

# The University Senate Of Michigan Technological University

## Minutes of Meeting 319 29 September 1999

Synopsis: The Senate

- (1) elected George Dewey to the Conflict of Interest Committee.
  - (2) elected Marv McKimpson to the Inquiry Committee.
  - (3) elected Dave Ouillette to the Graduate Council.
  - (4) referred Proposal 16-99, Professional Development Leave for Non-faculty, Non-represented, Exempt Staff back to committee for further review.
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### 1. CALL TO ORDER AND ROLL CALL

President Seely called University Senate Meeting 319 to order at 5:30 p.m. on Wednesday, 29 September 1999, in Room B45 EERC.

Vice President Soldan called roll. Absent were At-large Senators Tom Drummer, Barry Kunz, Dave Reed, and Pete Tampas and representatives from Chemical Engineering, Humanities, Institute of Wood Research, Metallurgical and Materials Engineering, and Institute of Materials Processing. Liaisons in attendance were Anthony Moretti (USG) and Ted Soldan (Staff Council).

### 2. RECOGNITION OF VISITORS

Visitors included Bob Keen (Biological Sciences) and Marcia Goodrich (*Tech Topics*).

### 3. APPROVAL OF AGENDA

Vanden Avond MOVED and Williams seconded the motion to approve the agenda as presented. The motion to approve PASSED on voice vote with no dissent. [**Appendix A**. NOTE: Only official Senate and Library archival copies of the minutes will contain a full complement of appendices.]

### 4. REPORT FROM SENATE PRESIDENT

President Seely reported that Proposals 1-00, Senate Resolution on the Provost and Vice President for Academic Affairs Search Committee and 2-00, Amendments to Senate Proposal 12-95, Search Procedures for Deans and University Administrators were transmitted to the administration for approval. [**Appendices B and C**].

The administration has approved Proposal 2-00. [**Appendix D**]

Proposal 9-99, Revision of Transition to Full Co-pay of Health Care Premiums for Retirees was rejected by the administration. Seely said he was working with Fringe Benefits and Finance Committees on a response to the rejection. [**Appendix E**]

Proposal 25-99 was also approved by the administration. [**Appendix F**]

President Tompkins formally requested that John Sellars be added to Provost Search Committee. This request was forwarded to the Senate Executive Committee and Staff Council officers who approved it. The Provost Search Committee is now complete. [**Appendix G**]

Seely reported he had met with search firm folks, and found them to be flexible and willing to work with the Provost Search Committee. They are on campus trying to learn how we operate.

Vice Provost for Instruction Steve Bowen contacted Seely wondering how we will handle half-semester courses. Snyder said his committee will start working on it shortly.

Seely also announced that there will be a Bylaws change proposed. Forestry has merged with the Institute of Wood Research (IWR), resulting in a larger department of Forestry. Since there will be one less Senator from Research Institutes, the Bylaws will need to be changed to reflect this.

Seely said a higher education list serv has been set up for Senate Officers. He is willing to share this with anyone interested in joining the list.

Lutzke had a question about the status of proposal 9-99, which was rejected by the administration. Wasn't the cost supposed to have been about \$700,000? At the previous Board of Control meeting, \$800,000 was approved for snow-making equipment for the ski hill. How does one rationalize this?

Seely responded that the budget committee had not seen the snow-making proposal, even though this had been in the works for a couple of years. The administration seems to be sending mixed signals to the staff. With costs for health care going up, benefits to retirees are going down. The budget committee was supposedly set up to fix the money problems of the University. Seely also commented that John Sellars told him he was concerned that Seely criticized the snow-making proposal with community people present. Sellars said that this project would be funded with money coming from sources other than the general fund.

MacLennan requested a time line for how long it will take to make back the money for the snow making equipment from increased ticket sales. Seely said he had no idea. He added that the board had given permission to bond \$625,000 for this project. He has not seen the marketing plan, but will request a copy from Howard Greenley.

Nordberg said he noticed the web page is up to date. Will it continue to be kept up to date? He said his constituents like it. Seely credited the work of Senate Assistant Jeanne Meyers for getting the page in shape. Nordberg said the work is commendable.

## **5. COMMITTEE BUSINESS/REPORTS**

### **A. 1999-2000 Senate Committee Assignments**

Seely asked the Senate Assistant if all the committees were up to date? Meyers responded that three alternates still need to be named. The committee assignments should be ready for the next meeting.

### **B. University Elections**

Seely presented the nominees for the Conflict of Interest Committee: George Dewey (Civil and Environmental Engineering), Sonia Goltz (School of Business and Economics), Komar Kawatra (Metallurgical and Materials Engineering), and Mike Roggeman (Electrical Engineering). Nominations were requested from the floor. There being none, Hodek MOVED and Ouellette seconded the motion to accept slate as presented. The motion PASSED on a voice vote with no dissent.

Dewey was elected with 11 votes, followed by Goltz with 7, Roggemann with 6, and Kawatra with 4.

Seely presented the nominees for the University Inquiry Committee: Vincent Chiang (School of Forestry and Wood Products), Anand Kulkarni (Electrical Engineering), Marv McKimpson (IMP), and David Nitz (Physics). He noted that this committee is still operating under an interim policy. The policy governing the permanent committee should be approved soon. Seely asked for additional nominations from the floor. There being none, Nordberg MOVED and Blanning seconded the motion to accept the slate as presented. The motion PASSED on voice vote with no dissent.

McKimpson was elected with 12 votes, Chiang and Nitz with 6 and Kulkarni with 3. Seely ruled that since there was a tie vote for second place, both Chiang and Nitz will be alternates.

Seely presented the nominees for the Graduate Council Committee: Dave Ouillette (OSRR) and Thomas Swaner (Library). Nancy Szofran was a member of this committee, but has left the University. There being no nominations from the floor, Haapala MOVED and Prince seconded the motion to accept the slate as presented. The motion PASSED on voice vote with no dissent.

Ouillette was elected with 19 votes and Swaner with 10.

Seely presented nominees for the Sabbatical Leave Committee: Sandra Boschetto-Sandoval (Humanities), Tomas Co (Chemical Engineering), John Gierke (Geological Engineering and Sciences), and Konrad Heuvers (Mathematical Sciences). According to the procedures, the Senate approves a slate of three nominees to forward to President Tompkins for selection to the committee. There being no nominations from the floor Snyder MOVED and Williams seconded the motion to accept the slate as presented.

The three members nominated were Boschetto-Sandoval, Gierke, and Co.

### **C. Board of Control Relations Committee**

Seely reported that he and former Senate Secretary Glime met with Board of Control Chair Jim Mitchell, Board Finance Chair Claude Verbal, and Marty Lagina. Seely said it had been a good meeting.

The board members thought the Senate had acted appropriately in the policy dispute over the Provost Search Committee. They expressed interest in the Senate's involvement with the University budget process. Board members asked how the Board could show the Senate they support shared governance. The board approved Senate Proposal 2-00 only through the current (provost) search. They felt that there should be a revisiting of Senate Proposal 12-95, Search Procedures for Deans and University Administrators before another search is conducted. One suggestion was to make the committee smaller.

Seely made it clear that there is discontent on campus over several small issues. The fact that the academic calendar passed by the Senate was turned down last year was a step backwards for shared governance.

Seely asked Soldan to tell a little about the meeting the Senate Officers (Soldan and Reed) and Janice Glime had with Mitchell and Verbal the preceding Friday morning. Soldan said they had discussed the Boards opinion that Provost Fred Dobney had done a good job for MTU. Mitchell also brought up a proposal that USG brought forth that morning regarding a two-track tenure policy; one for research-oriented faculty, and one for teaching-oriented faculty.

Ftaclas commented that it was an interesting question, but wondered how the officers present responded? Soldan said that the officers present just tossed the idea around with Mitchell. Ftaclas then wondered who do you speak for when you are tossing such ideas around? Is it clear you are not speaking for the senate? Seely said the important issue is the Board members are seeking input from and are listening to the campus community.

Seely then talked about the Board's passage of the proposal to fund snow making equipment for Mont Ripley. He commented that the marketing plan presented to the Board said the project will pay for itself. A Board member asked if the cost of the equipment would affect the University's bottom line. They were told it would not.

Seely reported that Staff Council Chair Betty Gaff reported to the Board about salaries. She presented data that indicated that 3.9% of the administrators got more than 10% of the salary increase money. Seely said it was clear to him that increases reflected the policy of awarding increases strictly as a percentage of existing salaries were skewed toward the upper folks. Staff Council is trying to raise the issue of how we do salary raises. If we continue to calculate increases by straight percentages, the people at the bottom can never come out ahead.

Seely said that the USG talked to the Board about better access for students to the SDC and the MUB; the complaint being when someone is willing to pay for the facilities, students are automatically kicked out to make room. USG also talked about campus space issues in general, and talked about their ideas regarding the MTU tenure policy.

Seely reported about the Campus Master Plan revision that was presented to the Board. He said the plan is an attempt to look at the University 20 to 25 years out. The plan showed MTU moving across college toward Blanche or East street. The plan also included a parking deck. It was noted that the property on which MTU would expand would be fairly expensive to acquire.

Nordberg said he thought he remembered that the deck was going to be between the MUB and the Administration Building. Seely replied that one is still on the books.

Ouellette commented the plan is to give us a general direction to grow if we do grow.

## **6. OLD BUSINESS [See minutes, page 8135, for a copy of these proposals.]**

### **A. Proposal 1-99, Policy and Procedures for a Financial Crisis**

### **B. Proposal 2-99, Policy and Procedures for Periods of Financial Stress**

### **C. Proposal 3-99, Board of Control Policy for a Financial Crisis**

### **D. Proposal 4-99, Board of Control Policy for a Period of Financial Stress**

Seely introduced Bob Keen (Chair, Ad Hoc Committee on Separation) to discuss Proposals 1-99, 2-99, 3-99, and 4-99.

Keen began with some history of the Separation Committee. Both staff and faculty participated in the committee that resulted in actual proposals. He commented that the University currently has no policy for financial emergencies. A Senate proposal was sent to the administration in the early 80s, but it was never acted on.

Keen explained that there was a policy for the Board of Control, and both a policy and procedures for administrators. This is so the board won't micro-manage financial difficulties.

Keen said that an important part of all the proposals is how to define exigencies. A financial crisis is declared when decisive action will need to be taken in 1-6 weeks. A financial stress is less serious, allowing up to a year for planning and decisive action.

One of the underlying premises of this proposal is that the administration has to have some money set aside in order to implement this policy.

When the policy is followed, three committees must be notified. 1) The Financial Emergency Committee, which comprises the University Senate officers, and members of the Senate Finance Committee. 2) The Executive Budget Council, which is made up of administration types. 3) The Reconfiguration committee, comprising most of the first two committees, and other members of the campus community.

The policy tells the President of the University who to report to in an orderly process. He first calls the Financial Emergency Committee into session. The Senate would be called into special session, and would generate recommendations that go to the Board of Control. The Financial Emergency committee would present their recommendation to the President, and if they agree, the Board of Control receives a joint report. If they cannot agree, the Board gets separate reports from the Senate and the President.

If the Board declares a Financial Crisis (Stress), the Executive Budget Council prepares budget-cutting guidelines which are given to area administrators. Budget reductions that include faculty and/or staff separations are considered only if every attempt has been made to save money in other ways. A hiring freeze would be imposed until all laid off employees have received employment.

Programs may be reconfigured, and only then can faculty be removed. The policy lists the principles and the methods that govern the reconfiguration process. The policy also calls for upper administrators to take salary cuts equal to the across the board salary cut of the staff/faculty.

Keen said the policies had been reviewed by the AAUP, and have been approved with minor quibbles. The AAUP folks reiterated that you can't cut people, you have to reconfigure programs. A procedure for appeals was added at request of AAUP.

Chavis asked what is the appeal route for staff? Seely said he believed a process exists for appealing layoffs and firings for staff, although he was not sure. Seely said he would check on it.

Ftaclas expressed concern that legal ramifications be taken into consideration. You can easily lay off 100 people, but it is hard to fire one person. What mechanisms currently exist for removal of faculty?

Keen responded that none exist except for cause.

Ftaclas countered that with this policy, you are now creating a frivolous reason for laying off faculty.

Keen replied that right now the Board can fire all faculty with the stroke of a pen. Currently the President could arbitrarily remove a department with no policy to guide him.

Ftaclas said removal of tenured faculty could be personal if faculty happen to be in small departments. We need to be careful because we are creating a new way to remove faculty.

Seely commented that the layoffs in 1992 seemed arbitrary. He felt there was a need to put a policy in place so there would be some structure the next time it happens.

Ftaclas said he thought that reconfiguration was separate from a financial emergency. Keen disagreed, and read the appropriate portion of the pertinent policy.

MacLennan asked what would trigger the process?

Keen responded that was covered in the preamble of 1-99 paragraph C1. Any financial events threatening the University as a whole should trigger the process. Normally we would expect the administration to manage these crises so it wouldn't come to this.

Snyder commented that the administration is reluctant to declare a financial crisis because it is bad public relations to do so. Things like that tend to make the front page of the newspaper.

Lutzke said he knows of a faculty in Idaho that lost her tenured faculty position due to financial troubles. He said she sued and won because she was able to prove the university had some money that could have been spent to fund her position.

Sutter asked about the implementation time line. Keen said our first need is to accumulate sufficient financial reserves to get us 6 weeks down the road in a financial emergency. It is astounding how focused people become when a financial crisis is declared. He guessed the Senate would probably meet within 24 hours. He said the necessary committees are all specified in the policy.

Nordberg asked is the purpose to make sure if there will be layoffs, this policy will be followed?

Keen responded yes.

Williams asked if legal advice was sought to make sure the wording didn't make things worse? Keen said the AAUP people reviewed it, and he assumed they had done a legal survey.

Green wondered is the committee too large?

Keen said the committee primarily reviews plans, although they can propose plans of their own. Since that is the nature of the work they do, they should be able to manage.

Seely said we were at the end of time allocated for this discussion. We will bring this up at next meeting.

Williams asked was there some feeling about how the administration feels about these policies? Keen said both Ellen Horsch and Debbie Lassila represented the administration, and they both liked it.

**E. Proposal 16-99, Professional Development Leave for Non-faculty, Non-represented, Exempt Staff [See minutes, page 8097, for a copy of this proposal.]**

Seely introduced Proposal 16-99 and Mike LaCourt (Chair, Professional Staff Policy Committee). LaCourt showed the existing policy for staff leave. A major change between the old and new policies is the change from leave without pay and benefits to leave with pay and benefits.

In order for staff to qualify for a professional development leave, they need 3 years continuous employment at MTU. They may not accept full-time employment while on leave. If employment is accepted by the employee on leave and they decide not to come back, the employee is required to return for at least as long as the length of the leave. The employee is guaranteed a position on returning to MTU. Any substantive changes regarding the terms of the leave must be approved by immediate supervisor. The employee may negotiate with his or her immediate supervisor regarding how duties would be handled while they are gone, and how much salary they would receive while they are gone (if any).

LaCourt said that this policy was reviewed by the Provost about a year ago, and he liked it as long as it didn't cost money.

Long MOVED and Lutzke seconded the motion to approve Proposal 16-99.

Vanden Avond asked if a staff person returns from a 12-month sabbatical and remains at MTU for only 9 months, do they still have to reimburse the university for the entire 12 month sabbatical? LaCourt answered that was not the intent of the policy.

Gale asked why staff only have to wait 3 years before being eligible for a sabbatical leave, while faculty have to wait for 6 years. LaCourt responded that in consultation with Human Resources Director Ellen Horsch, they felt the shorter time was more appropriate for staff.

Long commented that the policy seemed to say that everyone up the chain of command has to approve the request, or it dies at the first place a rejection happens. She said she was uncomfortable with the lack of an appeal process. LaCourt answered the policy says if the immediate supervisor does not approve, it still has to be forwarded to that person's supervisor. The policy says that the only approvals necessary are by the appropriate vice president and the president.

Long MOVED and Haapala seconded the motion to strike the words "immediate supervisor" from the approvals section of the policy.

Nordberg also felt an appeal process of some sort was needed. Maybe the whole approval section should be removed?

Seely asked the Senate if the proposal should be referred back to the committee?

Long withdrew the motion.

Jurgensen noted that no length of time was specified between staff sabbaticals. LaCourt said the application requires a lapse of time between sabbaticals.

Green requested that the application be made available for the Senate to look at. Pennington said it is long (about 10 pages), and will probably be picked apart by the administrators that work with it.

Ftaclas asked which compensation needs to be returned if the terms of the sabbatical are not met? Do benefits need to be returned also? LaCourt said benefits did not need to be returned.

Sutter questioned how to structure a staff person's compensation while they are gone? What is the cost?

Haappala responded there is no additional cost.

Ftaclas MOVED and seconded by Chavis to return this proposal to committee to address these issues. The motion PASSED with no dissent.

## **7. ADJOURNMENT**

Gale MOVED and Ouellette seconded the motion to adjourn. The meeting adjourned at 7:23 p.m.

Respectfully Submitted by Ted Soldan  
Vice President of the University Senate