MICHIGAN STATE UNIVERSITY
UNIVERSITY COUNCIL APPROVED MINUTES
JANUARY 23, 2018 3:15 PM
115 INTERNATIONAL CENTER


1. CALL TO ORDER
   The meeting was called to order at 3:18 pm.

2. Approval of Agenda for January 23, 2018
   The agenda for January 23, 2018 was approved as amended.

3. Approval of Draft Minutes for November 28, 2017
   The minutes for November 28, 2017 were approved as distributed.

4. President’s Remarks: Dr. Lou Anna K. Simon - not in attendance

5. Provost’s Remarks: Dr. June Youatt
   Provost Youatt reported that President Simon is not in attendance today, that she continues to view (via livestream) the comments of women who have been injured, and she continues to
believe that doing this is her highest priority right now. Provost Youatt stated: “I think you all feel like I feel, which is just heartbroken. I want to say what happened on this campus, the women that have been hurt in ways that we could not have imagined, what this has done to their lives, their family's lives, and by the long arm of extension, all of ours.”

Provost Youatt continued her opening remarks by stating: “I think some of you have been here a long time but you probably could have never imagined in your life that there would be this kind of shadow over this place that we care so much about and you've all worked so hard to build. It's hard to know what else to say, other than we're grieving. I think there is a sense of sorrow on this campus for all that has happened. I don't have any other remarks other than the depths of which this has hurt. This isn't about me, it is about what it's done to first, the women, and then their families, and then our whole community, because we are all torn apart by this.”

6. Chairperson’s Remarks: Dr. Laura McCabe

Dr. McCabe reported that she has been horrified by what Nassar has done by his despicable and criminal actions, and that she has been heartbroken listening to the painful stories of the survivors. Dr. McCabe stated that the Steering Committee welcomes any items that are put forth by the faculty, and that the next Steering Committee will be on February 13th, 2018, at which point the Steering Committee will discuss issues that they receive from faculty.

7. NEW BUSINESS

7.1. Proposed ‘No Confidence” vote for President Simon.

Andaluna Borcila and Anna Pegler-Gordon from James Madison College requested an amended agenda to put forward a motion for an “emergency meeting” of the Faculty Senate, in order to place forward a motion for a vote of “no confidence” against President Lou Anna Simon. Dr. Hoppenstand, the Secretary for Academic Governance, stated that such a motion should be placed, first, with the Steering Committee, which can then direct or “steer” the motion to vote “no confidence” against President Simon at the next MSU Faculty Senate meeting. It was subsequently agreed that the members of the Steering Committee would hold an emergency meeting following the University Council meeting, to vote whether to place this “no confidence” against President Simon vote. Vigorous discussion about taking an emergency Steering Committee action for a “no confidence” vote ensued.

7.2. University Committee on Curriculum (UCC) Report, Professor Marci Mechtel, UCC Chairperson (Long Report, click on link)

Professor Mechtel stated that, as reported and approved by Faculty Senate last week, the UCC report is as follows: There were eleven new programs that were approved, including many linkages with a Bachelor of Science degree in Advertising, Advertising Management and Health Risk Communication, Advertising Management and Public Relations, MSMA, all of which would be effective Summer Semester of 2017. She added that there was a Graduate Certificate approved in Children and Young Adult Literature, and a Collaborative Piano Doctor of Musical Arts, effective Summer Semester of 2018. In addition, an Elementary Stem Sale Education Graduate
Certificate was approved, effective Summer Semester of 2018, as well as an Environmental Science and Policy Ph.D. Dual Major, effective Fall Semester of 2018.

Professor Mechtel also reported that a new Master’s degree in Health Care Management was approved, effective Fall Semester of 2018, and a new Master’s in Management Studies degree was approved, effective Fall Semester of 2018. In addition, she stated that a new Bachelor of Science degree in Medical Laboratory Sciences was approved. Regarding programs, Professor Mechtel said that UCC approved five program changes, and one program deletion. Regarding courses, 95 new courses were approved, 87 course changes were approved, and 28 course deletions were approved. She added that moratoriums were placed on the Athletic Training Bachelor of Science program, effective Spring Semester of 2020 to Fall Semester of 2021, and a discontinuation was approved of the Health Professions Education Master of Arts degree, effective Spring Semester of 2020. She noted that the short report is located in the appendix, and that there is also a link to the long report.

A motion was made to approve the Report and was first and seconded. The motion carried.

7.3. Proposed Changes to the Student Rights and Responsibilities Document, Lorenzo Santavicca, ASMSU President

Lorenzo Santavicca reported several proposals for revisions to the Student Rights and Responsibilities document. He identified that “the first proposal [in in Article 5] involves the failure to comply with the sanction (or any conditions of a sanction) imposed that may form the basis for additional conduct charges, and imposition of more severe disciplinary sanctions.” He added that the other proposal involves the statement that suspended students would not being able to attend University sponsored or student group sponsored events, a demand that was encouraged by ASMSU.

Lorenzo Santavicca stated that there was a request regarding the search for the new Ombudsperson, a request to expand the pool of people who would be available to apply for that position. Currently, he noted, the language for the position says that the Ombudsperson must be a “senior faculty member, or executive manager,” but the statement now has been revised to say a: “senior faculty member, executive manager, or other qualified person,” thus defining a student differently and more specifically, remarking that: “An individual is considered a student from the date a student first attends a university course or academic program, or the semester start date of the first term, for which a student is enrolled, whichever comes first.” Discussion ensued regarding the change in language for the Ombudsman position, to which Bob Caldwell and Kristine Zayko addressed questions.

An amended motion was made to: “Accept the proposed changes to the Student Rights and Responsibilities [document], as it relates to Article 5, the current language about students and discipline. And then to also accept Article 10.1, regarding the Ombudsman’s position.” The motion was first and seconded to approve these changes. The motion carried. It was noted that the language about students will be reviewed, and then returned to this body for approval.
Mid-Semester Feedback Discussion, Reports by UCUE, UCGS and UCFA
Professor Miksicek, chair of UCUE reported.

Professor Miksicek reported that the report regarding the Mid-Semester Feedback proposal was presented to, and discussed at, three standing committees: the University Committee on Undergraduate Education, the University Committee on Faculty Affairs, and the University Committee on Graduate Studies. All three standing committees provided some feedback about the proposal, but recommended broader adoption. He added that at last week's Faculty Senate meeting, the motion was presented to endorse this proposal as a best practice in teaching, and that was passed. He noted that the proposal will be moving forward with an eye to broader implementation of mid-semester feedback, one that involves academic advancement that works with best implementation practices. Discussion ensued.

7.4. Freedom of Speech on Campus – Faculty Discussion, Presentation and Panel Discussion, Michael Lawrence, Professor of Law, Foster Swift Professor of Constitutional Law, MSU; Additional Panelist: Sue Carter and Kristine Zayko

The panel provided a discussion of what constituted hate speech. Kristine Zayko noted that there is a different standard what schools can regulate in high school and middle school, which is very different than what colleges and universities can regulate, with the bar for tolerance of speech set at a much higher. Public institutions can only prohibit indiscipline speech falling in categories which are outside of the protections of the First Amendment.

Professor Lawrence reported about what the U.S. Supreme Court has said on the issue, which has been extremely protective of speech in the U.S. Supreme Court's interpretation of the First Amendment, to the point where speech meets the traditional definition of an assault or racist speech. He adds that the U.S. Supreme Court says in a case in 2003: "Racist speech, however vile, is protected by the First Amendment." He provided an illustration of this point by discussing the March in Skokie in 1977, by the Nazi Party, and that situation went all the way to the U.S. Supreme Court, when Skokie tried to prevent the Nazis from marching. The U.S. Supreme Court said that the City of Skokie, which was highly Jewish, was unable to prevent the Nazis from marching in Skokie. Discussion ensued.

8. Comments from the floor
None

9. ADJOURNMENT
A motion was made to adjourn and was first and seconded. The motion carried. 4:59 pm.

10. TSC Emergency meeting:
An emergency meeting was subsequently held immediately following the conclusion of the University Council meeting, where it was decided that a “no confidence” vote would be placed before the MSU Academic Congress, to forward their results to the Faculty Senate for that Committee’s attention and action.