

August 20, 2024

Dear Members of the Faculty Senate:

On August 6, faculty (and staff and students) received an unsigned email from the "University of Michigan," notifying us of recent policy changes to the [Statement of Student Rights and Responsibilities \(SSRR\)](#). SACUA, the 9-member executive arm of the Faculty Senate (the entire body of approximately 7,300 faculty), immediately met to discuss the amendments, their ramifications, and the policymaking process.

We write now to alert you about those policy changes to the SSRR, as well as a second policy change also adopted by University administration in July 2024. These new policies were adopted without input or advice from faculty, staff, or students. We believe they were written by the Office of the General Counsel, at the request of the Regents, and then discussed privately by a select few before being adopted without public discussion. Taken together, they deprive students of the right to due process and fair hearings with faculty oversight, curtail freedom of speech and expression, and radically increase administrators' power to prosecute students and limit inconvenient forms of free speech.

In its last meeting of academic year 2023-24, on July 18, 2024, the Board of Regents adopted a [substantial revision](#) to the "Statement of Student Rights and Responsibilities," the policy document that governs non-academic misconduct at the University of Michigan. Among other changes, this new policy includes the following:

- Makes it possible for the "University" to file a complaint against a student. Under the old rules, a complaint had to be made by a student, a faculty member, or a staff member. The revised rules permit the complainant to be someone else—other than a student, faculty, or staff member of the University—without clearly designating who the administration can select as being the "University." For example, the revised rules permit this "University" role to be performed by an outside consultancy firm hired to file complaints against students, such as [Grand River Solutions](#).
- Assigns to a "Resolution Coordinator" (RC)—in consultation with the complainant—the power to establish sanctions punishing student

misconduct that the student may then voluntarily accept. Under the old rules, the student was permitted to develop and discuss potential sanctions with the RC before entering into an agreement. Under the new rules, the student's right to discuss potential sanctions or other interventions, before agreeing to accept sanctions, has been removed.

- Empowers the RC to determine whether there are grounds for an appeal, before a student's appeal will be considered, and makes the Vice President for Student Life the final arbiter of the merits of that appeal. Under the old rules, students had a right to appeal to an **Appeals Board**—with representation from faculty, students, and administration—that reviewed cases involving misconduct. Under the revised rules, faculty and student representation during the appeals process has been eliminated.
- Shortens the process, mandating that the entire complaint, hearing, and conditional appeal process be completed within approximately 45 days, including when students are made subject to discipline.

These changes were made without consulting faculty government representatives. Under Article VIII, Section J of the Statement of Student Rights and Responsibilities, the Student Relations Advisory Committee (SRAC), a standing committee of the Faculty Senate, is endowed with "primary oversight" over the amendment of student disciplinary procedures. The University made no effort to either inform or engage SRAC in discussion about the revision of this policy. When President Ono called for a vote during the July Regents' meeting, there was no public discussion or acknowledgment of the changes, and the details of the changes were buried as the 8th item under "X. Other" in the Board of Regents meeting agenda. By this covert and undemocratic process, the University has undermined the principles of shared governance.

Furthermore, in July 2024, the University adopted a new policy—[SPG 601.41](#)—which governs the use of University of Michigan facilities. Under these new rules, individuals or groups may not "disrupt University activities or operations"; neither may people "obstruct human or vehicle traffic, ways of ingress and egress, paths, stairs, aisles and the like." It is clear that this new policy is modeled after the Disruptive Activities Policy (DAP) draft, which was released in the 2023-24 academic year. Neither SACUA, the Senate Assembly, nor Central Student Government had been consulted before DAP was proposed. Despite the widespread criticism of DAP, including by SACUA, as being overbroad, vague,

and overly punitive, and infringing on First Amendment rights, modified versions of DAP's key elements have been implemented through the new changes to the student Statement and the creation of this new SPG.

Both of these new policies were pushed through during the summer recess, when many faculty, staff, and students are not closely following university operations. These significant changes to policy have been presented to us as a *fait accompli*. The August 6th email to the University community described the policy changes as allowing the University to "more effectively respond to disruptions." In fact the policies permit the administration to quickly sanction and expel students it deems disruptive and upsetting to order. This is a hazard to the freedom and openness that is foundational to any democratic institution, which is especially essential to the working of a public university. Beyond the controversies of the moment, the same power to curtail disruptive voices can be applied to all future subjects of campus protest, including activism around reproductive rights and race.

It is incumbent on us, the faculty, to defend our unique role in this University's life. We are co-participants in governance, creators of knowledge and ideas, teachers of students, the engine that makes the University of Michigan what it is. None of these activities include serving the administration. On August 15, the SACUA Chair sent a letter, drafted by SRAC, to the Regents, requesting that they pause the revised Statement of Student Rights and Responsibilities and respect the determinative role of faculty government in the amendment of these policies. While we await their response, **we urge you to contact your [representative of the Faculty Senate Assembly](#) and articulate your view on these matters.** The Assembly exists as a broadly representative faculty body, with members elected from across the University system, to voice faculty interests and concerns. The Assembly will next meet on September 23, 2024, and we expect that these changes in policy will be one of our chief points of discussion. We would like to have the views of the generality of the University of Michigan faculty as we deliberate.

Sincerely,

Senate Advisory Committee on University Affairs

Approved by SACUA: August 19, 2024