

Minutes of 15 September 2014 SACUA
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
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Present: Holland, Lehman, Masten (chair), Oey, Schultz, Smith, Weineck, Ziff; Schneider, Snyder

Absent: Mondro

Guests: Provost Pollack, K. Cunningham (special counsel to the provost), *Record* reporter

MATERIALS DISTRIBUTED

1. Draft agenda
2. Draft minutes of 8 September 2014 SACUA, including annotations submitted by President Schlissel to the account of his meeting with SACUA
3. Draft agenda for meetings of the Senate Assembly and the University Senate.
4. Proposed memberships of Senate Assembly committees.
5. Background on LSA deviation from Model Grievance Procedure.
6. Draft content of faculty governance newsletter in alternative formats, and examples from the *Chronicle of Higher Education* and *Family Matters*.

Chair Masten convened the meeting at 3:15 P.M. The draft agenda was approved.

CONSIDERATION OF MINUTES

The minutes of 8 September 2014 were approved with amendments suggested by President Schlissel.

ANNOUNCEMENTS

1. Invitations to the Senate Assembly Regents' Forum have been extended to candidates for the Board of Regents.
2. Both the Senate Assembly and the University Senate will meet on 22 September.
3. Committee Day is scheduled for 29 September 2014.

DRAFT AGENDA FOR UNIVERSITY SENATE AND SENATE ASSEMBLY
SACUA members approved distributed items 3 and 4.

VISIT OF PROVOST

The provost and Ms. Cunningham arrived at 3:30 P.M. The provost offered a status report on activities in her office.

- Searches are underway for three deans and a director.
- An Office of Digital Education has been established under the guidance of James Hilton. Its aim is to use digital educational technology to enhance residential learning and to encourage curricular innovation.
- The UM has joined and launched Unizin, a collaborative venture among universities that was discussed at the 21 April 2014 meeting of the Senate Assembly.
- Two large M-cubed grants have been funded (<http://mcubed.umich.edu>) regarding sustainability mechanisms and better access to the court system.
- The first round of grants for teaching and learning is underway.
- Learning analytics research is underway.
- Three committee reports have been received: (1) Being a faculty member in the 21st Century (<http://provost.umich.edu/reports/Being A Faculty Member 21 Century Report.pdf>), (2) Engaged learning and digital instruction (<http://provost.umich.edu/reports/Synthesis Report on Engaged Learning and Digital Instruction.pdf>), and (3) Diversity, equity and inclusion (<http://provost.umich.edu/reports/Diversity Equity Inclusion Report.pdf>). All three reports will be soon disseminated via email with opportunity for feedback.
- The Provost's Advisory Committee on Budgetary Affairs (PACBA) will be enlisted as a 4th committee with a strategic mission.
- Planning is underway about ways to engage students who are interested in current events such as the Middle East and Ferguson, MO.
- This year one tenure case was turned down and one was delayed at the office of the provost. Serious concerns were raised at the provost level, and the provost contacted the relevant unit deans for discussion. These represented typical numbers of cases, and did not reflect any change in policy. About 175 tenure cases are brought forward each year. The new president has said that he is interested in ensuring that we have the highest quality faculty.

Professor Schultz asked how the UM would respond to a case like that of Professor Salaita at the University of Illinois. The provost replied that she could not comment on that specific case, but both she and the president are absolutely committed to freedom of speech. She pointed out that under Title IX the university is legally enjoined to avoid a hostile environment for our students such as might result from perpetual discriminatory speech. She said that she personally believes that we become better educated people if we listen to each other in an atmosphere of civility, and that the proper response to free speech is more free speech. Professor Schultz asked about restrictions on using university email servers when advocating politically. The provost replied that there were legal limitations because we take public money. She suggested that SACUA contact the Office of General Counsel if specific guidance was desired.

Professor Oey called attention to the shooter scare at the Chemistry building the previous week. She said that some people, particularly faculty, have received no training about such emergency situations. Provost Pollack responded that the provost's website includes video and information about classroom safety (<https://www.provost.umich.edu/safety/index.html>). She

added that there are well thought out procedures and training available, but that there is a need to do more. She said that she has asked a Department of Public Safety (DPS) to visit with the Academic Programs Group (APG) on Wednesday, 17 September 2014. Professor Oey replied that there are mandatory fire drills, but the top threats cited by DPS instructors involve active shooters and sexual assaults. Professor Schultz pointed out that many large lectures have zero tolerance for electronic media, thereby limiting access to real time warnings.

Professor Holland stated that having served as faculty grievance monitor it is clear to him that the grievance system is not working. The provost said that the School of Education, the School of Public Health, and the Medical School have agreed to conform to the general grievance model approved by the Senate Assembly, but that LSA has a somewhat different policy. She said that LSA tells her that after the Model Faculty Grievance Procedure was announced in September 2010, LSA undertook an extensive review and revision of their own College Grievance Procedure. The revised procedure was initiated by the Dean's Office with input from Department Chairs and Directors. The LSA Executive Committee approved the revised LSA Grievance Procedure on 25 January 2011. It then went before the full Faculty at February and April 2011 faculty meetings, and was approved by the faculty in April 2011. She said that she must respect a faculty governance process. Chair Masten replied that surely there must be standards university-wide that individual units cannot violate. The provost indicated that those standards are largely those articulated by Regents' Bylaw.

Chair Masten asked if the provost had any additional insight into the nature of the conflict between the American with Disabilities Act and references to medical fitness in the draft Fitness for Duty policy. The provost replied that the draft policy predates her appointment as provost, and that she is not deeply familiar with the development of the draft. She insisted that there was nothing nefarious behind the language inserted into the draft by the office of general counsel, adding that attorneys in general tend to be very cautious in her experience.

The guests left the meeting at 4 P.M.

CFO SEARCH

Chair Masten reported that he had been contacted by the General Counsel regarding desirable qualifications of a new CFO. SACUA members insisted that the incumbent should have experience with academics and an understanding of faculty and university values. The individual should not assert, as a former associate vice president did on video, that the UM "is fundamentally no different than Procter and Gamble." At minimum, the CFO should have an understanding of the expectations of faculty, chairs, directors, and deans for their scholarship and work environments, and that faculty should be engaged meaningfully and early in new building designs and renovations.

STATUS REPORTS

Model and Unit Grievance Procedures-

The provost addressed this subject today.

Office of Institutional Equity Procedures-

Deferred to Executive Session.

Ongoing grievances and Faculty Hearing Board Committee inquiries

Deferred to Executive Session.

Fitness for Duty and Professional Standards for Faculty SPGs and Tenure-

A revised draft of Fitness for Duty SPG has been received. SACUA members noted that they have many additional issues with the draft policy and that it remains highly problematic. Chair Masten said that he would attempt to learn who is advising the provost's office on this document and would invite them to meet with SACUA.

Unit deviations from University-wide policies and procedures-

No new developments.

Total Compensation Propriety and Transparency-

No new developments.

Administrative Services and IT Rationalization, Implementation and Oversight-

There has been a change in the charge documents to clarify that ex officio members do not have a vote. The first meeting of the governing council will be on 8 October 2014. The groups are currently dealing with transfer of information and authority from the existing advisory council to the new governing council.

Senate Rules Amendments-

No new developments.

NEWSLETTER STATUS

Chair Masten reported that the Senate office has experimented with a format that emulates *Chronicle of Higher Education* notices (distributed item 6). He said that a deadline looms and that there is no time for extensive revisions. Professor Weineck recommended that a message be sent even if it is not fully polished. Several members proposed reducing the content to just an announcement of the University Senate meeting. Chair Masten asked SACUA members to express their opinion by vote; 5 approved the reduction of content, 1 disapproved, and 1 abstained.

UNFINISHED BUSINESS

There was no unfinished business.

EXECUTIVE SESSION

The meeting entered executive session at 4:25 P.M. to discuss (1) an update from the Faculty Hearing Committee, (2) committee assignments: status and remaining issues, (3) Senate Secretary, and (4) preparation for the SACUA Chair's meeting with the APG.

The meeting resumed open session at 5:02 P.M.

Professor Lehman affirmed his decision to retire from his role as Interim Senate Secretary. SACUA members voted to install Professor K. Kearfott as the new Interim Senate Secretary by a vote of 5 to 0 with 2 abstentions.

The meeting was adjourned at 5:04 P.M.

Respectfully submitted,

John T. Lehman
Interim Senate Secretary

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

Governing Bodies in Schools and Colleges

Sec. 4.01 The University Senate

"...[t]he 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. Jurisdiction over academic policies shall reside in the faculties of the various schools and colleges, but insofar as actions by the several faculties affect university policy as a whole, or schools and colleges other than the one in which they originate, they shall be brought before the University Senate."

Rules of the University Senate, the Senate Assembly and the Senate Advisory Committee on University Affairs:

Senate: "In all cases not covered by rules adopted by the Senate, the procedure in Robert's Rules of Order shall be followed."

Assembly: "The Assembly may adopt rules for the transaction of its business. In appropriate cases not covered by rules of the Assembly, the rules of the University Senate shall apply."

SACUA: "The committee may adopt rules for the transaction of its business."

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