

Minutes of 17 September 2007
Circulated 18 September 2007
Approved 1 October 2007

THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs
6048 Fleming Administration Building
Ann Arbor, Michigan 48109-1340
Phone: (734) 764-0303
Fax: (734) 764-6564

Internet Address: <http://www.umich.edu/~sacua/>

Approved Minutes: <http://www.umich.edu/~sacua/sacmin/sacuaminutes.html>

MINUTES OF THE SACUA MEETING OF 17 SEPTEMBER 2007

Present: Fraser, Friedman, Frier, MacAdam, Riles, Smith (chair), Stark; Lehman; Carr, Schneider

Absent: Potter, Thouless

Guests: T. Sullivan (provost), K. Gibbons (office of provost), K. Brown (*University Record*), J. Lee (Michigan Conference AAUP), *Michigan Daily* reporter, D. Lampe (VP for Communication)

MATERIALS DISTRIBUTED:

1. Draft agenda
2. Draft minutes of the SACUA meeting of 10 September 2007
3. Letter from President Coleman to SACUA Chair Smith dated 13 September 2007 regarding "The Principles of Faculty Involvement in Institutional and Academic Unit Governance at the University of Michigan, 2nd edition."
4. Draft of "Principles of Faculty Involvement in Institutional and Academic Unit Governance at the University of Michigan, 2nd edition."
5. "Memorandum of Understanding Regarding Access to and Use of Application, Enrollment, and Post-Matriculation Data from the University of Michigan."
6. Draft agenda of Senate Assembly meeting of 24 September 2007.
7. "Michigan Resumes Distribution of Anti-Israel Book," *Inside Higher Education*, dated 12 September 2007.
8. Electronic mail message from Daniel Moerman, Professor Emeritus of Anthropology, UM-Dearborn, to SACUA, undated.
9. Action Request for Regents' Bylaw 14.06, entitled "Revision to Regents' Bylaw 14.06 (Nondiscrimination and Affirmative Action) by President Coleman, dated September 2007.

Chair Smith convened the meeting at 3:00 P.M. The proposed agenda was approved.

CONSIDERATION OF MINUTES

The minutes of 10 September 2007 were approved.

VISIT OF PROVOST

The provost and K. Gibbons arrived at 3:00 P.M.

Budget-

The provost reminded SACUA that the State needs to produce a balanced budget by 1 October, but that even if the budget passes, the higher education bills are not likely to have passed by that time. She said the U-M has not received a check from the State since July, and that she does not know when the next one will arrive. But, she said, she remains cautiously optimistic.

Shared Governance Principles-

1. Professor Riles remarked that the Shared Governance Task Force had engaged in productive negotiations with the provost, but that one matter remains unresolved. The task force and SACUA have urged the administration to consult with elected representatives of the faculty before proposing major expenditures to the Board of Regents for final approval. He cited the proposed stadium renovation as one conspicuous example where consultation was poor. Chair Smith commented that he did not specifically recall the nature of consultation prior to the stadium decision, but that information may have come to the Advisory Board on Intercollegiate Athletics that was not transmitted to SACUA. He added that, in general, he thought the central administration had been consultative prior to other recent decisions.

2. The provost replied that the meeting of the Board of Regents at which the stadium renovations were approved preceded her arrival at the university. She added that the faculty committee advisory to the Athletic Director had been fully informed all along, and that they could have acted as an effective conduit to faculty governance. She also noted that Bill Martin had addressed SACUA, and the Senate Assembly debated the matter and decided not to take a position. She said she was strongly opposed to any written policy statement that would obligate the executive officers to consult with elected faculty representatives before major expenditures, except in certain areas that are circumscribed as the primary domain of faculty responsibility.

3. Professor Friedman said that it seems clear that as a matter of past practice faculty have been informed about large ticket expenditures that affect the institution, and that the practice should be continued. He argued that some suitable language should be sought that is acceptable to all. The provost replied that any expenditure exceeding \$500K is presented to the Board of Regents. She noted that of the \$5-billion budget of the university, only \$1.3B is general fund money. She said that much expenditure within the Medical Center, for example, could fall under the policy proposed by the task force. She added that in some instances even replacing the roof of a dormitory could qualify.

4. Professor Friedman responded that the position being defended by the administration seemed unnecessarily confrontational, and would produce the worst possible situation given its inconsistency with past practice. Chair Smith added that it is untrue to say that the administration is unwilling to consult, because it does so. Professor Frier suggested that compromise language could express a willingness to consult with the

faculty about matters that are likely to be of interest to the faculty. For example, if the administration had disposed of M-Care in a way that made significant changes to medical benefits, he would have been extremely displeased with the lack of consultation. The provost insisted that the Shared Governance document as a whole gives adequate guarantee of consultation. She explained that she did not think it was appropriate to hobble future provosts with obligations that they might not approve of.

5. Professor Riles suggested that using the dodge of hampered future discretion merely signaled unwillingness or inability to argue the intellectual merit of a position. Professor Friedman pressed home the point that people cannot argue that consultation is inappropriate if they have been doing it all along. Professor Fraser pointed out that the Shared Governance document states explicitly that nothing within it can be interpreted to contradict the discretion and authority granted university officers under the Regents' Bylaws. The Provost replied that she was willing to consider language built around the phrase "other matters of significant interest to the faculty" but that she remained unwilling to tie consultation to explicit expenditure levels.

6. Chair Smith declared that SACUA would not present the Shared Governance document to the Senate Assembly until October, pending the drafting of suitable acceptable language regarding consultation.

MOU regarding undergraduate admissions data-

7. Professor Riles pointed out that the Memorandum of Understanding (MOU) he signed to gain access to admissions data on behalf of the AAAC bars him from sharing the results of analysis with the other members of the AAAC unless they likewise sign non-disclosure agreements. He noted that he signed the agreement, albeit under protest, to gain access to the data, and that he has studiously protected any personal identifying information associated with them. But, he noted, he is now barred from reporting even the most summary graphs and tables of data that contain no credibly traceable link to the underlying personal identifications. He said that he did not think it is appropriate to censor the faculty in this way about educational matters within their purview.

8. The provost replied that there are other MOUs have been executed regarding the same data, and that she thought it best to adhere them, adding that the administration has lived up to its part of the agreement. She added that she is considering production of a public data set that would have all identifying information removed. Professor Riles recounted a history of repeated stonewalling by administration to all attempts from the AAAC to gain access to data that are clearly within the purview of the faculty, owing to the fact that they affect curriculum, teaching methods, etc. He said there is absolutely no debate about or interest in releasing personal data; the issue is the ability of other faculty to see summary graphs and tables.

9. The provost said that this work is advisory to her, and that she prefers to keep the MOUs in effect. She added that there are aspects to the data that affect potential litigation, but that she could not discuss that further without counsel present.

10. Professor Riles replied that it seemed highly inappropriate to deny faculty

information about the study body at a public university using the dodge of potential litigation. He said that the AAAC would seem to be an appropriate and responsible body to study the matter. The provost said that she would likely set up an administratively-appointed committee to advise her about the public data set because she wants to seek out subject matter experts. Professor Lehman pointed out that the Senate Rules permit any Senate committee, including AAAC, to accommodate supernumerary subject matter experts when needed.

11. Professor Riles asked who would make the final decision about what metrics would be included in the public database envisioned by the provost. By way of example, he asked if AAAC could learn the distribution of SAT scores among members of the football team. The provost replied that the more identifying information provided, the greater the possibility of deducing personal identities. She suggested that the SAT information might be made available for all athletes, but not broken down by team.

Accountability-

Professor MacAdam inquired about the status of an accountability review committee that Professor Meerkov and she served on. The provost replied that there have been developments at the national level that have overtaken some of the aspects of that study.

Grievance Policy Reform-

The provost said that she hoped to identify a co-chair for the committee by the end of the week.

Senate Assembly Meetings-

Chair Smith raised the possibility of producing streaming video files of Senate Assembly meetings, and alerted the provost that SACUA may need to seek budget support for the activity.

University Press-

Dr. Fraser asked whether faculty governance has input into decisions affecting the University Press. Chair Smith reported that the last time SACUA was asked to provide nominations for the governing board was in 2001.

Campus Athletic Facilities-

The provost said that she and vice president Harper are trying to set up a committee to review the situation and make recommendations, but that they are not ready to do so just yet..

The guests left the meeting at 4:10 P.M.

VISIT OF VP FOR COMMUNICATIONS

Vice-president Lampe joined the meeting at 4:10 P.M. He said that he was looking forward to meeting with his faculty advisory committee. He explained that his educational background included Masters degrees in both engineering and journalism, and that he had worked for a time in professional journalism. He said that he hoped to build a strategic relationship with the deans and the president.

Professor Riles asked what issues will require the most attention. Lampe replied that the U-M is under-recognized in general as to how great it is. He explained that some of the reason lies in the historical nature of a brand, e.g. Harvard. He said that his goal is to bring the latest techniques in marketing and communication to the table. He said that the information market is fragmented, and that the U-M needs to reach the appropriate audiences using the media that they are reading. He said the U-M has not done much to advertise itself globally, and that overseas media are different from the U.S. He noted that “issues management” is another aspect of his job, and that he has been busy on that front recently.

Professor Riles asked whether the vice president has thought about non-sports content for the Big-10 network. He noted that Saturday Morning Physics has an archive of excellent lectures suitable for broadcast. Chair Smith pointed out that the Office of Communications has long co-sponsored the Senate’s Academic Freedom Lecture, and paid for televising them.

Professor MacAdam said that she would characterize the U-M’s reputation as perilous right now, and asked if that was a concern of the vice president. He replied that, yes it was, and that he saw it as part of a trend in broader society to suspect all large institutions. He noted that he shares responsibility in this area with the VP for Government Relations. He said there is a lack of understanding in the non-academic world about how universities function, about why they are willing to lose money on some activities, and especially about the fact that tuition often covers less than half of the true costs of an undergraduate education.

The guest left the meeting at 4:35 P.M.

ANNOUNCEMENTS

Chair Smith announced:

1. This Saturday SACUA member Fraser will accompany the SACUA chair to development activities at the football game.
2. The distributed materials include letters from the president and from Professor Moerman.

SENATE ASSEMBLY AGENDA

SACUA approved a draft agenda for the September meeting of Senate Assembly.

OLD/NEW BUSINESS

16. Chair Smith reported that contributions to the undergraduate scholarship fund have leveled off at \$31K, whereas \$250K is needed to assure maximum matching funds. He proposed establishment of a committee to raise funds and select scholarship recipients. SACUA members developed a list of nominees that would be proposed to the Senate Assembly.

Action of SACUA 091707-1

Chair Smith invited a motion calling for a letter to be sent from SACUA commending the president and Board of Regents for action taken to revise Regents' Bylaw 14.06 extending non-discrimination to gender identity and gender expression (multiple assents).

The Action was approved by unanimous vote.

Professor Riles suggested that a presentation by Professor Goldstein to the Senate Assembly about stadium renovations slated for October be expanded to a point-counterpoint discussion by including a representative from the athletic department. Chair Smith said the suggestion would be considered at the next regular SACUA meeting.

Professor Lehman noted that an adjunct clinical faculty member had been nominated by SACUA for one of the committees he chairs, and asked for clarification of whether it was SACUA's intent to appoint non-Senate members to voting positions on Assembly committees, given Senate Rule section 4(3) stating that the Assembly "may define the qualifications for membership in such committees...and define their duties and obligations." Professor Frier replied that it was SACUA's intent to give the adjunct member full committee privileges, including voting.

The meeting adjourned at 4:55 P.M.

Respectfully submitted,

John Lehman
Senate Secretary

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.