

Minutes May 9, 2022
Circulated May 16, 2022
Approved May 16, 2022

THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs
Monday, May 9, 2022, Time 3:15
The hybrid meeting was held in Ruthven 1100 and via ZOOM

Remote: Vice Chair Durga Singer, Professor Michael Atzmon, Professor Tom Braun, Professor Simon Cushing, Professor Rebekah Modrak, Professor Kentaro Toyama, Professor Sergio Villalobos Ruminott

In person: Chair Silvia Pedraza, Past Chair Allen Liu, Faculty Governance Coordinator Ann Marshall, Secretary Deirdre Spencer

Guests:

Jeff Bleiler *The University Record*
Samantha Rich *The Michigan Daily*

Robert Jones, Executive Director of Support Services, University Information Technology

Ravi Pendse, Vice President for Information Technology and Chief Information Officer
Sol Berman, Information Technology

Jordan Acker, Chair, University of Michigan Board of Regents

Denise Ilitch, Member, University of Michigan Board of Regents

Professor David Potter, Chair of Sexual Misconduct and Harassment Committee, Co-Author of Ethics and Compliance Proposal

3:15 Call to order / 5/2/2022 Minutes / Announcements The minutes of the May 2nd meeting were approved by consent vote with three minor corrections.

3:20 SACUA Chair Updates - Chair Pedraza shared with SACUA details of an email message she received from Jamie Iseler, Editor of *The University Record*. The email was regarding the Faculty Perspectives column of *University Record*. Jamie communicated to Chair Pedraza the rules of engagement having seen the recent flurry of activity. There had been very few articles published since 2019, then suddenly Professor Kentaro Toyama submitted an article, shortly followed by a submission jointly authored by Professors Potter and Conway. There is a limit of eight articles per academic year, and each article is limited to 850 words. Within that word limit are the byline with the author's name, citations, etc. The articles published in Faculty Perspectives carry the imprimatur of SACUA and are SACUA approved.

Iseler also communicated that *The Record* is on a reduced publication schedule during the summer, appearing once every couple of weeks. The article by Professors Conway and Potter was not yet published but was sent to the Regents in advance of today's meeting. The article will reach a broader public to acclimate them to the idea of an Office of Ethics and Compliance. Chair Pedraza asked if there were any additional

questions regarding SACUA's relation to *The Record*.

Professor Toyama asked if the Faculty Senate newsletter would still be published, and the answer was yes. Any member of the Faculty Senate, including those from the Flint and Dearborn campuses may publish in the Faculty Perspectives column. Professor Atzmon said that there should be a place where one could publish where SACUA disagrees with what was being published. Chair Pedraza said that SACUA was not a censorship board. The Faculty Perspectives should be related to faculty senate and faculty governance issues. Iseler said that the submissions are coordinated thru the FSO and SACUA and should be on topics related to the interests of faculty governance. Chair Pedraza also related that our regular reporter from the *Record*, Ann Zaniewski, had taken another position with the university and a replacement would be hired. In the interim, Jeff Bleiler will report on SACUA and Faculty Senate affairs.

Chair Pedraza also reported that the SACUA executive team, including Professor Liu, Vice Chair Singer, Secretary Spencer, and herself will now look at the applications for the Director of the Faculty Senate Office position. Fully 11 applications were received.

Chair Pedraza asked for additional questions which we might ask of the Regents during their visit. Professor Atzmon would like to see broad faculty input regarding dean and chair appointments and re-appointments.

Professor Pedraza reported that Provost Susan Collins had asked for LSA faculty input on the reappointment of Dean Anne Curzan. The faculty was also asked to provide input regarding the Dean of the School of Public Health. This is a marked change for the provost who had previously shown no interest in having broader faculty input on dean appointments and re-appointments. Professor Sergio Villalobos Ruminott agreed that more solicitation of advice and more open communication would be desirable. Professor Modrak asked if deans and department chairs go thru SACUA. The answer was they do not.

Professor Modrak also asked about the mask mandate for the Fall semester, saying that faculty wanted to know. The question was asked whether Work Connections was created as a response to the pandemic or did it have prior existence. Professor Liu responded that Work Connections originated in 1998. Professor Braun suggested that we ask the Regents what their preferred method of communication with SACUA might be. Via email?

When the Regents arrived, since they had received an advance copy of the Faculty Perspectives page written by former SACUA members, David Potter and Colleen Conway, on the need for a centralized Office of Ethics and Compliance with a direct reporting line to the Regents, they expressed their agreement with SACUA's position. They did, however, emphasize they were told that there are pockets of resistance to this plan among various leaders in the university; a lot of skepticism regarding how well it will function. Regent Denisse Illich thanked SACUA for our leadership, our partnership, on this issue. We hired three law firms for analyzing this issue – Hogan, Wilmer-Hale, and Guideposts. They all stressed that a serious failure of vetting had taken place, and that there was a cultural issue.

David Potter underlined the importance of restoring trust. All the leadership positions – deans, chairs -- have been undermined by the events that took place.

Regent Jordan Acker noted that hearing from all of us helps him do his job better.

Chair Pedraza thanked the Regents for coming to meet with SACUA and for their sincerity.

3:40 Technology and Faculty-Student Interactions — Chair Pedraza welcomed the guests Bob Jones, Ravi Pendse, and Sol Berman regarding SLACK and other technological issues. Introductions took place and Vice President Pendse began the discussion, saying that he was here to provide any assistance needed. He provided his contact information in the chat. Comments about Slack would go to Bob Jones.

Professor Modrak asked why the survivors didn't meet with the Information Technology representatives. Chair Pedraza responded that they could contact Dr. Pendse directly should they choose, and SACUA would be meeting with them later in today's meeting. SLACK was called out by the students as a mode of communication not appropriate for faculty to student contact. Vice Provost Pendse mentioned the U of M version of SLACK that is licensed by Enterprise Systems is a university venue safe for students to use with respect to student and faculty interaction. This is opposed to a student signing up for a free version of SLACK, which is not protected by the university's license. With the Enterprise system, legal identification protections are in place. Bob Jones underscored that we obtain institutional safeguards with Enterprise Systems. Like Google email, SLACK can be a tool used to engage with students, we can use these with a level of confidence. Professor Braun asked if the university is able to identify SLACK information when requested by the Freedom of Information Act (FOIA). Bob Jones replied that if appropriate, yes. Conversations from direct messages (DM's) can be retrieved. The university version of SLACK is: Slack.umich.edu This one has the protection of Enterprise Systems.

Professor Cushing said it was student survivors who put forward the name SLACK, and asked if there was a reason it was chosen? Since it is a more immediate form of communication, and because of its immediacy, can it be used more effectively for pressuring people? It was not until recently that people on campus had the Enterprise System version of SLACK, rather than the personal version of SLACK. Professor Modrak asked if there is a way to describe on a syllabus a requirement to use the Enterprise version of SLACK as opposed to the non-Enterprise version. The answer was yes. Regarding CANVAS, email, and SLACK, she asked what are the means available for retrieving deleted messages? How long are deleted messages available for retrieval? The response was if you delete from Gmail, it is available for 30 days unless you delete it yourself from your Trash. Even then, they do not disappear. In special investigations, to preserve all the emails Google Vault is used to keep messages for posterity. SLACK keeps them indefinitely. V.P. Pendse said he sent an email to the university regarding the Enterprise version of SLACK on August 11, 2021. Michigan Medicine was an early adopter of SLACK. The campus now has 30K users. Early on there were 26K users but now there are 26-30 thousand faculty, staff, and students who are users of SLACK. The issue of SLACK emerged from the syllabus insert. Our guests stressed that students and faculty should be sure to use the university version, not the personal version. Professor Modrak asked if there were any other platforms that we may want to call attention to. The response was to see if the syllabus insert gets traction and to stay in touch for updates about other tools. Their recommendation was to always use the university approved version of platforms. The College of Engineering and LSA now often use Piazza, which was free but now it is being used via the university platform for faculty and students.

Professor Modrak asked if usage results would be accessible if under investigation. Vice Provost Pendse could not answer if it were available through a UM platform for investigations if needed. Dr. Pendse asked Bob Jones to go back and check regarding backup for PIAZZA. Professor Toyama asked if the university could access messages for investigation and if SACUA could be allowed to have the list of these platforms? The question was raised regarding when will the platform vendors begin charging for archiving these data.

4:00 Spring Check-in with Regents Jordan Acker and Denise Ilitch, with David Potter as guest **Executive Session**

4:30 Debrief about Regents visit
Executive Session

4:40 Discussion with the Sexual Misconduct Policy Committee
Executive Session

4:55 Matters Arising:
Anti-Chinese and Anti-Caste Language
Executive Session

5:00 Adjourn. The meeting was adjourned at 5:09pm

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."