

Minutes of 29 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), Mondro, Oey, Schultz, Smith, Weineck, Ziff; Schneider, Snyder

Absent: none

Guests: A. Curzan (faculty athletic representative), *Record* reporter, *Daily* reporter. *MLive.com* reporter

MATERIALS DISTRIBUTED

1. Draft agenda
2. Draft minutes of 15 September 2014 SACUA, including annotations submitted by provost to the account of her meeting with SACUA
3. Senate Assembly Committees
4. [Chair's Committee Day remarks \(ppt slides\)](#)

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

CONSIDERATION OF MINUTES

The minutes of 15 September 2014 were approved with amendments suggested by the provost.

ANNOUNCEMENTS

The PowerPoint presentation delivered by Chair Masten at Committee Day luncheon is provided online as distributed item 4.

MEETING SCHEDULING ISSUES

The chair proposed that SACUA forego its regularly scheduled meeting with the provost next week in view of the pressing issues on its agenda. The members agreed by unanimous consent. The next meeting with president is scheduled for 13 October. A census of SACUA members established that a quorum was unlikely. The chair declared that the meeting would be postponed.

RESOLUTION OF THANKS

Chair Masten invited a resolution thanking President Schlissel for his visit with the University Senate.

ACTION OF SACUA 092914-1

On behalf of the University Senate and Senate Assembly, SACUA expresses sincere thanks to President Schlissel for taking time to engage with faculty governance and his openness regarding topics of high concern to the university.

The action was adopted by unanimous consent.

EXECUTIVE SESSION

The meeting entered executive session at 3:25 P.M. Topics included (1) LSA grievance policy and communications with the LSA dean, and (2) proposed NCAA governance changes and statement proposed by COIA. The meeting resumed open session at 4:02 P.M.

NCAA GOVERNANCE CHANGES

SACUA members discussed the merit of asking the university president to vote to override the proposed changes to the NCAA governance rules.

Professors Oey and Weineck left the meeting at 4 P.M. to attend a concurrent meeting of the LSA faculty.

Chair Masten invited a motion recommending that President Schlissel vote to veto governance changes proposed by the NCAA.

ACTION OF SACUA 092914-2

SACUA recommends that the President of the University of Michigan vote to override the governance changes proposed by the NCAA because the proposed NCAA governing body would be composed of insufficient numbers of faculty representatives.

The action was approved by unanimous vote of those present.

REPORT OF SACUA CHAIR ON ATTENDANCE AT THE ACADEMIC PROGRAM GROUP (APG)

The chair reviewed his meeting with the APG, a body consisting of the president, provost, and deans. He said that he explained the role and function of central faculty governance in the context of the Regents' Bylaws, as well as a list of current governance issues. He pointed to positive collaborations, including the recent work by the committee charged with a review of retirement benefits. He identified grievance policy as an example wherein the protections afforded by the policy should not vary with the units to which faculty members belong. He noted that previous consideration of this issue by central faculty governance, in which he had participated, had concluded that faculty governance is part of a system, along with tenure, that serves to protect academic freedom and that the admission to the Senate of large numbers of

faculty ineligible for tenure would undermine that system and these fundamental guarantees of academic freedom.

In response to a question from Professor Lehman, the chair acknowledged that his 30-minute visit with the APG was not at all akin to the model described by President Schlissel about Berkeley, where the faculty senate chair was fully involved in all deliberations of their analog to the APG.

SACUA REQUESTS TO COMMITTEES

Chair Masten called attention to distributed item 3 and reminded members that charges to committees were redrafted this year to make them more generic in an effort to foster more collaborative relationships between the committees and SACUA. He invited members to suggest topics that seem appropriate for committee engagement, and specifically mentioned issues raised by the Scholarship task force report. Members suggested that the expenses involved with requirements for open access publication and Rackham requirements about copyrights might be assigned to the Research Policies Committee (RPC) or the Provost's Advisory Committee on Budgetary Affairs (PACBA); the question of oversight of Michigan Publishing should likely be assigned to the Academic Affairs Advisory Committee (AAAC).

The chair informed SACUA that the Advisory Board on Intercollegiate Athletics (ABIA) requires all members to sign a confidentiality agreement pledging fiduciary responsibility to the Athletics Department. He said that he brought the agreement to the General Counsel and suggested that it was in conflict with his duty, mandated by Regents' Bylaw, to report the activities of the ABIA to the University Senate. Initially, the General Counsel told the chair that they would revise the agreement, but within hours informed the chair that there was 'resistance' to changing the agreement. The chair also informed that the OGC would be providing a memo explaining why there is no conflict with the Bylaws. Such explanation had not been received by the time of the SACUA meeting. SACUA members suggest that the matter be referred to the General Counsel Advisory Committee and the Civil Liberties Board, as well as that it be reported to the Senate Assembly.

Chair Masten said that he would collect information for SACUA about a collaborative venture with the People's Republic of China known as the Confucius Institute. He noted that the academic independence of the group has been questioned and that the University of Chicago has terminated its relationship with the Institute.

The chair said that there may be an opportunity for the Committee on the Economic Status of the Faculty (CESF) to deliver a report to the Board of Regents at their November meeting. He suggested that a focus of the report might be compensation policies followed by the units.

STATUS REPORTS

Model and Unit Grievance Procedures-
No new developments.

Office of Institutional Equity Procedures-

Deferred to Executive Session.

Ongoing grievances and Faculty Hearing Board inquiries-
Deferred to Executive Session.

Fitness of Duty and Professional Standards for Faculty SPGs and Tenure-
SACUA asked the provost for clarification about potential conflicts with the Americans with Disabilities Act (ADA) that had been raised by the Office of General Counsel. The office of the provost has offered to provide a written explanation, and SACUA is awaiting that reply.

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
No new developments.

Senate Rules Amendments
No new developments.

UNFINISHED BUSINESS
There was no unfinished business.

EXECUTIVE SESSION

The meeting entered executive session at 4:47 P.M. to discuss (1) an update from the Faculty Hearing Committee, (2) ABIA confidentiality agreement, (3) Committee assignments: status and remaining issues, and (4) Senate Secretary.

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