

Minutes of 9 March 2009  
Circulated 9 March 2009  
Approved 23 March 2009

**THE UNIVERSITY OF MICHIGAN**  
**Senate Advisory Committee on University Affairs**  
6048 Fleming Administration Building  
Ann Arbor, Michigan 48109-1340  
Phone: (734) 764-0303  
Fax: (734) 764-6564

Internet Address: <http://www.umich.edu/~sacua/>  
Approved minutes: <http://www.umich.edu/~sacua/sacmin/sacuaminutes.html>

**MINUTES OF THE SACUA MEETING OF 9 MARCH 2009**

**Present:** Fraser, Frier, Navvab, Potter (Chair), Riles, Stark, Thouless; Lehman; Carr, Schneider

**Absent:** Frost, Poe

**Guests:** L. Monts (senior vice provost for academic affairs), Mary Jo Frank (U-M News and Information), *Michigan Daily* reporter, K. Brown (*University Record*), C.B. Smith, J. Lee (AAUP), D. Gershman (*Ann Arbor News*)

**Materials Distributed**

1. Draft agenda
2. Draft minutes of the SACUA meeting of 2 March 2009
3. University of Michigan Faculty Grievance Policy Task Force Report to the Provost, dated 6 June 2008
4. Memorandum to T. A. Sullivan from D. S. Potter, dated 31 October 2009, regarding SACUA response to faculty grievance policy task force report
5. Proposed CESF motion, dated December 2008

Chair Potter convened the meeting at 3:15 P.M. The proposed agenda was adopted.

**CONSIDERATION OF MINUTES**

The minutes of 2 March 2009 were corrected and approved.

**ANNOUNCEMENTS**

1. President Coleman will attend the Senate Assembly meeting on 16 March.
2. SACUA elections will occur at the Monday Senate Assembly meeting as well.
3. SACUA will have a special meeting on 18 March to learn about planned changes to health benefits.
4. Financial advisors from TIAA and Fidelity will meet with SACUA on 30 March.
5. The chair has scheduled a meeting with administrative staff from the residency office on 6 April regarding student residency status.
5. SACUA officer elections will be scheduled for 6 April.

6. The provost will attend the 13 April SACUA meeting.
7. Dr. Fraser will accompany Chair Potter to a regularly scheduled meeting with the university president this Thursday.

## LIAISON REPORTS

### **General Counsel-**

Professor Thouless said that the committee had taken up the topic of free speech protection for faculty

### **Secretary Advisory-**

Dr. Fraser said that he anticipates that a resolution will be introduced asking that all Regental Bylaw revisions be transmitted to the committee in advance of publication in *The University Record*. SACUA members pointed out that recent changes proposed to the Bylaws have consequences for Senate Assembly apportionment. A request was made for proposed Bylaw changes to be shared with faculty governance before they appeared in *The University Record*.

### **AAAC-**

Professor Riles reported that the provost agreed to the release of the AAAC Academic Success Study Report. It is now publicly available on AAAC website. The AAAC has asked for time at the April meeting of Senate Assembly to present the findings.

## MOTIONS FROM CESF

Professor Smith reported that the university administration has decided to recommend a change in health benefits contributions to the Board of Regents such that the U-M will contribute 70% and individuals will contribute 30% of costs. Faculty governance has not been consulted.

SACUA members identified ambiguities in the proposal from CESF (distributed item 5). Chair Potter said that he would seek additional clarification

## VISIT OF TED ST. ANTOINE, GRIEVANCE TASK FORCE CHAIR

The guest joined the meeting at 3:35 P.M. He reported that his task force has met only once to date, and that he was drafting an initial document for committee review and revision. He said that faculty tend to place great significance on peer review whereas administrators place great emphasis on the role of administrators. He said that the Principles Task Force (distributed item 3) recommended that the Grievance Hearing Board members be drawn from outside the grievants' units, whereas deans emphasize the need for members to understand the culture and context of the unit.

Professor emeritus St. Antoine said that both positions may be somewhat exaggerated, but that perceptions are important, particularly the perceptions of the grievant. He said that he was sympathetic to the idea that appeals be made to a faculty committee rather than to an administrator. He said that he was hopeful that the task force report would be complete by the end of the term.

Professor Frier remarked that the number of grievances may be low, perhaps less than three per year on average, but that there seems to be a perception that the process is flawed and

therefore faculty are discouraged from availing themselves of the process. Professor Thouless said that it would be nice if disputes could be resolved at the unit level without a need to appeal initially to the process at the level of the provost's office.

Professor St. Antoine said that clearly, if a dean participated in a decision, the appeal cannot be to the dean. He said the problem is that grievants often include the dean in a complaint just as a matter of course. Chair Potter noted that problems at the department level have no mechanism for resolution until they explode to the deans' level. Professor Frier suggested that ombuds in principle should be able to intercede in these cases. Professor St. Antoine replied that he was receptive to increased use of ombuds.

Professor Riles said that it would be very important that the panel of hearing board members not be selected exclusively by the deans. St. Antoine said that he was sympathetic to the position, and that he was struggling with ideas about a suitable mechanism. He said that he was considering a proposal for an increased role for the faculty grievance monitor.

The guest left the meeting at 4:00 P.M.

#### VISIT OF UNIVERSITY PROVOST

The provost joined the meeting at 4:00 P.M.

#### **Dean of Kinesiology Search**

The provost has received a report from the search committee.

#### **Recreational Sports**

A report has been received, and the provost welcomes feedback about it from SACUA.

#### **Promotions**

There are 210 promotion cases this year.

#### **Budget**

About 85% of the provost's time is being spent on the budget. She said that a result of the ARRA stimulus package will be increased research funding, including supplemental funding. The State rescission for the U-M budget is rumored to be \$10M.

#### **Open Access to Faculty Courseware**

The provost pointed out that CTools software itself is open source, but that she believes that a substantial amount of intellectual property rights are attached to any faculty teaching materials posted there. She said that she is unaware of any efforts by her office or that of the president to encourage open access to faculty course materials across the university. She said that she did not raise any objections to the Medical School's initiative to seek participation from its faculty, because she had been told that the effort was voluntary and was all about providing Africans with increasing access to medical information.

### **Regents' Bylaw Changes**

SACUA members pointed out that recent changes proposed to the Bylaws have consequences for Senate Assembly apportionment, and they requested that future such proposals be shared in advance with faculty governance.

### **Faculty Salary Rights**

Chair Potter pointed out that a federal court in Puerto Rico found that university administrations cannot reduce the salaries of tenured faculty.

### **Rackham Continuous Enrollment Policy**

Executive Board has approved the policy contingent upon funding details.

### **DPS**

The provost said that DPS reports to CFO Slottow. She said that she has never heard of a case where DPS actions against U-M faculty were authorized by her office, but that she supposed it could be possible at some point if there was imminent danger to life or property.

### **OLD/NEW BUSINESS**

There was no additional business.

### **EXECUTIVE SESSION**

The meeting entered executive session at 4:30 P.M. to discuss recent procedural changes in a grievance case and to develop a charge for the Faculty Hearing Committee. After much discussion SACUA resolved to conduct initial inquiries into a case as committee of the whole, first seeking information from a grievant and then questioning university officials.

The meeting adjourned at 5:10 P.M.

Respectfully submitted,

John 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.

---