

Draft Minutes 30 September 2019

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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
Monday, September 30, 2019 3:15 pm
4006 Fleming Administration Building
Ann Arbor, Michigan 48109-1340

Present: Ahbel-Rappe (phone conference), Beatty (chair), Conway, Dinov, Gallo Malek, Manera, Marsh, Potter, Spencer, Banasik

Absent:

Guests: President Schlissel; Erika Hrabec, Executive Assistant and Chief Administrator to the President; Members of the Press

3:15: Call to Order and Approval of Minutes

The Agenda was approved. The Minutes for September 16 were approved.

3:20: Announcements

[Executive Session]

- Chair Beatty said she, Professor Conway, Dr. Banasik and Ms. Snyder met with the Senate Assembly committee chairs on Thursday, September 26, making them aware of documents to facilitate meetings (a “minutes template,” an “agenda template” and a standard operating procedure guide). The Committee for an Inclusive University (CIU) and the Student Relations Advisory Committee (SRAC) met on Friday, September 27. Dr. Banasik joined The Research Policy Committee (RPC) meeting. She said most of the faculty in attendance were from UM-Dearborn and that that there were two Graduate Students. Craig Reynolds, Executive Director of the Office of Research and Sponsored Projects, discussed Enterprise Management with those in attendance. The General Counsel Advisory Committee (GCAC) will meet on October 2, the Secretary Advisory Committee will meet on October 3.

3:30: President Schlissel

Chair Beatty asked President Schlissel about issues that have arisen in connection with foreign interest in research activities. President Schlissel drew attention to the letter sent to campus by Interim Vice President Cunningham with recommendations to faculty about maintaining positive relationships with federal funding agencies. He said that in the past year there had been increased concern on the part of federal funding agencies with the security of proprietary information, especially in connection with potential developments arising from federally funded research. It was previously the case that federal agencies had been especially attentive to technologies connected with national defense but, in the past year, the connection between national security and economic success has drawn new attention to research contributing to our nation’s commercial competitiveness. President Schlissel said he does not find it outlandish for preferred access to the results of research to go to the

people who funded the research, noting, however, that research done at the University ends up in the public domain via peer reviewed publishing, and that faculty file patents so the benefits of research make it into the public domain. He added that there was concern about the integrity of the grant review process when faculty members who have second labs in foreign countries share confidential material that could provide a competitive advantage to a group outside of the United States or transfer technology to a third party. The Federal Government is now conducting its own audits of how investigators comply with the requirement that they declare potential conflicts of interest and relationships with overseas institutions, but the University itself does not audit what people declare, and President Schlissel does not regard declaring conflicts with commercial concerns and foreign entities to be onerous.

President Schlissel said there is a concern with being unduly affected by the politics of the moment. The University is such an international university that it needs to ensure that people are not being targeted for enforcement on the grounds of their countries of origin or other identifying characteristics. Interim Vice President Cunningham and Provost Philbert will send an email to our faculty and students in the coming days saying the University values all members of our community will do its best to protect them against being profiled or targeted. Cunningham plans to educate faculty broadly about reporting requirements to emphasize the importance of taking them seriously. President Schlissel feels the University should think about assembling a database of potential conflicts of interest to help faculty who are applying for federal support or a foundation that requires this information, noting that this data is currently kept locally rather than centrally. Faculty need to be aware of the adverse consequences to themselves and the University if they are not careful about their reporting.

Chair Beatty said that faculty members have fears based on cases at other universities, such as a recent case at Emory University where two neuroscientists were dismissed after they were accused of failing to disclose foreign research funding and connections with China (<https://time.com/5596066/emory-fires-chinese-researchers/>). President Schlissel said the University does not terminate faculty without due process, but would take very seriously a case in which a faculty member committed willful malfeasance or stole proprietary information. On the other hand, it would not surprise him if there were a myriad of innocent mistakes in a faculty of the size of that at the University. He could not imagine that the University would make a purposeful effort to seek out and punish people who made simple mistakes.

Professor Malek raised the question about China's "Thousand Talents Program," which has attracted scrutiny (<https://www.insidehighered.com/news/2019/04/16/federal-granting-agencies-and-lawmakers-step-scrutiny-foreign-research>). President Schlissel replied that the same set of facts can be interpreted for different purposes by different people. Some people in the "Thousand Talents Program" have been implicated in questionable behavior at other institutions, but it would be bad if the University were to inadvertently signal that it is not welcoming to scholars from China and elsewhere, and that it would be deeply problematic if researchers of Asian background felt that they were being singled out for scrutiny. He noted that if the United States is genuinely concerned about international competition, it should make heavier national investment in research.

Professor Gallo said the reporting requirements had been presented at a department meeting, but that confusion remained about what it was necessary to report. President Schlissel said it is his understanding that reporting requirements differ by funding agency, and that the National Institute of Health (NIH) is paying more attention to these disclosures. He notes that the National Science Foundation (NSF) is feeling pressure from the administration to increase the intensity of its reporting requirement, that, for instance, instead of being satisfied with a statement that a person is travelling the NSF will want to know who is paying for it. The University will try to stay ahead of things

Librarian Spencer asked about vaping on campus. President Schlissel said he needs to take advice on the issue. He said Preeti Malani, the University's Chief Health Officer advised him to make campus tobacco-free as a way of limiting vaping. The executive team solicited outside advice on the issue and found there was insufficient data about the effects of vaping at that time. He noted that vaping can be a treatment to help people stop smoking, that there is no evidence for second hand

impact, and that a ban would be very hard to enforce. He feels that unenforceable rules decrease respect for laws. He noted that the question has arisen again because of several deaths and the admission of numerous people to intensive care for vaping related issues, that usage in middle school and high school was increasing, and that Governor Whitmer banned flavored e-cigarettes in September, but remained uncertain about the sufficiency of data to justify an infringement on people's rights. Faculty said vaping was not an issue in their classes.

Chair Beatty asked President Schlissel about issues with parking at the University Hospital. President Schlissel said changes, unwelcome to staff, had been occasioned by problems with patients who reported missing appointments with their doctors because they could not find a parking spot. The response of the Health System was to convert several hundred blue parking spaces to patient parking. The new parking garage on Wall Street, with increased shuttle service, should alleviate some of this difficulty when it is completed, and there will be more parking provided as the new hospital is constructed. Professor Malek asked about a proposed transportation hub. President Schlissel said part of the University's long-term focus is exploration of the feasibility of a high-speed connector that would run from central campus to the hospital, and from the hospital to the North Campus Research Complex (NCRC). This would be a shuttle that runs every two or three minutes on its own dedicated track.

[Executive Session]

Professor Marsh asked about plans for the former Fingerle Lumber site. President Schlissel said the site is being used as temporary surface parking while the University considers its best use, which many people think will be student housing, but, he stressed planning is in a very preliminary stage. He added that in the event of housing being constructed on the site, he would welcome a commercial concern that might address the absence of a readily accessible downtown food market. President Schlissel said that while the University needs to be sensitive to the community, its priority is to serve its own interests. Librarian Spencer asked about plans to replace the Fleming Building. President Schlissel noted that the building is old and would require expensive repairs. He favors replacing the building with a building for academic use.

4:06 2019 Information Technology Committee (ITC) Report

Professor Dinov said there is an ITC matrix which should help eliminate redundancy in software procurement. He said the office of Academic Innovation was reluctant to meet with the ITC, which, given that it is the institutional entity that deals with online education, is unfortunate. Professor Manera expressed concern about the lack of results from the Academic Innovation office. University Librarian Hilton, who oversees the office of Academic Innovation, will come to the Senate Assembly Committee in October. He has agreed to come to SACUA.

The third item in the ITC report is a review of on-line voting/participation for Faculty Senate meetings. Professor Dinov said that at issue were both voting and management of electronic exchange of ideas. Professor Conway said that given the technology is available for electronic voting, SACUA should move quickly to institute this form of voting. Professor Malek recalled that the Provost has agreed to fund SACUA initiatives to enhance communication. Dr. Banasik said she had discussed electronic voting with Vickie Courtney, Director of the Faculty Senate Office at the University of Minnesota. The process followed by the University of Minnesota Faculty Senate is to hold a deliberative meeting in advance of a vote, as required by Roberts Rules of Order, then to use Simply Voting when it cannot not achieve a quorum at a subsequent voting meeting (<https://vote.umn.edu>). Dr. Banasik said the University of Minnesota had not found Qualtrics, to which UM has a subscription, user-friendly. Professor Dinov said he preferred a system by which people vote even if they do not participate in the discussion, saying

they could be informed through a Canvas site where information would be provided by minutes posted for review.

Chair Beatty reviewed the motion adopted by the Senate Assembly in favor of electronic voting. Professors Conway and Manera suggested that SACUA should proceed to make use of Simply Voting. Professor Dinov said he will investigate the purchase of the system with Information Technology Services (ITS).

4:40: SACUA Retreat and Senate Assembly Recap

Professor Ahbel-Rappe said she favored getting feedback from Senate Assembly members about issues of concern. Chair Beatty said a Qualtrics survey could easily be developed for the Senate Assembly, but wondered how frequently the survey could be employed. Professor Gallo wondered if this could be integrated into whatever platform ITS provides. Professor Malek asked if it would be possible to provide the Faculty Senate with a regular summary of topics discussed by SACUA. Professor Manera suggested that a Senate CANVAS site could provide a suitable forum. Professor Conway suggested communicating through the Faculty Perspectives page in the *University Record*.

4:50: Matters Arising

Chair Beatty asked if there were people or groups that should be scheduled for SACUA. The chair of the Committee on the Economic Status of the Faculty (CESF) had said the committee has an awkward charge and would like to talk to SACUA. Professor Gallo suggested that SACUA review the list of committees to see if there are redundancies.

5:01: Adjournment

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."