand smoke, littering of smoking materials, and smokers blocking entrances to buildings. Mr. Woodyard listed the reasons why people were not in favor of regulating outdoor smoking:

1. no evidence that second-hand smoke is hazardous to health
2. It was unreasonable to ask smokers to leave campus to smoke.
3. infringement of rights to ban smoking
4. feeling sorry for colleagues who smoke
5. Leaving campus to smoke would result in a loss of productivity.
6. students transferring to another university and employees seeking employment elsewhere.

Mr. Woodyard noted that non-smokers and 20% of smokers agree with the current regulations. Fifty percent of non-smokers and 5% of smokers agree with a ban on smoking. By more than a 2 to 1 margin, having smoking areas is preferred by smokers compared to non-smokers. About 307 of the student respondents said they would transfer to another institution if smoking were banned on campus. Mr. Woodyard detailed some of the findings.

There was strong support among smokers and non-smokers to enforce the current smoking policy.

Mr. Parrish said that if 307 students who smoke left Wayne State it would cost the University more than $2 million in tuition.

Mr. Woodyard ended his report.

Mr. Crossland, the Chair of the Faculty Affairs Committee (FAC), explained that Committee’s position. The FAC considered smoking policies under three different committee memberships during the 2006-2007, 2008-2009, and 2009-2010 academic years. All of the committees agreed that the prohibition against smoking indoors was desirable and they supported the current policy that prohibits smoking within 25 feet of building entrances. Unfortunately, the University does not seem to enforce the current policy.

Mr. Crossland gave the reasons for the Committee’s not supporting a ban on smoking. The FAC believes that a total smoking ban is an imposition of the will of the majority of non-smokers against the will of the minority of smokers without a compelling reason. Second-hand smoke out of doors is an annoyance to non-smokers, but is it really a threat to health? Requiring smokers to go off campus to smoke may decrease productivity. There is only one campus in the vicinity that has a total ban on smoking. Mr. Crossland ended by saying that most of the responses to the survey favored the current policy over having a smoke-free campus.

Virginia Rice, Professor of Nursing, joined the discussion via a video conference using SKYPE. She reviewed the history of the University’s smoking policy going back 20 years. Ms. Rice has been working on her goal of a smoke-free campus since 1992 when she asked the Board of Governors to eliminate smoking on campus. She noted that the signs prohibiting smoking within 25 feet of building entrances have only been posted in the last six to eight months. Making smoking more inconvenient often leads to a reduction in smoking. Having a smoke-free campus is a gift to students. She said that 128 colleges and universities are entirely smoke-free and that the University of Michigan plans to be smoke-free in 2012.

Ms. Simon said that the respondents to the survey were clear. They want the current smoking policy enforced, but it was not being done. The Executive Vice President was asked to have cadets enforce the smoking policy on the main campus as was done at the Medical School, but she refused.

Ms. Rice countered that being 25 feet away from one building entrance may put you near the entrance to another building.

Mr. Romano was unaware of any studies that prove that smoking outdoors was harmful to a person’s health causing lung or heart disease. Ms. Rice offered to send him some studies. Mr. Romano said that a report published in 2003 based on American Cancer Society data of 35,000 people in California showed very little if any correlation between second-hand smoke and heart disease or cancer from smoking indoors. He does not believe smoking outside where the smoke is so dilute to be infinitesimally affecting anyone else could be a health hazard. As a scientist who works in this area, it is incomprehensible to him that smoking outdoors could be a health risk.

Ms. Vlasopolos did not believe a more stringent policy was enforceable since the University cannot enforce its current policy. In addition, the campus is built on public streets; people on the streets who are not associated with the University could be prevented from smoking. Ms. Vlasopolos did not think a policy should be made that cannot be enforced. Rather, the University should try to enforce its current policy.

Ms. Rice thought the University should not give students the impression that it was okay to continue to destroy their
health. Other colleges and universities have found a way to enforce smoke-free policies. Wayne State should be able to do so also.

Mr. MacArthur MOVED that the existing smoking policy be maintained with enforcement. SECONDED. PASSED.

V. REPORT FROM THE CHAIR

Search for the Dean of Engineering

Provost Barrett asked Mr. Woodyard to update the Senate about the search for the Dean of Engineering. He said that the search committee advertised in the Chronicle of Higher Education and other publications. They reduced the pool of applicants from 44 to 8. The firm hired to assist in the search reduced the number further. The search firm has drafted a statement and will contact other potential candidates for the position.

Scholars Day

The financial aid awards were mailed to the high school seniors who participated in Scholars Day. The Provost is optimistic that many of the students who attended Scholars Day will come to Wayne State.

Code of Ethics Task Force

Provost Barrett chairs the Code of Ethics Task Force. Other members of the Task Force are: Robert Ackerman, Dean of the Law School; Mark Ankenbauer, Associate Vice President for Human Resources; Stephen Calkins, Associate Vice President for Academic Personnel; Carol Hafner, Assistant Vice President, Internal Audit; Matthew Seeger, Chair of the Department of Communication; Dorothy Nelson, Associate Vice President for Research; Kelley Skillin, Office of the Provost; Amy Sterling, Office of the General Counsel.

The Task Force is dealing with whether a comprehensive policy that applies to everyone at the University was needed or whether the policy should apply to certain subgroups, such as people who work with financial aid and handle student loans. The group is considering whether a code should apply to people based upon their functions in the University. Perhaps a policy that is less specific might apply to all employees.

LEADS Task Force

Provost Barrett chairs the LEADS Task Force. Also on the Task Force are: Mark Ankenbauer; Stephen Calkins; Joseph Dunbar, Associate Vice President for Research; Linda Galante, General Counsel’s Office; Michael McIntyre, Professor of Law; Matthew Theut, Human Resources; Mumtaz Usmen, Interim Dean of Engineering; John Vander Weg, Chair, Music; Phyllis Vroom, Dean of Social Work; R. Douglas Whitman, Chair, Psychology; Margaret Winters, Chair, Classical and Modern Languages, Literatures and Cultures.

The Provost said that many administrators and Department Chairs on the Task Force feel it is important that the administrative culture be recognized as a factor in how successful evaluations are made. The culture of collegiality is a more important factor in academic units than in non-academic units.

Thank You

Provost Barrett again thanked the Senate for the resolution made in her honor. She appreciates the many friends she has made at Wayne State.

ADJOURNMENT: The meeting adjourned at 3:35 p.m.

Respectfully submitted,

Seymour J. Wolfson
President, Academic Senate