



OAKLAND UNIVERSITY SENATE

Oakland University Senate

December 5, 1968

Agenda

To: Members of the University Senate

From: Donald D. O'Dowd, for the Steering Committee

Re: Agenda for the Meeting of December 5, 1963

The next meeting of the University Senate will be held on Thursday, December 5, at 3:30 p.m., in Room 310 of the Kresge Library.

A. New Business

1. Recommendations from the Faculty Affairs Committee. (Mr. Iodice)

a. THAT THE TENURED FACULTY OF OAKLAND UNIVERSITY BE OFFERED THE OPTION OF A ONE-SEMESTER RESEARCH SABBATICAL LEAVE AT THE END OF THREE YEARS. THE RATE OF COMPENSATION WOULD BE ONE-QUARTER OF THE SALARY OF THE TEN MONTH CONTRACT.

Comment: In lieu of desirable widespread reduction of teaching loads and released time for research, a somewhat liberalized sabbatical program would be attractive to productive members of the tenured faculty. Young scholars find it difficult to accumulate sabbatical time early in their careers, and mature ones often lose several years of such time in transferring from one institution to another. Subject to all the usual conditions and at no extra cost to Oakland University, the option of a one-semester research sabbatical leave at three-year intervals for one-quarter annual pay, similar to the one presently available to Deans and Administrative officers, should be offered to the Faculty.

b. THE UNIVERSITY'S CONTRIBUTION TO THE TIAA-CREF ANNUITY AND PENSION PLAN SHALL BE INCREASED TO FIFTEEN PER CENT, IN INCREMENTS OF ONE PER CENT EACH YEAR FOR FIVE YEARS. THE MANDATORY CONTRIBUTION OF THE PARTICIPATING FACULTY MEMBERS SHALL BE DECREASED BY ONE PER CENT EACH YEAR DURING THE SAME PERIOD. OPTIONS TO INCREASE THE FACULTY MEMBER'S PERCENTAGE, MANDATORY PARTICIPATION AT AGE 35, AND OTHER CURRENT CONTRACTUAL AGREEMENTS SHALL BE RETAINED.

Comment: The proposed schedule of contributions is as follows:

	University	Faculty
1st year	11%	4%
2nd year	12%	3%
3rd year	12%	2%
4th year	13%	1%
5th year	15%	0%

c. THE UNIVERSITY SENATE REQUESTS THE CHANCELLOR TO REITERATE THE UNIVERSITY POLICY CONCERNING COMPENSATION TO FACULTY MEMBERS WHO BECOME ILL AND INCAPACITATED, AND FURTHER REQUESTS THAT THIS POLICY BE CONSIDERED PART OF THE FRINGE BENEFITS AND PERQUISITES OF THE FACULTY.

Comment:: Some confusion exists concerning compensation-to faculty members who are ill or incapacitated. This confusion has been magnified by rumors that the availability of optional disability insurance has negated the previous policy stated in the faculty handbook. In its second edition, the faculty handbook stated: "It is understood that the University will always be generous in dealing with faculty members who are ill or incapacitated for any reason. When faculty members are absent from their duties because of illness or incapacity and other members of the faculty can assume their duties on a temporary basis without additional costs to the University, no formal report of absence is required. . . . Ordinarily sick leave may be extended to as much as six months with full pay. Whenever the sick leave extends beyond six months, there should be a readjustment in the compensation rate, and ordinarily the next leave after the first six months will be at a reduced rate of compensation. Such leave shall not extend more than a total of one year." The above-mentioned policy implies that the University will assume the costs of such a plan. Clearly, to replace it with an optional insurance program paid by the faculty would result in a reduction of fringe benefits and perquisites.

d. (1) THAT UNIVERSITY POLICY ON SICK LEAVE AND DISABILITY FOR ADMINISTRATIVE-PROFESSIONAL PERSONNEL BE REVISED TO CONFORM TO THE POLICY FOR FACULTY.

(2) THAT THE UNIVERSITY PLAN A UNIFORM POLICY ON DURATION OF CONTRACT, AND ON RENEWAL AND PERMANENT APPOINTMENT FOR ADMINISTRATIVE-PROFESSIONAL PERSONNEL, COMPARABLE TO THE EVALUATORY PROCEDURES USED FOR GRANTING RENEWAL AND TENURE TO THE FACULTY.

Comment: The status of administrative-professional personnel appears to be rather tenuous. Although the faculty can receive tenure, and most bi-weekly payroll employees have a form of job security after a six-month probationary period, the administrative-professional staff has neither a specified contract schedule nor true job security. Appointments are made and remain in force at the discretion of the Administration. Although we do not wish to imply criticism of our present Administration, the previous history of our profession vis-a-vis unwritten agreements lead us to be extremely wary of gentlemen's agreements that may be discarded by a

different administrative body.

Policy concerning compensation for disability or sick leave is even IGSC; equitable: Disability plan: "When continuously employed for fifteen years or more and if covered by a retirement plan. At the discretion of the Administration and with the approval of the Board of Trustees, staff members may be granted monthly compensation for permanent disability for any cause." Sick leave: "After first full month of service. Full pay to the number of days accrued" (one day per month to a maximum of 120 working days).

e. (1) THAT THE UNIVERSITY'S ATTORNEY BE DIRECTED TO REQUEST AN OPINION FROM THE ATTORNEY GENERAL OF THE STATE OF MICHIGAN CONCERNING FACULTY LIABILITY, AND THE FINANCIAL AND LEGAL RESPONSIBILITY OF THE STATE OF MICHIGAN TO DEFEND PROFESSORS PERFORMING THEIR DUTIES AS AGENTS OF THE STATE.

(2) THAT THE PERSONNEL OFFICE BE DIRECTED TO INVESTIGATE ALL POSSIBILITIES FOR PROFESSIONAL LIABILITY INSURANCE AND THAT THE PERSONNEL OFFICE SUBMIT A REPORT TO THE UNIVERSITY SENATE BY MARCH 1, 1969.

Comment:

(1) With the growing concern for student rights and due process in academic communities, there now appears the possibility of litigation alleging infringement of rights or personal and professional injury by professors carrying out their normal instructional responsibilities. This possibility is further substantiated by a recent statement of the President of Cornell University, James Perkins: "Education, even higher education, at public institutions, has become a constitutional right, not just a privilege. An informal opinion rendered by a friend of the committee suggests that professors in public institutions may be more vulnerable to suits than their colleagues in private colleges.

(2) Recent litigation includes a student who is currently suing the *Rutgers Law Review* for rejecting an article submitted for publication, claiming violation of free speech. Another is reported to have sued a faculty member for injuries allegedly sustained in a laboratory.

(3) It is conceivable that professors could become defendants in suits resulting from low or failing grades, poor recommendations, alleged violations of an honor code, or disciplinary action. It might be alleged that such actions are injurious to graduate school admission or to future career. Although risks to faculty members would probably be negligible, litigation would involve legal costs and possible damage awards. It is questionable whether a "homeowner's" policy would cover this particular type of liability.

e) It is also conceivable that the University's attorney might find himself in a situation involving conflict of interest and might not be willing to defend the faculty member.

f. THE UNIVERSITY SENATE REQUESTS THAT THE BUSINESS OFFICE OF OAKLAND UNIVERSITY CONTINUE TO EXAMINE THE ISSUE OF HEALTH, ACCIDENT AND LIFE INSURANCE PROGRAMS; THAT IT APPEASE THE FACULTY AND STAFF OF THE COSTS AND COVERAGE OF VARIOUS

POLICIES; AND THAT IT SUBMIT ITS RECOMMENDATION FOR A TOTAL POLICY COVERING HEALTH, ACCIDENT, AND LIFE INSURANCE TO THE FACULTY AND STAFF NO LATER THAN MARCH 1, 1969.

2. Report of Activities of the Faculty Affairs Committee and the Research Committee. (Messrs. Iodice and Harding)

a. Two summer research fellowships have been established in accordance with recommendations submitted by the Faculty Affairs Committee and the University Research Committee. Two \$1,500 stipends have been awarded for the summer of 1969, each carrying with it a grant of up to \$500 for expenses related to the research (labor, travel, etc.). Since the fellow is expected to devote his full energies to scholarly pursuits, each research fellow has agreed to accept no other remunerative assignments from May 1, 1969 to August 15, 1969. The recipients of the awards for the summer, 1969 are Donald Morse, Department of English; and George Kozlowski, Department of Mathematics. The availability of the research grants was announced in a memo to all faculty by the Research Committee on September 23, 1968.

3. Report of Activities of the Faculty Affairs Committee. (Mr. Iodice)

a. The Committee has expressed its intent to work with the Office of the Provost in up-dating and perfecting the Faculty Handbook.

4. Report of Steering Committee Activities.

a. The proposal for an open forum for community-wide discussion of particular concerns was reviewed at great length by the Steering Committee. Since most of the issues on the agenda of such a forum are likely to involve the concerns of the students, the Committee thought it appropriate that the Commission on Student Life both initiate and coordinate such forums when it deemed it appropriate. The Steering Committee forwarded this recommendation to the Commission with the suggestion that it enlist the aid and counsel of the Office of the Dean of Students in arranging the structure and procedures for such forums.

b. The question of the number of commencements to be held at Oakland University each year has been forwarded to the Commission on Student Life with a request that it ascertain student reactions and thereafter advise the Steering Committee of its recommendation.

c. The Steering Committee reviewed the three resolutions proposed by Mr. David Black at the November 7, 1968, meeting of the University Senate. The three resolutions were:

(1) (passed) It was moved that this body, the University Senate, suspend all limiting rules so that this matter (that of the university discontinuing its purchase of California grapes) can be settled immediately.

(2) (tabled) It was moved that this body request that the Chancellor insure that the university temporarily, but immediately, stop all purchases of California table grapes.

(3) (passed) It was moved that the Steering Committee appoint an *ad hoc* committee to study the question of the university boycotting California grapes and to recommend a permanent, long-term solution.

In reviewing these proposals, the Steering Committee found proposal (1) to be contrary to the spirit and the letter of Article V, Section viii of the Constitution of the University Senate. The relevant provision states: All substantive motions, together with relevant committee recommendations and reports, shall be circulated to all Senators and to all members of the faculty and staff before a motion receives its first reading in the Senate. There is no provision in the Constitution for waiving this stipulation, the purpose of which is to avoid disenfranchisement of those members not in attendance at a particular meeting of the Senate; if motions are presented on the floor without prior notice then absent members are deprived of their right to be notified of the form and substance of important proposals and thereupon deprived of their right to discuss and vote on such proposals. The Steering Committee, pursuant to resolution (3), above, has organized an *ad hoc* committee to consider the issues noted and, in general, study the wider question of whether such problems are appropriate for consideration by the Senate. The *ad hoc* committee will consist of Messrs. Vann (chairman), Davis, Iodice, Black, and Chandler.

d. An *ad hoc* Committee on Spring and Summer Sessions has been created to advise on the structure and programs of both eight-week summer sessions. The membership consists of the Dean of Arts and Sciences (chairman); the Dean of the School of Education; the Dean of the School of Engineering; the Dean of the School of Performing Arts; two faculty members from the College of Arts and Sciences; and the Dean of the Summer Session, *ex officio* and non-voting.

Several months ago an informal committee of deans, department chairmen, and university senators considered several issues related to these programs and its deliberations were in good part responsible for the present format and structure of the spring and summer sessions. That informal committee also submitted a recommendation that classes in at least the spring session meet on a seventy-five minute schedule: i.e., 8:00 - 9:15 a.m., 9:30 - 10:45 a.m., 11:00 a.m. - 12:15 p.m., 1:00 - 2:15 p.m., and 2:30 - 3:45 p.m. It was also suggested that each course given on this timetable be offered four times a week, but noted that a course could meet five times a week if necessary. These suggestions have been forwarded by the Steering Committee to the *ad hoc* committee for their review and recommendation.

e. Thomas Dutton, Dean of Students, has recently received several requests from students to be employed forty hours a week in campus jobs while maintaining their status as full-time students. In a letter to Provost O'Dowd, Dutton noted that these requests conflicted with current policy which limits a full-time student to twenty hours a week of university employment. The present policy, which originated with the faculty, is designed to prevent students from neglecting their academic responsibilities and simultaneously make more jobs available for the many applicants for on-campus positions. The Steering Committee referred the matter to the Admissions and Financial Aids Committee for its study and recommendations.

f. At the last meeting of the University Senate, Mr. David Black suggested that the students recommended by the *ad hoc* Student Nomination Committee for membership on certain standing committees of the University Senate may not be representative of the students of Oakland University. He also alleged that the procedures used in designating the student nominees were undemocratic; all members of the *ad hoc* committee allegedly were not invited to the meetings of the *ad hoc* committee, and the student nominees allegedly were selected at meetings attended by less than a majority of members of the *ad hoc* committee. Mr.

Williamson asked that the Steering Committee review the several facets of this issue.

The Steering Committee did not complete a formal investigation of all aspects of these allegations. It did review the issues thoroughly, however, and found that the *ad hoc* committee acted responsibly. As a follow-up, each of the present student senators will be asked by the Steering Committee to submit his or her specific recommendations for changing or perfecting existent procedures for selecting students for membership on Senate committees.

g. A list of the completed membership of the constitutional and standing committees of the University Senate has been approved by the Steering Committee. A copy of that list is attached.

h. Student complaints over the cancellation of class sessions by individual faculty members, allegedly to facilitate the political concerns of particular students and/or the faculty member, has been discussed by the Steering Committee.

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attachment
cc: Administrative-Professional Staff
Faculty
Student Body Electorate, c/o Dean of Students

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