Approved:
2018-2019: Meeting #5

MICHIGAN STATE UNIVERSITY
UNIVERSITY COMMITTEE ON ACADEMIC GOVERNANCE
(UCAG)
DRAFT AGENDA
MARCH 14, 2019
2:30 PM (please note time change)
W-1 OWEN GRADUATE HALL (GARDEN LEVEL)

1. CALL TO ORDER
2. Approval of Agenda for March 14, 2019
3. Approval of Draft Minutes for February 14, 2019 (Appendix A)
4. Chairperson’s Remarks: Amanda Tickner
5. Associate Provost for Academic Services Remarks: Dr. John Gaboury
6. Secretary for Academic Governance Remarks: Dr. Gary Hoppenstand
7. NEW BUSINESS
   7.1. Update on Review of College Bylaws, Chairperson Amanda Tickner
   7.2. Revision of Proposed University Bylaws, Chairperson Amanda Tickner (Appendix B)
   7.3. 7.4.3. Language to send to FRIB and to the Academic Specialist Committee Regarding Election Language in Bylaws, see Tracking System, under Academic Specialists (1.1.2.1.), Chairperson Amanda Tickner
   7.4. University Bylaws
      7.4.1. Revise to address the issues of concerns with 3.3.1.1., and 3.3.1.2.1.; regarding the establishment of clear-cut wording on the number of representatives and the cycle of elections that would take into account the College Advisory Council Chair’s one-year term, Dr Gary Hoppenstand
      7.4.2. Absences and Removal, Discussion of Attendance Policy, Dr. Gary Hoppenstand (1.4.3.)
8. Other Business
9. ADJOURNMENT

Directions once inside Owen Hall:
From the Owen Hall front desk, proceed to the left towards the cafeteria. On the far left, there are a set of double doors to the West Wing (next to the ATM). Go through the doors, pass the elevators and enter the West Wing. Proceed to the end of the long hallway and just before the hallway turns there is another gray door to a stairway on the right hand side. Go down two small flights of stairs to the garden level. Open door, turn right and proceed to room W-1 on the right hand side of the hall.
Approved:

MICHIGAN STATE UNIVERSITY
UNIVERSITY COMMITTEE ON ACADEMIC GOVERNANCE (UCAG)
MINUTES
February 14, 2019, 3:15 p.m.
W-1 Owen Hall

X=Present  A=Absent  S=Substitute (Substitute Name)  *=Ex-officio member

<table>
<thead>
<tr>
<th>Member</th>
<th>Constituency</th>
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<tbody>
<tr>
<td>Ajit Srivastava</td>
<td>Agriculture &amp; Natural Resources</td>
<td>A</td>
</tr>
<tr>
<td>Xia Gao</td>
<td>Arts &amp; Letters</td>
<td>X</td>
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<tr>
<td>Dylan Westrin</td>
<td>ASMSU</td>
<td>A</td>
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<tr>
<td>Jack Person</td>
<td>ASMSU</td>
<td>X</td>
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<td>[Pending]</td>
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<tr>
<td>Fredric Jacobs</td>
<td>Business</td>
<td>X</td>
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<tr>
<td>Tyler Silvestri</td>
<td>COGS</td>
<td>X</td>
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<tr>
<td>Dionsdra Straiton</td>
<td>COGS</td>
<td>A</td>
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<tr>
<td>Laura Dilley</td>
<td>Communication Arts &amp; Sciences</td>
<td>X</td>
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<tr>
<td>Rand Spiro</td>
<td>Education</td>
<td>X</td>
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<tr>
<td>Mark Worden</td>
<td>Engineering</td>
<td>X</td>
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<tr>
<td>Fredric Manfredsson</td>
<td>Human Medicine</td>
<td>X</td>
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<tr>
<td>Connie Hunt</td>
<td>James Madison, Law, Lyman Briggs, RCAH</td>
<td>A</td>
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<tr>
<td>Etienne Charles</td>
<td>Music</td>
<td>A</td>
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<tr>
<td>Gabor Francsics</td>
<td>Natural Science</td>
<td>X</td>
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<tr>
<td>Amanda Tickner</td>
<td>Non-College Faculty</td>
<td>X</td>
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<tr>
<td>Katherine Dontje</td>
<td>Nursing</td>
<td>X</td>
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<tr>
<td>John Gaboury*</td>
<td>Office of the Provost</td>
<td>X</td>
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<tr>
<td>Kenneth Stringer</td>
<td>Osteopathic Medicine</td>
<td>X</td>
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<tr>
<td>Gary Hoppenstand*</td>
<td>Secretary for Academic Governance</td>
<td>X</td>
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<tr>
<td>Carole Gibbs</td>
<td>Social Science</td>
<td>X</td>
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<tr>
<td>Lorraine Sordillo-Gandy</td>
<td>Veterinary Medicine</td>
<td>X</td>
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I. Call to Order
   • The meeting was called to order at 3:19 p.m.

II. Appreciation of the Secretary for Academic Governance
   • Vice Chair Silvestri presented and read a Valentine’s Day card for Dr. Gary Hoppenstand, the Secretary for Academic Governance, noting UCAG’s appreciation for Hoppenstand’s work. The present members signed the card, which was given to Hoppenstand. Hoppenstand was appreciative.

III. Approval of Agenda
   • Motion by Tickner.
   • Second by Jacobs.
   • Approved 14-0-0.
IV. Approval of Draft Minutes of November 15 Meeting
- Motion by Tickner.
- Second by Worden.
- Approved 14-0-0.

V. Remarks
- **Chair Amanda Tickner** said that the Ad Hoc Committee on Bylaws Reform’s proposal must be dealt with at the next meeting, and Tickner worried that there wouldn’t be enough time to incorporate the changes in the regularly-scheduled meeting. Tickner proposed beginning the March 14, 2019 UCAG meeting at 2:00 to ensure there would be time. All in attendance indicated that was acceptable, and the meeting was scheduled as such.

Tickner said that at The Steering Committee’s last meeting, The Steering Committee solicited feedback about potential changes to the Academic Calendar, specifically regarding adding a Fall Break and potentially adding a highly-concentrated class period during Winter Break. The consensus in the room was that UCAG needed more data on how block tuition would impact the calendar, how student success would be impacted by the change, and what other implications such a change would have on faculty, staff, and students. Associate Provost Gaboury said that the Registrar’s Office could provide some data. UCAG agreed that if it received more data, it would be happy to discuss to the measure.

- **Associate Provost Gaboury** reported that issues related to the University’s forthcoming merger of the Michigan State University College of Law are being worked on, and Gaboury said that he wanted to make sure Hoppenstand’s office was involved. Hoppenstand noted that College of Law Dean Lawrence Ponoroff invited Hoppenstand to help with revising the College of Law’s Bylaws, which Hoppenstand said he has begun to do and would continue to do so.

- **Secretary for Academic Governance Hoppenstand** apologized for canceling the January 17, 2019 UCAG meeting for medical reasons, and thanked UCAG for understanding.

VI. New Business: 7.1 – Nominate Faculty Members for Committees
- UCAG discussed the nominees that the sub-groups of UCAG developed prior to the meeting.
- All nominees were selected and approved 14-0-0.

VII. Discussion of Bylaws Timeline

VIII. Adjournment
- The meeting adjourned at 5:06 p.m. following a motion to that effect by Tickner and a second by Person.
Summary of Committee Feedback Regarding Proposed Bylaws Changes Received By UCAG

This feedback will be discussed and potentially lead to revisions of the proposed bylaw changes at the UCAG meeting on 3/14/19. This feedback was compiled by Amanda Tickner (chair of UCAG) and Tyler Silvestri (vice-chair of UCAG).

**ASMSU**
- Unanimous support.

**COGS**

*Academic Governance*
- **Preamble** Add “As students are the central part of the University community, student participation in academic governance is crucial. Students’ views are key to the decision-making process, and these Bylaws attempt to recognize that importance.”
- **1.3.1. – 1.3.4.** Change “faculty or students” to “faculty and/or students.”
- **1.3.4.** “If a faculty or student decision in a matter delegated to faculty or students is amended or reversed, the faculty respective constituencies shall be afforded the opportunity to appeal such action in writing up to and including the President, who shall decide the matter and provide a written rationale for the decision.”
- **3.2.4.7.** “...bearing in mind that the selection of a president should follow upon a cooperative search by the Board of Trustees, students, and the faculty.”
- **3.4.2.1.** “The faculty members of The Steering Committee shall meet periodically with the President, and the Provost, and the Trustees for the exchange of information and views on University policy and culture, and shall normally attend the meetings of the Board of Trustees.”
- **3.4.2.12.** “Faculty members of The Steering Committee shall participate in the orientation of the Board of Trustees in the areas of their respective knowledge and expertise: the roles and responsibilities of academic faculty governance, the processes of academic decision-making, the student experience, and the concept of academic freedom.”
- **5.4.2.3.** “No college may be represented by more than one faculty member of the CAR.”

**Board of Trustees**
- **Article 2** “In exceptional circumstances, and rarely”
- **Article 4 (President)** “…bearing in mind that the selection of a president should follow upon a cooperative search by the Board of Trustees, students, and the faculty.”
- **Article 4 (Provost) (Twice)** “bearing in mind that curriculum matters are delegated by the Board, through the President, to the faculty and that the views of students must also be sought and considered.”
- **Article 5** “Each committee shall include at least one member of The Steering Committee or a student or faculty member designated by The Steering Committee whose responsibilities and expertise closely resemble the committee’s charge.”

**UCGS**
- **2.2.4.** There was some concern that administrators would be at this. One Department Chair said she avoided being at faculty meetings so as to allay concerns about administrative influence.
- **3.3.3.2.1.** “Individuals with administrative responsibilities amounting to less than 25% or less of their total duties should consider the appropriateness of their service...”
- **4.2.2.2.** Same as above.

**UCSA**
- **4.9.1.** The University Committee on Student Affairs (UCSA) shall have four faculty members selected by the Faculty Senate. UCSA shall have eight nine student members appointed as follows: six appointees from ASMSU, including the President of ASMSU; and two appointees from COGS; and the At-large Student Liaison to the Board of Trustees, as appointed by the Vice President for Student Affairs and Services. UCSA appointees are expected to reflect the diversity of their constituencies. The Vice President for Student Affairs and Services and the University Ombudsperson shall be members with voice, but no vote.
UCFT
• Regarding 4.7.8. Instead of the language you have in that section we propose the following: “The Provost, in consultation with the UCFT, has responsibility for formulating, revising, and overseeing a means of convening a University-level tenure committee—to advise the Provost on matters of faculty status, specifically, with regard to promotions and the granting of tenure.” This language was approved by the UCFT committee as a recommendation to the Ad Hoc Committee charged with revising university bylaws regarding academic governance.

UCFA
• Bring in the Dean’s Council

Miscellaneous/Various
• Chief Academic Officer concern [not sure what this refers to, need to clarify with Tyler]
• Board, Article 2 “The agenda for each meeting must include time for the undergraduate student liaison, the graduate student liaison, and the faculty liaison to deliver public remarks to the Board.”
• There’s still no oversight for OIE.
• 5.4.4.1. “…administrators above the level of dean, including (e.g., all executive officers, vice presidents, assistant vice presidents, associate vice presidents, the Provost, associate provosts, and the President).”
• Concerns about the transparency of the CAR, i.e., where do the reports go?
• Independent concern regarding 4.2.2.2. from Emily Tabuteau of UCUE:

“In reading over the draft bylaws which were recently distributed to the members of UCUE (of whom I am one), I discovered a problem, which I noticed because I fall into the category that is not covered and should be. The new text for 4.2.2.2 reads: “No person with an administrative appointment of more than 25% shall be eligible to serve as the chairperson or vice chairperson of a Standing Committee. Individuals with administrative responsibilities amounting to less than 25% of their total duties should consider the appropriateness of their service on a Standing Committee after considering possible conflicts of interest and the appearance of impropriety.” (Substantially the same language is used in 3.3.2.1.1.)

Here is the problem. I am a person with a 50% administrative assignment but I am not the chairperson or the vice chairperson of UCUE (or any other relevant entity). This provision as written may imply that I should not serve on the committee but it does not actually say that (or whatever you would like it to say about persons in my situation). There is, in short, a missing middle.”

Notes on other items outside the revisions that we may wish to address in the same document:

From Mark Worden:

First, in Sections 5.22-5.24 of the MSU Bylaws, the Faculty Athletic Representative is referred to four times in the singular. However, MSU recently added a second one. Should UCAG recommend that the Bylaws be updated to reflect two Representatives?

Notes on other issues for the 3/14 meeting:

From Sarah Long, Library Advisory Committee:

Dispute Resolution  Language Revised February 13, 2019

Any disputes that arise between the UCL and the University Librarian that are unable to be resolved by the Committee itself shall be referred to the Office of the Provost for mediation. Causes for mediation include (but are not limited to) the following: Cases where the committee is silenced by the University Librarian, the committee is not permitted to run its own meetings, decide on agenda items, etc.
Amanda: What I have above is very awkward, I know. I’m having difficulty trying to foresee what other campus committees might have problems with if this language needs to flexible to accommodate all advisory-consultative committees. What I’ve listed above is what the UCL struggled with. How specific do we need to be? Do you foresee any problems of interpretation? All advice welcome!

Here is some language Amanda (chair of UCAG) came up with for the dispute resolution section:

In the instance that conflicts arise between the UCL and the University Librarian such that the mission and independent governance of the UCL are impeded, the UCL shall seek mediation and assistance from the Office of the Provost to resolve the dispute.

We will discuss this for a possible cease and desist recommendation:

From Mark Worden:

Second, I was recently told that a faculty member UCAG nominated to the Athletic Council candidate pool was contacted by one of the Faculty Athletic Representatives in an apparent effort to vet the candidate’s suitability for serving on the Athletic Council. Section 5.2.4.4. of the MSU Bylaws states that “The President shall review the Faculty Athletic Representative at least once every five years with the advice of the voting members of the Athletic Council.” Because Athletic Council members help review the Faculty Athletic Representative(s), is there a conflict of interest if a current Faculty Athletic Representative communicates with the pool members and then advises the President on which pool members to appoint?