

WAYNE STATE UNIVERSITY
ACADEMIC SENATE
PROCEEDINGS OF THE POLICY COMMITTEE

December 7, 2020

Present: L. Beale; P. Beavers; L. Lauzon Clabo; J. Fitzgibbon; r. hoogland; D. Kessel; C. Parrish; B. Roth; N. Simon; R. Villarosa; Rohan E.V. Kumar

Guest: Boris Baltes, Associate Provost for Faculty Affairs and Associate Vice President of Academic Personnel

1. Selection of Article XXX Committees. AVP Baltes joined the committee to discuss the selection of members of the Article XXX Committees in accordance with the nominations made and the required slates. Linda Beale noted a concern that some of the committees only included one nominee for required representation—for example, the Excellence in Teaching committee slates only include one past committee member and Policy is required to select one past committee member. That forces us to select a particular person, and that is not an appropriate slate. We prefer to have at least two nominees for any status that we are required to have represented. Accordingly, in the past we have asked that the Provost's Office provide us additional names if they have received additional nominees with notation, so that we could choose one of those if necessary to balance a committee. There apparently had been some miscommunication among the offices on this issue, since a few of these slates are very limited. Ricardo Villarosa noted that this problem clearly applied to the professional development committee slate. Beale added that frequently in the past, the slates have not satisfied the basic selection criteria (sometimes an entire school that has to be represented has no nominees) and/or have not been very diverse, so we have sent the slate back before selecting. Similarly, we think service on some committees asks too much of assistant professors, so we prefer to see full professors or at least associate professors in those slates, e.g., P&T and similar committees, while assistant professors are great for the educational development grant and similar committees. We want a diverse slate to choose from so that we are not choosing all male or all white members of committees or overly burdening assistant professors, etc. So as long as the union agrees, since some of this is set by the collective bargaining agreement (and there's been no objection in the past), we appreciate getting additional nominees beyond the minimal slate.

Beale also noted that the slate had come really late. We are supposed to get the slate in early fall so that the committee memberships are set in September, but we have tended to miss the fall timing. At one point, Provost Whitfield had hoped to speed up the process so that the slate would come sooner. Since we are just getting the slate now, the elections for the hearing panels will be delayed until January or February, after our first plenary session. We usually announce the timing of the election at that session so that members know to expect the email with the link.

The committee proceeded to select members for each of the committees, to be confirmed in a memorandum from President Beale to Provost Clabo and AVP Baltes.

2. Emeritus status: The group then discussed the proposal, originally put forward several years ago by Policy Committee but not accepted by then Provost Winters, to eliminate the P&T-like bureaucratic process for approval of emeritus status. Policy members indicated that they believe emeritus status should be automatic or very close to it. At most, there could be a vote by faculty

peers and forwarding of the recommendation to the Provost, who would be expected ordinarily to approve. Members suggested that the criteria should be lenient—at most that the faculty members has achieved tenure or has been here a number of years before retirement (resigning to go to another university would not make one eligible for emeritus status). Most preferred at most 10 years as the length of service requirement. This is not something that carries prestige, such as an endowed professorship or title. It merely lets the faculty member claim a relationship with the university and the few perks that are provided (library privileges, email use). Policy does not view it as appropriate to have chairs and deans able to object to emeritus status, since that kind of judgemental process allows individual biases into the decision.

Clabo noted that she has seen institutions that have either an ‘up through channels’ process based on a significant contribution to the university over a period of time or a quasi-automatic process. (She noted, as an aside, that even if quasi-automatic, people should be able to request that their names not be published in the bulletin.) She indicated her concern that faculty who have already been given the emeritus title may see themselves as part of an elite group that would possibly resent the title being awarded to any faculty member who retired based on tenure or a few years of service.

Beale suggested that is the sort of argument that always favors whatever the privileged status quo is. She suggested we need to be more open to change and avoid maintaining pernicious hierarchies in society. That resentment about the privilege being broadened is unlikely to exist for many, and even if it does, it should not be weighed heavily. The negative of the more judgmental ‘up through channels based on contributions’ process is problematic: it is the idea of making everything hard to get and inviting the possibility of petty biases coming into play. Charles Parrish agreed that the current format is an administrative judgment for political reasons. Someone who gets on the wrong side of the politics of a department will be refused emeritus status and that kind of politics doesn’t reflect well on the university.

Clabo noted that as mentioned, there is no long list of prestigious benefits to the title—listing in the bulletin, library and email privileges, etc., so she wondered what minimal time at the university was reasonable. She suggested that a person who arrived with tenure and retired after one year perhaps should not be given the emeritus title. Beale stated that she had always thought emeritus status should be automatic for anyone who retires from Wayne, no matter how long they are here. If there is some term-at-Wayne criterion, it could perhaps be 5 years. Thus anyone with five years here or tenure here who retires would be eligible. Brad Roth agreed, noting that at most some minimal number of years here prior to retirement should be required. Clabo indicated that she thought some faculty who had been here many years would resent emeritus status being available to someone here a short time before retiring. Villarosa suggested there could be a 10-year requirement with the discretion to make exceptions in some cases for those here a shorter time. Beale objected to that proposal—it would result in exceptions being made for those in favor with the administration and not for anyone who was not. That would be as bad as the current policy. Paul Beavers agreed, noting that there are other ways that faculty are recognized, such as the Academy of Scholars.

Clabo noted that the first place this would be considered is the P&T committee. Beale suggested it should be the full faculty (departmental, in the case of departmentalized schools/colleges, or school/college, where not departmentalized) and not a faculty P&T committee enforcing their own standards. This is not a “merit” status like promotion and tenure are. With the full faculty discussing and voting on emeritus status, it would be unlikely that anybody could make a petty argument and succeed in swaying others.

Clabo asked about faculty in non-tenure lines, such as clinical or research professors. The group uniformly supported those qualifying, so that it should be term-at-Wayne or tenure, which was the original proposal from Policy. Beale added that she considers it appropriate to include lecturers, clinical, research, and tenured professors. She noted again that she prefers automatic awarding of emeritus status upon request; but if it must be restricted, the restrictions should be minimal (perhaps here 5 years or tenured).

Roth asked whether there should be some exception when someone departs under a cloud and leaves in disgrace. Clabo agreed that awarding emeritus in that situation could be detrimental to the university's reputation. Beale noted that the Provost as the final one who signs off on emeritus status could presumably exercise some discretion for egregious cases, but it would have to be considered extraordinarily rare. It could include, for example, a faculty member who has been found to have violated research integrity or sexual harassment rules (perhaps, behavior incompatible with the integrity and reputation of the university). It would have to be a carefully worded standard that would not easily permit non-awarding of emeritus status and would have to avoid petty biases or mere dislike by colleagues.

Beale noted that we had thought the policy finally agreed upon in 2013 (no up through channels; emeritus upon request at retirement after 10 years or tenure) had been accepted, but it was not ever adopted.

The committee agreed to provide the materials from the emeritus discussion and these minutes to the Faculty Affairs Committee so that group can consider the questions raised here at their first meeting in 2021 and report to Policy on their recommendations. Key issues are whether there should be a term-at-Wayne or tenure requirement, whether there should be a vote approving emeritus status by the department or non-departmentalized school/college faculty, and whether the Provost should have some stated ability to deny emeritus status based on a standard something like "behavior incompatible with the integrity and reputation of the university" such as failure to maintain research integrity or engaging in sexual harassment of students or other university personnel. The committee may want to look at policies at other universities as well.

There was also a suggestion that Policy consider whether P&A staff should be eligible, as well as academic staff and faculty. Naida Simon will look into what other universities do in that regard and share with the Faculty Affairs Committee.

3. Grade Appeal Process. Beale noted that members of the committee had an email discussion about the various problems with the current grade appeal process. There are various statutes about student misconduct and there is administrative review for grades. The question is whether that is sufficient given the kinds of scenarios that have developed. Roth noted that there are two different grade appeals processes. One deals with academic dishonesty, and the other is general. The general one is controlled by the rules established by different colleges, that generally have a strong presumption of deference to the faculty grade given as an academic judgement. The punitive aspect works entirely differently. In the Student Code of Conduct the process is between the student and the administration—the faculty is not seen as having a formal role once a complaint is made. There is, in fact, hardly any reference to a role for faculty. In principle, the decision could be made without any consultation at all: some administrator can simply decide to forgive an act of plagiarism and there would be no opportunity to present the facts of the case. Further, there are no specified criteria for leniency. There is both a procedural concern and a substantive concern. Clearly, the Student Senate has lobbied for student-friendly provisions that allow students to go to administrators over a teacher's decision. As it stands

now, the dean or dean's designee can decide for whatever administrative reason that it is convenient to flush the case and be rid of it by granting the student's appeal. In the particular case in Communications, there is no indication of what criteria were used by Dr. Keishley in overturning the faculty member's decision, but at least the faculty member did have a chance to report the facts. There is simply no information provided on the decision-making process and nothing in the system that formalizes participation by faculty in these processes.

Beale added that it challenges the integrity of the whole system if students hear that a student was charged with plagiarism by more than one professor but managed to avoid any penalties.

Parrish noted that the union has discussed having a hearing panel that would take the decision out of the administrative side and put it in a peer review situation. That would remove some tensions. Roth noted that there is a committee process, but it is optional. If students think they can get more lenient results from the dean, they choose that option instead. Clabo noted that not all deans are lenient, but members responded that some of them are and they are known to students.

There was some discussion about the particular case. The student brought to the Senate's attention had plagiarized in two different classes and ended with a C+ and a B. The professor gave an F, but the administration ultimately reduced the penalty. Beale noted that we had another complaint about 18 months ago from Engineering. A cabal of students worked together to cheat, and the professors felt forced to disregard the matter. The fact that we are getting another similar complaint was the reason for thinking it was time to organize a process to consider policy changes.

Clabo suggested she could have Darin Ellis look at this. Beale thought it might make sense to ask Faculty Affairs and Student Affairs to consider the issue. Perhaps Darin could be involved and whoever in the union is also thinking about this matter. Roth suggested that a subcommittee drawn from FAC, SAC, and CIC could lead a redraft of the provisions to better protect the process from being skewed by discretionary judgments that seem to let perpetrators off the hook.

4. Report from the Chair:

- a. Provost Clabo updated the committee on the current COVID-19 positivity rate of 3% but noted that there will be people who test positive from the Thanksgiving break over the next week or so. The order has been extended for 12 days. The DMC removed some students from clinical practice, and we are continuing to monitor the impact on graduation rates because of the clinical hours requirements.
- b. Enrollment rates are better than expected. It has recovered from down 6.7% to only down 2.5%. We hope that we will not lose many students for winter.
- c. Vaccine distribution is a major issue. The state of Michigan expected 300,000 doses of the Pfizer vaccine but that has been reduced to 90,000. Additional shipments may come quickly. The problem is that the federal administration had no plan for distribution and the states are left to make difficult decisions. The Biden administration will have its hands full! Health care workers and first responders will be first in line, then residents in long-term care facilities and their caregivers, then older adults with comorbidities, then older adults without comorbidities. It may be August before there is widespread distribution for students. January and February are likely to be bad months with significant mortality and high use of ICU beds. In the spring, hopefully the virus will recede somewhat, and summer should be better. Beale asked whether there would likely be a requirement to be vaccinated. Clabo responded that there was no decision but there is such vaccine hesitancy that it would be unlikely that the university would have a mandate. Clabo encouraged people to get tested,

noting that testing is as frequent as needed at no cost to anyone in the Wayne State community.

5. Report from the Senate President:

- a. Beale reminded the group that we are still collecting funds for Angie's gift.
- b. A question had come to Beale regarding selective salary determinations and whether there would be any accommodations to take into account the pandemic difficulties. Villarosa noted that the AAUP-AFT Union has been discussing that with AVP Baltes, and there will be Provost guidelines that will go out.
- c. Beale had raised the question at the plenary session of the future of higher education post-pandemic and the degree to which the move online will be retained. It is important to think about this before it is mandated from the President's cabinet. She will work on a draft charge to the standing committees so that Policy can have a discussion early in the winter term.
- d. The Provost and Beale discussed the school and college review process. The provost has agreed that the Policy Committee will be asked to select one of the three Provost appointees to such committees. Provost Whitfield had agreed to this before he left, but he had not noted that those appointees are required to be from outside the college. In the future, we will need to ensure that we observe that requirement.

A second issue regarding school and college reviews is the release of the reports. In some cases, even faculty in the school do not get reports. Policy has received reports rather haphazardly—when the Provost has deigned to provide it. Beale suggested that such reports should be shared regularly with the full faculty of the school/college under review and with Policy. Provost Whitfield had agreed to provide us the Nursing and CLAS report, but we have not yet received those reports. Whitfield had refused to disclose the review of the Business School, though we have heard from quite a few people in Business that it was a very negative report. The faculty in Business are incensed that they have not been given copies of the report. It is not appropriate to withhold a report from the faculty within the school or from Policy. Parrish indicated that the union had finally received the Business report, but only a long time after it was completed. Beale asked that Parrish provide the report to Policy, and he said he would. [*Note: a link was provided in the chat.*] Beale noted that she believes that Clabo supports providing Policy reports in a timely manner in the future.

- e. Finally, Beale noted the announcement of an executive vice dean in the School of Medicine, a new position that the Dean and VP Health Affairs had indicated during the search he thought would be needed. Parrish noted that there was no real consultation and he is concerned that this dean does not consult sufficiently. He indicated that an interim chair in physiology had been appointed without consultation, when consultation is a relatively simple thing to do and doesn't limit what the ultimate decision is. Beale agreed, noting that we emphasize that every time we discuss consultation: we don't have a deciding voice, but consultation helps build ground-level support and helps make better decisions. Parrish noted that the administrative side of the medical school amounts to about 20% of the General Fund allocation to the school.

[As time for the meeting had elapsed, Provost Clabo left the meeting for another appointment.]

6. Liaison Reports:

- a. Facilities. Naida Simon reported on a meeting on the 18th. Rob Davenport received few responses on deferred maintenance issues that he had hoped would allow creation of a

good preventive maintenance program. He expects to divide the campus into two regions, based on building use/square footage/complexity. He would like to have two new assistants (Steve Piecyk and Steve Gilsdorf, hired to replace two assistants who left) shepherd those regions to ensure appropriate service requests. Complex buildings include IBio, Scott Hall, and the STEM buildings. Easy buildings include FAB and AAB. State Hall planning is going forward, but it will be supported by bond funding rather than State appropriation funding. Scott Hall elevators are currently on track to be repaired mid-winter. Approximately \$4 million is being budgeted for elevator repairs.

Jane Fitzgibbon noted that Facilities had just hired a replacement for a head of maintenance position that had been vacant 15 months.

- b. Board of Governors Personnel Committee Meeting. Villarosa and hoogland attended the personnel meeting at which Marquita Chamblee presented an update on the Social Justice Action Committee. There was no discussion about the proposed DEI Council at the meeting. However, Marquita did mention at an earlier Senate presentation that she welcomed the Senate's establishing a DEI Committee, and Villarosa supports that idea.

Beale noted that she had first mentioned the DEI proposal at the SJAC as something that the Senate had already taken steps to do, through the Anti-Bullying Committee. The proposal Beale mentioned at the 12/2 Senate plenary session was that we could create a subcommittee during the winter 2021 term with a plan to amend our bylaws so as to include a Senate DEI standing committee by the end of the Fall 2021 term. Beale suggested that it will be important to include some representation not ordinarily included in our Senate standing committees. We can see how that works for the ad hoc subcommittee and to what extent it makes sense to incorporate the broader representation into the standing committee. Beavers supported that idea, so that it is clear that we are engaged in the issue. Beale agreed, saying that was the reason she had raised the issue both at SJAC and at the Senate plenary. It will be interesting to see what happens with the DEI Council idea at the SJAC, but whatever we do as the Senate committee will need to interact with that group as well.

renee hoogland indicated that there was not any discussion at the meeting of the Academic Senate proposal. She did bring up again the importance of using terms beyond the federal category of "sex" which is inadequate to cover gender and sexuality differences. The two representatives supported the Student Senate representatives in saying that discrimination or unfair treatment on the basis of sexual or gender differences is important to recognize. Nikki Ray did indicate that she would like to talk to hoogland about the terminology, so that is a step forward. Beale suggested it might help if she looked at the existing policies and suggested where expansion of the terminology would be particularly helpful. They may be limited to using the federal terms in some areas but able to expand in others.

Parrish noted that Marquita is asked to do various things to create change, but most of what she does is symbolic because there is no budget for taking action. Beale noted that in a time of budgetary restrictions, the best way to create change is to put more money to support recruitment of faculty and staff of color. Parrish added that one of the real problems seldom acknowledged is the data on national Ph.D. production, which indicates that Ph.D.s for African Americans and other ethnic groups in many disciplines is very low, making it really hard to recruit them. Beale agreed that the low numbers is something that makes the idea of a "metric scorecard" established by a 41-member committee that

is not expert in any of the fields worrisome. It could be used punitively—so areas that can hire underrepresented minorities will score better and get more money and those that are trying but cannot hire will score poorly and lose out on the money needed to make a difference. What we need is recruitment funds that allow departments to seek out lateral stars and bring them to campus with titles and research packages that show them they are appreciated. But making these points with the SJAC is difficult, since there are no other faculty there.

Approved with revisions at the Policy Committee meeting of February 1, 2021.