

Draft Minutes of 13 April 2015 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, Smith, Potter, Weineck; Schneider, Snyder

**Absent:** Oey, Schultz, Ziff

3:15 Call to Order/ Approval of Agenda and Minutes

3:16 Announcements

SACUA presentation to the Regents will be this Thursday.  
The last Senate Assembly Meeting will be next Monday, April 20; the last SACUA meeting of the 2014-15 term is April 30.

3:18 Status reports

- Model and Unit Grievance Procedures and Ongoing Grievances
- Office of Institutional Equity procedures
  - Update will be provided to Senate Assembly; General Counsel Advisory Committee will have one more meeting and will deal with this and Fitness for Duty
  - One response has been received by other complainants. On the advice of SACUA, the chair will hold responses for later review by SACUA.
- Fitness for Duty and Professional Standards for Faculty SPGs and Tenure
  - E-mail circulated describing the case of a LEO lecturer who had been terminated despite clearance by the lecturer's doctors to return to work on several occasions.. Although not covered by the faculty Fitness for Duty policy, the cases raises concerns about actions taken contrary to medical evaluations. The revised Fitness for Duty policy for faculty still places discretion in the Dean's hands, who evidently can reject reports. We should look at the LEO contract. Raises the question of a Dean's ability to customize a University policy.
- Unit deviations from University-wide policies and procedures
- Total compensation propriety and transparency
- Administrative Services and IT Rationalization, implementation and oversight

- Unizin/Canvas, implementation and oversight
- Senate Rules Amendments

### 3:26 Report on April 8 ABIA meeting

The April 8 ABIA meeting included discussion of several items of interest to faculty. SACUA had previously noted that the University of Michigan was in violation of Big Ten Rules for athletic governing boards, which state that the governing boards should be dominated by faculty and have ultimate authority. At the request of President Schlissel, University Secretary Sally Churchill reviewed the governance arrangements of other Big10 universities. Faculty Athletics Representative Anne Curzan reported that a large range of practices existed but that more schools operated like Michigan than not, suggesting that the rules do not conform with current practice. Sally Churchill has been asked to provide the material to SACUA. There is a possibility that discussion will be held with the Big Ten. Proposals for making the ABIA more effective were also discussed. One proposal was to add members to the ABIA, including non-athlete students, even though there was concern that the current Board was already too large. , Chair Masten noted that faculty governance would object if adding members resulted in faculty becoming a minority on the Board.

Separately, the chair of the Academic Performance Committee raised the problem of faculty on APC who do not attend meeting and participate in the committee's work, increasing the burden on other members. The possibility of finding a way to remove members who do not meet their responsibilities was raised.

### 3:36 Review Process for the Statement of Student Rights and Responsibilities

Professors Potter and Mondro discussed the meeting of the SRAC last Friday. They noted that Anthony Walesby spoke about OIE's concern that people found the initiation of an investigation very stressful and OIE's efforts to reduce stress. Professor Potter said that he thought students were largely satisfied with the way the process worked and noted that, as was not the case with the sanctioning process. He noted that students, irrespective of school are sanctioned by Student Affairs so that there was no "customizing" of regulations according to school. Professors Potter and Mondro reviewed the statistics in the OIE and OSCR reports. The total reported violations received and processed by OSCR was 600 of which 547 were drug and alcohol related. There were 129 reported issues with the sexual misconduct policy, 68 for sexual assault, 34 for sexual harassment, 14 for stalking, 11 "other" and 2 for retaliation. The numbers for the sexual assault policy are complicated as there were a variety of different steps taken depending on the nature of the complaint; it turned out that 58 did not fall under the policy. In the 27 cases where there was an investigation, 11 resulted in a finding that the preponderance of the evidence supported the conclusion that the policy had been violated. In 19 of these cases there was no appeal of the finding, in 2 cases the complainant appealed, in 3 cases the respondent appealed,

in 3 cases both parties appealed.

### 3:51 Humanities Book Subventions Project Salons

Professor Potter questioned the viability of the new policies, pointing out that, during Paul Courant's term as Dean of the Library, revenue from the University of Michigan Press fell from \$5 million a year to \$3 million. Professor Potter also noted that the proposal threatened to leave the University with a large liability for subsidies of books that did not now require subsidies at the present time (the grant money supporting the subventions not being in perpetuity, and the amounts suggested for subsidies not covering actual costs). Professor Weineck noted that faculty would not want to be put in a position of asking for subsidies as such subsidies might suggest to some that the work might not have been published without the subsidy in question. Professors Potter, Mondro and Weineck noted that there were already categories of books that were subvented (very long books, books requiring extensive illustration, books requiring complicated foreign fonts) and wondered why subsidies were not being directed under the new plan to areas that required subventions for valid academic reasons. Professor Masten noted that the publishing industry generally is known to be in trouble. Professor Potter pointed out that not all University presses lost money. Professor Masten questioned the role SACUA could properly play. It was agreed that SACUA should urge faculty to attend the salons.

### 4:06 SACUA Guidance on Grievability under the University of Michigan 2010 Model Grievance Procedures

Professor Masten reviewed the changes in the guidance document, the current document contains text agreed between himself and Professor Oey, clarifying the meaning of Sec. 1.05. The meaning of "decisions that are ultimately based on factors *in addition to* professional competence are grievable under this provision" should read "decisions that are based on factors *in addition to* judgments on professional performance are grievable under this provision."

The question is how to make it clear that procedural failures that have an impact on substantive decisions are grievable. Professor Masten proposed deleting footnote 5, SACUA unanimously agreed to remove footnote.

There was discussion of the meaning of "manifestly unfair." It was agreed that the text as suggested on p. 3 be retained.

Professor Lehman proposed that SACUA adopt the current document as amended and that SACUA review the document on an annual bases. SACUA voted unanimously in favor of Professor Lehman's proposal.

### 4:27 Senate Assembly meeting agenda

Committee reports are requested from chairs, who are also invited to attend the Assembly meeting to answer questions if they arise at Senate Assembly. To date, responses had been received from 4 committees.

Professor Masten intends to precede the discussion of the Student Request for the Formations of an ad hoc committee on University divestments in fossil fuels with an overview of current University policy on divestment proposals and the broader debate over the appropriate role of universities in public policy and political actions. Professor Masten's opinion is that faculty governance should not take stands on political issues.

The agenda as proposed was approved.

#### 4:35 SACUA Committee Liaison updates

Professor Holland reported that CESF has received the data is wanted from the Provost. CESF now needs funds to hire someone to work with the data. Professor Masten noted that, when the time comes for hiring students as SACUA assistants, SACUA should look for people who can handle CESF data analysis

Professor Mondro added to the discussion of SRAC, mentioning the development of the Munger housing project, consisting of seven-person suites must include representatives from at least four disciplines.

#### 4:39 Unfinished business

#### 4:39 Adjournment

Respectfully submitted,

David S. Potter  
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 polices 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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