

WAYNE STATE UNIVERSITY  
ACADEMIC SENATE

PROCEEDINGS OF THE POLICY COMMITTEE  
November 8, 2021

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

Guests: renée hoogland; Jennifer Wareham

1. Chair's Report.

- a. Provost Kornbluh stated that the Student Senate would like to have a 2-day fall break. Many universities in the state have a break in the fall. Policy Committee mentioned issues that would need to be addressed in considering the request. Kornbluh asked that a committee be formed to determine if it is possible to schedule a break. Members of Policy suggested faculty who might serve on the committee. Linda Beale will contact them to find out if they are willing to serve. The Provost will write a charge to the committee.
- b. Last week President Wilson and Kornbluh met with Jewish students and with members of the Muslim student association. The students talked about their experiences with anti-Semitism and Islamophobia from faculty in their classes. Both groups said they knew they always would get comments from other students but were surprised to experience discrimination from faculty. It has always been present but now people seem freer to express such feelings. For students, the university will provide more inter-cultural and inter-religious activities and tie student life more into the curriculum. There will be workshops at orientation for incoming students. There is a need to have more diversity, equity, and inclusion workshops for faculty. The fact that the narrative is common among the student leaders of these groups means that we need to create a counter-narrative. Kornbluh will write a charge for a committee that will be set up to develop plans to deal with the issues raised.

On a related issue, Naida Simon advises students to tell their instructors early if they cannot attend class due to a religious holiday. Kornbluh said that a letter could be sent from the registrar and the Academic Senate at the beginning of each term reminding faculty of the religious holidays and the need to accommodate students. Members agreed this was a good idea. Jennifer Lewis noted, however, that faculty who make offensive statements are likely not to think written information is directed to them: someone should talk with them individually about the inappropriateness of their comments. Noreen Rossi believes that something should be done to empower and encourage people to report when someone engages in discriminatory comments or practices so corrective action could be taken. Kornbluh said that the Dean of Students Office has a form students can file to report discriminatory comments and actions.

The administration is also working to be more accommodating for students' special religious needs. We are setting up more reflection rooms for prayer. Villarosa noted that our ablution stations have received awards and other universities are copying them. Kornbluh added that those are limited in number because of the expense.

2. Proposed Code of Business Ethics. Provost Kornbluh began the discussion. In January 2020, the federal government issued a regulation that any institution that has grants over a certain

dollar amount had to have a code of ethics. The General Counsel has now proposed a draft code that is relatively innocuous compared to other codes. Beale said that in the past the university administration had similarly suggested a need for an ethics code, but the proposed codes were, in short, quite horrible, with poor wording and unacceptable provisions that presented dangerous threats to academic freedom. In 2018 in response to a third plan for a committee charged to write a code of ethics, the Policy Committee responded that rather than writing a new code that attempted to restate existing statutes and policies, it would be preferable to create a document that merely linked to existing statutes and policies related to the requirements. This document at least is an attempt to do something along those lines, but again includes some new language (in the purpose section and other sections) as well as a new requirement (the reporting obligation) that are poorly drafted. Beale pointed out questionable language, such as the statement that an employee cannot receive a personal benefit from a grant. That is clearly wrong, since participating in a research project, for example, provides multiple personal benefits, including a reputational boost, the potential benefit of publication, and possibly additional compensation. Beale stated that even if other institutions have such a statement, we should not include absurd language. Beale provided suggested edits and asked Policy members for their comments and additional edits. Beale will then draft a cover memo to the Provost from Policy with the proposed comments and edits.

3. Consensual Relationships. Kornbluh said that several deans have complained that the university does not have clear policies about sexual relationships between faculty and students. He asked for Policy's input on the matter. Brad Roth said that the committee and the General Counsel's office had been working on a policy about faculty-student relationships and supervisor-employee relationships, and the Policy Committee had discussed this at length a year or so ago to arrive at a consensus position on the issue that had been shared with the Provost's Office and General Counsel. The work apparently was halted when the federal government published its revised Title IX regulations (which themselves are likely to be revised under the current administration). Beale indicated she would share the earlier consensual relationship document with Provost Kornbluh.
4. Campus Police Oversight Committee. Jennifer Wareham and renée hoogland joined the meeting. Michigan passed a statute in 1990 requiring universities to have an elected oversight committee for their campus public safety organization. The university currently has a "Public Safety Advisory Council" that apparently pre-existed the 1990 Michigan statute but had not been active for some years. The Board chose to designate the existing council as satisfying the Michigan statute. The council's membership is significantly different from the membership required under the Michigan statute. It is run by Michael Wright as a passive reporting mechanism and includes Chief Holt and other officers ex officio. Wareham and hoogland are the appointed representatives of the Academic Senate to the Public Safety Advisory Council. The council's function and composition are very different from an oversight body.

The Social Justice Action Policing Subcommittee recommended that a separate oversight committee be formed. The Provost said the President and the General Counsel are interested in making the necessary changes to comply with the state statute. The oversight committee is required under the Michigan statute to be made up only of elected members: 2 faculty, 2 students, and 2 staff.

Beale suggested that there is a role for both the advisory council and an oversight committee. The elected oversight committee could also serve as members of the advisory council, but the oversight committee's work hearing and investigating grievances brought by community members against public safety officers would be confidential. The functions of the oversight

committee, however, need to be transparent. It should investigate citizen complaints against public safety officer and in some cases make recommendations in response to the complaints. The purpose, the duties of the members, and the leadership of the oversight committee should be spelled out and available at a dedicated university website.

At the same time, it would likely be helpful to expand the advisory council, which serves as an information-sharing body, to include two community members, as suggested by the Social Justice Action Subcommittee on Policing. To do so, however, will require seeking nominees from appropriate groups. Beale suggested that the Keith Center could be asked for two nominees and another university group with key connections to the community, such as Social Work's center on behavioral health and justice, could be asked for an additional two nominees, with one of the two nominees from each group being asked to serve.

Policy Committee will draft a memo suggesting changes to the Board of Governors statute comporting with these suggestions. Wareham and Hoogland left the meeting.

5. Agenda for the December Plenary Session. Policy Committee members offered suggestions for the December 1 meeting.

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*Approved as drafted at the November 22, 2021 Policy Committee meeting*