

Minutes of 23 July 2007
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THE UNIVERSITY OF MICHIGAN
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MINUTES OF THE SACUA MEETING OF 23 JULY 2007

Present: Fraser, Frier, MacAdam, Potter, Smith (chair), Stark, Thouless; Schneider, Arents

Absent: Friedman, Riles; Lehman

Guests: J. Litman, P. Newman

MATERIALS DISTRIBUTED:

1. Draft Agenda
2. Draft minutes of the portion of the SACUA meeting of 16 July 2007
3. Invitation to farewell banquet for Marvin Krislov, exiting Vice President and General Counsel
4. [Statement on Publishing Agreements of the Committee on Institutional Cooperation \(CIC\)](#), 19 June 2007
5. Electronic mail from Bruce Frier to Bob Fraser regarding "CIC Addendum on Authors' Rights", dated 25 June 2007
6. Electronic mail from President Mary Sue Coleman to Faculty and Staff: "David Lampe Recommended to be Vice President for Communications", dated 22 July 2007

Chair Smith convened the meeting at 2:00 P.M. The proposed agenda was approved.

CONSIDERATION OF MINUTES

Consideration of the minutes of 16 July 2007 was postponed pending revisions.

ANNOUNCEMENTS/UPDATES

Chair Smith announced:

1. An electronic message was sent 22 July notifying the University that a new Vice President for Communications has been appointed: Mr. David Lampe.
2. A retirement and congratulations party will be held on 30 July for outgoing Vice President and General Counsel Marvin Krislov. SACUA members expressed their interest in attending, as there was general agreement that Mr. Krislov has been a tremendous asset to the University community. Chair Smith suggested that the SACUA meeting end at 4:00 p.m., immediately after the Provost's visit, so that SACUA members

- can attend the event. There was unanimous agreement that the meeting will end early.
3. The shared governance document is still under negotiation between the Provost and the Shared Governance Task Force. It was agreed that discussion of this document be postponed until the 30 July meeting with the Provost.
 4. Chair Smith and Professor Potter will attend the private meeting with the Provost on 26 July.
 5. Professor Potter announced that the University will host the 25th International Conference of Papyrology during the coming weekend. Papyrology is the study of ancient manuscripts written on papyrus.
 6. Chair Smith recommended two books that might be of interest to SACUA members:
 - a. Trickster Travels by Natalie Zemon Davis, a historical account of Giovanni Leone Africano
 - b. Free Speech in Fearful Times, a collection of essays edited by edited by J. Turk and A. Manson.

AUTHORSHIP RIGHTS/COPYRIGHT POLICY

SACUA members reviewed the Statement on Publishing Agreements of the Committee on Institutional Cooperation (CIC) that includes a proposed addendum for publishing agreements. Guests included: Jessica Litman, Professor of the Schools of Law and Information; and Paul Newman, University Librarian.

Professor Litman described the CIC documents as a fair account of faculty-friendly values, and stated that the addendum would be a good addition to faculty members' publishing agreements. She did state, however, that the University copyright policy is flawed and inconsistent, and it should be reworked. For instance, the term "faculty work" is poorly defined and inadequately distinguished from the term "university work." Revision and improvement of the University's ownership policies should be a priority, so that authors' rights are protected. This revision would require a policy change, but not necessarily a change to the Regents' Bylaws. There was general agreement that the idea of refining the copyright and ownership policies of the University should be explored.

Mr. Newman addressed the University's copyright policy, and cautioned that recommendations for change be made carefully. In his review of other CIC institutions' policies for copyright and ownership, Mr. Newman estimated that Michigan's policy is normal; although it is deeply flawed, there are many policies that are much worse. Mr. Newman called attention to the addendum of the CIC statement, which defines the CIC policy as relating to the author/publisher relationship. In contrast, the University copyright policy defines the relationship between the University and the author/faculty member.

SACUA members discussed the CIC statement and the University copyright policy. Chair Smith suggested that SACUA draft a resolution supporting of the CIC document for the next meeting of the Senate Assembly. In addition, a task force should be formed for the redesign of the copyright policy. Professor Frier suggested that the two tasks be combined. There was general agreement that SACUA should endorse the CIC policy and urge clarification and consistency of the copyright policy. Professors Frier and MacAdam volunteered to prepare the resolution by early September, in preparation for the Senate Assembly meeting 17 September.

ACTION OF SACUA 072307-1

Chair Smith moved that Professors Frier and MacAdam be charged with the development of a resolution in support of the Statement on Publishing Agreements of the Committee on Institutional Cooperation (CIC) and in support of the revision of the University's copyright policy.

The Action was approved by unanimous vote.

Mr. Newman agreed to provide SACUA with an overview of his research of CIC institutions' policies on ownership and copyright in preparation for the September Senate Assembly meeting. Professor Litman and Mr. Newman agreed to attend that meeting to share their thoughts about the policy.

Chair Smith thanked the guests for their attendance.

The guests left the meeting at 2:25 p.m.

CESF DATA REQUEST UPDATE

Chair Smith reported that the Committee on the Economic Status of the Faculty (CESF) has requested true data on faculty salaries. The data made available to the public lists faculty members' compensation from the General Fund, but CESF has requested access to total salary information, which would include all real compensation paid by the University. There has been some dispute about whether CESF or SACUA should be granted access to these data. Although CESF was told that it would receive the data, more recent communication has led to the suggestion that a new committee be formed for discussion of these matters. Members of this committee are to include: Phil Hanlon, Associate Provost; Tom Palmer, Manager of the Human Resources Information Services; Lori Pierce, Associate Provost; Glenna Schweitzer, Assistant Provost and Director of the Office of Budget and Planning; Fred Askari, Chair of CESF; Bob Fraser, member of both CESF and SACUA; Charles Smith, Chair of SACUA and member of CESF; and Joan Gatewood, University Librarian and Chair of the CESF faculty salary subcommittee.

SACUA discussed the need for adequate distinction between nine-month and full-year salaries. It was agreed that both sets of data would be valuable. Associate Provost Hanlon has asked that CESF prepare a list of specific questions that it is asking with respect to the requested data. There was discussion of what trends information would be most relevant to CESF and SACUA.

Professor Potter reported that recent changes in M-Care include an increase of 20 percent in faculty contribution. It was agreed that this matter will be explored further pending more information, and discussed with the Provost in a future meeting.

GENERAL COUNSEL SEARCH COMMITTEE

Professor Frier has been named to the General Counsel Search Committee, and asked SACUA

members for their input into the decision. There was discussion of the function and purpose of the Office of the General Counsel. Recent events at peer institutions have revealed the tremendous importance of General Counsel.

Professor Potter suggested that a candidate with no connection to another educational institution's general counsel office might provide the University of Michigan with a fresh and unbiased perspective. Also discussed were the values of openness and accessibility, as demonstrated by Mr. Krislov's time as the General Counsel.

SACUA FACULTY HEARING COMMITTEE

Chair Smith reviewed the current membership of the SACUA Faculty Hearing Committee. Each class of SACUA members must be represented in the three-person Committee. Professor Frier represents those members with terms ending in 2009. Chair Smith was originally elected to represent his class, but his position as Chair disqualifies him. For this reason, Professor Friedman will take his place. It was agreed that Professor Stark would represent his class as the third member.

The Faculty Hearing Committee hears grievance cases that, for some reason, cannot be resolved within the individual unit. SACUA discussed a grievance that has come to the attention of SACUA, and which potentially could be considered by the Faculty Hearing Committee.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

The meeting adjourned at 3:45 p.m.

Respectfully submitted,

Emily Arents
Secretary Pro Tem

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.