



## ACADEMIC AFFAIRS COMMITTEE

February 1, 2019

### Minutes

The meeting was called to order at 10:38 a.m. by Governor O'Brien in the Room BC at the McGregor Memorial Conference Center. Secretary Miller called the roll. A quorum was present.

**Committee Members Present:** Governors Barnhill, Kelly, Kumar, O'Brien, and Trent; Brad Roth, Faculty Representative, renee hoogland, Faculty Alternate Representative; Rexhinaldo Nazarko, Student Representative

**Committee Members Absent:** Ali Fakh, Student Alternate Representative

**Also Present:** Governors Busuito, Gaffney, and Thompson; and President Wilson; Provost Whitfield; Vice Presidents Burns, Decatur, Lanier, Lessem, Lindsey, Staebler, and Wright; and Secretary Miller

### **APPROVAL OF MINUTES, September 21, 2018**

**ACTION:** Upon motion made by Governor Trent and supported by Governor Kelly, the minutes of the September 21, 2018 meeting were approved as submitted.

### **DISSOLUTION OF THE DEPARTMENT OF PHYSICAL MEDICINE AND REHABILITATION OAKWOOD**

Provost Whitfield advised that the WSU Department of Physical Medicine and Rehabilitation Medicine Oakwood is no longer training residents at Oakwood Hospital. When Oakwood Hospital was acquired by the Beaumont Hospital System, the change in ownership created economic difficulties and an atmosphere that made it difficult for the WSU School of Medicine to support the training of residents. Dean Sobel added that following the acquisition, residents and attending physicians received few patient referrals, and not enough to sustain education of residents. Instead students received their education at the Rehabilitation Institute of Michigan, based at the DMC.

Governor Thompson asked for clarification of the effective date of the closure, which will be completed no later than October 1, 2019.

**ACTION:** Upon motion Professor Roth and supported by Governor Barnhill, the Academic Affairs Committee recommended that the Board of Governors approve the dissolution of the Department of Physical Medicine and Rehabilitation Oakwood in the School of Medicine, effective spring/summer term, 2019. The motion carried.

## **PRESENTATION: LAW SCHOOL**

Provost Whitfield introduced Dean Richard Bierschbach of the Law School for his presentation.

Dean Bierschbach has been at the University for 18 months, and has hit the ground running. He began with an overview of the Law School's core programs, the JD, which enrolls about 435 students, and the smaller LLM program. The school focuses on three main objectives. The first is to provide the most dynamic legal education possible for their students. The school has a great reputation for training graduates who are both adept at law theory and also able to excel in and adapt to solving problems in the real world. Employers look to WSU graduates because they know they have that kind of training. The school has 11,500 alumni, spread around Michigan, the country and the world. Eighty percent of WSU law alums live and practice in Michigan, and Dean Bierschbach believe that WSU law grads dominate the bench and the bar in Michigan. While the data is challenging to extract, he has found that WSU Law has more judges in the State of Michigan than any other law school, and he believes similar statistics will emerge for managing partners, general counsels and prosecutors. One in 5 alumni are spread elsewhere, working in interesting and impactful areas, including as general counsels, CEOs, senior vice presidents of global and multinational companies and law firms. They work on impact litigation in places like Jackson, Mississippi or Las Vegas, or even as Department of Justice lawyers in Washington D.C.

The School has received national recognition for some of its accomplishments, including an award from Pre-Law magazine, naming it one of the best law schools in the country for practical training for lawyers, based in large part on the school's robust experiential education program. It has 6 live client clinics, where students work with clinical law professors to serve real life clients. Areas include asylum and immigration work, intellectual property, criminal defense and health care protections.

The School also has strong student competition teams, competing in areas such as mock trials, arguments and negotiations against teams from other Law Schools. Both Pre-Law Magazine and the National Jurist Magazine have named WSU Law as a best value Law School 5 years in a row. Last year, WSU Law was the only Michigan Law School to receive this distinction.

The School also has a strong reputation of its faculty caring about student success, where faculty provide individualized attention to students, and put students and teaching first.

Faculty also serve in leadership positions in professional organizations like bar associations and otherwise through their publications and their research. As a sample of faculty distinction and recognition, last year WSU Law faculty ranked 80<sup>th</sup> out of 205 law faculties for faculty scholarly impact measured by citations, averaging a little over 70 citations per faculty member during the last 5 years. The Levin Center at Wayne Law, named after U.S. Senator Carl Levin, is the only center in the country focusing on legislative oversight and has received a lot of national attention. The Damon J. Keith Center for Civil Rights has a mission to combat structural racism, and puts on significant programming and events to accomplish that goal. One important program it hosts is the Detroit Equity and Action Lab, which has built a network of more than 80 community partners that try and combat structural racism. The centers are also great examples of another main goal, which is to serve the community. This goal is discussed with potential students, who need to understand that it is an important part of being a lawyer, and the School tries to give a range of opportunities to do that. Some are through the Centers and clinics, and some through its programs. One particular example is the student voluntary pro bono program, which matches students interested in pro bono work with needs around the Detroit area. Through its inception, students have put in almost 10,000 hours of direct client service in that program. WSU alumni also have a great track record of pro bono work. The Dean provided some examples of some of that work, including a student who raised money for victims of hurricane Harvey. Some students turn to work in the public sector, where alumni Megan Cavanagh serves as a member of the Michigan Supreme Court, and Dana Nessel, who was recently elected as State Attorney General. More than 50 Law School alumni were elected to state and local office this past November.

This year's entering class has 128 students, a strong achievement given the decreasing number of applicants to law schools nationwide, which have fallen more than 30%. At WSU, applications are down 40%. The declining applicant pool means the competition for applicants is very high, which puts a strain on resources, including how to stretch limited scholarship dollars. WSU Law is working hard on keeping its JD program strong, and to looking for other potential sources of revenue and support beyond the JD program. Some alternative programs are under consideration, including a master for non-lawyer professionals, for individuals who work in heavily law facing industries but are never going to practice law. Health law is another area of interest. A minor in law is another opportunity to partner with other schools and colleges, and one not offered by many schools. One natural pairing is a major in political science and a minor in law. The Dean concluded his presentation and the floor was open for questions.

Governor Trent asked what percentage of the school's minority students are underrepresented. The Dean responded that 7% are African American, about 4% are Hispanic, and about 10% were Middle Eastern students.

Governor Thompson asked about the percentage of faculty members in this same category, underrepresented minorities, and steps being taken to address faculty diversity. Dean Bierschbach reported that about 17% of the faculty are diverse, but it's an issue that he is always trying to work on. The University faces competition from other southeast

Michigan schools - WSU Law uses direct outreach to potential faculty they believe they have a chance of landing and they pursue them strongly. They are also trying to have a proactive recruiting process, rather than waiting for individuals to apply.

Governor Barnhill thanked the Dean for his presentation and asked about the communications effort connected to faculty and student recruitment, and the approach on efforts to continue to build on their success. Dean Bierschbach advised that this is an area where they could be doing more, including touting success on the website, and finding ways to more effectively tell our stories. They are actively working with WSU Marketing on these areas.

In response to a question from Governor Kelly on placement in U.S. News and World Report, Dean Bierschbach reported that WSU Law is at 98. It has been hovering around 100, and has cracked that number, which Governor Kelly feels represents an accomplishment by the School.

Governor Busuito asked what factors limit the size of the JD class. The Dean advised that the amount of funding available for scholarships is a major factor. The other limiting factor is admissions standards, and that is not an area that the School would want to consider. The only limit from external agencies is the bar passage rate. If a school falls below a certain bar passage rate, its accreditation can be impacted. Governor Busuito thanked the Dean, and asked him to share the list of elected legislators and judges who are WSU alumni. The Dean agreed to send it.

Governor Trent returned to an earlier question about increasing diversity among students, as the numbers of under-represented minority's show room for growth. The Dean agreed and indicated that while WSU is currently on par with U of M in the % of African American students attending, he wants the School to be a leader in this area. He is seeking improvement in areas from recruiting prospective students, to making sure they can thrive during their time here, and that post-graduation, students feel part of a community where they can thrive. He is looking to add a dean level position at the school, changing the composition of their student affairs office. They are also raising funds through philanthropy to hire a part-time diversity equity and inclusion coordinator. They recently hired a new associate director of admissions and diversity recruitment, a new position, who will focus on diversity recruitment and pipeline issues. They have also established a standing faculty committee on diversity, equity and inclusion.

Governor Kelly remarked that one thing that would draw more JD students would be to update the facilities - the main classroom building was brand new when she was a student there 50 years ago. It's a little out of date now. The Dean agreed, and believes it will take philanthropic support to be able to replace the building, and wants to generate enough momentum at the law school to build excitement and energy to make that push.

Governor O'Brien asked if it was possible to create a program for the Law School similar to MedDirect, to help provide opportunities for minority students. The Dean has been considering that option, and even if it starts small, with two or three students per year, it provides an opportunity to recruit in high school and identify students with talent and

determination and the public service orientation to succeed. They need to determine how to fund the program. Governor O'Brien encouraged him to pursue this, and asked how openings for faculty hires are identified. The Dean advised that part of this depends on the size of the class and the financial picture. They have not added new lines, but if they identify a superstar who will serve the needs of the school, they would try to recruit them. They have identified such an individual now, and are pursuing them. The Provost added that the central administration will try to assist with some resources to help schools compete in this type of instance.

### **DISCONTINUANCE OF THE UNDERGRADUATE CERTIFICATE IN ENGINEERING ENTREPRENEURSHIP**

Provost Whitfield presented a recommendation for the discontinuance of the Undergraduate Certificate in Engineering Entrepreneurship. The program was superseded by the graduate and undergraduate certificate programs in entrepreneurship and innovation administered by the Ilitch School of Business. There is an effort to align and integrate entrepreneurship and innovation across schools and colleges. This certificate program became redundant. He added that his particular certificate has not been utilized that much, and that it actually makes more sense, since there is a similar certificate in business, to leave that one there and for engineering to be able to use some of these resources for other activities in the college. Engineering has been working with Business to modify their certificates so that it meets the needs of interested students. The current enrollment in this certificate program in the college of engineering is extremely low. The Business School seems to have an active program and Engineering is collaborating with them on it.

In response to a question from Governor Thompson on how many students have pursued this certificate, the answer was none. There were entrepreneurship courses students were taking, but that is different than completing a certificate program. The engineering curriculum is heavily structured, and this certificate program did not fit well within its curriculum. Engineering will be working with the business school to utilize their certificate program, and to integrate it within the engineering curriculum structure, to allow students to participate.

Provost Whitfield added that the partnership with business might make this effort more attractive because of some of the other training and resources that can be added, being able to provide those exceptional students with something that builds between the two programs. The Anderson Institute in Engineering provides a very interesting possible entrepreneurial environment.

**ACTION:** Upon motion by Governor Barnhill, supported by Governor Kelly, the Academic Affairs Committee recommended that the Board of Governors discontinue the Undergraduate Certificate in Engineering Entrepreneurship, effective fall 2019. The motion carried.

**DISCONTINUANCE OF THE UNDERGRADUATE PATHOLOGISTS' ASSISTANT PROGRAM**

Provost Whitfield explained that this recommendation comes forward at this time because the national accrediting agency for this program made a change to move it from an undergraduate program to a graduate program. Peter Frade, Associate Dean for Health Sciences at the Applebaum College added that he has been affiliated with the pathologist assistant program for many, many years now, and tried to keep it at the undergraduate level because it was very effective. But the accrediting agency, NAACLS, has determined that in order for the program to be accredited and recognize our students after they graduate, and for those students to be able to sit for the certification examination, in addition to employment, all programs must be at the graduate level, namely a master's degree. He added that the accrediting agency does not recognize parallel programs, so if college were to have an undergraduate running simultaneously to the graduate program, it be extremely expensive to operate, and students would not populate it. There are only about 11 programs that are accredited, and all of them are at major institutions, such as Duke University. The College has moved the program to the graduate level to sustain its enrollment and maintain high visibility nationally. Now the undergraduate program needs to be closed.

Governor Busuito asked if this same issue is happening to occupational therapy and physical therapy. Associate Dean Frade concurred.

**ACTION:** Upon motion by Governor Trent, supported by Governor Kelly, the Academic Affairs Committee recommended that the Board of Governors discontinue the Undergraduate Pathologists' Assistant Program in the Eugene Applebaum College of Pharmacy and Health Sciences, effective spring/summer term, 2019. The motion carried.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:25 a.m.

Respectfully submitted,



Julie H. Miller  
Secretary to the Board of Governors