

Minutes 4 December 2017
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THE UNIVERSITY OF MICHIGAN
Senate Advisory Committee on University Affairs (SACUA)
Monday, December 4, 2017 3:15 pm
HPEC 1410, University of Michigan-Dearborn

Present: Atzmon, Carlos, Beatty, Ortega (chair), Malek, Marsh, Schultz, Szymanski, Wright, Potter, Schneider, Snyder

Absent:

Guests: Dr. Fraser, Professor Lippert

3:20: Call to Order/Approval of Agenda/Minutes

The agenda was approved

The minutes for November 27 SACUA meeting were approved

3:10 Announcements

- Office Space Changes

SACUA's space has been changed, Ms. Snyder's office will be given up, and she will occupy one of the cubicle spaces outside the SACUA chair's office. Chair Ortega, said he has been told that no office space in Fleming is guaranteed. He said he will be meeting with the Ruthven planning committee to ensure that SACUA is provided appropriate space when the central administration moves to the Ruthven building.

- Faculty Governance

Chair Ortega said SACUA must think about its support for student protests. He would like to find a way to support what the students are doing, but further conversations need to take place about how this can be done most effectively.

- Ombuds Nominations

Three possible replacements for Professor Giordani, Professors Weineck, Staller and Masten have been contacted about their interest in the position. Chair Ortega said SACUA will work with the Provost to identify people according to protocols worked out by Professor Kearfott, who, as SACUA chair, oversaw the process which resulted in the selection of Professor Giordani as Ombuds. Professors Malek and Marsh asked if the

post had been advertised to the University Community. Professor Carlos suggested that the position be announced at the December 11 Senate Assembly meeting.

3:20 Letter to Tim Lynch Regarding the change in the sanctioning group for the Student Sexual Misconduct Policy

Professor Potter discussed the proposed changes to the sanctioning board in the Student Sexual Misconduct Policy

(<https://studentsexualmisconductpolicy.umich.edu/content/formal-resolution>), which would replace the current panel which, under the current policy, “will typically be comprised of one student chosen by Central Student Government, one staff or faculty member chosen by the Vice President for Student Life (VPSL), and one staff or faculty member chosen by the President.” Professor Potter discussed the development of the policy, upon which he and Professor Frier had worked with Professor Scarnecchia who had been appointed as one of the committee co-chairs when she was General Counsel (the other co-chair was Vice President for Student Affairs Harper). Professor Potter had been appointed because he was chair of the Student Relations Advisory Committee, Professor Frier was chair of the General Counsel’s advisory committee. Professors Frier and Potter were concerned that there be external oversight of findings issued by the Office of Internal Equity (OIE) and the Office of Student Conflict Resolution (OSCR), which had not featured in early drafts of the policy. They were closely involved with the drafting of the final policy.

Professor Potter said the current review panel was devised to provide a check on a process in which it could appear that the same bodies were acting as finders of fact and judges, and from which a Respondent would have no right of appeal to an external body. Professor Potter expressed concern that a group of “staff specialists” in sexual misconduct issues would be too closely linked with OIE. Professor Schultz asked if General Counsel Lynch was concerned with inconsistencies in the findings of review panels. Potter said this was the case.

4:50 Davis, Markert, Nickerson Speakers

SACUA seeks recommendations for a speaker for the 2018 Davis, Markert, Nickerson lecture.

4:51 Tri-Campus Resolution on SACUA

Professor Beatty discussed the recommendation about expanding SACUA’s membership by two, with two positions reserved for UM-Flint and UM-Dearborn (one from each institution). She expressed concern that if the two changes are combined in a single proposal, they might be more difficult to effect. Dr. Fraser concurred, noting it was unlikely the changes could be made before the SACUA elections in March since a change in the number of SACUA members will require regental approval, which he feared could take a considerable amount of time. Dr. Fraser suggested that the two issues be divided so the election of a SACUA member from UM-Flint could occur in March. In his view,

an internal re-allocation of SACUA positions is permissible under the current Bylaws. Professor Potter said he thought the issue could be handled rapidly, though it would be necessary to consult Vice President Churchill before making a decision. Professor Wright suggested that the Senate Assembly can be instructed to vote for a Flint representative to SACUA as part of the standard annual voting process, until a more permanent policy is in place.

Professor Lippert urged SACUA to take care during the drafting process so it did not appear that “special favors” were being done. Chair Ortega pointed out that the minimal requirement for SACUA membership was service on a Senate Assembly committee. Professor Schultz introduced a motion to return the issue of SACUA representation to the Tri-Campus Committee. The motion carried unanimously.

3:40 SRAC Proposal about changing the Statement

Chair Ortega raised the possibility that changes in the Statement of Student Rights and Responsibilities aimed at inhibiting bias-motivated conduct could put pressure on faculty to take a stand on this same issue. He will return to this issue at a later date.

4:05 Adjournment

Respectfully submitted,
David S. Potter
Senate 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.”