

Minutes 26 November 2018  
Circulated 29 November 2018  
Approved 7 January 2019

THE UNIVERSITY OF MICHIGAN  
Senate Advisory Committee on University Affairs (SACUA)  
Monday, November 26, 2018 3:15 pm  
4006 Fleming Administration Building  
Ann Arbor, Michigan 48109-1340

Present: Atzmon, Beatty, Conway (Bluejeans), Lippert, Malek, Marsh (chair), Schultz, Spencer, Potter, Schneider, Snyder

Absent: Carlos

Guests: Vice President Jerry May; Provost Martin Philbert; Special Counsel to the Provost Christine Gerdes; Members of the Press

3:16: Call to order/Approval of Agenda  
The Agenda was approved

3:20: Discussion on Student Resolution on Climate Change

Chair Marsh had been approached by Emily Spillman, who is sponsoring a resolution through Central Student Government (CSG) urging the University to commit more strongly to Carbon Neutrality. CSG would like SACUA and Senate Assembly to join them in the resolution. SACUA will formally consider passing a resolution of support when the status of the resolution has been clarified.

3:30 Guest: Vice President for Development Jerry May

Vice President May greeted Librarian Spencer, recalling that in the 1980s he served on the staff of Vivian Shapiro to build the addition to Tappan Hall; he then asked SACUA members to suggest topics for him to address after his introductory remarks. Professor Lippert asked him to elaborate on the way faculty are integrated into the development process, Professor Schultz asked him to discuss succession plans as he is stepping down at the end of this calendar year; Professor Potter asked how development can be enhanced in the future; Professor Malek asked how the line is drawn to prevent major donors from gaining influence over University operations.

Vice President May opened his remarks by reviewing his career in development, and the history of development at the University of Michigan, which is now viewed as setting the standard for public universities. He said his career began as a graduate student in Higher Education at the University when then President Robbin Fleming asked to study state appropriations for Higher Education. He subsequently took a position in the Development Office where he remained for the thirteen years. He then moved to the Ohio State University, where he worked for a decade before returning to the University of Michigan, where he has worked for the last sixteen years. He feels that his success as a development officer is connected with the fact he works for an institution with a very high reputation with which potential donors wish to be associated. Although now the excellence of the University's Development Office is widely

recognized, for much of his career the Development Office had no impact on the University's reputation, but it was the University's reputation made the development process possible.

Reviewing the history of the Development Program, Vice President May drew attention to President Harlan Hatcher's 55M campaign in the 1960s, the first major campaign by a public university, raising money for new academic programs, fellowships, and buildings. The 55M campaign enabled the construction of the University's philanthropic tradition. President Harold Shapiro expanded development efforts when he brought Jim Cosovich in from Stanford as Vice President for Development in 1982 ([http://www.ur.umich.edu/0607/Feb19\\_07/obits.shtml](http://www.ur.umich.edu/0607/Feb19_07/obits.shtml)). Vice President Cosovich placed great emphasis on fund raising from individuals, which is still the key driver in development efforts. Vice President May stressed the role of strong leadership by the University's presidents along with the creation of alumni networks (there are presently such networks in 19 cities), coordination between central and unit development offices, and volunteers as reasons for the success of development efforts. He noted that while private universities might use their trustees as leaders on development efforts, the University relies on volunteer boards.

Chair Marsh asked how wealthy individuals, who often have very clear ideas about programs they wish to support, can be steered towards filling gaps. Vice President May replied that the University had learned from Stanford and Cornell that wealthier people will give to multiple areas. The more very wealthy individuals are exposed to the university, the more broadly they are willing to give. Stephen Ross, for instance has supported both the Ross School of Business and athletics. He noted that several families in Detroit have given to the Museum of Art as well as to multiple areas of the health system and programs in the College of Literature, Science and the Arts (LSA). Faculty members can also play a major role, noting that there are between 5 and 10 individuals who have given \$40-50 million to a program for which a faculty member provided the vision. There are programs through which faculty members are introduced to potential donors. One such program is the Michigan seminars program (usually held in Florida) (<https://leadersandbest.umich.edu/why/events-michigan-seminars>), for which 8-12 faculty members are selected, sometimes on the basis of recommendations from deans or the Provost. These faculty members will talk to between 200-400 people in the course of the day as a way of encouraging donors. The Medical Center is the unit that has been the most extensively involved in this program.

With respect to succession planning, Vice President May said he delivered annual reports to the President identifying people on his team who can be executive leaders in this area. He has also instituted a "talent management" program to help retain people by making them feel challenged as well as to provide training for development officers. The President is reviewing a list of candidates for his position and will be making an announcement soon.

Vice President May said that, with respect to things that can be done better, the most pressing need is the digitization of resources. Current systems are not user friendly, and Development is looking to invest in a \$15 million dollar for a system that helps track donors and prospects. He gave as an example the lack of a list of students who used the Central Campus Recreation Building (CCRB), which is going to be rebuilt at a cost of \$150 million. He is particularly looking for graduates who are former CCRB users who now own companies. There are as many as 7,000 potential donors but there is a lack of people to call them, given that the Development Office has only 180-200 development officers, and, when unit development staffs are included, the campus only has 550 of development officers. The shortage of personnel is significant as it takes time to build relationships. He noted, however that the University has more than quadrupled foreign and parent fundraising, and that there are 150 parents who give \$100,000 a year to the University, often for Student Life initiatives, or for the colleges in which their children are enrolled, or to for things in which they have an interest. The most important program is the individual giving major gift program through which tens of thousands of alumni have made \$100,000 gifts.

When it comes to the influence that donors can exercise over the University, Vice President May said some donors are people who have given the University generalized advice on investing. A question can arise about a conflict of interest if the University subsequently invests in funds with which these donors are connected, but Chief Investment Officer Erik Lundberg will only invest with people who have the best track records. Vice President May would be horrified if the University invested in people because they invested in the University.

4:06 Guest Provost Martin Philbert

Provost Philbert said that he is excited about the parental leave policy (<https://record.umich.edu/articles/new-parental-leave-benefits-support-u-m-families>) as it represents the University community's collective responsibility for child rearing. As there is, however, no data guaranteeing that the policy will improve the environment, the University will look for cases where it does not work with the aim of eliminating the causes of failure. He said he is also excited about developments in augmented virtual reality, recalling his experience with a virtual reality device that enabled him to see a protein molecule in three-dimensional space. He is interested in learning how to teach in a three-dimensional environment. Such developments will require faculty to engage with the technology to understand the new pedagogies that will arise from this in both STEM and the Humanities. This will need to happen before investing in the technology. Chair Marsh asked if Provost Philbert might be concerned "about people being here without being here." Provost Philbert replied that technology will challenge traditional boundaries of physical space in higher education.

Provost Philbert addressed the misperception that former Office of Institutional Equity (OIE) Director Pamela Heatlie left involuntarily. He stressed that her move to UM-Dearborn was voluntary and that he has great respect for Ms. Heatlie. He would have been happy for her to remain. He also noted that the University is conducting a review of OIE processes., that continual improvement is always the order of the day, and that the external review will help inform the next steps.

Professor Lippert asked what will the review look at. Provost Philbert replied that he did not have the full scope of the investigation in front of him. Special Counsel Gerdes, drew attention to the *University Record's* discussion of the review (<https://record.umich.edu/articles/u-m-will-review-sexual-misconduct-policies-and-procedures>). Provost Philbert said that while he cannot discuss specific cases, he is aware of concerns about the length of time it takes to complete investigations. He noted that a number of factors can impact the timing of an investigation, which can include OIE's good faith effort to meet requests for extensions from complainants and respondents.

Professor Potter said it could be possible to change the process so that there were time limits for initial investigations. Provost Philbert said this would be a departure from current practice. Professor Potter replied that a major concern is that the time for completing investigations is unstructured, suggesting that if an issue could not be resolved within 20 working days, either party could ask for an extension, which would require the requesting party to explain why a solution has not been reached. Provost Philbert allowed that he would take the issue under advisement.

Professor Lippert said there is often disparity in terms of who granted flexibility in OIE investigations. Professor Malek added that while the discussion with the law firm reviewing OIE procedures had been positive, he is surprised at the level of conflict at the University. Such conflict could be alleviated if there was more education about good behavior given that conflict is often between colleagues.

Provost Philbert moved the conversation to the issue of sexual misconduct, saying that while everyone desires to eliminate it, "upstream" cultural change is needed, which will be

facilitated by the introduction of required on-line training for all faculty and staff. This will be piloted soon.

Professor Potter said that he had participated in such a training at through the University of Californian system while he was at UCLA and found aspects of the training absurd (especially the requirement for people completed the training ahead of the scheduled time to remain logged into the training site). In response to an invitation from Professor Philbert to describe effective an ineffective aspects of such training, Professor Potter said he felt training through the analysis of case studies was effective.

Professor Lippert said UM-Dearborn and UM-Flint often lag behind UM-Ann Arbor in rolling out these policies. Provost Philbert replied he has been working with colleagues on the other two campuses; Special Counsel Gerdes added that the sexual misconduct training will roll out across all three campuses at the same time.

Professor Potter suggested the University Administration could engage the campus in a broader discussion of the University's expectations with respect to academic freedom and tenure. He noted that there are often serious misunderstandings on the part of faculty and the general public about what tenure means. He also noted that the University's handling of Professors Davis, Markert and Nicolson, caving in to outside pressure in doing so, brought the University into disrepute.

Provost Philbert said that there could be public examination of why academic freedom and tenure exists and how the environment has changed since these concepts came into being.

4:30 Executive Session Guest Debrief  
[grievance process]

5:04 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 polices 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."