

Minutes DATE: December 6, 2021
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs
Day: Monday, Date: December 6, 2021 Time:3:15
The meeting was held
LOCATION Fleming 4006
Virtually via Zoom

In-person attendees: Chair Allen Liu, Faculty Senate Director MaryJo Banasik, Professor Donald Freeman, Professor Colleen Conway, Faculty Governance Coordinator Elizabeth Devlin, Secretary Deirdre Spencer

Virtual attendees: Vice Chair Caitlin Finlayson, Professor Sara Ahbel-Rappe, Professor Michael Atzmon, Professor Elena Gallo, Professor Damani Partridge, Professor Durga Singer, Professor Kentaro Toyama

Guests:

In Person Attendees: Ann Zaniewski from the *University Record*; University President Mark Schlissel.

Virtual Attendees Riley Hodder from the *Michigan Daily*; Felony Disclosure SPG 601.38 Committee Representatives: Sasha Matish, Associate Vice Provost and Senior Director Academic Human Resources; Tim Wood, Senior Director, University Human Resources; Professor Ashley Lucas, School of Music Theater and Dance, Stamps School, College of Literature Sciences and the Arts, the Residential College, and Co-founder of the Carceral State Project

3:15: Chair Liu called the meeting to order. There was a vote to change the roster for the Work Connections Working Group because one of the members resigned. The minutes from the November 29, 2021, SACUA meeting were approved.

3:20: Faculty Senate Office Director MaryJo Banasik provided an update regarding the meeting with Fleming Information Technology staff. Database resources are being developed centrally but are not ready yet. As a result, the meeting was postponed until the summer. Dr. Banasik also reported that the job posting for the new part-time Faculty Governance Coordinator was posted last week.

3:25: The Senate Assembly meeting agenda for December 13, 2021, was approved by vote. Chair Liu reached out to the Chair of the Committee on Fairness, Equity and Inclusion (CFEI), Professor Mark Allison, from UM Flint, who agreed to give an update at a future Senate Assembly meeting.

Professor Kentaro Toyama reached out to the Committee on the Economic and Social Well-Being of the Faculty (CESWF) and welcomed Professor Martha McComas as the new chair to replace the previous chair who voluntarily stepped down.

Chair Liu indicated that he asked Provost Collins about the proposed faculty salary study, and that she said that she hadn't had time to address it. He indicated that he informed her of

the Work Connections working group, to which she responded positively. Chair Liu said due to the resignation of a member of the working group, Professor Bruno Giordino has joined the group. Professor Giordino is a former SACUA Chair and former Ombudsman.

Chair Liu stated that we may ask the Provost again about the salary study. The Provost would like to address promotion and tenure at a future SACUA meeting. Professor Durga Singer expressed approval, saying that these issues have come up in several committee meetings.

Professor Ashley Lucas is in attendance to contribute to the conversation about the Required Disclosure of Felony Charges and/or Felony Conviction [SPG 601.38](#). Chair Liu asked if we were to revisit the SPG or if it were going to expire or be reinstated? Dr. Banasik and Professor Singer asked if we needed to approve this item for the Senate Assembly agenda for the next week. It was agreed that it should be included in the December 13th agenda. Chair Liu said he would also request input and updates from Senate Assembly Committee chairs.

Regarding the visit of President Schlissel, Chair Liu expressed that he would be visiting SACUA and Senate Assembly as University President and as Chair of the Provost Search Committee. There was agreement among some faculty members that there were no repercussions for the Philbert debacle, and they feel that the university president should not chair the provost search committee.

Professor Ahbel-Rappe said we should hear from the president and the COVID Council at the Senate Assembly meeting. Professor Elena Gallo agreed that Senate Assembly would want to know the university's plans for COVID. There was a motion to vote for the amended Senate Assembly agenda with the addition of the COVID update. The motion passed by consent vote.

3:30: Felony Disclosure SPG 601.38: Sascha Matish, Associate Vice Provost and Senior Director, Academic Human Resources; Rich Holcomb, Associate Vice President for Human Resources; Tim Wood, Senior Director, University Human Resources; Ashley Lucas, Professor, STMD, Stamps, LSA, Chair of Latinx study, Residential College and co-founder of the Carceral State Project, as well as co-founder of the Prison Creative Arts Project, presented the issues to SACUA and fielded questions. In 2019 the Felony Disclosure policy was enacted. This has become part of a broader campus safety issue. Employees of the university are required to report a felony charge, conviction, or arrest. There is an [online form](#) with questions to answer regarding the charge. Associate Vice Provost Matish said the form was modified this past summer to include mitigating circumstances. The completed form comes to University Human Resources, (either Academic Human Resources or Staff Human Resources). One staff member gets the form and assigns it to the appropriate Human Resources director (including Dearborn, Flint and Michigan Medicine).

Professor Lucas stated that academic research shows that the most policed people are most likely to be impacted by this, but not the Nassars or Philberts, Daniels, or Schipps, and it affects staff and graduate students more than faculty. Professor Donald Freeman asked why they were asking for those who are charged to report but not convicted? Vice Provost Matish said that the gravity of the offense goes to the issue of whether the person should be held aside until the legal conclusions are made. She looks at the importance of the role that the charged individual holds. Since 2019 there have been only nine disclosures. No

disciplinary action was taken. There were two paid leaves taken regarding serious felony charges. The charges were dropped, and the person was returned to the workplace. HR has not disclosed how and where the data is stored and who has access to it later and a concern was expressed that people who are looking at the data are not experts in law enforcement. This places greater stress on the people affected. Vice Provost Matish stated that the data is kept confidential. It only goes to the 5 HR directors and is not widely distributed. Data storage is through a Qualtrix survey. Senior Director Wood said they are keeping the data. Any reports since 2019 are being tracked. These are pre-employment cases. They are not asking all applicants to answer but only finalists. EEOC discloses best practices.

Vice Chair Caitlin Finlayson agreed with the way this issue is being looked at. She asked what measures were being taken to ensure that BIPOC faculty, staff and students were not being discriminated against.

The demographic breakdown of the respondents is: one Hispanic male, two white females, two white males, two Black males, and three Asian males.

One professor commented that the admin always says 'trust us' when the system allows for abuse. Senior Director Wood said there were similar concerns in 2019 and peaceful protesters were targeted, but their focus was on safety. Disclosure doesn't mean dismissal. So far, no dismissals or terminations have occurred. Vice Provost Matish said that in the felony disclosure form, during the assessment it was decided that the inquiry should not move forward, as it was not related to the job. The same professor commented that Vice Provost Matish's answer wasn't satisfactory, and that Professor Cheney Lippold exemplified the climate of fear.

Discussion ensued as to why an applicant is being asked these questions, as opposed to another faculty member who believed the university should err on the side of safety. For example, one professor commented that the person is either convicted, or they are not, so why are you asking? Vice Provost Matish said the assessment will be done to assess if the person committed a violent crime and whether they should be on campus. If a unit wanted to move forward with discipline it would be discussed. Another professor commented that as a parent, she believes a person charged with a violent crime should be put on a leave. The parents of a minor would want the children protected. Protection should be the objective. It was agreed that the policy has delicate distinctions and will need to be processed further.

4:00: Presidential Schlissel -- President Schlissel briefed SACUA on the university's emerging policies on COVID-19, and the new variant. He said that the university had a lot of cases at the beginning of the year. The rates of infection leveled off pre-Thanksgiving but now the rate is up again from Thanksgiving. They are keeping up with case investigation. The quarantine rate is 12% occupied, which is at 12-15% instead of 50-60 % as used to be the case. Data has not been received on the new variant. The cases are milder, but the breakthrough rate is higher, but not as intense as Delta. 98% - 99% of faculty are vaccinated, but this does not account for boosters. Masking will continue unless numbers decrease. Wastewater is still being monitored. Non-compliant students were unable to register regardless of the status of the variant. There have not been clusters in dorms. There are no plans to reduce in-person teaching. The President and the Provost will meet with Covid Council. He has seen the motions and is following up with requests for remote teaching.

Full time public health professionals are embedded within the UM health system to

interpret CDC guidelines.

Professor Atzmon commented that he was pleased to learn that a booster will be required, mentioning that two vaccine doses are considered “expired” in Israel after six months. He pointed out that the administration was citing CDC recommendations selectively, not following the recommendation to test close contacts, as no classroom contact tracing is performed. He also pointed out that unlike UM, several peer institutions perform routine testing of every student. He reminded President Schlissel that the Faculty Senate voted in favor of routine testing and classroom notifications and was expecting appropriate action. He finally urged for 'respect for reality.'

As worries and concerns increase, we could ask faculty to implement seating charts to assist with contact tracing. He agrees that it could be done more rigorously. We are doing 5-6k surveillance tests. 1.5-2% positive. This is up from under 1%.

Saliva tests show increased spread by the asymptomatic. Students should stay home if sick. Sick students have been testing positive for flu. Numbers are down to the teens now.

Professor Conway said that in band and music, seating charts are part of the process. There was a cancelled concert due to a COVID case.

Chair Liu said colleagues in Texas use seating charts but no masks or distancing.

President Schlissel suggested asking staff to make seating charts and have students sit there.

Breakthrough infection is higher than we would like. Public data reflects the severity of illness of the unvaccinated.

Faculty brought up the issue of the difficulty if not impossibility of social distancing in very large classes. Professor Ahbel-Rappe said no social distancing is possible in classes of over 800 people. The faculty want to know that the administration is open to a plan B. Students comply with masks, but there is inadequate ventilation, and students are talking through the masks. They don't feel safe. President Schlissel asked if students would feel safer being remote. Some students don't feel so great about being together again.

Professor Gallo said non-science majors take big classes. LSA sees low percentages of kids coming to class in person. They ask if this a must take class? Only 30% of students show up. Grad assistants record class attendance. Many students don't come to class in Astronomy. It is a great safety valve to offer a remote option.

President Schlissel said it would be good to have a survey of students attending live.

Professor Gallo said it is not her preference, but it is a good option to teach remotely than in-person. Labs are difficult to teach remotely. Professor Freeman agrees with Professor Gallo that standard ways of communicating won't work after the return from the holidays.

President Schlissel asks students to test before and after returning to campus, and after the 6 week or month point. Boosting is encouraged while at home for the holidays.

Professor Freeman asked how we should best communicate with the president's office.

Professor Toyama said it would be worth more closely examining the students'/parents' wishes for residential instruction, and what they really want. While they seem to want to be physically on campus, they don't necessarily insist on in-person instruction. In his Fall course offered synchronously in person and online, students were 80%+ in person at the beginning, but by the end of the semester, more than half had moved online. The parents may ask for in-person instruction, but the students don't always want to be in-person.

4:15-5:00 : EXECUTIVE SESSION

4:30: SPG 201,65-Conflict of interest and Conflicts of Commitment Revisions; Christine Gerdes, Special Counsel to the Provost, Jim Burkel, Assistant Provost for Academic and Faculty Affairs, Michael Imperiale, Arthur F. Thurnau Professor and Associate Vice President for Research, Craig Reynolds, Assistant Vice President for Research discussed changes in faculty engagement regarding federal legislation and other issues.

4:45: Non-Sexual and Gender-Based Misconduct Appeals Discussion—Professor Colleen Conway and Faculty Senate Office Director MaryJo Banasik discussed appeals and discussion of new information, among other issues.

4:50: Rules, Practices and Policies (RPP) – SACUA voted on the charge and roster to include more non-tenure-track faculty

4:55: Updates and Matters Arising

5:02: Adjourn

Respectfully submitted,

Deirdre D. Spencer
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 polices 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."