

Minutes: December 09, 2022
Approved: February 03, 2023

THE UNIVERSITY OF MICHIGAN
General Counsel's Advisory Committee
Friday, December 09, 2022, 9:00am
The meeting was held virtually via Zoom

Present: Sybil Biermann, Sophia Boettcher (graduate student), Laurie Buis, Tim Lynch (GC), Adam Matzger, Luke McCarthy (Faculty Senate Office), Rebekah Modrak (SACUA liaison), Rogério Pinto (Chair), Jordan Orr (undergraduate student), Seth Quidachay-Swan, Pamela Smock, Jamie Tappenden, Kentaro Toyama (SACUA liaison), Lori Tschirhart, Judith Walker, Silke-Maria Weineck.

A regular meeting of the General Counsel's Advisory Committee was held with Chair Pinto presiding and Luke McCarthy acting as secretary.

The meeting began at 9am and the October 21, 2022 minutes that were distributed to members in advance were approved.

The committee discussed equity investigations at length. A recent *Chronicle of Higher Education* [article](#) about an introductory comics course in which students objected to the comics of Robert Crumb was raised. Members were concerned about the difficulty of teaching content that some students might find disturbing. However, such content can be necessary if the subject matter is to be sufficiently covered and examined. Concerns were also raised that there seems to be disparities involved in when and how students object to course content, depending on the gender of the faculty member. There has been research demonstrating gendered course evaluations, and members were concerned about similar dynamics being in play for student objections to course content. Members also pointed out that the difficulties faculty face in teaching difficult content are compounded by a general tendency to quickly support the student's perspective. The *Daily*, for example, tends to present the student perspective. While it would be problematic to try to regulate what the *Daily* reports, perhaps there could be more mentorship at the *Daily* to help them better present balanced reporting. Lynette Clemetson from [the Wallace House](#) was mentioned as a possible mentor. It was also suggested that there should be some required threshold that should be met before student objections to course content are taken beyond a faculty member's class or that faculty member's department. There also should be more efforts by faculty to stand in solidarity to support efforts to teach content that students might find challenging.

The committee then discussed the University's use of outside firms. Faculty are interested in U-M having a sufficient investigatory framework in place to address misconduct in a timely manner and with expertise. However, it was also discussed how the credibility of the investigation may be aided, in some cases, by having an external firm perform the investigation.

The committee then returned to discussing equity investigations, such as was presented in the *Chronicle* article (above). It was suggested that perhaps there should be a more restorative, mediated process to address these cases, rather than an adversarial one. As an example, the restorative justice approaches being brought into ECRT were raised. Intersectionality is also important to consider when we respond to and mediate these issues. It was also suggested that

faculty might benefit from a better toolkit of resources to help them manage instances like what the *Chronicle* article presents. For example, perhaps the toolkit could assist with defusing/lowering the temperature a classroom during a heated moment such as presented in the *Chronicle* article. Instructors should also be trained to make sure they provide notice of what they are going to share/do that students might find disturbing, such as content that depicts violence, especially in recognition that there are students with PTSD. Perhaps this is an area where the [Center for Research on Learning and Teaching \(CRLT\)](#) might already have resources for faculty or might be able to develop resources for faculty. The committee considered again what faculty could do to be bolder in their support of each other, but it did not find an easy answer. The committee discussed how this is an area in which there needs to be expectations set for everyone, including students, and faculty perspectives and efforts need to be included in the University's work of setting those expectations.

The committee then discussed meeting communications, including two short resolutions approved by SACUA and sent to the committee chairs. Those resolutions were the following:

- Senate Assembly committees should capture meaningful content of meeting discussions in written form, for the sake of public record, with the exception of that which is discussed in executive session.
- SACUA liaisons can communicate anything that is discussed in SA committees in executive session to SACUA in executive session, and vice versa.

In response, committee members voiced the concern that they were not sure what these resolutions meant. There was also a concern raised that these resolutions were “an unfortunate run around of what we all agreed to.”

The committee adjourned at 10:01.

Luke McCarthy