

Minutes of 16 November 2015

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THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
16 November 2015

**Present:** Adunbi, Aidala, Atzmon, Baker, Bertacco, Brown, Bruch, Casida, Cattaneo, Dolins Fagerlin, Fossum, Fraser, Freeman, Friesen, Jones, Jacobsen, Kaartinen, Kileny, Krivokapic, Kupferschmid, Liu, Malek, Mondro, Moss, Nielsen, Orady, Pecina, Roddier, Rothman, Schultz, Schmidt, Schwank, Skolarus, Smith, Swain, Szymanski, Veatch, Winful, Woodard, Wright, Zeisberg, Ziff, Zimmerman

**Alternate Requested:** Beck, Cohn, Erikson, Lim, Schloss

**Alternates:** Stoddard (LSA), Afah (Business School), Momper (SSW)

**Absent:** Adlerstein Gonzalez, Atchade, Bagley, Bhattacharyya, Broglio, Carlos, Chen,, Mortenson, Ellis, Gaggio, Gocek, Grosh, Keshamouni, Kirshner, Lehman, Li, Lyman, Ortega, Pandey, Princen, Raphael, Sanchez, Shaefer, Smith, Wang, Weineck, Welsh

At 3:23 Prof. William Schultz (Mechanical Engineering) called the meeting to order

Announcements:

1. At the last meeting, the Senate Assembly passed Friday morning class encouragement.
2. Senate passed a resolution calling for the redesign of the course evaluation instrument and advising against release of the current data.
3. At the last senate meeting, a quorum was reached for the first time in many years, and David Potter was voted in as secretary, having served as interim secretary.
4. Work proceeds on professional standards and sexual misconduct policies.
5. Volunteers for the AAAC (Academic Affairs Advisory Committee), the Provost's advisor committee, are needed. It meets biweekly, usually with the Provost.

Visitors: Prof. Anne Curzan, FAR (Faculty Athletic Representative) and Prof. David Wooten, Chair of the APC (Academic Performance Committee), a subset of ABIA that advises the Provost about the academic welfare of student athletes.

Anne Curzan, Professor of English and Associate Dean for the Humanities in LSA also serves as the FAR (Faculty Athletic Representative). In that capacity, she represents the University to the Big 10 conference and the NCAA. On campus she represents the interests of the athletes and reports directly to the President. She represents both the athletes and the university to insure that student athletes have the same educational opportunities as other students. Professor Curzan stressed that student-athletes are a diverse group of people and should not be stereotyped.

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UM has close to 800 varsity athletes in 25 sports, a minority of whom are members of revenue generating sports (football, basketball). A bit more than half of the students are recipients of scholarships. 184 students received awards of honors (3.5 GPA, at least 14 credits), and the students have received numerous other academic awards.

Prof. Curzan discussed the APR (Academic Progress Rate) introduced by the NCAA. A point system measures return rates and academic eligibility. NCAA can impose sanctions if a team drops below 930 points. Most UM teams achieve rankings between 960 and 1000, well above the minimum. She also described the GSR (Graduate Success Rate) and FGR (Federal Graduation Rate). Most rates at Michigan are good. The football team has been lagging behind slightly, in part due to coach turnover.

As a group, the APC committee closely monitors academic progress and provides oversight to avoid adverse events such as the recent UNC scandals. The APC is currently working on a document to delineate best practices for faculty who teach athletes who frequently travel to compete. Last, Professor Curzan explored the recently instituted NCAA rules that grant some level of autonomy to the power 5 conferences when it comes to calculating financial aid and spoke to the potentially excessive time demands placed on student athletes.

Questions:

Prof Schultz (SACUA, CoE): What does it mean that half of the students are on scholarship?

Prof. Curzan: some of the scholarships are full rides, others cover partial expenses. The conference proposed that students who receive a financial aid offer equal or in excess to the athletic scholarship, they should opt for the financial aid package, freeing funds for other student athletes.

Prof. Francine Dolins (UM Dearborn): Do student athletes have health care? Prof. Curzan: Yes, they have team doctors, and students are covered by health insurance. Prof. Dolins: Do these scholarships apply to Flint and Dearborn? Prof. Curzan does not believe so.

Prof. David Wright (SACUA, Business School): APR data are high, but some graduation rates are low. What explains this discrepancy? Prof. Curzan: The APR has been on the rise, whereas graduation rates still reflect previous years.

Faculty member: A coach should have an incentive to have a high APR (1000). What incentives are in the coach's contracts. Prof. Curzan answered that UM does not offer incentives along those lines, because it would put the athletes and coaches in a compromising position and might put pressure on students to take easy classes.

Faculty member: What is being done about the safety of athletes? Curzan: Committee is dealing with issues of concussion, etc. Students cannot lose their scholarships due to injuries. The athletic program can petition NCAA to remove scholarships from the count.

Faculty member: What happens if the petition doesn't go through? Does the university drop their scholarship? Prof. Curzan: That has never happened while she was here. Petitions are made with proper medical documentation.

Prof. Dolins: there actually are students with athletic scholarships at Dearborn. Can the APC monitor them also? Prof. Curzan: She will look into that.

Faculty member: Is there a time limit to the athletic scholarship? Prof. Curzan: 4 years, or 5 years if first-year students are red-shirted.

Prof. Schultz: You spoke of allowances for travel for student-athletes. Last year at SACUA, you indicated that there were violations where allowances were sought for practice as well. Can you clarify? NCAA: students cannot miss class for practice. Prof. Wooten: practices are meant to be scheduled within particular windows to allow student athletes to take the classes they need or want; at times, coaches petition for exceptions.

Prof. Paul Kileney (Medical School): What is the distribution of majors? Prof. Curzan: Most common LSA undeclared, since there are many students in the first few years Next is Kinesiology, but majors include engineering, business, economics, philosophy, etc. The distribution is similar to that of non-student athletes.

Prof. Sandy Danziger (Social Work): Some athletes say they cannot take certain majors because of the labs in those majors. Prof. Curzan: yes some majors are very hard, but she believes that all majors are possible. Students may have to miss some practice. Education, Nursing, etc., are difficult. Some sports (like basketball) are becoming two semester sports, which makes it more difficult. Prof. Wooten: Protective window for practice 9am to 2pm, to avoid conflicts with classes. Labs can cause problems. Strength and Conditioning can be rescheduled, but team practices cannot.

Prof. Schultz ended discussion of the athletic program and thanked the members of the APC.

4:15 pm: Prof. Schultz introduces the resolution, about formation of a committee to study divestments in oil and coal, sent to the Senate Assembly by students, with no recommendation either way by SACUA. We note that there have been previous instances of making divestments (Apartheid in South Africa, the tobacco business). Prof. David Smith offered a motion, which was seconded.

Presentation by students Nicholas Jansen and Ellen Loubert, speaking on behalf of the Divest-Invest campaign. They stressed that there are three conditions that need to be met in order to form a committee considering divestment, and that these conditions have been met:

1) community consensus (there is consensus on campus on the underlying issue (climate change) is serious and urgent).

- 2) values: actions by the corporations in question are antithetical to the values of the university.
- 3) uniqueness: the corporations must be uniquely responsible for the harm inflicted or the inaction on climate change issues.

The purpose of divestment would not be to harm the companies economically, but to affect societal change in the fight against climate change.

Prof. Schultz: the proposal was discussed at the SA on March 20, 2015, but due to a lack of quorum, no vote occurred.

Discussion:

Michael Atzmon (CoE): What is the relationship to Apartheid and tobacco-- both are evil. He did not believe the issues are comparable. Why just the oil and coal? How about the auto industry that lobbied heavily against gas efficiency?

Prof. Johannes Schwank, Chemical Engineering: You can personally divest from tobacco by just not smoking, likewise for apartheid. Energy is much more difficult. Are you prepared to no longer fly on an airplane, give up clothing made from fossil fuels, Nike running shoes, etc? You are asking a larger community to divest. He mentioned that “law of inverse ignorance” (the less you know, the better is looks) and the “law of unintended consequences” (if you tried to replace fossil fuel energy by wind energy, you will cause climate change as well).

V. Epshteyn, student in environmental studies, LSA: There is already the option of divesting individually. Why is divestment necessary? If we wait to the last minute, it would be too late. This is a place where students can make a difference.

Prof. David Smith, SACUA and Pharmacy: Stanford was divesting from coal. Why here coal and oil? Why not natural gas and fracking? Student: ultimately, the committee would decide what to focus on.

A faculty member spoke up to support the students – after all, it will be their world.

Prof. Stefan Szymanski (SACUA, Kinesiology): Agrees that climate change is the most important issue of our time. Supports the general idea of a discussion. However, it must get a consensus from the faculty. If the proposal were to look broadly at climate change, this might get better support. A: Ms. Loubert: Three prong standard requires consensus, and the students are indeed using climate change in this proposal.

Prof. Paul Kileny (Medical School) to the students: Keep up your passion. Do note, however, that University investments go towards financial aid and other things. If a committee were formed, then some of the finance people from the university should be involved. Benjamin Iuliano (student): Growth of endowment has suffered because of the drop in value of energy stocks already. These have been bad investments.

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Ms. Loubert: we have divested twice in the past, and the endowment is in good shape.

Prof. Schultz: motion to change “oil and coal” to fossil fuels or to climate change more generally.

Prof. Szymanski: motion to table, to allow SACUA to change the wording. Student: “Climate Change” would be too broad, which would make it much harder to make any progress. Motion to table failed.

Motion to vote on SACUA proposal to change “Faculty Senate” to “Senate Assembly” in proposal, and request that in the event a committee was formed, half of the faculty representatives would be chosen by faculty governance and half of the students by student government. The motion passed. Motion to change “oil and coal” to “fossil fuels” failed.

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**Resolution 111615**

**WHEREAS**, The University has a long-established procedure for determining whether a certain set of investments is appropriate for the University to hold in its endowment;

**AND**

**WHEREAS**, that procedure begins with the formation of an Ad Hoc Committee comprised of students, alumni, faculty, and administrators assembled in order to gather information and formulate recommendations for the Regents’ consideration; **AND**

**WHEREAS**, the University has an established standard for forming such a Committee which - as summarized by the Office of the CFO - requires that (1) the concern to be explored must express the broadly and consistently held position of the campus community over time; (2) there must be reason to believe that the behavior or action in question may be antithetical to the core mission and values of the University; and (3) there must be reason to believe that the organization, industry, or entity to be singled out may be uniquely responsible for the problems identified; **AND**

**WHEREAS**, the University has twice before determined that a set of investments meet this standard - first with companies doing business in apartheid South Africa, and second with tobacco companies; **AND**

**WHEREAS**, a consensus on campus regarding climate change is demonstrated by statistical data from the Graham Sustainability Institute, the academic and extracurricular pursuits of the student body, the research and teachings of the faculty, and the administration, operation, course offerings of the University, and the passage of a resolution by the Central Student Government; **AND**

**WHEREAS**, sustainability is a core value of the University, as evidenced by its inclusion in the University’s vision statement, the academic and extracurricular pursuits of the student body, the research and teachings of the faculty, the administration, operation, and



course offerings of the University, and the three working groups around sustainability created by President Schlissel; **AND**

**WHEREAS**, the core mission of the University includes preserving and applying academic values; **AND**

**WHEREAS** there is reason to believe that the nature of oil and coal - as the most greenhouse gas intensive forms of energy on the planet - is fundamentally antithetical the University's core value of sustainability, and that the actions of the oil and coal industries - in undermining the scientifically proven link between greenhouse gas emissions and global warming for the purpose of economic gain - is antithetical to the University's core academic mission; **AND**

**WHEREAS** there is reason to believe that the oil and coal industries are uniquely responsible for climate change due both to the inherent nature of their products and to their decades-long campaign to prevent action on addressing climate change in order to perpetuate reliance on their products; **THEREFORE BE IT**

**RESOLVED**, that the Senate Assembly believes that the University's standard for forming a Committee to gather information and formulate recommendations about whether a certain set of investments is appropriate for the University to hold has been met as to the oil and coal industries; **AND BE IT FURTHER**

**RESOLVED**, that the Senate Assembly believes that because the University's long-established standard has been met, the Regents should form such a Committee; **AND BE IT FURTHER**

**RESOLVED**, that the Senate Assembly believes that the Committee should not be charged with considering divestment from diversified commingled funds (such as mutual funds) that aren't specific to the oil and coal industries; **AND BE IT FURTHER**

**RESOLVED**, that because it is the role of the Committee to come to the conclusion of whether the University should ultimately divest, this resolution does not address that question; **AND BE IT FINALLY**

**RESOLVED**, that the Senate Assembly believes that the composition of the Committee should be similar to the Committee on Tobacco Investments, which included four professors, one undergraduate student, one graduate student, one administrator, and one alumnus.

Vote for the student's proposal to form the committee with small changes above was endorsed by a large majority of the faculty present.

Meeting adjourned at 5:01 pm.

Respectfully submitted

Robert Ziff  
Member of SACUA, Secretary pro tem

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University of Michigan Bylaws of the Board of Regents, Sec. 4.01:  
*The University Senate*

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The 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.

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**University of Michigan Bylaws of the Board of Regents, Sec. 4.04:**

*The Senate Assembly*

The Senate Assembly shall serve as the legislative arm of the senate.

The assembly shall have power to consider and advise regarding all matters within the jurisdiction of the University Senate which affect the functioning of the university as an institution of higher learning, which concern its obligations to the state and to the community at large, and which relate to its internal organization insofar as such matters of internal organization involve general questions of educational policy.

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**Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs:** In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed.