

**ASSOCIATED STUDENTS OF  
MICHIGAN STATE UNIVERSITY  
GENERAL ASSEMBLY  
FIFTY-NINTH SESSION**



**BILL NO. 59-21**

**INTRODUCED BY:** Iturralde (VPAA)                      **SECONDED BY:** Grondin (VPJA)

**A BILL TO:** Support a vote of no confidence in the Michigan State University Board of Trustees

**THE ASSOCIATED STUDENTS OF MICHIGAN STATE UNIVERSITY ENACT:**

**WHEREAS,** The Associated Students of Michigan State University was founded “in order to establish a collective student voice,” and “address the unique needs and concerns of the student community<sup>1</sup>”; and,

**WHEREAS,** On August 12, 2022, Sanjay Gupta, then Dean for the Broad College of Business, submitted his resignation as dean to the Provost and EVP for Academic Affairs Teresa Woodruff as a result of “concerns about his leadership of the college and also a failure to report under our mandatory reporting policies<sup>2 3 4</sup>”; and,

**WHEREAS,** Vice Chairperson for the MSU Board of Trustees, Dan Kelly, released a statement on behalf of the Board on August 30, 2022, that the Board has hired external legal counsel to review the administration’s decision to remove Gupta as dean<sup>5</sup> citing that the Board has the responsibility of “oversight and governance of the University<sup>6</sup>”; and,

**WHEREAS,** During the special Faculty Senate meeting on September 13, 2022, the Provost defended her decision for Gupta’s removal and referenced her decision-making process during her concluding remarks<sup>7</sup>” Additionally, President Stanley during the Faculty Senate meeting reiterated that he fully supports the Provost’s personnel decision and process regarding Gupta’s position as dean<sup>8</sup>; and,

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<sup>1</sup>[ASMSU Manual, ASMSU Constitution](#)

<sup>2</sup>[MSU Broad college dean resigns after mandatory reporting failure, State News, Aug. 2022](#)

<sup>3</sup>[Mandatory Reporting Policy, MSU Office of Civil Rights](#)

<sup>4</sup>[Failure to Mandatory Reporting Protocols- Sanjay Gupta, Office of Institutional Equity, Aug. 2022](#)

<sup>5</sup>[Board of Trustees hires counsel to investigate dean’s removal, State News, Aug. 2022](#)

<sup>6</sup> [Statement on the removal of Sanjay Gupta as Dean of the Broad College of Business, MSU Board of Trustees, Aug. 2022](#)

<sup>7</sup> [Special Faculty Senate Meeting, Sep. 2022](#)

<sup>8</sup> [Ibid.](#)

**WHEREAS**, Several entities, including the President for the Association of American University<sup>9</sup>, individual faculty senators<sup>10</sup>, MSU College Deans<sup>11</sup>, and 94 distinguished professors<sup>12</sup>, have publicly shared their concerns with the current actions of the Board with some citing similar violations of the Board’s Code of Conduct; and,

**WHEREAS**, The Board has released a statement regarding the nature of the two external investigation counsel in their recent statement referring that the hiring of the counsels are investigating matters solely in regards to the Title IX certification<sup>13</sup>; and,

**WHEREAS**, Recent news of the conduct of the Board’s external legal counsel is concerning with reports that the legal counsel has directly contacted MSU faculty, executive administrators, and internal legal counsel to help in their investigation into Gupta’s departure. Provost Woodruff has sent a letter to the Board noting that she “defends the rights of [MSU] faculty and staff to work independent of outside inclusion and rights of the university to work through its rigorous processes for discipline without undue pressure on behalf of [the legal counsel]” and noted that “the Board of Trustees declined direct engagement with [the Provost] on these matters.” She also expresses that “these aggressive and unparalleled actions are causing harm to individuals and creating a chilling effect over work that is difficult... These actions by the Board of Trustees are doing harm to the campus, harm to the reputation of MSU and harm to the process you seek to improve;” and,

**WHEREAS**, The Board appears to have violated its Code of Ethics and Conduct specifically the Board’s responsibility to “avoid involvement in administrative matters not subject to the direct authority of the Board<sup>14</sup>.” and,

**WHEREAS**, The Board has also neglected their legal responsibility to review all Title IX reports involving alleged sexual misconduct of university employees<sup>15</sup> which fails to foster a safe Spartan community that upholds its commitment to prevention and protection of survivors;” and,

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<sup>9</sup>[AAU President Expresses Deep Concern About Michigan State University, Sep. 2022](#)

<sup>10</sup>[Special Faculty Senate Meeting, Sep. 2022](#)

<sup>11</sup>[A Message from the MSU Deans Council, MSU Honors College, Sept. 2022](#)

<sup>12</sup>[94 distinguished professors support Stanley, State News, Sep. 2022](#)

<sup>13</sup>[Statement on Title IX Certification, MSU Board of Trustees, Sep. 2022](#)

<sup>14</sup>[Code of Ethics and Conduct, MSU Board of Trustees](#)

<sup>15</sup>[Inconsistent messaging led to Title IX compliance failure at heart of issue with Stanley, board, State News, Sep. 2022](#)

**WHEREAS**, The actions of the Board in conducting an external investigation into the departure of Gupta not only violate their Code of Conduct but also disregards the institutions of delegated authorities and shared governance in decisions similar; and,

**WHEREAS**, The actions of the Board in conducting an external investigation into the departure of Gupta is creating a harsh campus climate and diminishes Michigan State University's reputation which has affected the image of MSU and recruitment of future Spartans; and,

**WHEREAS**, These recent events have shown that the Board has not improved their conduct from previous incidents in which MSU has failed to protect and support survivors in the MSU community and again are failing to protect and support survivors;

**WHEREAS**, With all this considered, it is the responsibility of governing groups to voice their lack of confidence of the Board's leadership and hold them accountable to their actions; therefore be it further,

**RESOLVED**, That the Associated Students of Michigan State University is forced to bring about a vote of no confidence in the current Board of Trustees; and,

**RESOLVED**, ASMSU, as signified by the vote on this resolution, will call for the MSU Board of Trustees' immediate resignation; and,

**RESOLVED**, ASMSU supports actions taken to exemplify this lack of confidence in the MSU Board of Trustees.


**INTRODUCED ON** 10.06.2022

**REFERRED TO** n/a **COMMITTEE ON** n/a

**SPECIAL ACTION TAKEN** n/a **DATE** n/a

COMMITTEE ACTION	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	PASSED	FAILED	VOTE	DATE

FINAL ACTION TAKEN	<u>X</u>		<u>21-0-4</u>	<u>10/06/2022</u>
	PASSED	FAILED	VOTE	DATE

  
PRESIDENT: Jordan Kovach

  
VPIA: Carl Austin Miller Grondin