

Minutes 19 November 2001  
Circulated 20 November 2001  
Approved 26 November 2001

**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  
[www.sacua.umich.edu](http://www.sacua.umich.edu)

Approved Minutes: [www.sacua.umich.edu/sacua/sacua-minutes.html](http://www.sacua.umich.edu/sacua/sacua-minutes.html)

**MINUTES OF THE SACUA MEETING OF 19 NOVEMBER 2001**

**PRESENT:** Gobetti, Navvab, Koopmann, Lindner, Riebesell, Ward, Yeo; Lehman, Mandeville, Schneider

**ABSENT:** Karnopp

**GUESTS:** Shannon Pettypiece, Matt Nolan

**MATERIALS DISTRIBUTED**

1. SACUA agenda
2. Draft minutes of the SACUA meeting of 12 November 2001
3. Draft certificate: The University of Michigan Award for Service
4. Principles of Teaching, Academic Affairs Advisory Committee, dated 1 June 2001
5. Memorandum from James L. Hilton to M. Navvab, dated 12 November 2001, regarding preliminary recommendations from the president's copyright policy committee.
6. Draft Copyright Policy for Works Created at or in Affiliation with the University of Michigan
7. Electronic mail memorandum from J. Riebesell to SACUA, dated 13 November 2001, regarding Tuesday morning thoughts
8. Electronic mail message from L. Tedesco to M. Navvab, dated 16 November 2001, regarding Life Sciences Institute Bylaw
9. Update on Life Sciences Institute, Item for Information to the U-M Board of Regents, November 2001
10. Proposed Bylaw revision pertaining to Section 11.21 and following.
11. Some technical problems with the proposed by-laws dealing with the Advisory Board on Intercollegiate Athletics, undated.
12. SACUA Intercollegiate Athletics Information Document, dated 19 November 2001
13. Fax communication from C. Iwaoka to J. Leu, dated 18 October 2001, regarding Big Ten Athletics Boards
14. Item titled "For Discussion Purposes", undated
15. Memorandum to SACUA, dated 16 November 2001, regarding university-wide awards for Librarians, Archivists and Curators.
16. Draft letter to L. C. Bollinger from M. Navvab regarding proposed BICIA changes

17. Draft recommended criteria for selecting the president of the University of Michigan, 2001

Chair Navvab opened the meeting at 1:40 P.M. The proposed agenda was approved.

CONSIDERATION OF THE MINUTES OF 12 NOVEMBER 2001

The minutes of 12 November were corrected and approved.

BOARD IN CONTROL OF INTERCOLLEGIATE ATHLETICS

Chair Navvab called attention to distributed item 16. SACUA members discussed their reaction to the BICIA Bylaw changes proposed by the president. Navvab said that faculty should be well informed of any changes to the laws of the university and be permitted to respond after thoughtful consideration. He expressed concern that the timetable set by the president is very short. He noted that BICIA members told SACUA that they wanted a chance to comment on proposed changes. He cited an e-mail communication from Athletic Director Martin distributed to BICIA the previous Friday announcing the changes, whereas the AD had not mentioned them at the first BICIA meeting two days earlier. Professor Koopmann concurred that the proposed revision was not mentioned by the AD at the meeting of BICIA on Wednesday.

Professor Yeo asked whether a faculty stake exists in the Bylaw revision regarding loss of faculty influence in university governance, welfare of student athletes, of lack of proper process. Chair Navvab replied that all of the mentioned issues were at stake. He said that the BICIA fulfilled an important oversight role. In its absence or reduced influence, he said, there will be more avenues to bypass rules to the detriment of students. Professor Ward remarked that SACUA discussed BICIA issues with the president one week ago, and that he might now claim that SACUA did not voice objections more specifically at that time. Ward suggested that SACUA should encourage wider discussion of the issues within the full university community. Chair Navvab declared that SACUA did not give the president a blessing to proceed with Bylaws revisions the previous week. Navvab said that he also told the Regents on Thursday that he and other faculty did not have an opportunity to review the proposal. Professor Koopmann declared that it is not possible to have adequate and meaningful discussion in the remaining time before the proposed vote by the Regents in December. He said that the president is proposing to reverse the current Bylaw, and that it is important to let the Regents know how the faculty are advising the president.

Professor Riebesell pointed out that there are many technical problems with the president's proposal, and he referred to distributed item 11. He explained that the two people to be appointed by the AD do not represent any representative body, and therefore do not parallel the other members of the BICIA. He declared that the president's proposal does not clarify the Bylaw, but rather adds ambiguity. Professor Lindner stated that all the concerns articulated in item 11 are serious.

Professor Yeo stated that an important role of SACUA is to ensure that process is being observed. She asked if people are concerned that students will be exploited further, or that general university community will be affected by the Bylaws changes. Professor Koopmann replied that there is concern that faculty responsibility for student welfare is being marginalized. Professor

Riebesell noted that under the revised Bylaw, the AD has little need to call meetings, or to consult on most matters. He suggested that the Bylaw opened the door to abuse. Chair Navvab stated that he sensed that SACUA did not claim to be in 100% disagreement with the proposal, but that it needs to consult with faculty about their concerns. Professor Gobetti declared that the proposal sounds like wolves are guarding the sheep. He questioned the oversight possible when the AD gets to name his or her own appointees to the Board. Chair Navvab said that the proposal is taking control of athletics away from the university community and putting it in the hands of the president. He added that representative student and alumni organizations lose, as well. Professor Koopmann declared that SACUA has not learned a good reason for why the AD needs to nominate his own advisers. Chair Navvab said that he will schedule a SACUA meeting next Monday at 1:30 P.M. to discuss this issue among others. Professor Lindner recommended that a message be sent to Senate Assembly asking delegates to review the proposals. He suggested that Chair Navvab tell the president on Wednesday that SACUA consensus is that the proposed revision has ambiguities, uncertain intent, and that points of real disagreement exist. He said further specific questions exist about advisory versus control issues, and about the U-M being the sole Big-10 school without a faculty chair. He recommended that Navvab deliver to the president an initial list of the difficulties and problems.

Chair Navvab stated that SACUA needs to anticipate the president's likely determination to proceed, and to prepare a draft resolution for Monday. Professor Lindner stated that SACUA ought to inform Senate Assembly that SACUA does not feel that convenience is a sufficient reason for a rush to judgment. He said that there might even have to be an extraordinary meeting of the Senate Assembly prior to Regental action. Professor Gobetti stated that at issue were faculty responsibilities and authority to protect student interests.

Mr. Nolan asked whether the faculty goal was to postpone a decision or to defeat the proposal. He suggested that appropriate responses depend on the intended outcome. He made reference to the text of proposed revisions. He said that not only faculty, but students and alumni as well, would lose their voice under the president's proposal. Professor Yeo stated that she did not see what faculty are losing. She asked what the other SACUA members were trying to defend. Professor Gobetti responded that SACUA had a responsibility to protect the means for honest and fair decision making. He said that protections exist only with sunshine and questions posed by faculty, students, and alumni on the committee who can inspect the issues and decisions. Professor Yeo replied that SACUA must therefore make a clear argument about the consequences.

Professor Riebesell suggested that SACUA should try to get the best revisions possible for student athletes and the university in the long run. For example, he said, the committee should be empowered to decide what issue are necessarily brought before it. Professor Koopmann declared that this is obviously very important to the president for unclear reasons. Thus, he explained, a lame duck president should not be pushing something so important at this stage in his term. Chair Navvab pointed out that the revised Bylaws deprive even the Regents of oversight on specific issues.

## ANNOUNCEMENTS

Certificates of appreciation will be signed by President Bollinger on Wednesday, and presented to Professors Deskins, Rush, and Karnopp. The Teaching Principles document from AAAC has been distributed (item 4). At its most recent meeting, AAAC asked that the report be transmitted through SACUA to the Senate Assembly for their discussion and potential approval in January.

-----

#### ACTION OF SACUA 111901-1

Professor Lindner moved that the AAAC report about teaching principles be endorsed by SACUA and that it be transmitted to Senate Assembly for their discussion and potential approval in January. (Gobetti seconded). Vote on the active motion: Number approving: all Number disapproving: none

-----

#### LIFE SCIENCES INSTITUTE BYLAWS

Chair Navvab invited SACUA members to comment about the Life Sciences Institute Bylaw proposed by the interim provost. Professor Lindner responded that the LSI is a major, expensive, high profile initiative and despite that, all members of its executive committee would be appointed on recommendation of the president. He said that he felt the faculty members should be elected. He said that the suggested parallel with ISR is misleading, because the ISR does not offer courses, unlike the proposed LSI. Professor Koopmann noted that a big point in President Bollinger's message to the legislature about budgets was the need to continue projects already started. SACUA expressed concern about the designation of the LSI as an "academic unit". They observed that the designation was strikingly different from ISR.

Professor Lindner suggested that the interim provost be alerted that SACUA had concerns about matters of governance. He suggested that she be informed that SACUA will get back to her with further explanation. Professor Ward recommended that SACUA point out that the proposed executive committee is heavy in terms of administrative appointees, and that there is no evidence that any faculty members are elected. He said that this is different from practice in other "academic units".

#### COPYRIGHT POLICY PROPOSAL

Chair Navvab called attention to items 5 and 6. He said that he would like to place the report before the Senate Assembly with endorsement of SACUA. He said that he would have the report distributed to the Senate Assembly and then SACUA would meet on Monday for a vote. SACUA members agreed to Navvab's proposal.

#### INTERNATIONAL STUDENT ISSUES

Chair Navvab remarked that federal statutes and guidelines may soon change and affect international students adversely. He said that MSA president M. Nolan told him that about 10% of the U-M student population is international. Navvab said that the potential changes could have major effect on the university and the country. Professor Ward recommended that President Bollinger be asked to make comments about the issue at the Senate Assembly meeting with attention to potential impact on research and teaching programs. Ward said that he thought the impacts of potential changes in the law need to be widely discussed and understood. Professor Koopmann stated that he did not see how there could be a negative effect on legitimate visitors. Professor Ward replied that there might be summary decisions made about groups and organizations. Chair Navvab said that he would ask the president to make a statement.

## UM-FLINT AND UM-DEARBORN RELATIONSHIP WITH ANN ARBOR

Professor Riebesell called attention to distributed item 14. He suggested that the president could consider appointing a commission to examine the relationships among campuses. Professor Lindner expressed agreement. Professor Gobetti said that he recognized that UM-Flint and UM-Dearborn were ranked well below the Ann Arbor campus in a published guide. Professor Lindner proposed that action on the proposal be postponed to 3 December. SACUA members expressed unanimous consent.

## EXECUTIVE SESSION

The meeting entered executive session at 4:10. Discussion topics were (1) liaison issues and coordination with other faculty organizations, and (2) grievances about faculty governance issues presented to SACUA by faculty from a branch campus. The meeting resumed open session at 5:05 P.M.

## OLD BUSINESS

SACUA members discussed potential criteria for selecting the next president of the university, by reference to distributed item 17.

## NEW BUSINESS

There was no new business.

The meeting adjourned at 5:10 P.M.

Respectfully submitted,

John T. 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.