

Minutes of 21 December 2009
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THE UNIVERSITY OF MICHIGAN
SENATE ASSEMBLY MEETING
21 DECEMBER 2009

Present: Abdo, Adlerstein-Gonzalez, Andjelkovic-Zochowska, Aronoff, Barber, Bielinska, Borer, Davis, Dorsey, Fauman, Ferris, Fraser, Geary, Gest, Hirshorn, Holland, Karni, Johnson, Kearfott, Larsen, Lehman, Lenk, Li, Lim, Miller, Millunchick, Nassauer, Norton, Ottaviani, Ortega, Poe, Reddy, Rothman, Sampson, Sharma, Silverman, Smith, Stark, Staller, Sweeney, Thouless (Chair), Tzeng, Williams, Zemgulys, Ziff

Requested Alternate, None Available: Bergin (LSA), Davis (Law), Giordani (Medicine), Green (Medicine), Horowitz (Law), Patil (Medicine), Soellner (Pharmacy), Wolfe (LSA)

Alternates: Christman (Sheets-Medicine), Lu (Millunchick-Engineering), Mansfield (Thompson-Engineering), Miller (Sampson-Nursing), Schultz (Jagadish-Engineering), Williams (Mars-Flint), Young (Yang-Medicine)

Absent: Andre, Brown, Denver, Friesen-Lynn, Frost, Hardin, Jackson, Kabamba, King, Koopman, Kurashige, Maher, Mueggler, Najita, Navvab, Patil, Prygoski, Queen, Salessa, Senkevitch, Shore, Sohn, Sun

MATERIALS DISTRIBUTED

1. Draft Senate Assembly Agenda
2. Draft minutes of the Senate Assembly meeting of 30 November 2009
3. Statement on Academic Freedom, undated

Chair Thouless convened the meeting at 3:25 P.M.

CONSIDERATION OF MINUTES

The minutes of the Senate Assembly meeting of 30 November 2009 meeting were approved as submitted.

ANNOUNCEMENTS

1. SACUA asks for ratification of Professor David Dowling as chair of AAAC and of Professor Michael Boehnke for membership on the Development Advisory Committee. The Assembly signified unanimous consent by voice vote.
2. The Assembly will receive a report from a task force charged by faculty governance with developing a draft statement about academic freedom.
3. AEC evaluations concluded 16 December, and quantitative results were posted by 17 December to <http://aec.umich.edu>.

VISIT OF VICE PRESIDENT FOR DEVELOPMENT

The chair introduced vice president Jerry May at 3:28 P.M. The vice president described the activities of his office with the help of a PowerPoint presentation. He noted that public universities have strong limitations on the use of endowment funds for scholarships compared with private universities. He concluded his prepared remarks at 4:08 P.M. and invited questions from the Assembly. In response to questions, he described the various pathways involved in bringing a potential donor on board, as well as the levels of commitment applied to donors who endow buildings. The vice president said that he has a staff team that organizes events for donors, and faculty who wish to volunteer their services are welcome to contact Ms. Barbara Ackley in his office.

The guest left the meeting at 4:20 P.M.

ACADEMIC FREEDOM STATEMENT

At 4:20 P.M. the chair introduced Professor Frier, who chaired an ad hoc task force charged by SACUA with drafting a statement about Academic Freedom (distributed item 3). Professor Frier described the history of legal issues that provoked SACUA to encourage such a statement to be drafted. He said that no immediate crisis looms, but that challenges are likely to arise in the future. Professor Frier pointed out that recent decisions in federal courts are seen as eroding a key provision identified in the draft statement: freedom of internal criticism. He explained that the AAUP has recently encouraged universities to develop and adopt statements that protect academic freedom independently of actions by the federal courts. Professor Frier concluded his prepared remarks at 4:33 P.M.

Professor Poe asked Professor Frier to explain limitations on the freedom of internal criticism. Professor Frier reviewed a case in federal district court that declared that faculty who allege misconduct by their administration are not protected by the Freedom of Speech alone because they act as employees. He said such cases illustrate the need for a formal statement at the U-M.

Professor Frier said that adoption of the statement would be significant in the context of grievance proceedings and in actions taken under Regents' Bylaw 5.09, which are contexts controlled exclusively by faculty committees. He noted that faculty have high degrees of discretion when they serve on such committees.

The guest concluded his presentation at 5:00 P.M.

OLD/NEW BUSINESS

There was no additional business.

The meeting was adjourned at 5:00 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.
