

WAYNE STATE UNIVERSITY  
ACADEMIC SENATE

PROCEEDINGS OF THE POLICY COMMITTEE  
October 18, 2021

Present: D. Aubert; L. Beale; P. Beavers; K. Dormer; J. Lewis; N. Rossi; B. Roth; N. Simon;  
R. Villarosa; A. Wisniewski

1. Resolutions Passed by the Student Senate. Brad Roth noted that he had been informed of the dissemination through the listserv of a Student Senate statement endorsing the university's vaccine mandate. Roth said that although this statement is obviously appropriate, had the administration's rationale for not sending the Student Senate's Israeli-Palestinian statement been applied to the Student Senate's endorsement of the vaccine mandate, it would not have been distributed, on the ground that opponents of the mandate had not been granted equal access to the listserv. Roth regards that scenario as illustrating why he, as well as other Law School faculty that he has consulted, disagree with the administration's rationale. The administration's rationale for refusing to allow controversial Student Senate statements to be issued through the listserv misses the fact that the Student Senate is an elected representative body, thus establishing a content-neutral basis for granting it favored access to its electorate via the university resource.

Policy Committee has been discussing how to deal with the question of upholding First Amendment freedoms, in response to the administration's refusal to allow the Student Senate to distribute its majority-approved Israeli-Palestinian statement. When an institution is responsible for the exercise of public power, Roth stated, it is not open to representatives of that institution to substitute their own judgments for the legal standard.

Jennifer Lewis noted her concerns about the campus climate and how students might have reacted to the publication of the Israeli-Palestinian statement. On principle, Lewis thinks the Student Senate should be able to circulate the resolution, but she stated her view that the university cannot circulate information without regard to the campus reaction.

Beale disagreed, noting that whenever someone invokes educational objectives to justify providing some kind of protection to a particular group by ignoring constitutional rights, that furnishes administrators with discretionary power to pick and choose which constitutional rights to uphold. Villarosa suggested the constitutional issues do not create a conflict with maintaining a healthy campus climate. Aubert agreed that the Student Senate should be able to distribute a statement that the majority of the body endorsed.

Members of Policy Committee will continue to talk with representatives of the administration regarding the scope of the current "approval-required" policy and to consider what action the Academic Senate might take in response. Various educators who are concerned about the censorship issue have contacted Beale about the issue.

2. Ad Hoc Committee on Student Data Privacy. Policy Committee determined to form an ad hoc Senate committee in response to the First Day Pilot Committee report. Robert Thompson, Interim Chief Information Officer, and John Rothchild, Information Privacy Officer and Professor of Law, have agreed to serve on the committee. Policy Committee nominated three other faculty for the committee. Beale will contact them about their willingness to serve.

3. Centers and Institutes Advisory Committee – I (CIAC-I). Centers and institutes that are engaged in academic activities that involve more than one school or college and are subject to administrative supervision by the President or designee but are not Type II centers primarily engaged in research reporting to the Vice President of Research are designated as Type I centers and report to the Provost. (School or College centers report to the Dean of that school or college.) For Type I centers, original charters and reviews are conducted by the CIAC-I and reviewed by the Provost in consultation with the Academic Senate. The committee has 2N members, drawn primarily from the tenured or tenure-track faculty, with N members appointed by the Policy Committee of the Academic Senate and N members appointed by the Provost, each acting in consultation with the other. The Provost and the Policy Committee jointly select the chair of the committee. Beale suggested that members consider possible nominees for two Senate representative positions—one with a three-year term through 2024 and one with a two-year term through 2023, due to an oversight last year which led to no appointments by either the Provost or Policy of members for the 2023 terms. Policy Committee will discuss possible members next week when the Provost and Boris Baltes, Associate Provost for Faculty Affairs and Associate Vice President of Academic Personnel, meet with Policy.
4. Article XXX Committees. Policy Committee reviewed the procedures for nomination of faculty and academic staff and the selection of the members of the committees that are selected according to Article XXX in the Agreement between the University and the AAUP-AFT. The article was revised in the contract that was ratified in September to ensure that there is full consultation with members and opportunity for self-nomination, but these requests went out in August before finalization of the contract. Selection of the members of the committees is on the agenda for the meeting of October 25 and has traditionally required an earlier gathering of Policy members for a preliminary selection of nominees.
5. Developmental Disabilities Institute. Policy Committee reviewed the documents for re-chartering of the institute that were prepared in early 2020 but only shared with us recently. Although Policy members expect the institute's charter should be renewed, the group discussed several areas of information needed to make an appropriate decision. Beale will write a memo to the Provost and Chair of CIAC-I, with a copy to the MI-DDI director, listing their concerns as a request for additional information. Policy does not believe that this requires a new memo from CIAC-I but can be handled by an expedited response to the specific questions and materials.
6. Agenda for the November 3 Plenary Session. Policy Committee reviewed the draft agenda. Beale will contact the two potential presenters so that it can be finalized at the October 25 PC meeting.
7. COVID-19. The committee discussed compliance with the campus mandates for vaccine and wearing masks. Compliance in all groups is good.
8. Reports from Liaisons.
  - a. Beale reported that the Faculty Affairs Committee met last week. It will work on the report on the future of higher education post pandemic as its first priority and then move to the issue of emeritus status.
  - b. Rossi said that subcommittees of the Research Committee are working on the higher education issue. Associate Vice President for Research Philip Cunningham has been invited to the November meeting to explain the process that is followed when someone is accused of research misconduct, the second priority item of the committee.

- c. The Student Affairs Committee will meet Wednesday. On its agenda are the list of aggregate student data and the Guide to the 2018 ACT/SAT Concordance prepared by the College Board and ACT.
- d. Lewis said that Curriculum and Instruction would meet next week. They are working on the higher education document.
- e. Beavers stated that the Budget Committee would meet with Vice President for Development and Alumni Affairs Susan Burns on November 8 for an update on issues in her division. In particular, they want to discuss the longstanding issue discussed in Policy and Budget regarding the importance of seeking financial support for faculty titles.

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*Approved as amended by the Policy Committee, November 1, 2021*