

By-Laws

Michigan Tech Transportation Institute

Terminology

Unless otherwise stated, annual or yearly references are based on the Michigan Technological University (Michigan Tech) fiscal year beginning on July 1 and ending June 30 of the following calendar year.

Activities

A Michigan Tech Transportation Institute (MTTI) Activity is defined as any externally-funded research, education, training, product development, outreach, or technology transfer project that is transportation-related, has been processed with a transmittal form indicating MTTI as the designated institute, and has been approved by the Michigan Tech Sponsored Programs Office (SPO). Internal Research and Development (IRAD) funding provided to MTTI is proportional to the indirect cost (IDC) recovered from MTTI Activities. The level of IDC recovery provided to the University helps define the level of membership described in the following section. Final approval for submission of a project as a MTTI Activity is the responsibility of the MTTI Director.

Membership

MTTI membership is available to all Michigan Tech faculty and staff involved in or pursuing MTTI Activities. Members are classified into two groups: *Principal Members* and *Affiliate Members*. All others are eligible to be a *Friend of the Institute*.

Principal Members - Those eligible for membership who in the last three years have served as the Principal Investigator (PI) or Co-Principal Investigator¹ (Co-PI) on one or more MTTI Activities that result in combined average IDC recovery greater than or equal to \$5000/year over the three previous fiscal years.² F&A budgeted as cost share is not included when evaluating the Principal Member qualification level of a MTTI Activity. It is recognized that the actual IDC recovery for Principal Members in a given year of project(s) may be more or less than \$5000, depending on the expenditures that year. MTTI will contact eligible candidates to confirm interest in principal membership at the end of the fiscal year.

Affiliate Members – Eligible PI or Co-PI (as defined previously) with successfully awarded project(s) that qualify as a MTTI Activity(-ies), but does not meet the combined minimum \$5,000/year IDC rule over the three previous fiscal years. Additionally, one may qualify as an Affiliate Member if he/she has submitted at least three proposals in the last three fiscal years through MTTI. MTTI will contact eligible candidates to confirm interest in affiliate membership at the end of the fiscal year.

Friends of the Institute - All others who request to join MTTI as a friend.

Membership status is established annually based on Activities at the start of the Michigan Tech fiscal year. MTTI members can request their membership status be updated prior to this timeline by contacting the MTTI Director.

¹ This applies only to Co-PIs that have a separate index for the project(s) on which they are Co-PI and are being used to establish the IDC recovery for that individual's project(s). IDC recovery is based upon the total project IDC recovery, not the IDC associated with the Co-PI index.

² IDC recovery brought into the University.

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Governance

Director

The Director is installed, renewed, or removed by a vote of the Principal and Affiliate Members and with approval of the Vice President of Research (VPR). The Director serves a three-year term and may serve an unlimited number of terms. The Director may be compensated for service through direct support if the Director is professional staff, or either academic year or summer salary if the Director is a faculty member. Any compensation is approved as part of the MTTI operating budget. The Director reports to the Vice President of Research.

Upon leave of the Director before an elected three-year term is completed, the Executive Committee will appoint from its membership an Interim Director to serve the remaining term or until the Director returns from his/her absence. The Interim Director will be appointed via a majority vote of the Executive Committee and subject to approval of the VPR.

Executive Committee

An elected Executive Committee will guide MTTI. The Executive Committee will consist of five members elected by and from the Institute's Principal and Affiliate Members. The Executive Committee will also include the MTTI Director serving as an *ex officio* (non-voting) member. The Executive Committee shall have not more than three (3) Principal Members and two (2) Affiliate Members.^{3 4}

An elected term for an Executive Committee member is three (3) years and terms are staggered such that at least one (1) member is elected yearly. The election to seat the Executive Committee will be conducted each year in the spring academic semester. The ballot will list all eligible candidates by category (i.e. Principal or Affiliate Member) and each Principal or Affiliate Member will have one vote for each open seat in each category (principal and affiliate), and not more than one vote per candidate. The candidate(s) receiving a plurality of votes in accordance with valid voting procedures defined in the by-laws will serve on the Executive Committee. In the case of a tie vote, the open Executive Committee seat will be filled by randomly selecting a name from the pool of those candidates involved in the tie. An Executive Committee member may serve an unlimited number of successive terms.

Faculty that are on sabbatical or official leave of absence from the University can be temporarily replaced by an eligible individual by a vote of Institute members according to the rules outlined in the by-laws. The returning executive committee member will serve the remainder of his/her term after the sabbatical or leave of absence.

In situations where a conflict of interest exists for an Executive Committee member, the affected committee member will recuse him or herself and the remaining EC members will conduct the business according to procedures outlined in these MTTI By-Laws.

Additional guidance for governance of MTTI by the Executive Committee is noted in the MTTI Policies and Procedures document.

³ In the event that there are not enough Principal or Affiliate Members to meet the minimum number that can serve on the Executive Committee, the open seat(s) can be filled by a member of either group.

⁴ The exact composition of the Executive Committee could vary as a member's status may change between Affiliate and Principal over the course of a member's term. At each election cycle, the seat(s) being filled (i.e. Principal or Affiliate) will be those necessary to achieve, if possible, the 3:2 ratio described above. A member's status (i.e. Principal or Affiliate) is determined at the time of election.

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Resources

MTTI resources will be allocated under the direction of the Director and Executive Committee.

Voting

All voting will be conducted electronically with a minimum of a one week (seven calendar days) voting period. For all voting, a quorum is required consisting of 50%+1 ballots received of eligible Institute members (current Principal and Affiliate Members). A ballot marked in abstention is counted in the ballot return, but is not used in determining an election outcome. If an election has not satisfied a quorum, all ballots will be discarded and an election will be conducted again. If election results reach an impasse twice, the quorum requirement is waived and results from the second election will be binding. The Executive Committee or their designee will conduct the ballot count.

In the case of a vote by the Executive Committee, a member may vote in support or dissent, or abstain. A minimum of three (3) Executive Committee members must vote in support of a ballot item for that ballot item to be passed.

In the event that an Executive Committee member is unable to serve, or a seat is vacant for any reason, a temporary replacement will be elected by the Principal and Affiliate Members following the procedures used to normally elect members to the Executive Committee. In the case of an Executive Committee member being unable to serve, the temporary member will serve until the original Executive Committee member is able to return. In the case of a vacant seat, the temporary member will serve the remainder of the original member's term.