

Minutes of 18 September 2006  
Circulated 20 September 2006  
Re-circulated 26 October 2006  
Approved 30 October 2006

**THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
18 SEPTEMBER 2006**

**Present:** Abdo, Albers, Aller, Altschuler, Benamou, Boxer, Brock, Brown, Chang, Eagle, Ensminger, Fraser, Frier, Garton, George, Giordani, Green, Gull, Hesseltine, Hollar, Ismail, Ketefian, Lachance, Lange, Lehman, Li, Lomax, Luera, Maddock, Mahalingam, Maybaum, Meerkov, Navvab, Neuman, Potter, Powell, Riles, Rothman, Samson, Seabury, Severance, Smith, Thornton, Thouless, Wakefield

**Alternates:** Durfee (Engineering - for Adriaens), Prygoski (Flint for Im), Senkevitch (Architecture - for Kim), Simpson (Medicine - for Koopmann)

**Requested Alternate, none available:** Graham-Bermann, Schultz, Stark

**Absent:** Agrawal, Anspach, Avi-Yonah, Becker, Brophy, Carson, Combi, Fricke, Frost, Hahn, Kosch, Ludlow, Peters, Primus, Rahme, Roe, Sabel, Sellers, Stoolman, Streetman, Volling

**MATERIALS DISTRIBUTED**

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 17 April 2006
3. Announcement: 16<sup>th</sup> Annual Davis, Markert, Nicherson Lecture on Academic and Intellectual Freedom
4. Brochure from the Faculty Ombuds Office, undated
5. Principles of Faculty Involvement in Institutional & Academic Unit Governance at the University of Michigan
6. A Decision-Making Guide to the Michigan Civil Rights Initiative, by S. E. Page and E. Suhay, undated
7. Proposed membership lists for Senate Assembly committees, 2006-2007
8. SACUA/Senate Assembly Planning Schedule, updated 13 September 2006
9. *Faculty Governance at the University of Michigan. Principles, History, and Practice*, by N. H. Steneck, 1991.

The meeting was convened by Chair Smith at 3:15 P.M. The draft agenda was approved.

**ANNOUNCEMENTS**

The chair welcomed Assembly members to the first meeting of the year. He then introduced the members of the Assembly's executive committee, SACUA. He also reviewed Sec. 4.04 of the Regents' Bylaws, which establishes the Assembly and specifies its powers.

Chair Smith announced:

1. A meeting of the Faculty Senate will be held on Monday, 16 October 2006 in the Honigman Auditorium of the Law School to hear the annual Davis, Markert, Nickerson Academic Freedom Lecture.
2. Faculty with employment concerns are invited to consult with the Central Faculty Ombuds, Professor Bonnie Metzger, in the Faculty Senate Office on the sixth floor of the Fleming Building.
3. All Assembly members are provided with a packet of distributed materials relevant to the meeting agenda.

### **CONSIDERATION OF THE MINUTES**

The minutes of 17 April 2006 were approved as submitted.

### **ESTABLISHMENT OF SENATE ASSEMBLY COMMITTEES FOR 2006-2007**

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#### **ACTION OF SENATE ASSEMBLY 091806-1**

The chair invited ratification of committee appointments proposed by SACUA (distributed item 7). Several members moved for ratification.

Vote on the Active Motion:

The action was approved by unanimous vote.

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### **ITEM FOR INFORMATION**

Chair Smith reported that he or other SACUA members are willing to attend unit faculty meetings in order to explain Senate Assembly resolutions from the past academic year. These resolutions include provisions whereby faculty who receive the largest numbers of votes in unit executive committee elections should actually be selected to serve on the executive committees. In addition, the resolutions state that in all units the elected executive committee members should be allowed to perform the duties assigned to them by Regents' Bylaws: e.g., participation in budget matters, hiring of administrators, and hiring of faculty. These resolutions now need to be enacted at the unit level, and Assembly members are encouraged to move these agenda items within their own units.

### **VISIT OF PROVOST SULLIVAN**

The Chair introduced the new provost at 3:35 P.M. The provost spoke from prepared remarks (<http://www.provost.umich.edu/speeches/index.html>). She reviewed several university level initiatives relevant to global issues, as well as emerging challenges for scholarship in the digital world. She then turned attention to internal university business, including challenges presented by the Spelling Commission report on the value of higher education, and external calls for assessment tests for graduates.

The provost noted that units are currently developing implementation policies for Conflict of Interest/Conflict of Commitment policy. She also cited, *inter alia*, a need to develop the next generation of leaders in academic administration. She announced a new campus-wide

program directed from the provost's office and aimed at the stated goal. Her prepared remarks concluded at 4:05 P.M.; she then invited questions.

Professor Riles inquired about the status of the Weiss-MacDonald report on tenure policy. The provost replied that she has not received, but is awaiting, a revised version of the report. She said that the revised report would be provided to SACUA as well as to her office.

A member of the Assembly noted that budgetary obstacles tend to hinder interdisciplinary initiatives. Provost Sullivan acknowledged that there are undeniable budget issues, but that there is a faculty committee working on the problems, and it is a high priority to her.

Professor Abdo said that her unit is currently grappling with COI/COC policies. She said that her colleagues were alarmed to see that there is nothing in the policy about institutional COI issues, which she characterized as a serious deficiency. She noted, for example, that values such as academic freedom might come into conflict with wishes of donors. The provost replied that there are COI statements being developed at all levels, including the president's office and that of the provost. She said that the example raised by Professor Abdo was a good issue for her to convey to the vice president for development.

Professor Riles asked why faculty governance was neither informed nor consulted in the pending sale of M-Care. Provost Sullivan replied that there was a non-disclosure agreement required by the interested parties. She said that the SACUA chair was notified by the EVPMA in advance of the public announcement. The provost explained that M-Care is financially viable now, but it may not be in the future. She said that health care is being consolidated into a smaller number of large operators, and small players are being forced out. She added that the U-M will be self insured under the new arrangement. She said the U-M will pay an administration fee to BCBS but will continue to set its own rates and handle its own reimbursements. She stated her belief that the university's interests are adequately preserved in the action that will be presented to the Regents this week.

Dr. Fraser remarked that formerly there was an elected committee of faculty that could consult with Human Resources personnel on confidential matters, such as the sale of M-Care. He asked whether the provost would support a return to that practice. The provost replied that there are some things she would have to learn more about, including how that would affect the relationship with bargained-for employees.

The provost left the meeting at 4:20 P.M.

## **STATEMENT ON ACCOMMODATION OF DISABILITIES**

Chair Smith called attention to a statement included with the meeting agenda (distributed item 1) that had been endorsed unanimously by SACUA and placed before the Assembly for endorsement. Professor Senkevitch asked if the exact language of the resolution was expected to be adopted, or whether the language could be paraphrased by individual faculty. Chair Smith replied that the language was proposed as a model only. Professor Thouless pointed out that the Assembly could not mandate what professors place on their syllabi. He said that faculty should

not and could not be expected to pry into confidential personal medical matters. He asked for further clarification about the intent of the statement.

Chair Smith said that the intent of the statement was simply to alert students that faculty are sensitive to disability concerns and that a system exists to address these concerns. Professor Abdo reported that her unit has a policy articulated in its student handbook, and students are required to acknowledge by signature that they received the policy statements. Assistant General Counsel Jack Bernard stated that he helped to draft the statement; he said that he does not regard the proposed language as something to be imposed on faculty, but rather as a suggestion for encouraging a dialog in units that do not have explicit policies.

A member of the Assembly said that if the aim was to encourage dialog, it might make sense that a statement not be too specific at the outset. Professor Giordani asked if Bernard envisioned individual faculty members working directly with students in regard to their disabilities. He suggested that such an approach could be problematic. AGC Bernard said that sometimes it is imperative that faculty become somewhat involved so that they can know what types of accommodations to offer. He reiterated that any way faculty wish to modify the language is fine. Professor Senkevitch reiterated that this issue is treated in different ways in different parts of the campus. He said that he thought the language needs to be altered, but that he was not prepared to offer alternative language at the moment.

Professor Kimball asked AGC Bernard whether the preferred order of behavior would be for a student to approach faculty first, or to approach first the office of services for students with disabilities. Bernard replied that it was impossible to predict what the student will do, and so both bases need to be covered.

Chair Smith invited a motion to postpone further action on the issue until the next meeting for the purpose of drafting a specific action item. Multiple members offered the motion to postpone.

Vote on the motion to postpone further action

Number approving- 12

Number disapproving- 18

Abstentions of record- 1

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#### **ACTION OF SENATE ASSEMBLY 091806-2**

Professor Maddock moved (multiple seconds) that the Senate Assembly encourages all faculty to inform their students that support systems exist to accommodate students with disabilities. Further, the Assembly recognizes that the specific nature of such communication may vary across units according to policies already in existence. Therefore, in a spirit of encouragement, the Assembly offers the following language as a potential model, which individual faculty are invited to modify at will:

"If you think you need an accommodation for a disability, please let me know at your earliest convenience. As soon as you make me aware of your needs, we can

work with the Office of Services for Students with Disabilities (SSD) to help determine appropriate accommodations. SSD (734-763-3000; <http://www.umich.edu/~sswd>) typically recommends accommodations through a Verified Individualized Services and Accommodations (VISA) form. I will treat any information you provide as private and confidential."

The Active Motion was approved with 1 dissenting vote and 2 abstentions of record.

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**NEW/OLD BUSINESS**

There was no additional business.

The meeting was adjourned at 4:50 P.M.

Respectfully,

John T. Lehman  
Senate Secretary

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**Bylaws of the Board of Regents, Sec. 4.01:** *The University Senate* (in part): 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.