

Minutes October 7, 2024
Circulated October 18, 2024
Approved October 21, 2024

THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs
Monday, October 7, 2024, 3:00
The hybrid meeting was held in 1100 Ruthven and via Zoom

In person attendance: Chair Rebekah Modrak, Vice Chair Heather O'Malley, FSO Director Lucas McCarthy, Prof. Derek Peterson, Prof. Melanie Tanielian FSO Coordinator Eric Vandenberg Secretary Deirdre Spencer

Remote attendance: Prof. Simon Cushing, Prof. Vilma Mesa, Dr. Soumya Ranagarjan.
Prof. Alex Yi

Press:

Michigan Daily -- Halle Pratt
University Record -- Jeffrey Bleiler

3:00 Come to Order and Minutes

The meeting was called to order at 3:04. The minutes were approved by consent.

3:05 Chair's Update

1. The chair received an email from a faculty member who's being investigated for allegedly violating the Rackham Faculty Statement of Values, Privileges and Responsibilities. The issues that the chair found most concerning were: (1) Anyone can file an allegation against a faculty member. Even a non-student or third-party from outside of the University may file. (2) There is no statute of limitations to filing a complaint. Someone could file a complaint based on a concern from ten years ago, which puts faculty members in a compromised position because it would be difficult to find witnesses, to collect evidence, and to recall the details of interactions with students if that much time has elapsed. Most filings at the university, such as ECRT, have a statute of limitations for filing a complaint. This is one of the few circumstances where there are none. (3) Rackham adopted the Allegations Process and first communicated it to faculty on October 18th 2023, and yet they are accepting allegations about alleged incidents that occurred prior to October 2023, so they are governing behavior on a policy which did not exist at the time. (4) The FSO director wanted to know: (a) when and where is there faculty input when sanctions are raised? (b) What is the fitting sanction? Both situations could benefit from input by the faculty member being sanctioned. It was asked if we knew the history of the change in policy and that it may have come through a former provost. The chair recognizes the need for graduate

students to have a mechanism for submitting complaints, but she is also concerned about the equitable treatment of faculty. This Rackham policy could be considered at an upcoming agenda meeting. She sent the link to the policy.

2. On Tuesday, October 8th from 12-1, Political Speech on the Public Square will take place on the Diag. The topic will be reproductive health. Amanda Healey of the Ginsberg Center will moderate the session.
3. A faculty member reached out to the chair regarding GLP-1 injectable drugs to treat obesity which are not entirely covered by insurance. Due to a recent change, the U-M prescription drug plan will cover 24 one-month fills for obesity. (There is not such a limit for diabetes.) There is concern that some individuals may benefit from access to these drugs for life to treat obesity, not just 24 months. The SACUA Chair and the FSO director met with the Benefits Office to discuss this concern. In that discussion, they learned that the market for these drugs is changing rapidly, with generic versions expected to be available soon. There is market pressure on pharmaceutical companies to provide less costly generic alternatives. Before anyone is affected by the new 24-fill limit, coverage will be reviewed again with consideration of the market's changes, including newly available generic alternatives.
4. AAUP at the UM were told they cannot reserve rooms on campus because they are not an academic department. AAUP requests SACUA and the Faculty Senate Office to help support them in finding meeting space on campus.
5. The Panel for Institutional Neutrality to offer faculty perspectives will take place on October 16th 1-2 pm via Zoom

3:10 The Police Department Oversight Committee Discussion

SACUA approved voting electronically on a slate of candidates for the Police Department Oversight Committee (PDOC) between meetings. The vote will occur during the week of October 14th. The election will be open to all Ann Arbor Faculty Senate members to fill one seat on the PDOC.

3:15 Faculty Senate Member Resolutions –SACUA reviewed two draft resolutions that faculty members might submit for consideration at the University Senate meeting.

SACUA is not required to approve the resolutions for them to go forward, provided that the Senate members bringing the resolutions meet the requirements of the Senate rules for proposing a resolution. However, SACUA reviewed them as part of a peer-review process to suggest edits to ensure a stronger document to present to the Faculty Senate. The resolutions were edited with suggestions by SACUA members during the meeting. The Faculty Senate Office will then share that feedback with the resolution drafters.

- **Resolution on the Creation and Review of SPGs**
- **Resolution on Eliminating Gender-Based Violence at the University**

4:00 Discussion of Draft of Regents' Bylaws on Institutional Neutrality Policy

The chair requested that the regents provide SACUA with a draft of the policy so that we

could discuss it at the November Senate Assembly meeting, rather than the regents approving the document during their October 17th meeting. The draft was then published in the *Record* for public comment. When it was published in the *Record* for public commentary, there was no mention of faculty or elected faculty governance. Because feedback is requested via email, there is a lack of anonymity. Also, the fast pace of the timeline may not allow time for discussion by the Senate Assembly. The faculty panel will have taken place before the regents' vote. There has been no response from the regents whether or not they will pause the process through November. President Ono sent a letter to the Regents supporting SACUA's request to slow the process of approving the IN draft to allow for discussion in the November SA meeting.

In general, SACUA found the draft bylaw to be vague, overbroad, and poorly targeted to address the problems it purports to solve. There were questions regarding the authorship of the document drafted by Vice President and General Counsel Tim Lynch. There were also questions about the document regarding who may speak on behalf of the university and when one speaks for oneself. The draft restricts statements from university leaders and those in "similar positions," but it does not provide sufficient guidance regarding what those "similar positions" might be. What about department chairs, since they are not career administrators and are closer to the faculty? Can the committee issue a statement on behalf of itself? These definitions seem open-ended and could include faculty because they lead classrooms. A concern was raised that the administration doesn't want faculty to speak on controversial topics because it frightens donors. The statement needs clarification on several points. It was noted that a few years ago, Women and Gender studies decided not to make statements, but that was a department choice that they could reverse on their own, if they want.

4:15 Faculty Senate Resolution Executive Session

4:30 Matters Arising / New Business / Agenda Building

4:45 Adjourn – The meeting adjourned at 4:50

ADDENDUM

SACUA Actions

Between regular meetings, SACUA has performed the following actions that should be included in the SACUA minutes:

- On September 16th, SACUA voted electronically on nominations for the "SSR&I Cross-Campus Steering Committee," resulting in a tie between two faculty members. On September 19th, SACUA voted to break the tie, thereby appointing William Calvo-Quiros, Associate Chair, Department of American Culture, Associate Professor of American Culture, College of Literature, Science, and the Arts and Associate Professor of Art and Design, Penny W Stamps School of Art and Design

- On September 16th, SACUA voted electronically on nominations for a LGBTQIA2S+ Task Force and thereby appointed Sari Resiner, Associate Professor, School of Public Health, Epidemiology
- On September 18th, without objection, SACUA voted electronically on approving the language of a public statement to be provided by the SACUA Chair at the September meeting of the Board of Regents. Pursuant to the vote, the public statement was approved. The statement called on the Regents to listen to faculty input and respect the principles of shared governance. The statement was subsequently delivered by the SACUA Chair during the public comment period of the meeting of the Board of Regents held on September 19, 2024.
- On September 27th, SACUA voted electronically on nominations for a Vision 2034 Artificial Intelligence Working Group. Pursuant to that vote SACUA nominated the following three faculty:
 - H. V. Jagadish, Edgar F Codd Distinguished University Professor of Electrical Engineering and Computer Science, Bernard A Galler Collegiate Professor of Electrical Engineering and Computer Science, Professor of Electrical Engineering and Computer Science, College of Engineering and Director of the Michigan Institute for Data Science
 - Mary Rodena-Krasan, Lecturer IV in Germanic Languages and Literatures, College of Literature, Science, and the Arts
 - Sanjeev Kumar, Lecturer II in Business, Stephen M Ross School of Business
- On September 27th, SACUA voted electronically on nominations for the Military Officer Education Committee. Pursuant to that vote, SACUA appointed Anouck Girard, Arthur F Thurnau Professor, Professor of Robotics and Professor of Aerospace Engineering, College of Engineering
- On October 1st, without objection, SACUA voted electronically on language for use by the Faculty Senate Office and the SACUA Chair to respond to requests for SACUA/Senate Assembly statements. The language provides that SACUA is pausing on issues such statements, due to the large volume being received and the need for SACUA to channel its energies toward addressing issues through seeking policy changes. Pursuant to that vote, the language was approved.
- On October 4, 2024, SACUA voted electronically on nominations for a Faculty Grievance Procedure Task Force. Pursuant to that vote, the following faculty were nominated:
 - Rebekah Modrak, Professor of Art and Design, Penny W Stamps School of Art and Design
 - Parag Patil, Associate Professor of Neurosurgery, Associate Professor of Anesthesiology, Associate Professor of Neurology, Medical School and Associate Professor of Biomedical Engineering, College of Engineering and Medical School
 - Lauren B. Smith, Professor of Pathology, Medical School

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."