

Report on Activities of the General Counsel's Advisory Committee (GCAC) for 2025-2026

Overview:

- *From:* Jordan Siegel, Chair, General Counsel's Advisory Committee (GCAC)
- *Subject:* Report on Activities of the General Counsel's Advisory Committee (GCAC) for 2025-2026
- *Committee Members:* Nancy Allee, Cam Amin, Daniel Birchok, Tom Braun, Jason Fettig, Aric Knuth, Michael Lempert, Farina Mir, Julian Mortenson, Yulia Sevryugina, David Santacroce, Jordan Siegel, Chris J. Walker, Stevens Wandmacher, Eric Veal
- *SACUA Liaison:* Kentaro Toyama
- *Meeting Dates:*
 - Fri. 9/19 from 8:15am-9:45am (Planning)
 - Fri. 10/17 from 8:45am-10:15am
 - Fri. 11/21 from 8:45am-10:15am
 - Tues. 2/10 from 11:00am-12:30pm (Planning)
 - Fri. 3/20 from 8:15am-9:45am
 - Fri. 4/10 from 8:45am-10:15am

GCAC Annual Report – May 7, 2026

To: SACUA

From: Jordan Siegel, Chair, GCAC

The Charge given to the committee to work on this year started with the following paragraph:

“Standing committees are established by the Senate Assembly as mandated in Section 4.06 of the Regents’ Bylaws. In collaboration with the Faculty Senate Office and SACUA, standing committees advise and consult with the vice presidents of the university on matters within the areas of their respective responsibilities. Senate Assembly standing committees are charged with bringing faculty voice and perspective to a broad range of university activities including policy and procedure. Senate Assembly standing committees shall strive to provide advice and consultation to their respective vice presidents in a timely fashion so that faculty perspectives are considered during the decision-making process.”

There was an early question raised whether GCAC (by virtue of its long-form name) is in fact a standing committee of the Senate Assembly with all the obligations and features involved of the Senate Assembly in the Bylaws ([Bylaw: Chapter IV. The University Senate | The Regents of the University of Michigan](#)). By visiting the librarian-archivist, it is worth showing the documents on the next two pages for future generations proving that this committee (GCAC) was created specifically to be a standing committee of the Senate Assembly.



**SUGGESTED MOTION FOR SENATE ASSEMBLY -
May 18, 1998**

WHEREAS, the Regents of the University of Michigan retitled the University's General Counsel position to include the title of Vice-President, and

WHEREAS, Regental Bylaw 4.06 states in part that "the assembly shall establish standing committees to advise and consult with the vice-presidents of the University on matters within the areas of their respective responsibilities,"

THEREFORE, BE IT RESOLVED THAT,

1. TITLE

A Senate Assembly standing committee is hereby formed to be named the General Counsel's Advisory Committee.

2. COMPOSITION

The committee shall be comprised of nine faculty members representing a cross section of the Schools, Colleges and regional campuses, a student member nominated by MSA, and a SACUA liaison, for a total of eleven members. Members shall serve for three year staggered terms. Members shall be nominated by SACUA and approved by Senate Assembly. The committee chair shall be appointed by SACUA from among the faculty members of the committee.

3. PROCEDURES

The committee shall meet at least monthly during the academic year with an agenda set by the chair. The committee shall advise and inform SACUA, Senate Assembly, and other relevant assembly committees of its activities and pertinent issues which come before it. The committee shall carry out specific charges from SACUA and Senate Assembly.



Minutes of 18 May 1998
Circulated 19 May 1998
Approved ___ September 1998

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
DRAFT MINUTES OF 18 MAY 1998 PENDING APPROVAL

ATTENDANCE

Present: Baker, Bernal, Bleske, Bryant, Burdi, Castle, Colletti, Cooney, Croxton, DeCamp, Deskins, Francis, Hultquist, Jamerson, Julius, Karnopp, Kleinsmith, Kossoudji, Lafortune, Lawson, Lomax, MacAdam, MacAlpine, Mann, Marshall, Martin, Nagel, Navvab, Nolen-Hoeksema, Perakis, Pintrich, Raisler, Rush, Schneider, Scheingart, Shapiro, Shotwell, Steneck, Teasley, Wagaw, Ward, Zorn

Alternates: Stephen Papadopolous (Medicine)

Absent: Assanis, Bartlett, Browder, Burnham, Burnstein, Christiansen, Curley, DeWoskin, E. Feldman, M. Feldman, Flynn, Freedman, Freese, Gull, Jensen, Kabamba, Keyserling, Kibbie, D. Lee, Loveland-Cherry, Malamud, Maloy, Olson, Pastalan, Rogers, Rosenberg, Sharf, R. Sharp, W. Sharp, Siebers, Turcotte, Wasserman, Yeung

Vote on the Active Motion:

The motion was approved by show of hands, with no opposing votes, and with no abstentions of record.



Notes from the Chair:

It shall be briefly noted that when the GCAC was brought into existence, the Senate Assembly envisioned that the GCAC would secure more meetings per year than has been the recent pattern. The General Counsel was asked by the Faculty Senate Chair, Dr. Peterson, prior to the start of the academic year if he would be willing to meet more than four times with the GCAC, and he declined on account of time constraints. If SACUA desires in the future for the GCAC to secure more than four meetings per year with the General Counsel, it may want to reference the original founding document above to explain why the institution of the GCAC was created to have more than four such meetings per year.

Also, the committee clarified its views about the AAUP 1940 Statement ([1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments | AAUP](#)), a key source of tenure protections and protections for academic freedom. The University of Michigan in fact has borrowed liberally from the Implementing Regulations of the AAUP 1940 Statement when codifying the design of the 5.09 process. After further re-reading the AAUP 1940 Statement, it is apparent that there is no embarrassing or disqualifying language in the AAUP 1940 Statement. At the same time, it should be noted that the document is a living document that has incrementally been brought further to the present (together with its Implementing Regulations being brought up to date) as society and the law have evolved since 1940. Those incremental points have been reflected in the clarifying Interpretive Comments/Amendments to the AAUP 1940 Statement (see, for example, the content at the very bottom of the [1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments | AAUP](#)).

Also, it should be mentioned that the GCAC followed the process of consulting with the General Counsel that has been utilized for years by the Faculty Senate Office and that is coordinated actively by the Faculty Senate Office. For example, prior to the start of the academic year, the General Counsel was shown the draft Charge that SACUA had drafted for the GCAC and given the opportunity to share his opinions. Also, for each individual meeting over the course of the academic year, before the agenda was set for any of our individual meetings, an email was sent to the General Counsel inviting the General Counsel to offer any items for the next meeting's agenda. This latter protocol was followed for every single one of our meetings with the General Counsel. As we progressed through the year, we learned iteratively that the General Counsel preferred a broader framing of formal meeting agendas instead of specificity. (We were still able to get to the desired level of specificity in the meetings themselves.) So the GCAC progressively adopted that approach over time, and it led to the most productive meetings.

We will next update SACUA and the Senate Assembly on how we acted on the Charge items given to GCAC to work on this year.



SPECIFIC CHARGE ITEMS AND ACCOMPANYING ANNUAL REPORTING ITEMS – 2025 – 2026

1. *Inquire about the legal strategies being pursued by the University in response to injurious federal executive orders. Can the University’s legal analyses be shared with some subset of elected members of faculty governance (e.g., SACUA, Senate Assembly)? Can faculty have input into such analyses? Relatedly, inquire about why and how an executive order to cease “illegal discrimination” in universities was interpreted broadly—beyond illegal activities, of which presumably UM is largely innocent—to serve as a reason (as explained by President Ono) to dramatically alter how UM engages in DEI work. Messages sent by President Ono undergo OGC review. How did this pass muster?*
Annual Reporting Update: The committee discussed the entirety of Charge Item #1 during two meetings with the General Counsel. We had a frank and full discussion of these matters.

2. *Inquire about how decisions are made with regard to when University of Michigan leads, joins, files an amicus brief, or avoids lawsuits filed against federal agencies. For example, UM was a plaintiff in seeking to block the loss of funding from the Department of Energy, but not on some other lawsuits that affect UM’s bottom line even more. How was that decision made, and why did it come out differently from others?*
Annual Reporting Update: The committee discussed the entirety of Charge Item #2 during two meetings with the General Counsel. We had a frank and full discussion of these matters.

3. *Have a presentation on the work done by the OGC. When is the OGC brought into discussions at a School or College level? And how and why are decisions made to bring in outside counsel to address internal matters?*
Annual Reporting Update: It is hereby suggested that SACUA formally invite a senior member of OGC to make such a presentation to a joint session of GCAC and SACUA in the fall semester.

4. *Consider how to provide further support to international faculty, staff, and students, such as by considering the following:*
 - a. *A hotline to contact in case of ICE arresting UM community members that is supported by U-M legal personnel equipped to address the moment of crisis and deploy, as needed, across campus*
 - b. *Distribution of a pocketable card for U-M community members with resources and a Do/Don’t list that is targeted toward providing source during an ICE arrest.***Annual Reporting Update:** This is a Charge item where the committee perhaps had its greatest success. The committee therefore may well have accelerated the push for such guidance and support to be codified and announced.



5. *Seek clarification around the institutional neutrality policy. In December last year the SACUA Chair sent the Provost's Office and General Counsel staff [a set of questions about the IH policy](#). We have as yet had no reply to these questions. The GCAC should discuss these questions with the General Counsel, with the goal of producing a clarifying statement that responds to the concerns that we have raised.*
Annual Reporting Update: We had a full and frank discussion with the General Counsel about Charge Item #5.
6. *Pursue with the General Counsel the matters raised in SACUA's ['Statement concerning surveillance on the University of Michigan campus'](#) (June 18, 2025), which urged the University to 1. constitute an oversight committee to develop policies controlling the proliferation of surveillance equipment on campus; and 2. Asked for an account of how and why the agents of City Shield were engaged by this university and how they (City Shield) came to think they could act in ways towards UM students that President Grasso condemned. This discussion should be coordinated, as appropriate, with the Academic Affairs Advisory Committee and the Student Relations Advisory Committee.*
Annual Reporting Update: We had a full and frank conversation with the General Counsel in two meetings about Charge Item #6.
7. *Discuss the implementation of Motion 4 from the November 2024 meeting of the University Faculty Senate, titled 'Accountability for the Handling of Gender-Based Violence at the University'. The resolution passed with 80.2% of University Faculty Senate votes in favor.*
Annual Reporting Update: The committee had a full and frank discussion of these matters.
8. *Discuss the implementation of Motion 1 from the April 2025 meeting of the Faculty Senate, which urged the University to establish a Mutual Defense Compact with other universities of the Big Ten Academic Alliance. The resolution passed overwhelmingly, with 2,700 faculty voting in favor and only 214 opposed.*
Annual Reporting Update: We had a full and frank discussion of this issue with the General Counsel.
9. *Consider the University's legal posture in relation to student protestors and review ongoing legal and disciplinary actions against protestors in relation to First Amendment protections on free speech and assembly.*
Annual Reporting Update: We had a full and frank discussion over two meetings about Charge Item #9. We expressed our beliefs about due process



and how fairness ought to extend to even those whose sociopolitical beliefs we most disagree with. We also articulated the view of various committee members that those who stop other community members from having a convocation or speech are doing something fundamentally wrong that justifies fair accountability. We also discussed at length and in great detail what a truly fair student discipline process would look like.

10. *Discuss the University's legal stance regarding faculty employment contracts and related matters of enforceability.*

Annual Reporting Update: We had a full and frank discussion about Charge Item #10.

11. *Discuss the University's policy which pushes some tenured faculty members on long-term disability into forced retirement (which the AAUP national organization views as a violation of tenure).*

Annual Reporting Update: We pointed out how this creates a parallel process to what, based on the regental bylaws, should already be the sole jurisdiction of the 5.09 process. We pointed out that the national office of the AAUP regards the current long-term disability policy and its inclusion of the concept of forced retirement based on health and without use of the 5.09 process as contrary to the core concept of tenure protections that the University has committed itself to following. Any unauthorized carveout from the 5.09 process impacts all faculty who rely on the University respecting the institution of tenure. It is worthwhile for SACUA to at least consider taking further action in advocating for forward progress on this issue.

12. *Consider emergent issues or topics brought forward by the GCAC committee members and/or the General Counsel for discussion over the course of the year. The committee may also continue discussing any issues or topics raised in the committee's most recent annual committee report.*

Annual Reporting Update: We discussed emerging topics around support for faculty to make all of their materials fully accessible to persons with disabilities. The committee may well have been successful in accelerating the University's response about a week later in offering more support to faculty on this issue.