

Minutes of 24 September 2007  
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Approved 22 October 2007

THE UNIVERSITY OF MICHIGAN  
SENATE ASSEMBLY MEETING  
24 SEPTEMBER 2007

**Present:** Abdo, Altschuler, Andjelkovic-Zochowska, Becker, Boxer, Brock, Brown, Currie, Denver, Fitzgerald, Fossum, Friedman, Frier, Frost, Garton, Geary, George, Graham-Bermann, Green, Gull, Hesseltine, Hirshorn, Jackson, Karni, Lehman, Li, Lomax, MacAdam, Maybaum, Mehta, Mueggler, Moore, Navvab, Patil, Peters, Potter, Powell, Queen, Riles, Rothman, Sabel, Smith (Chair), Stark, Thouless, Volling, von Buelow, Wakefield, Ziff

**Alternates:** Gretebeck (Nursing-for Ketefian)

**Absent:** Adriaens, Anspach, Avi-Yonah, Bastedo, Brophy, Carson, Eagle, Ensminger, Fraser, Kabamba, Ketefian, Kosch, Maddock, Mahalingam, Maher, Poe, Primus, Rahme, Roe, Samson, Sellers, Stoolman, Sweeney, Thompson, Thornton, Younger

MATERIALS DISTRIBUTED

1. Senate Assembly agenda
2. Draft minutes of the Senate Assembly meeting of 14 May 2007
3. Contribution form for the University of Michigan Faculty Undergraduate Scholarships
4. Draft Item for Action concerning endorsement of the "Addendum to Publication Agreements for CIC Authors" and of a review of the University copyright policy
5. [Statement on Publishing Agreements](#) of the [Committee on Institutional Cooperation \(CIC\)](#), 19 June 2007
6. [University Copyright Policy](#) as approved by the Regents on 14 November 2004
7. Draft Item for Action concerning the Proposal by the [Coalition on Intercollegiate Athletics \(COIA\)](#) on Reforms in Intercollegiate Athletics
8. "[Framing the Future: Reforming Intercollegiate Athletics](#)", The Coalition on Intercollegiate Athletics (COIA), adopted on 15 June 2007 by vote of the Coalition membership
9. Proposed membership lists for Senate Assembly committees, 2007-2008

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

CONSIDERATION OF MINUTES

The minutes of 14 May 2007 were approved as submitted.

ANNOUNCEMENTS

1. Tomorrow is Committee Day. Assembly committees will meet at noon at the Michigan Union. The event is an opportunity to meet with the executive officers.

2. The October meeting of Senate Assembly has been rescheduled to 22 October 2007. General Counsel Gloria Hage will talk about the U-M's response to domestic partners benefits.
3. The Senate Assembly's Faculty Need-based Scholarship Fund for undergraduate students has accumulated only \$30K of the \$125K minimum required to fully fund it. Donations are eagerly sought.
4. The U-M is holding its annual diversity summit on Thursday, 4 October.
5. The 17th annual Academic Freedom Lecture will be delivered on Friday, 9 November at the Law School. The speaker will be Nadine Strossen, president of the ACLU; her lecture is titled "Defending Freedom Even for the Thoughts We Hate."
6. U-M student groups have appealed to the university faculty to excuse them from class on Wednesday so that they may participate in a rally at the State Capitol calling for resolution of the State budget impasse.

#### CIC AUTHORS' RIGHTS

Chair Smith called attention to an item for information that will be on the agenda for vote at the October meeting, and that proposes a format for publication agreements.

#### COIA WHITE PAPER

Chair Smith called attention to a second item for information that is proposed for action at the October meeting of the Assembly, and which proposes reforms in intercollegiate athletics.

#### SENATE ASSEMBLY COMMITTEE MEMBERSHIP

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##### ACTION OF SENATE ASSEMBLY 092407-1

Chair Smith invited a motion to approve the slate of candidates nominated for membership on Senate Assembly committees.

The Action won unanimous approval.

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#### VISIT OF UNIVERSITY PRESIDENT MARY SUE COLEMAN

Chair Smith welcomed President Coleman and invited her to address the Assembly at 3:30 P.M. The president first introduced the new vice president for communications to the Assembly, and then explained that she wanted to talk specifically about the university faculty. She delivered her address, reading from prepared remarks. She highlighted progress in obtaining endowed chairs, recruiting graduate students, and other goals of the Michigan Difference Development Campaign. The text of her remarks is posted at the following URL:

<http://www.umich.edu/pres/speeches/070924saa.html>

She concluded her prepared remarks at 3:48 P.M.

The president remarked that no resolution has yet been reached to the budget impasse in Lansing, but that she fully expects the State to make up the money they withheld from universities last summer. A member of Assembly asked about prospects for university funding in the future. The president replied that the topic has occupied a lot of her time. She said that problems are not unique to the State of Michigan. She said that the U-M has long had a policy of increasing

financial aid packages in parallel with increases in tuition, and that the practice would continue. Moving to hybrid model where endowments become increasingly important.

Another member of the Assembly stated that there is a need to educate the faculty more fully about the health benefits changes that will occur this year. President Coleman replied that information would be forthcoming in October. Professor Abdoo pointed out that the open enrollment period should perhaps be extended because the choices are much different than in the past.

Professor Riles read the following statement and questions:

*As you may know, the Academic Affairs Advisory Committee (AAAC) is carrying out a study of student academic success here at the university.*

*We are looking at distributions of pre-admissions variables such as SAT scores and high school GPA, along with distributions of measures of success, such as freshman-year GPA and time needed to graduate. We are also looking at correlations among these variables and looking separately according to gender, ethnicity, college or school, degree of study, and year of entry.*

*We are looking broadly across the university at all colleges and schools that admit undergraduates.*

*I say that "we" are doing this study, but at the moment I am the only person allowed to see the results because I signed a memorandum of understanding (MOU) with the General Counsel's office.*

*That MOU obligates me to protect raw data that I received from the Registrar because, in principle, there are some students whose identity could be inferred from the data. I understand the need to protect student privacy and have been quite careful with the raw data.*

*Unfortunately, the MOU has an additional, non-disclosure clause that prohibits me from sharing any results of the study with AAAC (or SACUA) colleagues unless they too sign an MOU agreeing not to share results with others. When I say results, I refer to statistical information in the form of tables and graphs, information that could not be used to identify an individual. So protecting student privacy is not the issue.*

*I signed that MOU in order to obtain the data and make progress on our study, but I did so under protest and told the Provost I would raise this issue with SACUA when I had some results to show.*

*I do now have some interesting results to show, and last week SACUA members asked the Provost to release us from this non-disclosure clause. The Provost flatly refused to do so.*

*She gave two rationales for that refusal:*

*1) She plans to appoint her own committee to create a public database of student data covering past and future years. She said we should simply wait until that*

*database is available. But she also said that the database will not allow individuals to be identifiable.*

*That condition immediately precludes using this planned database for the AAAC study because the database cannot simultaneously provide gender, ethnicity, degree of study, and year of degree. For example, one would guess there weren't many female Native Americans earning a degree in mechanical engineering in 2003. The SAT score, GPA, etc. for such an individual would effectively become public information if all data items of interest to AAAC were to be included.*

*More generally, the new database will not serve AAAC needs because it restricts AAAC members to see no data that members of the public cannot also see.*

*2) The Provost cited unspecified "legal issues" and said that she could say no more without legal counsel present.*

*I find her refusal very troubling. The first rationale indicates that the Provost regards AAAC as having no more authority in student affairs than has a member of the general public. The second rationale suggests that the university may believe it must conceal legally damaging information from its own faculty, for fear that the information will become public.*

*Such a position would reflect poorly on this university's integrity and would risk further undermining public support. Perhaps the Provost is trying to avoid paying lawsuit damages. I have no idea what the fundamental issue is because the Provost would not explain it to us. But if avoiding lawsuit damages is indeed a motivation, then it might be better to settle the lawsuits once and for all than to continue this unseemly situation in which a public institution of learning is actively concealing statistical information from its own faculty.*

*My questions for you are the following:*

- Do you support the Provost's policy to insist on the non-disclosure clause?*
- If so, how do you defend it?*
- If not, will you rescind it?*

The president replied that Professor Riles had raised a complicated issue. She said that she supports the provost's actions, and that she and Professor Riles would have to agree to disagree.

The president left the meeting at 4:06 P.M.

OLD/NEW BUSINESS

There was no other business.

The meeting was adjourned at 4:06 P.M.

Respectfully submitted

John T. Lehman  
Senate Secretary

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**University of Michigan Bylaws of the Board of Regents, Sec. 5.02:**

*Governing Bodies in Schools and Colleges*

In each school, college, or degree granting division of the University, including those at the University of Michigan-Dearborn and at the University of Michigan-Flint, the governing faculty shall be in charge of the affairs of the school, college, or division, except as delegated to the executive committee, if any, and except that in the School of Graduate Studies the governing board shall be the executive board, and in the Medical School shall be the executive faculty.

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