

Reapportionment of Senate Assembly - Issues for discussion

Governing Rules

Regents Bylaw 4.01. The University Senate

The University Senate shall consist of all members of the professorial staff, the executive officers of the University, the deans of the schools and colleges, such members of the research and library staff as may be designated in accordance with standards and procedures approved by the Senate Assembly, and such other major officers as may be designated by the Board of Regents from time to time. ...

Regents Bylaw 5.01. Definitions (revised October 2003)

As used in these bylaws:

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 **professorial staff** shall include professors, associate professors, and assistant professors. ...

Regents Bylaw 4.03. Senate Assembly Composition (revised September 1990)

There shall be a Senate Assembly which shall consist of seventy-two senate members apportioned among the various schools and colleges according to the number of senate members in each school or college and one member from the Division of Kinesiology. ...

Senate Rule I.1. [University Senate] Membership

The University Senate shall consist of all members of the professorial staff, the executive officers of the University, the dean of each school or college, such members of the research and library staff as may be designated in accordance with standards and procedures approved by the Senate Assembly, and such other major officers as may be designated by the Board of Regents from time to time.

Research personnel who hold Primary Research rank (Assistant Research Scientist, Associate Research Scientist, Research Scientist, Senior Associate Research Scientist, Senior Research Scientist, Distinguished Senior Research Scientist) and have a full-time appointment as a regular staff member shall be designated as members of the University Senate.

A member of the library staff may be designated as a member of the Senate by the Faculty of the School of Information if the member (1) has a master's degree in librarianship or its equivalent, (2) is an advanced library specialist, the head of a branch library, or the supervisor of a group of branch libraries, and (3) has been recommended for designation by the director of the library in which the member serves.

Visiting, Adjunct or Clinical Professors, acting or interim appointees to executive or Dean positions are not entitled to Senate membership in the absence of a regular professorial appointment. Directors of centers or institutes who do not hold professorial rank are not entitled to Senate membership unless they qualify under the preceding three paragraphs.

Senate Rule II.1 1. [Senate Assembly] Composition

(1) Elected Members. There shall be a Senate Assembly that shall consist of seventy-two Senate members apportioned among the various schools and colleges according to the number of Senate members in each unit whose total appointment is at least 50%, one member from the Division of Kinesiology, and those members of SACUA whose terms on Senate Assembly are expired (See Article 11.5(1)). In any school or college this count would include fulltime Senate members, those with a fractional appointment in only that unit, and those with fractional appointments in two or more units whose largest fractional appointment occurs in that unit. Senate members with equal fractional appointments in two or more schools or colleges (and with no larger fractional appointment in any other unit) shall choose one of the units for voting in an election and shall be counted with that unit for the purpose of determining representation. The Assembly shall make a reapportionment every three years. The members of the Assembly shall serve for terms of three years (or longer in accordance with the following paragraph) so adjusted that the terms of approximately one-third of the members shall expire each year. A member who has served one term will not immediately be eligible for reelection. The reapportionment shall be made the basis of the headcount described above using the Hill method (as used by the US House of Representatives, see Appendix) so that each unit shall have at least two members, except for units that have fewer than twenty eligible Senate members; such units shall be allocated one member each. The apportionment shall be recorded in the minutes of the Senate Assembly meeting at which it is approved.

Issues

1. Conflict between Regents Bylaws and Senate Rules

The Regents Bylaws say that “The University Senate shall consist of all members of the professorial staff” [4.01] and “There shall be a Senate Assembly which shall consist of seventy-two senate members apportioned among the various schools and colleges according to the number of senate members in each school or college” [4.03]. Senate Rule II.1. says the Senate Assembly shall be apportioned “according to the number of Senate members in each unit whose total appointment is at least 50%.” The difference is that professors with less than a 50% appointment would be counted under the Regents Bylaws, but not under the Senate rules.

I am very uneasy with a rule that takes away privileges that are granted in the constitutional authority.

The magnitude of this problem is unknown. (Eligibility lists generated by Human Resources do not include professorial faculty with less than 50% appointments, unless the individual also has a research appointment.)

Possible solutions:

- *Add the 50% appointment criterion to Regents Bylaw 4.03.*
- *Delete the 50% criterion from Rule II.1.*

2. Conflict between Regents Bylaws, Senate Rules, and current practice

Regents Bylaw 4.01 and Senate Rule II.1. require that Senate Assembly seats be “apportioned among the various schools and colleges according to the number of senate members in each school or college.” UM-Dearborn and UM-Flint each have four school and colleges (listed in Section 6.02 and Chapter XI of the Regents Bylaws), but their Senate Assembly seats are assigned to the entire campus.

If the Regents Bylaws were strictly interpreted, UM-Flint and UM-Dearborn would receive more Senate Assembly seats (one seat for each unit with fewer than 20 members, and a minimum of two seats for other units). I doubt that either campus would press for more members: it is difficult to find candidates for the existing seats, and the current apportionment seems fair. (The number of Senate Assembly members per Senate Assembly representative is similar to Ann Arbor.) In the past, the Rules Committee has argued that Dearborn and Flint should be treated differently in Senate Assembly apportionment because they have campus-wide faculty governance bodies.

Possible solution: Amend the Regents Bylaws and Senate Rules to say that Senate Assembly seats are apportioned “to the various schools and colleges on the Ann Arbor campus and to the University of Michigan - Dearborn and the University of Michigan - Flint, according to the number of Senate members in each unit.”

3. Conflict between paragraphs 2 and 4 of Senate Rule I.1.

The intent of paragraph 2 is unclear. It is possible that the original intention was that a research scientist must have a full-time appointment as a research scientist in order to qualify for membership on the University Senate. The current practice is that anyone with a primary research appointment (even a 0% research appointment) who has “a full-time appointment as a regular staff member” is a member of the University Senate.

Paragraph 4 stipulates that “Visiting, Adjunct or Clinical Professors...are not entitled to Senate membership in the absence of a regular professorial appointment.”

Twenty-three out of 40 people on the 2003 “questionables” list and 14 out of 15 people on the 2004 “questionables” list are individuals with a full-time appointment that is divided between a primary research rank and a clinical/ lecturer/adjunct rank. Under the current interpretation of paragraph 2, they would be counted as Senate members. Under paragraph 4, they would not be counted.

Potential solutions:

- *Modify paragraph 2 in Rule I.1. to make it clear that the entire 100% appointment must be as a research scientist/professor. Other combinations (e.g., 25% research, 75% lecturer) don’t count - unless the other appointment qualifies for Senate membership.*
- *Modify paragraph 2 in Rule I.1., so that it only applies to individuals whose primary (>50%) appointment is in a research rank. Individuals with a 5% research appointment and a 95% lecturer appointment would not be Senate members.*
- *Substitute “unless they qualify under the preceding three paragraphs” in place of “in the absence of a regular professorial appointment” in the first sentence of paragraph 4 of Rule I.1. (This is the same wording as appears in the second sentence.)*
- *Paragraph 2 needs to be amended to include research professors, associate research professors, and assistant research professors.*

[Note: the treatment of primary research personnel probably should parallel any potential treatment of clinical faculty.]

4. Individuals who do not have appointments in schools and colleges

The Regents Bylaws [4.03] and Senate Rules [II.1] both require that Senate Assembly seats be apportioned to schools and colleges (and to the Division of Kinesiology). Some Senate members (e.g., research scientists in the Institute for Social Research) do not have appointments in schools and colleges. This raises two issues: (a) how to apportion these individuals and (b) how to insure that these individuals receive equal treatment.

The operational solution to the first question has been to apportion these individuals to the most appropriate school or college (e.g., a sociologist in ISR would be apportioned to LS&A, since LS&A has a Department of Sociology) or to the school or college that most often offers joint appointments with the research unit (e.g., if most of the faculty members with joint appointments in ISR are from LS&A, then all ISR research scientists without joint appointments would be counted in LS&A. [Second method is from old Rules Committee files.]

The equal-treatment issue is more problematic. How are the concerns of ISR research scientists to be represented in Senate Assembly if the research scientists are allocated to a unit that is ignorant of their concerns? How could an ISR research scientist be elected to Senate Assembly or SACUA? (Rule II.3. says that “The members of the Assembly apportioned to each school or college shall be elected by the members of the Senate in such school or college within time limits determined by SACUA.” It is not clear that someone from outside the school or college would be eligible. It is doubtful that an unknown outsider could win election.) Is it fair to have a class of members who do not have access to the privileges enjoyed by other members?

Possible solution: One possibility might be to create an “at-large” unit for Senate Assembly membership, composed of Senate members with no clearly-defined school or college affiliation. (This would require changes in the Regents Bylaws and Senate Rules.) During reapportionment, this unit would be treated in the same way as schools and colleges: 1 seat if fewer than 20 individuals in unit, otherwise 2 or more seats, depending on number of individuals.) Such a unit might have a disparate membership (librarians, research scientists, etc.) It is an open question whether these individuals would be better represented through at-large representatives or by school and college representatives who share their field of expertise.

5. Regional campus and branch-library librarians

Librarians are another group that does not have clear affiliations with schools and colleges.

Under paragraph 3 of Senate Rule I.1., the faculty of the School of Information determines whether a librarian is a member of the University Senate. The rules do not specify that the librarians are represented through the School of Information, but the existing practice (possibly based on Senate Assembly action) is to give the School of Information an additional Senate Assembly seat to accommodate the librarians.

The Dearborn and Flint librarians would prefer to be represented through their home campuses, rather than through the School of Information. (They are more likely to win election to Senate Assembly from their home campuses, and, if elected, they are more familiar with issues that affect their home campuses than with issues affecting the School of Information.) Departmental and school librarians on the Ann Arbor campus (e.g., the Business School librarians) may be in a similar situation.

Possible solution: Retain the faculty of the School of Information as the designating body, in order to have uniform qualifications. Allow each librarian to choose whether to be allocated to his/her “home” unit or to School of Information. (The same sort of self-choice is used when professorial faculty members have equal appointments in two or more units.)

6. Clinical faculty

The exclusion of a growing number of clinical faculty members from University Senate membership raises questions about whether the Senate, Senate Assembly, and SACUA are truly representative of the University faculty. Old records from the Rules Committee suggest that this exclusion may be based on a job description that no longer applies to many clinical faculty members: some of the earliest clinical faculty members were physicians who treated patients at satellite health facilities and who did not perform the teaching and research roles traditionally associated with University Senate membership.

Today, many full-time clinical faculty members have teaching and research duties that are very similar to those performed by tenure-track faculty members. In some cases, the only difference may be eligibility for tenure.

Possible solutions:

- *Do nothing. Leave things as they are.*

- *Grant University Senate membership to full-time clinical faculty members who are members of the governing faculty of their units.*
- *Grant University Senate membership to individuals with partial appointments as clinical faculty members, provided that (a) they have full-time appointments as regular staff members (wording from research scientist qualifications) and (b) the balance of their appointment is at ranks that are eligible for University Senate membership (professorial, research scientist, librarian, etc.).*
- *It may be desirable to limit membership to those clinical faculty members who are engaged in teaching and research.*
- *Amend Regents Bylaw 4.01 to include clinical faculty: “...such members of the research and library staff and the clinical faculty as may be designated in accordance with standards and procedures approved by the Senate Assembly...”*

7. Ford School

At some point in the past, the faculty of the Ford School of Public Policy decided that they did not require representation on Senate Assembly, because the school was small and most faculty members had joint appointments with other units. The faculty composition may have changed, and the Ford School should be asked if the previous decision still applies.

8. Apportionment by faculty size or by unit?

Regents Bylaw 4.03 says that Senate Assembly shall be “apportioned among the various schools and colleges according to the number of senate members in each school or college.” Under Senate Rule II.1, 37 of 73 seats are divided up by unit (Kinesiology gets one seat, every other unit gets at least two seats), and the remaining 36 seats are divided among the largest units based on faculty size. Only six of 18 schools and colleges currently receive seats on the basis of faculty size. (The other 12 schools receive the minimum of two seats.)

The number of Senate members represented by each Senate Assembly member varies from 13.5 (Art and Design) to 59.5 (Music).

Since faculty size affects the number of seats allocated to each school and college, the current system arguably meets the Regents Bylaw requirement for an allocation based on “the number of senate members” in each unit.

If the goal is to have proportional “one person, one vote representation,” other alternatives would work better than the current system. For example, small schools and colleges could be grouped together for representational purposes.

Note: After each unit receives two seats on Senate Assembly, there are only 36 seats to be apportioned on the basis of faculty size. It usually takes a shift of >100 faculty members to change a unit’s apportionment. Some of these issues may have no net effect on apportionment.