

## AAAC Meeting Minutes for December 11, 2019

AAAC members present: Elena Gallo (SACUA liaison), Rebekah Modrak, Kanakadurga Singer, Enrico Landi, Elissa Patterson, William Schultz, Chitra Subramanian, Hsiao Hsin Sung Hsieh, Kentaro Toyama (chair), Sergio Villalobos Ruminott, Adam Zhu (CSG undergraduate representative).

Absent: Ketra Armstrong, Chris Liu, Lola Eniola-Adefeso, Michael Hess, Michael Mendez (graduate student representative), Priti Shah.

Minutes of the previous meeting (Nov. 11, 2019) were approved.

Acting Provost Amy Dittmar appeared for the middle hour (8:30-9:30am), together with Special Counsel Christine Gerdes, and Assistant Vice Provost Jim Burkel. From 9-9:30am, Lorraine Currie, Director of Enterprise Strategic Risk Management joined us. The main topic of the first half-hour was the draft Sexual Misconduct Umbrella Policy <https://sexualmisconduct.umich.edu/umbrella-policy/>. In the second half hour, the committee provided feedback to Director Currie about the university's approach to risk management.

Special Counsel Gerdes summarized what had been happening with the team drafting Umbrella Policy:

- They had met with 75 groups across campus, including SACUA, AAAC, Faculty Senate, Central Student Government leaders, Faculty Ombuds, Dearborn faculty, and others.
- The feedback included the following:
  - Lots of corrections, e.g., to listed phone numbers
  - Lack of clarity around membership and requirements of “responsible employees”
  - Differing reporting timeframes for different groups
- The team is in a synthesizing mode, and expects to have the next draft (near-final version) in January or February, 2020.
- There are open questions around Title IX policy, as they depend on changing federal rules.
  - A key question: rules for cross-examination in student-student cases.
- Special Counsel Gerdes emphasized that the focus was on clarifying existing policy and ensuring it is compliant with state and federal laws; the team is not trying to change existing policy.

The AAAC offered additional feedback:

- The committee would like to see due process provided for *all* employees (not just faculty) before pay suspension is invoked as an interim measure.
- The committee continues to request a process for appeals in all cases, not just through the formal grievance procedure. The latter's findings sometimes do not result in substantive action.
- The committee believes that as a public institution, our processes should reflect public values more strongly than private firms.
- The committee re-emphasized that some sort of high-level faculty oversight of OIE would be good to put in place.

In the second half of the meeting, Director Currie presented an effort to set up a framework for enterprise risk management (ERM) across the university.

- The framework would allow the university administration to have a top-down view of significant risks, and to set a coherent philosophy for risk management.
- Director Currie's office's role is not to decide what can and cannot be done, but to determine how to assess risk.
- An ERM Committee was formed in 2017.
- So far, major risk categories have been identified and detailed. Mitigation processes have been outlined in some cases.
- Still to be done: defining roles and responsibilities; finalizing framework; communicating framework.
- The proposed "Risk Philosophy" contains 8 points, including "Risk is inherent in the work of the university; therefore risk-taking is necessary to carry out our mission," "Risk management is a shared responsibility at all levels of the university," and "Appropriately managed risk unleashes potential for innovation, efficiency, and cost savings..."
- The proposed "Guiding Principles" for ERM contains 10 points, including "Risks will be managed in a responsible and accountable manner," "Decisions to accept or reject risks should be made by individuals with the authority to make such decisions, based on an intentional assessment of the risk and a clear understanding of the implications of accepting or rejecting the risk," and "The university will support faculty, staff and students who act in good faith, consistent with these guiding principles and applicable risk tolerances."

The AAAC asked questions and provided feedback:

- What are the current frameworks for attending to contractual obligations?
- What are the most practical issues that individual faculty have to think about in this context?
- The university needs to balance corrective measures (in the case of adverse outcomes) with likelihood of those outcomes occurring again.