

Minutes: April 11, 2022
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs
Monday, April 11, 2022, 3:15pm
The hybrid meeting was held at Ruthven and Virtually

In person: Chair Allen Liu, Professor Colleen Conway, Professor Silvia Pedraza, Professor Kentaro Toyama, Faculty Senate Office Director MaryJo Banasik, Faculty Governance Coordinator Elizabeth Devlin, Secretary Deirdre Spencer,

Online: Vice Chair Caitlin Finlayson, Professor Sara Abhel-Rappe, Professor Michel Atzmon, Professor Tom Braun, Professor Simon Cushing, Professor Donald Freeman, Professor Elena Gallo, Professor Rebekah Modrak, Professor Durga Singer, Part-time Faculty Governance Coordinator Ann Marshall,

Guests:

Ms. Ann Zaniewski *The University Record*

Ms. Caroline Wang *Michigan Daily*

Ms. Sally Churchill Vice President and Secretary of the University

Professor David Potter, Chair of Wilmer Hale Committee and Chair of the Motion Four Sexual Misconduct Committee

3:15 Call to order / 4/4/22 Minutes / Announcements The meeting was called to order at 3:16pm. Members were instructed to review the minutes of the 4/4/22 SACUA meeting. The minutes were approved by consent with the inclusion of two small changes. The corrections were sent to the secretary in a separate email and the secretary made the corrections.

3:20 Faculty Senate Office Updates – In her parting remarks Faculty Senate Office Director MaryJo Banasik introduced Part-Time Faculty Governance Coordinator Ann Marshall. Ms. Marshall comes from Purdue- Fort Wayne University where she worked for six years as the Government Information Librarian. She also has experience working in faculty governance. Dr. Banasik announced the Anti-Racism Committee’s webinar event entitled “Anti-Racism and Faculty Success: A Virtual Conversation” scheduled for Wednesday April 13th from 4-5:30.

In her parting remarks, Dr. Banasik recalled how Senate Assembly had difficulty reaching a quorum due to low attendance. It took two years for electronic voting to pass. Considerable background work took place between Executive IT and the Faculty Senate Office as they worked to perfect Zoom technology. The Simply Voting team worked with the Faculty

Senate Office personnel to train them in use of the system. Also, ITS assisted by Bob Jones, helped with Administration Evaluation Committee (AEC).

Dr. Banasik remarked that people don't get to see the extent of behind-the-scenes efforts to make the Faculty Senate Office support the programs of the Faculty Senate.

Dr. Banasik also stressed that while we have a broader reach, faculty governance is advisory. We cannot force action. We are invited to work in an advisory capacity. There is much work already done in terms of Standard Operating Procedures for a new director to benefit from. Dr. Banasik is going to work in a law firm, specializing in higher education.

3:25 SACUA Chair Updates – Chair Liu reported on the Big Ten Academic Alliance Conference at Rutgers which he and Vice Chair Finlayson attended. He talked with many people about familiar issues such as COVID policies, academic freedom, consensual relationships in higher education, and he also built relationships with colleagues. We are unique at Michigan regarding the relationship with the administration. Rutgers seems to have a closer relationship with administration. Professor Toyama said they have 22 unions at Rutgers. 93% of employees are unionized. Minnesota has a great University senate structure and Chair Liu spoke to their senate chair at length. Chair Liu would like to invite the Faculty Senate Chair of the University of Minnesota to attend a SACUA meeting. Chair Liu thanked Professor Toyama for the Faculty Perspective article. Interviews for the finalists for VP Office of Diversity, Equity & Inclusion were taking place. Chair Liu will attend the one session on Tuesday and Secretary Spencer will attend the Thursday session.

3:30 Vice President and Secretary of the University Sally Churchill - Update Executive Session

Chair Liu explained executive session to the newcomers.

4:00 Sexual Misconduct Working Group Syllabus Statement – Professor David Potter, Chair Motion 4 Sexual Misconduct Working Group presented on behalf of the group.

He presented the Syllabus Insert Document for discussion which the student survivors of motion 4 group had proposed. His group had formed a collaboration between the Sexual Assault Prevention Awareness Center (SAPAC) and Avalon Sexual Assault Center. Students don't consider SAPAC to be reliable. In opposition to SPG # 201.96 and Regent's bylaw 5.09, the group believed that sanctioning should be removed from units and departments and allow a different mechanism to ensure uniformity across units. The syllabus statement from the survivors outlined modes of interactions that could lead to changes in behaviors that allowed Professor Conforth to target his students.

Discussion ensued regarding the proposed regulation of social media communication between faculty and students. Professor Conforth used social

media to communicate with, groom, and ultimately sexually abuse students. Discussion continued as some faculty communicated regularly with their students on social media platforms such as Slack because that was the student's preference. They argued that people were the problem, not the technology but adjustments could be made. Syllabus language was not the way to go, according to Professor Toyama and asked if we were voting on best practices or the entire document. The survivors on the working group felt that the conduct outlined in this document should be established as a standard of conduct. Professors shouldn't be sending text messages to students to invite them to a bar. Professor Toyama said he supports the content but questions what to do with it? We agreed with the essence of the document, but we cannot send to the president or provost. Professor Ahbel-Rappe said the syllabus insert was being put before our committee in hopes that we would voluntarily change the way business was done.

Professor Ahbel-Rappe asked if there was a sacrifice. The answer was yes on the part of the young women. This was not about faculty rights it was about preventing sexual abuse. Vice Chair Finlayson agreed with most of the document, but she had problems with two sections. She agreed with Professor Toyama regarding how this was to be used. She worried about larger repercussions. Professor Ahbel-Rappe was also concerned with repercussions. Professor Conway wanted to agree with both Professors Toyama and Ahbel-Rappe. Professor Conway said windows were inserted into all of the doors at SMTD as a result of a change in policy due to sexual misconduct by faculty against students.

Faculty need training every year in this area, and they need to actually engage with it, from onboarding and annually. Professor Potter concluded that students need to know what the norms are. They need to know when something is irregular, eccentric, or wrong. Some members didn't feel ready to vote on whether to bring this to Senate Assembly, but Professor Pedraza asked if we could take a vote on the document as being a statement on Best Practices. Professor Singer agreed with Professor Pedraza. Professor Freeman asked if this was for undergraduate syllabi only? Professor Potter said some survivors felt it should be for graduate courses as well.

The vote to support the syllabus insert as a statement of Best Practices passed unanimously, 8 yes, no objections and no abstentions. It will be brought to a vote in Senate Assembly.

4:20 Compliance Office Resolution – Professor David Potter, Chair, Wilmer Hale Working Group **Voted Yes to bring to a vote in Senate Assembly**

Professor Potter asserted that we return to the recommendation of Guidepost Solutions to have a leader in the form of a Vice President for the Office for Ethics and Compliance. This office would report to the regents directly. We would bring this resolution to Senate Assembly for a vote next week. Professor Ahbel-Rappe

asked if Dr. MaryJo Banasik was still going to write a *Record* article in the Faculty Perspectives column after we pass the resolution? The response was that individual faculty members write the articles and submit them to the Faculty Senate Office for submission to Faculty Perspectives. Professor Singer asked if there was a reference to the 47 out of 58 members of the Association of American Universities (AAU) which have a compliance office. Professor Freeman suggested that we can provide the figures and cite sources for the Senate Assembly meeting, Professor Pedraza recommended there be an appendix where all universities and the titles of their offices were listed. The Universities of Iowa, Michigan and Nebraska are the only peer institutions of the Big Ten that do not have a Compliance office. Professor Gallo asked if we were moving in tandem with ECRT regarding a Compliance office with an independent new reporting line to the board of regents? Professor Freeman said that language should be put in the Resolved section. He moves that it be brought to Senate Assembly. The Vote was unanimous Yes with no objections and no abstentions to move the issue to Senate Assembly for a vote. Professor Potter expressed his appreciation for the vote on this motion.

4:30 Senate Assembly Agenda Vote

A motion to approve the Senate Assembly agenda for the following week was unanimously approved. At that meeting there would be new members. Professor Freeman suggested reversing the order of guest's presentations by going from the macro to the micro levels. He suggested that we have the compliance resolution up for discussion first, followed by the Sexual Misconduct Syllabus Insert, then the Reapportionment, followed by co-chairs Ella Kazerooni and Bill Schultz to report on the Rules, Practices and Policies Committee. They would give a 10-minute update, followed by 20 minutes for discussion.

Three votes would take place at that meeting on each of the issues presented: 1. Ethics and Compliance Office, 2. Sexual Misconduct Syllabus Insert, and 3. Reapportionment.

Outgoing Senate Assembly members would give parting remarks. Professor Conway thought it would be appropriate for those on Senate Assembly and SACUA to share their perspectives at that time.

4:40 SACUA Officer Elections Executive Session.

4:50 Parting Remarks - Immediate Past Chair Professor Colleen Conway requested that her remarks be in **Executive Session**.

4:55 Matters Arising None.

5:00 Adjourn – Meeting Adjourned a 5:03pm

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 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."