

Minutes of November 9, 2015 SACUA
Circulated 16 November 2015
Approved 16 November 2015

THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
6048 Fleming Administration Building
Ann Arbor, Michigan 48109-1340
www.facultysenate@umich.edu

Present: Lehman, Mondro, Schultz (Vice Chair), Szymanski, Weineck (Chair),
Wright, Ziff

Absent: Fagerlin, Smith, Potter (Secretary)

Guests: President Mark Schlissel, Executive Assistant to the President Erika Hrabec

Press: Michigan Daily, University Record

MATERIALS DISTRIBUTED

1. Draft SACUA Agenda
2. Draft SACUA Minutes of October 2, 2015
3. Letter dated March 13, 1990 from former SACUA chair Gayl Ness to former president Harlan Hatcher re: significant gesture
4. Letter dated March 19, 1990 from former president Harlan Hatcher to former SACUA chair Gayl Ness re: significant gesture response

Chair Weineck called the meeting to order at 3:18 and the draft agenda was approved with a change.

CONSIDERATION OF MINUTES

The minutes of November 2, 2015 were approved with minor changes.

ANNOUNCEMENTS

There were no announcements.

STATUS REPORTS

Office for Institutional Equity (OIE) - Chair Weineck reported she was informed that, although Title IX is governed by federal law and OIE decisions hence cannot be appealed by a faculty committee, factual errors could be addressed by "re-opening" the case. Many SACUA members questioned why procedural errors could not

similarly be re-opened. Chair Weineck said she would write Provost Pollack for clarification.

Professional Standards for Faculty SPG - Chair Weineck said she had heard back from a SACUA committee chair, Prof. Margo Schlanger (Law School), for suggested changes to the draft Professional Standards for Faculty SPG. The changes suggested were to add the word "reasonable" in a number of places.

Regents' Faculty Governance Update - Chair Weineck said that the passed Senate resolution about publicizing course evaluations and the passed Senate Assembly resolution on Friday classes were transmitted to the Regents by use of the Regents' Faculty Governance Update. It was agreed by SACUA that it would be desirable to have SACUA members rotate attendance at Regents' meetings.

SACUA COMMITTEE LIAISON REPORTS

Vice Chair Schultz reported that the Committee on Civil Rights and Liberties (CCRL) had provided a response to the call for comments on the student sexual misconduct re-draft. CCRL recommended greater latitude for advocate advisors or lawyers to intervene and advise during interviews.

Vice Chair Schultz also reported that the Communications and External Relations Advisory Committee (CERAC) met and all three vice presidents seemed to think the new system is workable.

Several SACUA members reported that the committees they liaison for will meet later that week.

PREPARATION FOR THE MEETING WITH THE PRESIDENT

Chair Weineck reported that she had met earlier in the day with President Schlissel and they had discussed agenda items for today's meeting. One item is a discussion for an apology or "significant gesture of reconciliation" for professors Davis, Markert and Nickerson, the professors for whom the Academic Freedom Lecture was named. A "significant gesture" might be to declare all three emeritus faculty or to form a visiting professorship. A second item for discussion with the president is the question of defining the purview of faculty governance. Vice Chair Schultz said there are many committees appointed by the deans or chairs and they are selected, not elected or appointed by SACUA. He said that all committees, particularly those appointed by the administration, ought to be comprised of 50% faculty suggested by SACUA and confirmed by the Senate Assembly. Chair Weineck said that Senate Assembly committees ought to collaborate with their administrative counterpart committees.

VISIT WITH THE PRESIDENT

President Schlissel and Executive Assistant to the President Hrabec arrived at 4:00 pm.

President Schlissel described the Diversity Summit to SACUA and encouraged all to attend the Tuesday morning Community Assembly with President Mark Schlissel at the Rackham Auditorium. He said that the Summit has been a major focus of his leadership efforts. President Schlissel said the summit has been a bottom-up planning process. He said his intent was to hear from as many people as possible. The President said that this process will be an on-going, life-long process and that attaining inclusiveness is a lengthy process. He said that the Tuesday Community Assembly will be a time for listening; implementation will follow. President Schlissel said he has received criticism from those who feel the process is taking too long, but he believes that careful deliberation is necessary to make it right.

President Schlissel was next asked about an official apology for professors Davis, Markert and Nickerson. He said he thought it might be fundamentally unfair to judge a past president's actions by current standards of thought for something that happened 60 years ago. Professor Weineck said that the standards of free speech and academic freedom were well-established in the 1950s, and that not every university violated these principles in the way the University of Michigan did during that time period. Professor Ziff said it is not a criticism of a president, but of the institution. Professor Szymanski said the terrible events of that day are now a part of our heritage and action should be taken to right the wrong, seeing that the upcoming bicentennial celebrations assume and affirm the continuity of UM as an institution. Chair Weineck stressed that Professor Davis, the only survivor of the three, would like an apology, and that the preferences of the victims should carry weight. Chair Weineck gave the President a copy of Ellen Schrecker's book, *No Ivory Tower: McCarthyism and the Universities*, as a comprehensive book on the history of McCarthyism in the 1950s, including considerable detail about the University of Michigan's experience. President Schlissel said that the Academic Freedom Lecture currently serves to recall the history and lets the families of the three professors know there have been lessons learned. Chair Weineck said that, while true, an institutional acknowledgment of past wrong-doing would still be worthwhile and important.

The next topic discussed was the purview of faculty governance. Chair Weineck provided the President with a copy of the blue pamphlet entitled *Principles of Faculty Involvement in Institutional & Academic Unit Governance at the University of Michigan*, 2nd Edition. Professor Lehman said that Regent Bylaws require the Senate Assembly to have a standing advisory committee for each of the University's vice presidents to advise and consult with the vice presidents. Professor Lehman

further noted that many executive officers appoint ad hoc committees in addition to the mandated SA committees rather than working closely with the latter ones. President Schlissel asked, if he formed a committee comprised of experts, would he be violating the intent of the Bylaw and, if so, should he come to SACUA first. The President asked if faculty governance can provide the needed expertise administrative leadership relies on. Professor Syzmanski said that there needs to be input from both sides, while currently, the ad-hoc committees are appointed without input from faculty governance SACUA members agreed that there needs to be a balance which appears to be lacking now. Vice Chair Schultz said that he believed all committees should be comprised of at least 50% elected faculty appointed by SACUA. The President said it would be pointless to form a committee that simply agrees with him and he would not do it. The President asked if it would help if a roster of potential committee members was formed. SACUA members expressed support for the concept. The President said he would talk to the Provost about balancing committees appropriately.

The President and Ms. Hrabec left the meeting at 4:34 pm.

SACUA REPLACEMENT POLICIES

One SACUA member has taken a position at another university this academic year and there are some expected sabbaticals the following academic year so that a number of additional SACUA members will need to be replaced. SACUA discussed its replacement policies and agreed to continue its discussion at the next SACUA meeting.

UNFINISHED BUSINESS/MATTERS ARISING

There was neither unfinished business nor matters arising.

ADJOURNMENT

The meeting adjourned at 5:10

Respectfully submitted,

T. Schneider
Secretary pro tem

University of Michigan Bylaws of the Board of Regents, Chapter IV:
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."
of its business."