

Minutes 29 October 2018
Circulated 31 October 2018
Approved 5 November 2018

THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
Monday, October 1, 2018 3:15 pm
4006 Fleming Administration Building
Ann Arbor, Michigan 48109-1340

Present: Atzmon, Beatty, Carlos (Bluejeans), Conway, Lippert, Marsh (chair), Schultz, Spencer, Potter, Schneider, Snyder

Absent: Malek

Guests: Members of the Press

3:15: Call to order/Approval of Agenda

The agenda was approved and minutes from October 8 and October 22, 2018 were approved.

3:20: Announcements

3:25: Faculty Leadership Conference Update

Professor Beatty reported on the Big Ten Academic Alliance Meeting (see appendix). The conference will be held at Michigan next year. Professor Beatty said that between 20 and 30 people attended the 2018 meeting. Issues included:

1. Fixed Term and Part Time Faculty.
 - a. The University of Iowa has created a teaching track, which is an improvement on adjunct status.
2. AAUP sanctions and University controversies at the University of Iowa, the University of Nebraska-Lincoln and Purdue Global.
 - a. The University of Iowa issue concerned the presidential appointment (<https://www.insidehighered.com/quicktakes/2015/10/22/multiple-protests-new-u-iowa-president>).
 - b. A dispute arose at the University of Nebraska-Lincoln when a Lecturer made a rude gesture to a student recruiting for Turning Point USA, the action was captured digitally and went viral (<https://www.youtube.com/watch?v=jp-fSKcd1A8>), the lecturer was sanctioned without due process (<https://www.insidehighered.com/news/2018/05/10/aaup-nebraska-lincoln-violated-lecturers-academic-freedom-when-it-ended-her-teaching>).
 - c. Purdue Global. The Indiana governor wanted Purdue to do more on-line teaching, the faculty refused, Purdue then acquired Kaplan Global (an online delivery program) (<https://www.chronicle.com/article/Offspring-of-Purdue-s/242213>).
3. Vice Presidents circumventing faculty senate committees.
4. Building Strong Faculty Governance by creating ad hoc committees

Professor Beatty identified a primary concern in cases involving sanctions imposed by American Association of University Professors (AAUP) that it is often an administrator who acts in a way that results in an AAUP sanction, the work of removing the sanction then falls upon faculty senate; in some cases administrators are unwilling to meet with the AAUP investigators. Professor Lippert observed that the senate can make policies, but they are not enforceable unless the administration is willing to follow them. Professor Schultz asked if Professor Beatty had mentioned issues connected with the University of Michigan and she indicated that she had briefly shared the current situation regarding recommendation letters. She said it was a common complaint that the AAUP does not give a lot of guidance for removing sanctions and takes the view since sanctioning circumstances are unique, the associated resolutions are also unique. Professor Schultz asked how many people at the BTAA conference were aware of the letter of reference case at the University? It was sense of SACUA members that the problem and AAUP response is not widely known inside the university.

With respect to the appointment of special committees by University Vice Presidents, Professor Lippert noted that this is very difficult to deal with decisions after the fact. Professor Beatty noted that people also will not serve on senate committees if they already have been hand-picked by Vice Presidents to serve on committees they have formed. Professor Schultz noted that he had suggested to President Schlissel that instead of a Vice President appointing an ad hoc committee, the Vice President could appoint half the membership of a standing SACUA committee (SACUA would appoint the other half of the membership).

3:51: SACUA Meetings at Rotating Locations

Chair Marsh asked it would be worth repeating the meetings of the sort that SACUA held at the Medical School, Business School, College of Engineering and U-M-Dearborn. These meetings included Senate Assembly members and Deans at the Medical School, College of Engineering, Business School and UM-Dearborn. One possible format for a meeting would be to include Senate Assembly members from the unit with a member of the unit administrative team. Professor Potter suggested that Senate Assembly members of a unit could be asked to join a SACUA meeting. Professor Carlos said the Senate Assembly members at the Medical School were glad to be included at the meeting, but the Dean's presentation at the meeting was not high yield for SACUA; she contrasted the meetings at the College of Engineering and Business School. She noted that the issues of lack of representation lack of transparency in decision making, and lack of independence on the part of the executive committees are the same across units. Chair Marsh said that scheduling meetings with newly appointed deans would be worthwhile. Professor Conway reminded the group that SMTD's new dean, David Gier, started on October 1.

4:02: Engaging Regents

Chair Marsh asked if SACUA should continue to invite regents to breakfasts and SACUA meetings. Professor Beatty said the breakfast meetings were more productive as the atmosphere was more informal. Chair Marsh said SACUA will meet with the four Regents who it had not hosted in the 2017-18 Academic year for breakfast or lunch meetings.

4:06: November Senate Assembly Meetings Topics and Action Items

Various topics were proposed, including rules changes, grievance policies and the University's sanctioning practices.

4:21: Grievance Procedures Modifications Update

Librarian Spencer discussed possible changes in the process, saying that the process is sound if it can be made to work effectively. She will be consulting with Professor Conway and provide more information at a later date.

4:20: Davis, Markert, Nickerson Academic Freedom Lecture Update

Professor Beatty discussed preparation for hosting the lecturer.

4:26: Executive Session

[Personnel Matters]

5:14: Adjournment

Appendix: Summary of BTAA Conference, October 25 – 27, 2018 at the University of Iowa, Iowa City. Attended by Joy Beatty

Topics addressed were:

- Fixed term and part time faculty – how they are defined, what should they be called, and what kinds of faculty rights do they have?
- AAUP sanction and university controversies: these were shared in the spirit of learning methods to handle difficult situations
 - o **University of Iowa** – sanction received over presidential appointment because Board of Trustees selected the one candidate that faculty voted down. This person came from business, and faculty didn't want that.
 - AAUP sanctioned them, and the senate worked to get the sanction removed; ideally the sanction would go to the BOT, but that's not how AAUP works. Their remedy was to form committees, do reviews, and determine processes to avoid such problems happening in the future. They still have the president that they didn't want, and everyone is making the best of it.
 - o **University of Nebraska – Lincoln** – sanction over free speech and political speech issue regarding Turning Point USA, with instructor Courtney Lawton. Lawton was removed from the classroom and placed on other duties – which looks like she has been fired, but she is still being paid so the university does not see it as firing. The personnel actions against her were taken without due process. Issue is dismissal without faculty review. Lawton has no recourse because the only time you can file a grievance is if you've been fired. They have formed a committee with the charge of recommending changes to bylaws, policies to strengthen academic freedom and get of censure list.
 - o **Purdue Global** – Indiana governor wanted Purdue to grow UG programs online; faculty refused. They acquired Kaplan global, which already had an established platform. The transition is under way, launched formally on April 2, 2018. Senate is reviewing the Kaplan acquisition. Committee charge is to meet with university administration, discuss aspects of interest and concern to university senate. Issues of interest are: resolving channel conflicts among campuses, common branding, and how IP is handled.
 - Purdue Global services a different demographic than Purdue. Some concerns raised about Global seeking vulnerable populations of students;

- their advertising budget is huge, and they present themselves as part of regular Purdue which concerns faculty.
- Kaplan still has some kind of financial stake in the endeavor.
 - Group recommends looking at outcome data to see if Purdue Global is effective
- Problem of VPs making ad hoc committees which bypass/undercut senate committees. Influential faculty get the ear of VPs without being on the senate
 - Building strong faculty governance
 - Schools shared how they do outreach
 - Newsletter and narrative reports of meetings
 - Audio and video taping of senate meetings
 - Personal touch – asking people directly to serve, instead of a mass email
 - Assoc profs, the group in the middle, could use more mentoring to explain how shared governance feeds into promotion
 - The language we use of “protecting” junior faculty from “burden” of service does not help
 - Reminding and educating faculty of how to be a good senator – preparing for meetings, attending meetings.
 - Structural items
 - Northwestern has a full time researcher on staff who supports committee chairs, so that faculty members can make evidence-based committee decisions; secondary gain is that administrators respect faculty who are well-prepared
 - Some discussion of frustrations of committee chairs, members, and Senators not being prepared for meetings – weakens faculty governance

Respectfully submitted,
David S. Potter
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.”