

Minutes of October 8, 2012
Circulated: October 29, 2012
Approved: October 29, 2012

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

MINUTES OF THE SACUA MEETING OF OCTOBER 8, 2012

Present: R. Holland, K. Kearfott (Chair), F. Larsen, J. Lehman (Senate Secretary), S. Masten, S. Oey, K. Staller (Vice Chair); L. Carr, T. Schneider

Absent: K. Barald, C. Koopmann, R. Ziff

Press: University Record – Jamie Isler, The Daily – Danielle Stoppelmann

MATERIALS DISTRIBUTED

Draft SACUA agenda for October 8, 2012

SACUA minutes of October 1, 2012

Model Faculty Grievance Procedure Matrix, dated October 1, 2012

Model Faculty Grievance Procedure for Schools, College, and Academic Units, endorsed by Senate Assembly on April 26, 2010

Proposed “Format for Regent Candidates’ Forum”

The meeting was convened by Chair Kearfott at 3:18 PM.

CONSIDERATION OF AGENDA AND MINUTES

The agenda with an addition to unfinished business was approved. The minutes from the October 1, 2012 were tabled due to substantive issues.

ANNOUNCEMENTS

Academic Freedom Lecture scheduled for 4:00 pm, November 1, 2012 in Honigman Auditorium of the Law School, speaker is Robert C. Post,

Lecture featuring George M. Cohen, Chair, University of Virginia Faculty Senate, scheduled for 4:00 pm, October 31, 2012 in Honigman Auditorium of the Law School.

NEW BUSINESS

The proposed format for the Regent Candidates’ Forum to be held at the Senate Assembly meeting on October 22, 2012 was discussed. The viability of the format and candidates addressing faculty and the type of questions that should be asked was discussed. J. Lehman will

send an email to the Senate Assembly announcing the forum and requesting questions.

K. Staller began a discussion on grievability and the significance of the SACUA Review Committee: When a faculty member files a grievance there is a preliminary meeting of the Grievance Hearing Board (GHB) (a three- person hearing panel) to determine whether or not the issue falls within the definition of the policy and is therefore “grievable”. If the GHB finds some, or all, of the issues to be “not grievable”, the grievant may appeal this determination. The appeal is heard by “SACUA or a faculty body designated by SACUA” (See Section 3.04 of the Model Faculty Grievance Procedures for Schools, Colleges and Academic Units). This is important because the determination of the SACUA panel on the issue of grievability is final.

Do units currently being grieved allow appeal? Yes. There could be a problem if the GHB is comprised of 2 people from inside the unit (such as the LSA policy) and determines that an issue is not grievable and it is appealed to SACUA, but will be returned to the same GHB panel for a hearing if SACUA determines it is grievable. SACUA needs to create an appeal committee and/or process in before we are confronted with an appeal. J. Lehman suggested that the SACUA Faculty Hearing Committee hear these appeals. The SACUA Faculty Hearing Committee (UM Faculty Handbook Section 10.I) was created to advise faculty on complaints or grievances that do not fall within the college grievance procedures. Most years, the SACUA faculty hearing committee has nothing to do. An appeal on the same issue would require a new committee. The SACUA appeal board should be experts to maintain quality, according to K. Staller. It would be more credible with the administration, according to S. Oey. It was suggested that previous unit ombuds be used. K. Staller presented the question: Should the Faculty Grievance Monitor (FGM) and assistants be a group that is reappointed year after year by SACUA for continuity? The FGM could be interpreted more broadly as a group of up to five individuals. The group could be split to view grievability and grievances. K. Staller will write a proposal to be brought back to SACUA.

Model Grievance Procedures Implementation:

J. Lehman suggested that the procedures of each unit be linked on the Senate Assembly website. Most unit policies are embedded in faculty manuals, according to K. Staller. She presented a question: Does SACUA and Senate Assembly want to take on investigating:

1. whether procedures were adopted by each unit by faculty vote or declaration of the executive committee, and
2. the uniformity of policies?

Section 5.05 lists expanded responsibilities of the FGM. Does SACUA want to claim ownership of those responsibilities, i.e. training of individuals? If the FGM is sitting in on a hearing (witnessing), does that give tacit approval to the proceedings by the FGM? by SACUA?

Need updated GHB panel information since the current panel being used was voted in through the old model.

UNFINISHED BUSINESS

The General Counsel selection process and SACUA's proposed response to it was raised. Although some members thought that a more aggressive action should be taken, Chair Kearfott related the action taken. She had met with the Secretary of the University, Sally Churchill, and researched the members of the search committee. The members include a former member of the General Counsel office, a member of Senate Assembly who is a dean, and non-tenured faculty from the Law School. Chair Keafott is confident that the search committee is a good search committee. Secretary Churchill briefed Chair Kearfott on the search and the search firm being used. The search firm is experienced in finding General Counsels for universities. University values were sought in the candidates during the search. The ultimate decision will be Mary Sue Coleman's.

R. Holland and K. Staller suggested that a thank you letter which would restate the intention of inclusion in the president's search be written and sent. It was agreed that it be done.

J. Lehman thought that a resolution by Senate Assembly would be another option. The idea was tabled for further consideration. He suggested that there should be a question for the Regents candidates, such as, "will you commit to inclusion of elected faculty in selection committees of executive officers"?

SACUA should lobby for inclusion in the president's search. S. Masten believes that it's important to make a point that a principle is involved and that a faculty member appointed by SACUA or Senate Assembly should be on the search committee.

EXECUTIVE SESSION was entered into at 4:34 pm and exited at 4:57 pm.

A motion was put forth that SACUA nominate to the Faculty Hearing Committee Bob Ziff/ Rachel Goldman (subject to change), Finn Larsen and Scott Masten. The motion passed unanimously.

EXECUTIVE SESSION was entered into at 4:58 pm and exited at 5:02.

The meeting adjourned at 5:03 PM.

Respectfully submitted,

Linda Carr
SACUA Office Staff

Board of Regents of the University of Michigan Bylaws 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."