MINUTES OF MEETING NUMBER THIRTY
OF THE
SENATE OF THE MICHIGAN TECHNOLOGICAL UNIVERSITY

24 January 1967

(Senate Minute pages: 260-268)

The meeting opened at 7:05 p.m., Tuesday January 24, 1967, in the Faculty Lounge, Senate President G.E. Bahrman presiding.

The roll was taken. Present were: Anderson, H.B., Berry, Brown, Krenitsky, Lee Niemi, Oswald, Tidwell, Bahrman, Boutilier, Heldt, Johnson, J.A., Johnson, V.W., Miller, Noble, Pollock, Barstow, Bayer, Bovard, Boyd, Bredekamp, Halkola, Hennessy, Keeling, Stebbins.

Absent were: Kennedy, Yerg, Been, Hamilton, Smith, R.L.

Guests present were: Romig, Price

The minutes of Meeting #29 were approved as previously distributed.

Old Business

A. Senate By-Laws

It was moved by Prof. Oswald, seconded by Dr. Brown, and passed by vote that by-law 7A be changed to read:

7A. With a quorum (20) present, a majority vote of those present shall be required for the adoption of proposals and the passing of motions.

It was moved by Brown, seconded by Oswald and passed by vote that by-law 8 be adopted. It is:

8. Quorum: Two-thirds (20) of the Senate membership shall constitute a quorum and shall be required for the transaction of business in all cases.

The 8 by-laws so far adopted (7A requires confirmation) plus three additional ones never acted on are presented as a separate sheet for convenient reference and constitution attachment.

B. Proposal 4-59, Sabbatical Leave, minutes pp. 257-258, had been changed at the last Senate meeting. The revised version is presented here:

I. General Policy

The policy of granting sabbatical leaves of absence is intended for the mutual benefit of the institution and the person granted such a leave. Sabbatical leaves may be granted faculty members in order to provide a period of creative activity for the purpose of furthering professional competence. It is the policy of the institution to be liberal in interpreting various kinds of activity as appropriate to sabbatical leave, but the granting of such leave will in no case be automatic, and each request for sabbatical leave will be judged on its own merits.

II. Types of Leave

A. Any member of the general faculty of Michigan Technological University who has served for six years* may apply for a year's leave of absence on half pay.

B. Any person receiving sabbatical leave must agree to return to his position for the following year, with such exceptions as the President of the University may permit.

IV. Procedure

A. A committee on sabbatical leave shall be established. It shall consist of five members of the General Faculty appointed by the President of the University.

B. The applicant for sabbatical leave shall prepare a detailed description of his program for research, study, or other activities that he proposes to conduct during his period of absence. He shall present his request for leave to his Department Head or immediate supervisor, who shall transmit it, with his comments, to the committee on sabbatical leave.
C. The committee on sabbatical leave shall screen, scrutinize, and make recommendations to the President on all applications for sabbatical leave. The committee on sabbatical leave shall make an annual report to the Senate, including any policy changes that seem desirable.

IV. Money from Outside Sources

Faculty members on sabbatical leave of absence may receive money from fellowships, grants, or other sources. In their application for sabbatical leave, they shall record the amount and source of money they expect to receive from outside sources.

*The definition of a year depends on the faculty member's terms of employment. For those on a 9-month appointment, a year shall be interpreted as meaning 9 months; for those on a 12-month appointment, as 12 months.

It was moved, seconded and passed by vote to adopt proposal 4-59.

Proposal 3-65, Retirement, minutes pp. 216, 217, 223.

A special committee appointed under the old Senate, Prof. S. Tidwell, Chairman, had prepared the following resolution. This resolution was presented as part of the Agenda notice distributed to Senate members January 11, 1967. It is reproduced here:

WHEREAS, College and University retirement plans have been found to be by far the most significant form of fringe benefit to faculty members; and

WHEREAS, it has been found that a retirement plan has more long-range influence on the institution, its educational objectives, the morale of its staff members, and the ability of the institution to attract the level of talent to which it aspires than all other fringe benefits put together; and

WHEREAS, the plan currently in operation at Michigan Technological University includes a combination of coverage under the Michigan Public School Employees Retirement Fund and Social Security; and

WHEREAS, the TIAA-CREF (Teacher Insurance and Annuity Association of America - College Retirement Equities Fund) plan operated and managed by a non-profit life insurance company is widely used by other universities in the State of Michigan; and

WHEREAS, it cannot be effectively determined casually whether TIAA-CREF or any other retirement plan is or would be better for Michigan Technological University and its faculty than the present plan because of two important reasons: (1) the complex and technical nature of each plan, and (2) the relationship of each plan to each individual; and

WHEREAS, Michigan Technological University administration is taking appropriate action in study of a tax-sheltered annuity program which was part of the Senate Committee's original assignment,

NOW THEREFORE BE IT RESOLVED, that this Senate Committee recommend that the Faculty Senate request Michigan Technological University administration to take similar action concerning the remainder of the retirement plans as recommended originally in Senate Resolution 3-65.

It was moved by Prof. Tidwell, seconded and passed by vote that the Senate adopt this resolution.

Prof. Tidwell asked discharge of his committee (old Senate) and appointment under the new Senate of a stand-by committee to aid and follow up administrative action on Proposal 3-65.

It was moved by Dr. Brown, seconded by Prof. Boutilier and passed by vote that the Senate do this.

It was moved by Prof. H.B. Anderson, seconded by Prof. Barstow, and passed by vote that the Senate discharge the Sabbatical Leave Committee, their work being completed.

It was recommended and discussed that all committees under the old Senate be discharged. Dr. Brown moved, and it was seconded and passed by vote that this be done.

Final Examinations for Seniors

Prof. Bahrman read the verbatim copy (minutes 250-251) of a resolution passed by the Student Council and presented to the Senate (May 27, 1966). In part this is:

RESOLVED, that the Student Council of Michigan Technological University recommends the adoption of one of the following proposals:

1. Final exams to be optional for graduating seniors with a "C" or better in course work.
2. Final exams be eliminated entirely.
3. Final exams for seniors be condensed into the first few days of finals week.
4. Final exams be left at discretion of instructors

It was moved by Dr. Stebbins, seconded by Dr. Keeling that a committee be appointed to study and make a proposal to the Senate in this matter. After much discussion, some of which is abstracted later, the motion passed by vote.

New Business

A. Prof. Bahrman reported on two actions of the Senate Council (the officers) following Senate meeting #29 which resulted in (1) the election by the Senate of Prof. G. Bahrman to a committee to aid the State Education Board and (2) the appointment of Prof. S. Tidwell and Dr. C. Fitch to the M.T.U. committee on new programs.

B. Prof. Bahrman introduced material in connection with a conflict of interest for Michigan Tech. President Smith had requested this.

1. Prof. Bahrman read a letter written August 11, 1966 by President Smith to Mr. John F. Morse, Director; Commission on Federal Regulations; American Council on Education. The subject of the letter was "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities." This letter is reproduced here:

   Dear Mr. Moore:

   Michigan Technological University will most likely adopt the principles of the American Council on Education and American Association of University Professors Joint Statement with regard to conflict of interest in government sponsored research contracts.

   At present, Michigan Tech has no formal procedure for the disclosure of outside research and consulting activities. The only requirement is that outside professional work not exceed the equivalent of one day's effort per week. A general statement with regard to reporting is included in our Faculty Handbook (F-10).

   "All outside commitments should be submitted in advance for the approval of the department head. In cases of unsuitability or of conflict of interest, or of excessive loads that would result, permission to make such commitments may be withheld."

   In order to comply with the policy formally adopted by the Federal Council on Science and Technology, the Research Council of Michigan Technological University unanimously recommended the enclosed policy on outside commitments of staff members on July 7, 1966. The policy is now being discussed by the various faculty committees and the Board of Control. When a policy has been approved by the committees and adopted by the Board of Control as University policy, Michigan Tech will notify the American Council on Education and send a certified copy of the policy to them.

   As indicated in the enclosed proposed policy, a committee consisting of the Assistant to the President, the Vice President of Academic Affairs, and the Director of Research will be available to staff members for advice and assistance on questions or problems arising in connection with outside commitments or potential conflicts of interest.

   Before a proposal is sent to an agency for a contract or grant, the budget is carefully checked by the Research Accountant to make sure that salaries, salary related costs, indirect costs, and other items are in keeping with agency and institutional requirements. All contracts are budgeted on line items, and each contract is assigned a specific account number. All expenditures made from all contracts and grants are pre-audited and checked against the budgeted line item. All accounts are subject to post-audit by the University Internal Auditor, the agency auditors, or the State of Michigan auditors.

   With regard to the formulation of standards to guide the individual staff members in governing their conduct in relation to outside interests that might raise questions of conflict of interest, the University subscribes to the following general statement suggested by the American Society of Engineering Education. It is included in the Faculty Handbook.

   "The first consideration with respect to conflict of interest issues is the personal integrity of the individual. The University must expect that every member of its faculty will act at all times in complete honesty and will weigh carefully the ethical considerations involved in any undertaking he may contemplate. Integrity cannot be produced by fiat or by legislation; it is an absolute criterion of the right to membership in any profession. It should be clear that neither the administration nor faculty colleagues can condone even the slightest lack of integrity on the part of any member of the organization."

   As a further guide to aspects of professional ethics for engineers (and by extension for other professional people), the Canons of Ethics for Engineers, adopted in 1963 by the Engineers' Council for Professional Development, is included in our Faculty Handbook. A copy is enclosed. Specific standards with regard to conflict of interest will be set up after careful consideration by various faculty-administration committees and the Research Council.

   Michigan Tech is willing to furnish any additional information necessary with regard to preventing conflicts of interest in government-sponsored research.
Sincerely,
R.L. Smith, President

2. The reply dated September 15, 1966 was distributed and read by Prof. Bahrman and is reproduced below:

"Your communication of August 11 was referred to the Federal Council for Science and Technology and we have just received their evaluation. The Federal Council believes that the proposed policies you outline meet the minimum Federal requirement and thus puts MTU in Category B. When these policies become final, your institution should then be put in Category A. Thus we count on your advising us of such action at the proper time so that we might secure final approval by the Federal Council."

Sincerely,
Stephen Strickland, Staff Associate

3. The significance of the categories is established by the following as distributed and read by Prof. Bahrman:

The Federal Office of Science and Technology has identified four categories:

A. Universities which have formally established criteria substantially similar to those set forth in the AAUP-AE statement, and which require that faculty members notify an appropriate representative of the university when undertaking outside professional work.

B. Universities which are taking active steps to meet the criteria for Category A.

C. Universities which have policies and procedures that are vague or that do not squarely meet the criteria for Category A.

D. Universities which neither have formally established criteria relating to conflicts of interest nor require that faculty members inform the university of their outside work.

4. A letter explaining action so far taken is reproduced here:

Outside Commitments of Staff Members

The Board of Control has given tentative approval on a policy of outside commitments of staff members. You have the material presented to the President's Council dated June 30, 1966. Attached is a letter to Mr. Morse of the American Council on Education pointing out that we are currently developing such a policy.

Would you put this on your Dean's Council agenda for their approval. I think it important that each of them discuss it and show somewhere in their departmental minutes that the policy was approved or disapproved.

R.L. Smith

5. Prof. Bahrman then read the following as distributed:

POLICY ON OUTSIDE COMMITMENT OF STAFF MEMBERS
(dated July 7, 1966)
(Approved unanimously by the Research Council)

External activities in the form of consulting services, teaching, research, and other appropriate work within the professional field of the individual staff members are generally deemed to be advantageous to the University. However, external activities will not be allowed which would interfere with the staff member's responsibilities within his department.

Every member of the University staff is required to submit to his Department Head a written request for approval in advance of any arrangements for teaching, research, consultation, or other professional activities outside of the University. The Department Head will send a copy of the request and his approval or disapproval to the Vice President of Academic Affairs. In the case of the research agencies, the Director of the Agency will send a copy of the request and his approval or disapproval to the Director of Research. Staff members are also required to submit a final activity report which shall contain the name of the outside employer, the nature and scope of the work involved, and the time spent. This report shall be sent at the completion of the approved outside commitment through the Department Head or Agency Director to the Vice President of Academic Affairs or the Director of Research, as may be appropriate.

A committee comprised of the Assistant to the President, the Vice President of Academic Affairs, and the Director of Research will be available to staff members for advice and assistance on questions or problems arising in connection with outside commitments or potential conflicts of interest.

Adoption of this will change MTU from category D to A.
Dr. Bredekamp moved, Major Miller seconded, adoption of this policy.

A lengthy discussion followed which because of its importance is repeated here in part.

Prof. Hennessy: What is conflict of interest?

Prof. Romig: Where a faculty member is working for several employers on the same project.

Prof. Oswald: Does this relate to government sponsored research only?

Dr. Pollock: What about an immediate problem such as a mine ventilation emergency? Must it go through this procedure? What about summer employment?

Prof. Bayer: The verbal approval of the department head only required.

Dr. Keeling: If permission to be asked how could it be simpler?

Prof. Tidwell: This is all a complete surprise to me. The faculty should be given a chance to consider it.

Prof. Bayer: Evidently it has been discussed in some departments. Personally I object to the project terminal reports and prefer only an annual report.

Prof. Tidwell moved, Prof. Oswald seconded, tabling the policy. By vote the motion failed.

Prof. Tidwell: What does vote to accept this policy mean? Does it cover writing, etc.? How far does it go? Is a unanimous vote necessary to pass it now?

Dr. Bredekamp: Yes, unanimous vote required.

[Note: This was an error. Majority vote only required. See by-laws]

Prof. Niemi pointed out that a policy of this sort eliminates negotiation steps in establishing contracts.

Dr. Stebbins stated that policy involves external activities only. Such is the case if other than MTU paying for it. If one is working on a contract through MTU then you are not working on outside activities.

Prof. Romig in answer to Dr. Pollock’s questions stated that he wasn’t certain of specific answers to all of them but was certain that individuals on 3/4 employment have summers free.

Dr. Brown questioned the necessity of reports on small projects.

Dr. Stebbins suggested case where faculty member does outside work but no report was made to Tech which might be questioned about the work later.

Prof. Krenitsky suggested that a blanket permit for small projects might be provided in advance.

Prof. Halkola asked if a grant is given to a faculty member for a project, must Tech approval also be given?

At this point the question was called for and the motion passed but see later action.

C. Prof. Bahrman announced the need for an Election Procedure Committee. Motion was made by Dr. Bredekamp, seconded by Dr. Brown and passed by vote that one be appointed.

D. Prof. Bahrman announced the need for a General Faculty Definition Committee. Motion was made by Dr. Heldt, seconded by Dr. Bredekamp and passed by vote that one be appointed.

E. Similar action was taken on an Academic Rank Committee. Prof. Noble moved, Prof. Boutilier seconded and vote passed the motion.

F. Dr. Stebbins mentioned the inspection of MTU soon to be made by the North Central Association of Secondary Schools and Colleges.

G. Prof. Tidwell reviewed the participation of MTU in the Inter-Faculty Council. He described advantages for Tech in having membership in the IFC and stated that participation in this organization requires exchange of the minutes of the Senates of the five associated schools. It was moved by Prof. Tidwell, seconded by Prof. Boutilier that the MTU Senate authorize sending copies of the MTU Senate minutes to them.

Prof. Price (guest) read a prepared thesis supporting this action, pointing out that the Faculty Association has paid the expenses of participation to date.

Dr. Bredekamp moved, Dr. Berry seconded, that Prof. Romig investigate the legality of the exchange of Senate minutes before the Senate approves it. Vote was taken on this amendment and it failed.

Vote was next taken on Prof. Tidwell’s motion and it passed.
At this point question was raised as to the legality of New Business, items B through G. It was argued that these were proposals submitted under By-Law 6 - Emergency Submission - and as such required a majority vote of approval by the Senate to hear them before they could be presented. This had not been done.

Prof. Barstow, Senate parliamentarian, ruled that this would apply only to principal proposals (not committee appointment proposals) but since the Senate had not questioned any of the introductions, then approval was implied by action approving the proposals and therefore such approvals as given stand.

Dr. Bredekamp called for a recall vote on the research conflict of interest policy.

Prof. Oswald moved, Prof. V.W. Johnson seconded, that action taken at this meeting be set aside on the (B) Conflict of Interest Policy and on the (G) Senate Minutes Proposal, and that these be resubmitted at the next Senate meeting. This motion was voted and passed.

The meeting adjourned at 9:37 p.m.

Some items reported from Discussion of III D - Final Examinations for Seniors

Dr. Stebbins: Reported student interest in the proposal and requests for action from them. Stated his personal choice of proposal #1.

Prof. Oswald: Stated his personal choice of proposal #3 and asked the definition of Senior Courses.

Dr. Stebbins: Stated that all courses taken by Seniors are Senior Courses.

Prof. Bayer: Stated that only courses listed in the catalog as Senior Courses are such. He pointed out that planning of work by instructors hinges on this decision.

Dr. Brown: Stated his preference for proposal #4.

Prof. Niemi: Asked if Senate decision must be made by the Spring quarter.

Prof. Hennessy: Asked if parents’ expectations of graduation of students a Senate problem.

Prof. Boyd: Suggested that final examination removal as a requirement for graduating seniors could lead to loss of incentive and possible waste of the potentially most productive period in their education.

Prof. Oswald: Stated that administration cannot confirm graduation by graduation day.

Major Lee: Stated that ROTC must know by graduation day or Commissions cannot be received.

Prof. Niemi: Feels that fact of graduation known before final examination week and the final examination.

Dr. Bredekamp: Requested a straw vote on the proposal that the decision concerning examinations for seniors at the end of their last quarter before graduation and that the elimination of these is not Senate business. Only 10 "Yes" votes were cast indicating that the Senate feels that final examinations for seniors is their business.

Respectfully submitted,
G.W. Boyd, Senate Secretary