

Minutes of 21 April 2008
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Approved 22 September 2008

THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
21 APRIL 2008

Present: Abdo, Altschuler, Andjelkovic-Zochowska, Anspach, Avi-Yonah, Becker, Brock, Brown, Currie, Denver, Eagle, Fossum, Fraser, Frier, Frost, Geary, George, Graham-Bermann, Gull, Hesseltine, Ketefian, Koopman, Larsen-Freeman, Lehman, Li, Lomax, Mahalingam, Maher, Navvab, Ottaviani, Peters, Poe, Potter, Powell, Riles, Rothman, Sabel, Samson, Silverman, Smith (chair), Stark, Thouless, Volling, von Buelow, Wakefield, Ziff

Requested Alternate, none available: Green (Retiree), Maddock (LSA),

Alternates: Highfill (Sweeney-LSA-Humanities), Koopmann (Maybaum-Medicine)

Absent: Adriaens, Boxer, Brophy, Carson, Dey, Ensminger, Fitzgerald, Friedman, Garton, Hirshorn, Jackson, Kabamba, Karni, Kosch, Mehta, Moore, Mueggler, Patil, Primus, Queen, Rahme, Reisch, Roe, Sellers, Stoolman, Thompson, Thornton, Tropman, Younger

MATERIALS DISTRIBUTED

1. Draft Senate Assembly Agenda
2. Draft minutes of the Senate Assembly meeting of 17 March 2008
3. Regents Communication entitled "Faculty Governance during the Past Two Years", by Charles B. Smith, SACUA Chair, submitted April 2008
4. ["Committee for a Multicultural University 2008 Report- Trends in Minority Faculty Participation" dated 22 April 2008](#)
5. Draft item for action concerning priority class registration for NCAA Division I student athletes proposed by "Advisory Action of AAAC 040908-2"
6. Draft item for action concerning the future of the "Principles of Faculty Involvement in Institutional and Academic Unit Governance at the University of Michigan"
7. [Principles of Faculty Involvement in Institutional & Academic Unit Governance at the University of Michigan, second edition.](#)

Chair Smith convened the meeting at 3:19 P.M. The draft agenda was approved with one addition.

CONSIDERATION OF MINUTES

The minutes of 17 March 2008 were approved as submitted.

ANNOUNCEMENTS

Chair Smith announced:

1. SACUA elected Professor Potter to the faculty chair position for 2008-2009, and elected Professor Thouless to the vice-chair position.
2. The Senate Assembly will meet in May to receive reports from the CESF and the Budget Study Committee.
3. Members are urged to sign up for one or more Senate Assembly committees.
4. The second edition of the *Principles* document is among the Materials Distributed (item 7).

MULTICULTURAL UNIVERSITY REPORT

ACTION OF SENATE ASSEMBLY 042108-1

The Senate Assembly accepts the report of the Committee for a Multicultural University and endorses its recommendations.

Vote on the Active Motion:

The motion was approved by unanimous vote with one abstention of record.

ACTION OF SENATE ASSEMBLY 042108-2

The Senate Assembly endorses Action 040908-2 of AAAC:

NCAA Division I student-athletes whose mandatory practice or competition commitments to University sponsored activities limit their opportunities to participate fully in the complete range of classes because of scheduling conflicts should be accorded the highest level of priority registration for terms when conflicts arise. Eligibility for such priority registration should be overseen by the Academic Performance Committee (APC) of the Advisory Board on Intercollegiate Athletics in consultation with the Office of the Registrar. The purpose of this priority registration is to enable access by student-athletes to classes they need to complete their degrees in a timely fashion.

Moreover, the AAAC shall oversee an annual evaluation in consultation with the APC and the Office of the Registrar to ascertain the implementation and effects of this policy.

Discussion of the Active Motion

Professor Ketefian expressed concern that practice and competition schedules conflict with the academic needs of athletes, and stated that they are students first. Professor Koopmann replied that competition schedules are determined by the NCAA and the Big-10, not the U-M. He expressed support for the Motion. Professor Frost pointed out that many students must work to pay their tuition, and that perhaps they deserve special consideration, as well. Professor Lehman replied that the AAAC had specifically asked the Michigan Student Assembly (MSA) to consider the issue because it wanted the students themselves to evaluate its fairness. In fact, it was the MSA that proposed that priority registration be restricted to Division I athletes. Professor Eagle commented that this Action would be a precedent that could be used by other groups who self-identify and subsequently petition for accommodation.

Vote on the Active Motion:

The action was approved unanimously with 4 abstentions of record.

STATEMENT ON ADMINISTRATION CONSULTATION WITH FACULTY

SACUA member Fraser introduced the following resolution:

The Senate Assembly and the Provost have recently approved *Principles of Faculty Involvement in Institutional and Academic Unit Governance at the University of Michigan, 2d ed.* We believe this document is a substantial improvement over its predecessor, and hope that it will provide a framework for faculty participation in university governance and for further discussion of the respective roles of faculty and administration. We thank the Provost for her patient and constructive role in bringing this project to completion. The product is a result of many months of diligent negotiation, with give and take on both sides, and is the first principles document that includes and describes the role of central faculty governance at the University of Michigan.

One issue eludes a fully satisfactory solution. SACUA wanted more explicit assurance that the administration would be proactive in communicating and consulting with faculty governance (SACUA and Senate Assembly) about significant issues that are of interest to the faculty but were not of an academic nature. The response of the administration was largely two-fold. First, in an institution the size of the University of Michigan, some issues cannot be revealed prematurely without endangering negotiations. Second, with the complexity and variety of issues involved, the administration cannot commit itself to knowing which issues the faculty will find of interest. We recognize these considerations, and believe that they can be accommodated in a provision that nevertheless assures that administrators will ordinarily feel obliged to consult on significant matters with representatives chosen by the faculty.

The administration has invited us to question it on any issue that draws our interest. We accept that responsibility. We encourage the administration to be transparent and consultative in its dealing with faculty governance. We hand on to our successors the challenge that when the principles document is next reviewed, language detailing a more explicit and proactive assurance and consultation should be negotiated and approved.

Discussion

Professor Riles spoke in support of the resolution, stating that he would support an even stronger statement, but that the existing language was acceptable to him. Professor Ketefian pointed out that the academic business conducted by the faculty is essential to the mission of the university, and that SACUA must be alert to developments and bring them before the committee structure of the Assembly. She said that the administration has a responsibility to inform, facilitate, and support the essential mission performed by the faculty.

ACTION OF SENATE ASSEMBLY 042108-3

Professor Poe moved that the Senate Assembly endorse the resolution as offered (multiple seconds).

Vote on the Active Motion:

Number approving- 36

Number disapproving- 1

Number abstaining- 2

FINAL REMARKS OF THE CHAIR

Chair Smith summarized the accomplishments of elected central faculty governance during the two years of his tenure as chair. The report is contained in the April faculty governance update to the Board of Regents (http://www.ur.umich.edu/0708/Apr21_08/21.php).

ACTION OF SENATE ASSEMBLY 042108-4

Professor Poe moved that the Senate Assembly thanks Chair Smith for his service as faculty chair and commends him for the progress made during the past two years (multiple seconds).

The action was approved by acclamation.

OLD/NEW BUSINESS

Professor Abdoo asked for follow-up study of faculty experience with the new Blue Care Network, because she has received anecdotal complaints from many of her faculty colleagues. Professor Koopmann responded that advisory groups to the Benefits Office need to hear about these problems. Chair Smith pointed out that experimental programs such as the one in support of diabetes treatment may be discontinued if pharmacy benefits are outsourced.

STUDENT-ATHLETE COUNSELLING

Professor Riles addressed the Assembly at 4:40 P.M. On behalf of SACUA member Friedman and himself, he requested authorization of the following charge:

The Senate Assembly asks that (1) Richard Friedman and Keith Riles act as a committee to investigate the questions of whether the Athletics Department has, as a regular matter, counseled student-athletes in inappropriate ways, and if so, what the sources of the problem are and what possible remedies may be; and (2) this committee report to the Senate Assembly by 1 December 2008.

Discussion

Professor Riles made a formal presentation in favor of the proposal (see pdf appendix to these minutes). He emphasized that his presentation represented his own opinions. He concluded his remarks at 4:50 P.M.

Professor Sherman Clark from the Law School introduced himself and acknowledged that he was not a member of Assembly, but said that he knew Professor Friedman well, and that Clark regarded him to be a diligent, fair-minded individual above reproach. Professor Ketefian suggested that the Senate Assembly should proceed in two steps, first authorizing the creation of a committee, and then deciding how to populate it. She suggested that the committee should

have a larger number of members. Professor Navvab expressed support for Professor Ketefian's suggestion. Professor Maher remarked that because Professor Riles has already taken positions critical of actions by the athletics program his objectivity may be open to question.

Professor Koopmann said that he wanted to clarify that the chair of the APC is selected by the faculty of the APC, and that he did not believe that the APC is unduly influenced by the athletic director. Professor Eagle suggested that the committee should probably have 5 members, and that he regarded it as unusual to receive a proposal from two Assembly members asking that they alone constitute a committee. He said that the Assembly should follow its usual process of appointing task forces and committees. Professor Rothman endorsed the idea of a 5 member committee. Professor Stark expressed support for including both Professors Riles and Friedman on such a committee, and said that he considered them very objective individuals based on his experience with them on SACUA.

Professor Sabel suggested that action on the motion seemed premature, and pointed out the lateness of the hour. He moved that the motion be placed to the table (multiple seconds).

Vote on motion to place Main Motion to the table:

Number approving- 30
Number disapproving- 4
Abstentions of record- 0

The meeting was adjourned at 5:10 P.M.

Respectfully submitted

John T. Lehman
Senate Secretary

University of Michigan Bylaws of the Board of Regents, Sec. 5.02:

Governing Bodies in Schools and Colleges

In each school, college, or degree granting division of the University, including those at the University of Michigan-Dearborn and at the University of Michigan-Flint, the governing faculty shall be in charge of the affairs of the school, college, or division, except as delegated to the executive committee, if any, and except that in the School of Graduate Studies the governing board shall be the executive board, and in the Medical School shall be the executive faculty.
