

Minutes of 11 January 1999  
Circulated 13 January 1999  
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**THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
MINUTES OF 11 JANUARY 1999**

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**ATTENDANCE**

**Present:** L Bernal, A Burdi, D Burns, V Castle, R Christiansen, K Cooney, T Croxton, D Deskins, R Dunkle, W Ensminger, I Francis, L Kleinsmith, J Lawson, JT Lehman, C Loveland-Cherry, M Lomax, B MacAdam, A Malkawi, N Marshall, J Merchant, YL Murphy, L Nagel, M Navvab, J Raisler, R Robertson, P Rogers, J Scheiman, M Schneider, J Shotwell, D Schteingart, K Taylor, J Turcotte, P Ward, F Whitehouse Jr., G Winger, E Wingrove, C Yocum, J Zorn

**Alternates:** None

**Absent:** R Bartlett, B Bleske, M Bonner, D Brophy, J Boyd, L Colletti, S Erickson, M Foss, M Feldman, K Freese, R Gull, H Harrington, J Hart, K Jamerson, A Jensen, S Julius, P Kabamba, B Karnopp, D Karr, S Kossoudji, D Lee, G MacAlpine, M Maehr, D Malamud, R Mann, S Nolen-Hoeksema, J Rahme, V Rosenberg, M Rosenthal, J Rush, A Sedman, M Shapiro, R Sharf, R Sharp, M Sheil, S Teasley, S Wright,

**MATERIALS DISTRIBUTED**

1. Agenda for 11 January 1999
2. Senate Assembly Skeletal Agenda
3. Draft Minutes of 7 December 1998
4. Approved Minutes of 16 November 1998
5. Annual presentation to the Board of Regents by the Chair of SACUA, November 1998
6. "Tenure Wars: An account of the controversy at Minnesota", by F. L. Morrison. Journal of Legal Education, vol 47, 21 pages.

Chair Ensminger convened the meeting at 3:15 P.M.

**CONSIDERATION OF THE MINUTES OF 7 DECEMBER 1998**

The minutes of 7 December 1998 were approved as distributed.

**ANNOUNCEMENTS**

1. A revised version of the Faculty Handbook has been published. A copy will be distributed to each member of the Senate Assembly. Other faculty members can access an electronic version of the document via Internet, or alternatively can call the Office of the Provost to receive a printed copy.
2. Elections within SACUA for chair and vice-chair will occur in the first week of February.
3. Elections within the Senate Assembly for new members of SACUA will occur in

March. Nominations from the floor are acceptable.

4. The February meeting of the Senate Assembly will include a presentation by Fred Morrison, Professor of Law at the University of Minnesota and author of "Tenure Wars: An Account of the Controversy at Minnesota".

5. ITD Director J. M. Griffiths will make a presentation to the Senate Assembly at its March meeting.

6. Suggestions regarding a proposed symposium on tobacco divestment in April should be directed to the SACUA office.

#### REPORT FROM THE COMMITTEE FOR A MULTICULTURAL UNIVERSITY

Chair Ensminger introduced Professor R. Schmerl, chair of the Committee for a Multicultural University. Professor Schmerl read a report of his committee activities (Appendix A). He said that by the end of the term his committee would likely submit a report describing practices that seem to be working well for attraction and retention of under-represented minority faculty, staff, and students. He completed his prepared remarks at 3:30 P.M. There were no questions from the floor.

#### REPORT FROM THE RESEARCH POLICIES COMMITTEE

Chair Ensminger introduced Professor B. van der Pluijm, Chair of the Research Policies Committee. Professor van der Pluijm reported that minutes of the RPC can be obtained electronically at [www.umich.edu/~sacua/hp11a4m.html](http://www.umich.edu/~sacua/hp11a4m.html). He said that among its on-going committee activities, the RPC was participating in an effort by the OVPR to develop a policy for Intellectual Property and Technology Transfer.

Professor van der Pluijm reported that the RPC has asked the OVPR to investigate whether indirect costs from extramural grant revenues actually benefit the faculty who obtain the grants. He said that practices appear to be highly variable across university units. He said that his committee learned that the Associate Deans for Research of the various units have never met to discuss practices, but that they would soon meet for the first time under the auspices of the OVPR. He said that the investigation was still in a fact-finding stage, but that the OVPR will issue a report at its conclusion.

Professor van der Pluijm reported that the RPC had met with Gary Krenz, special counsel to the University President, to discuss developments within the Life Sciences Commission. He said that RPC members concluded that the initiative was mainly focused on Health Sciences rather than on Life Sciences broadly. He added that they learned this was only one of a series of commissions that was planned for the future, with planning horizons of a decade or more.

He completed his report at 3:45 P.M.

#### VISIT BY VICE PRESIDENT KRISLOV

Vice President and General Counsel Marvin Krislov arrived at 3:48 P.M. He provided a few introductory remarks and then invited questions from the audience. He said that he was trying to identify areas where guidance is needed, and that he hoped to have an operative website for the Office of General Counsel by Spring.

Professor Ward asked how much legal activity is conducted by in-house attorneys and how much is contracted out. Krislov replied that there are 15 in-house attorneys, but that the budget for outside contracts is hard to pin down because there are many different funds used. He said that he probably won't change the mix much from what it is at present. A member of the Assembly asked if the General Counsel is advising university units about policies and practices regarding affirmative action. Krislov said that his office is very involved in the affirmative action lawsuits and that the university is committed to maintaining an affirmative action policy. He added that he has had only a few discussions about policies in units other than the ones currently being sued.

Chair Ensminger asked what position is taken by the General Counsel when disputes arise among members within the university committee, such as administrators, faculty, and students. Krislov replied that if the administration is in conflict with faculty his office must make a case by case determination. He said that his office should be trying to consider the long term interests of the university rather than only support administrators.

Chair Ensminger asked if the Intellectual Properties Policy of the university amounts to a contract with faculty inventors. Krislov replied that he did not yet know enough about the policy and would have to respond later.

A member of the Assembly asked if the Office of the General Council provided oversight for Conflict of Interest committees. Krislov replied that his office monitors conflict of interest matters for the Regents and the Executive Officers, but that he doesn't know if the office has much role otherwise. He said he was not sure how well the office was integrated with conflict of interest committees across the campus. He stated that his office was an appropriate source for advice on ethics

Professor Lawson asked if the General Counsel had a role in FOIA requests. Krislov replied that his office is counsel to the FOIA office. Professor Lawson suggested that the proposed GC website be used to alert faculty to what they can expect if they make FOIA requests.

#### OLD BUSINESS

Professor M. Lomax inquired about the status of Grievance Policy adoptions. Chair Ensminger replied that to date he has been informed of only two units who have adopted the procedures so far: The Medical School and the College of Pharmacy. Professor Kleinsmith recommended that a chart be developed to mark the progress of the process.

#### NEW BUSINESS

There was no new business.

The meeting adjourned at 4:10 P.M.

Respectfully submitted,

John T. Lehman  
Senate Secretary

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