

THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY
Minutes of Meeting No. 201
6 October 1993

Synopsis: The Senate

- (1) discussed a proposed university policy on special hiring;
 - (2) adopted a standing-committee structure for the Senate;
 - (3) approved a Senate policy expecting all senators and alternates to serve on one standing committee;
 - (4) sent Proposal 2-94 (Supplemental Health Benefits) to the Finance Committee for further review.
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I. Call to Order

President Bornhorst called the meeting to order at 5:32 pm on Wednesday, 6 October 1993, in Room B37 of the Electrical Energy Resources Center.

II. Roll Call of Members

Secretary Keen called the roll. 26 senators or alternates were present. IWR was represented by Peter Laks and KRC by Scott Greuenberg. Senators or alternate representatives from the following units were absent: Physical Education, Non-Academic Groups 1, 2, & 3. Absent Senator-at-large: Boutilier. Absent liaison persons: Dean of Engineering, Computer Technology Services, Undergraduate Student Council, Graduate Student Council, Staff Council.

III. Recognition of Visitors

Recognized visitors were Fredrick Dobney (Provost), Walter McCoy (Provosts Office), and Nancy Byers-Sprague (Affirmative Action Office).

IV. Agenda Adjustments

Bornhorst referred to the circulated agenda [Appendix A of these minutes], and announced that a report from the Research Policy Committee should be added to Committee Reports, and that consideration of Proposal 3-94 should be added to New Business. Bornhorst asked if there were objections to discussion of the Special Hiring Initiative early in the meeting; there were none. Hubbard MOVED to approve the adjusted agenda and Kawatra seconded the motion. The MOTION PASSED without opposition.

V. Approval of Minutes

Bornhorst said that there were no minutes of previous meetings yet available for approval.

VI. Discussion of Special Hiring Initiative

Bornhorst asked whether Senators had copies of the new draft of the Special Hiring document. Glime distributed copies titled "Special Initiative for Hiring Under-Represented Faculty" [Appendix B of these minutes]. Bornhorst said the document was mistitled and was not a Senate Proposal.

Bornhorst asked the Senate for discussion of the subject and particularly for a determination of the document's readiness for

presentation to the Senate as a proposal.

Bulleit asked for clarification of "work force analysis" under the heading "Selection Policy 1". He said that in civil engineering such analysis typically indicates the percentage of the minority or gender group in the entire profession, which is six percent women, for example. Bulleit said that basing hiring on this percentage would not allow his department to be a leader in hiring, but would only allow it to maintain a bad status quo.

Glime said that the meaning of "work force analysis" depended on which group, gender or minorities, was being discussed; it generally referred to which group was available at the PhD level. The university percentage is based on tenure-track faculty in the departments. Glime added that these were guidelines in setting five-year-plan priorities. McCoy said that the guidelines were written with flexibility to minimize constraints on the five-year plans that the deans were to submit.

Bornhorst said that his constituency's comments centered on the lack of understanding in this plan that black and hispanic minorities were truly rare in engineering and science disciplines. McCoy said that there are people available, but that recruiting efforts have been lacking. He stated that local perceptions are formed on the basis of regional, but not national experience. He added that he has available a log of minority graduates in engineering, and that some are available.

Bornhorst said that departments should be encouraged to have more than the numbers dictated by the available work force. Hubbard said that percentage available needs to be spelled out clearly so departments know what to aim for.

Grzelak said he had a copy of the 1992 MTU Faculty Utilization Analysis and that of 26 Electrical Engineering faculty, two were females. This makes the percentage in EE higher than the percentage available, which prevents the EE department from hiring new faculty under this program. He also cited the Humanities Department as having 17 females of 36 faculty, or 47.2 percent. The availability index for humanities is 49.3 percent, which permits Humanities to recruit another female under this program.

Huang said that his department was also concerned about the same problem. Grimm said that departments should hire the best qualified candidates, and that this program is a needed initiative designed to correct historical deficiencies.

Kawatra said that members of his department were concerned about the legalities of the program. Glime said that the initial input for this program came from a group of female lawyers who visited the campus for a day, but that the document has not gone back to a lawyer for an opinion.

Beck said that the proposal needed to address the problem of set-up costs for research; if the program only provided salary money, it would result in hiring faculty who could not do research and who would then be useless. McCoy said that the deans would have to negotiate the costs of set-up with the Provost for these positions. He stated that the flexibility of the document was designed to permit these negotiations. Seel said when priority departments were identified, then the normal procedures for hiring faculty will be followed, including the problem of set-up costs. Beck said that the proposal was very specific about the salary issue, but that the issue of research support was omitted entirely. Beck said that the support problem needed to be addressed in the proposal, at least generally. McCoy said the point was well taken, and that the Committee would be happy to add support funding to the document.

Grzelak said that "under-represented groups" needed definition. Byers-Sprague said that the Provost is concentrating on the four categories that the Federal government calls "protected classes", including Asians, Hispanics, Native Americans, and African-Americans. She added that other groups might be added, for example

disabled individuals. The lack of specificity was intentional therefore. She added that the definition of "availability percentage" was based on Federal guidelines, which were based on three- or four-year running averages of PhD recipients. Byers-Sprague said that temporary positions would not be used in determining the current status of departments relative to the availability index.

Heuvers asked whether American citizenship was required for the program. Byers-Sprague said it was not required. Heyman said he understood that membership in a Federal protected class required US citizenship. Byers-Sprague said this was not so. Dobney said that the preference in hiring was for American citizens but that the primary goal was to increase diversity and that hiring outside the US may be the only way to accomplish this

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in some circumstances. Dobney added that one of the persons hired in the past year under this program was an African. Dobney said that there was difficulty in attracting individuals from under-represented groups to the campus, and that he was looking to the Committee for recommendations on this matter. Dobney said that the limitation to American citizenship was open to discussion.

Jobst asked about the source of funds being set aside for the program. He also asked whether other schools were using similar guidelines; if so, then we would be back in the same position. Dobney said the funds would be a separate amount requested from the Board of Control each year specifically for the program. Byers-Sprague said that the writing of this policy was based on documents from other schools, including West Virginia and the University of Michigan. She said the current document was both more and less specific in some areas, and that this addressed the issue of legality because some of these had been standing policies for some time.

Bornhorst said that a current problem was a lack of available persons when a position was open, so that a search for under-represented faculty should be continuous. He said the administration needed to be flexible, to permit continuous searches and hiring when a qualified minority person becomes available. Seel said that flexibility in the program was important and that all departments needed to be encouraged to search for under-represented individuals. He said that searches were expensive, so that some compromise was needed between flexibility and structure in hiring. Bornhorst replied that larger universities searched more frequently, so that they were always at a comparative advantage. McCoy said that the Committee did not disagree with Bornhorst's thinking, and that the development of a 5-year plan would involve both standards to be implemented and flexibility to meet these in the departments. Grimm said that searches needed to be continuous, and that one way is to identify and recruit candidates while they are still in the university pipelines.

Dobney said the administration was looking to the Senate for a reasonable approach in accomplishing the goal of diversity, particularly without inviting second-class citizenship for persons hired under the program. Continuous searches for minorities or women that are not for an open position may be both illegal and offensive.

Davutyan asked whether there was a presumption that women or minorities would be discriminated against in normal hiring. McCoy said that this was true. Dobney said that looking at the past record of the university, there seemed to be a pattern of discrimination. Davutyan said that the business school two years

ago identified a female as its first choice in a position search; she declined the offer, and the position was filled by a male. Davutyan asked if this hiring indicated the department was anti-female.

Glime said that the record of hiring at MTU has not provided a balance, and that the program provides an incentive to work to attract minorities and women and to keep them. Leifer said that Glime did not answer Davutyan's question, that an offer had been made and freely rejected, and that the department could not be faulted. Carstens said that perhaps the offer was below minimum. Leifer agreed that such an offer would have been discriminatory. Grimm said that identifying one best candidate for any position is difficult, that 20 of 300 may be best. The program is designed to increase the consciousness of a situation that could be improved. McCoy said the business school example needed clarification, that the school had been advised by the EEO that the next position had to be filled by a female.

Mullins asked whether the university was competitive in hiring anybody. Some departments are below national salary norms, and many departments were reluctant to make offers for assistant professors that are higher than salaries of full professors in the same department. This makes it hard to be competitive nationally for qualified minorities or other under-represented groups. Mullins cited the example of a female candidate who was offered \$50,000 in start-up funds at MTU; she had received an offer of \$275,000 from another state university. Mullins said that if this program is to be successful, it will have to be funded at a nationally competitive rate.

McKimpson asked how the policy would apply to a position that involves a joint appointment between an academic department and a research institute. McCoy said that this involves the specifics of implementation, and that the policy does not address hiring at that level of specification.

Dobney said he wanted to correct Mullins statement, and that it is not "some" departments which are underpaid, but that every department is underpaid. Heyman said that small departments should be supported in efforts to identify individuals at the ABD level, that blind searches will not produce the desired results particularly for small departments, and that this will require funding. Byers-Sprague said that the proposed policy was not the only on-going effort, that there were other, less formal plans being made by the Provost and deans.

Bornhorst thanked the visitors for their participation in the discussion.

VII. Report of the Senate President

Bornhorst said that the issue of committee structure dominated the activities of the Senate officers since the previous meeting. Bornhorst said that his use of the term "Executive Committee" in the previous meeting referred to the Senate officers [Minutes, p.3996-4000]. He noted that according to the new constitution the Executive Committee is made up of the officers plus the chairs of standing committees. In the interval between adoption of the constitution and committee formation, only the officers are available to make up an Executive Committee.

Copies of the approved constitution and of Proposal 4-93 (Policy Flow Chart) were distributed to the Senate [Appendices C and D of these minutes].

Bornhorst said he had put in a request for a select number of senators to interact with the Board of Control at the Board's November meeting, and the Senate would have to decide who would participate. He added that it was important for the Senate President to be aware of committee activities, and asked that copies of all committee correspondence be sent to the Senate President. These copies would be put in the Senate office, and

would be available to all senators and constituents.

Bornhorst said that preparation of minutes and other materials were being hampered by a lack of a Senate Assistant; however, an assistant had just been hired.

VIII. Reports of Committees

A. Institutional Evaluation Committee. Chair Hubbard reported that college governance was the major item of Committee business for the remainder of the year.

B. Curricular Policy Committee. Bulleit said that the discussion of the Proposal for a Fine Arts Department was to occur under New Business.

C. Instructional Policy Committee. Chair Heuvers said he had no report.

D. Fringe Benefits Committee. Chair Leifer said that the Committee had a large number of items under consideration, but that these would wait pending removal of the item on the table under New Business.

D. Research Policy Committee. Chair McKimpson said that the major item under consideration was review of the scientific misconduct policy. The Committee has completed a preliminary draft of the policy, with some major changes in the selection of the investigating committee and in the mechanisms of the policy. McKimpson said that a policy should be reported to the Senate in about a month.

IX. Old Business

A. Structure of Senate Committees. Bornhorst referred to a list of committees [Appendix E of these minutes] circulated with the

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agenda. Bornhorst said that the officers had selected committee names and responsibilities based on the authority list of Article III of the new constitution. He noted that all the committees had major items on their agendas for the coming year, and said that many committees would need sub-committees for all their work.

Glime asked whether all the listed ad hoc committees could be staffed only by academic degree-granting departments. Bornhorst replied that the listing followed the constitution, and that the responsibilities given under the ad-hoc heading were confined to these departments. Bulleit said that ad hoc committees could exist that were staffed differently. Bornhorst said that these ad hoc committees represented standing Senate committees that dealt with the areas listed. Jobst said that this seemed like a contradiction in terms. Bornhorst replied that issues concerning the three listed areas did not occur every year, so that having a standing committee for them seemed unnecessary.

Glime said that issues listed under the instructional policy committee, for example probation, would need representation wider than just academic degree-granting departments. Bornhorst replied that the staffing requirement followed the constitution. Heuvers said that the constitution listed admission procedures under the responsibility of the full Senate. Bornhorst replied that admissions procedures were listed under the Institutional Planning Committee, with staffing from the full Senate.

Heyman asked whether the proposed separation of Curricular Policy Committee and Instructional Policy Committee was necessary. Bornhorst said that the separation followed previous Senate practice. Bulleit asked whether staffing meant voting members of the committee. Bornhorst said that it did, as defined by the constitution. Bulleit asked whether the committee might have additional non-voting members. Bornhorst replied that they could.

Carstens MOVED that the proposed committee structure be accepted as presented. Kawatra seconded the motion. There was no further discussion. In a voice vote, the MOTION PASSED without opposition.

Bornhorst named the interim chairs of the standing committees: Grimm-Curricular Policy, Heuvers-Instructional Policy, Bulleit-Academic Policy, McKimpson-Research Policy, Pickens-Finance Policy, Mullins-Institutional Planning, Heyman-Administrative Policy, Greuer-Elections. Bornhorst thanked the individuals for volunteering, commenting that he had not had any refusals to his requests. Bornhorst said that the Executive Committee, consisting of the officers plus the interim chairs, would meet immediately after adjournment, to discuss staffing.

B. Staffing of Senate Committees. Bornhorst said that his proposal for staffing committees would be based on the expectation that all senators and alternates would be expected to serve on a standing committee, and that the commitment to being a senator involved a commitment to shared governance. Bornhorst asked for the Senate to endorse this concept. He promised to write all the department heads, deans, vice-presidents and the president explaining that these senatorial duties should be considered part of the individual's departmental load.

Heuvers MOVED that all senators and alternates be expected to serve on one standing committee. Mullins said that the required numbers should be discussed among the committee chairs. Bornhorst said that the officers had a preliminary plan ready to present to the Executive Committee that fully staffs each committee with senators and alternates. Mullins said that this was jumping the gun, and needed further discussion by the interim chairs. Bornhorst said that the plan was not final, and that it could be rejected completely by the interim chairs. Arici seconded the motion.

Mullins said that the interim chairs needed to meet to discuss and to decide the numbers of members needed on each committee, and the numbers of outside members. Grzelak asked whether Bornhorst had pre-staffed the committees. Bornhorst replied that he had only prepared an idea list, and that the Senate could do as it liked. Bulleit said that requiring all senators and alternates to serve did not prevent anybody from serving on a committee. Bornhorst said that he would have to enter the debate, since it apparently centered on his proposal. Davutyan asked about the current composition of the committees. Bornhorst said that committees were composed now only of the interim chairs, that committee assignments might begin if the motion were approved, and that it was possible to staff the committees with senators and alternates.

Carstens asked whether Bornhorst had considered the carry-over from old committees. Davutyan said that this had been his question. Bornhorst said that membership was really up to the Executive Committee and to the Senate. Heuvers said that subcommittees might exist, and that a lot of the work might be farmed out to subcommittees under the oversight of standing committees made up of senators and alternates. Leifer said that if well-functioning committees existed, they should not be destroyed merely to fit a preconceived structure. Mullins said that overlap in the membership of some committees would have to be taken into account. Bornhorst said that in the past year some people were on too many committees so that some work did not get done, and his bias was that each senator should serve on a single standing committee with subcommittee work as an option.

Wells noted the committee staffing requirements for academic degree-granting departments, and asked whether this would eliminate from committee service those senators from other course-offering units like ROTC. Bornhorst replied that the constitution would prohibit service as voting members. Heuvers said that committees

in the past had included non-senators who had given input, and that the committees had given recommendations that had been voted on by the Senate. Bornhorst said they could not vote in committee. Heuvers said that there was nothing in the constitution to prohibit their voting in committee. Bornhorst said that they could not vote when the issue came to the whole Senate, and that it would seem odd to have a committee of mostly non-academic persons making recommendations on matters to be voted on only by the academic part of the Senate. Glime said the Special Hiring Committee was an example of a committee with half non-senators, and that only on the floor of the Senate would the voting be restricted. Bornhorst said that the committee structure list could be modified by striking the staffing line.

Glime said the motion should be modified to allow major responsibilities as an alternative to service on standing committees. Mullins said that such a modification was not needed, because in past years the ad hoc committees had done more work than standing committees. Bulleit asked why service on a standing committee precludes individuals from other work. Heuvers said that staffing some standing committees had been a problem in previous years. Mullins said that this encouraged a wider university commitment, that the requirement would result in over-extension of senators, and prevent work on ad hoc committees where the real work was done. Bulleit said that under the new structure fewer ad hoc committees would be required.

Laks asked whether the motion read "must serve" or "should serve". Bornhorst said it was "expected to serve", like the word "normally" the Board of Control insisted be in the constitution. Heyman MOVED to close debate. The motion was seconded. There was no discussion and the MOTION PASSED without opposition. The MOTION [that all senators and alternates are expected to serve on one standing committee] PASSED in a show-of-hands vote, 15-9.

Bornhorst asked whether there should be a limit on terms of committee service of non-senators. He said he had received a suggestion that non-senators serving on committees should be limited to three years, with the Senate approving any renewal. Leifer said that the Senate had experienced difficulty getting people to serve on committees, and that volunteer work should not be discouraged.

Bulleit MOVED that the lines on committee staffing be

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removed from the committee listing [Appendix E of these minutes]. Hubbard seconded the motion. There was no discussion. The MOTION PASSED without opposition in a voice vote.

Bornhorst asked that the Senate provide some direction to the Executive Committee concerning the size of the standing committees. Leifer said the committee size should be left to the committee chairs. With no opposing viewpoints being presented, Bornhorst said that size would be left to committee chairs.

C. Proposal 16-92, Departmental Governance. Bornhorst referred to the memo [Appendix F of these minutes] on Proposal 16-92 attached to the agenda, and said that there were some minor difficulties with the Proposal as passed by the Senate. Bornhorst noted that some units included in the proposal, such as ROTC and the Library, had no control over the selection of their heads, and he asked whether the proposal should be limited to academic degree-granting departments. He also asked whether the referendum vote should be limited to academic faculty.

Heyman asked where the Institute for Wood Research would be

placed, because it is under the School of Forestry, but is not an academic degree-granting unit. Laks said that IWR is a degree-granting unit, but it has a director, not a department head. Wells said that his unit was the Department of Military Science, and wondered why they should be considered separately. Bornhorst asked whether his unit had any control over selection of the department head. Wells said it did not. Jobst said that if the Fine Arts Department is created, it will not be a degree-granting department. Matkin said that the university approves the appointment of the heads of the Air Force and Army ROTC departments. Bulleit said that the existence of a Fine Arts Department would pose some difficulties for both the proposal and the Senate constitution. Seel said the Physical Education Department is similar, because it is an academic department but does not grant degrees.

Hubbard said that the committee devising the proposal did not discuss discriminating against any departments, and that the proposal was intended to apply to all units whether or not they granted degrees. He stated that if a unit cannot control the selection of their chairperson, it would have to be taken care of in the charter, and that units do not have to follow the suggested guidelines for selecting a chairperson. Keen said members of his constituency were concerned that persons not affected by the proposal were to vote on the proposal. Hubbard said that the committee had discussed this point, and had decided to recommend submission to the entire constituency. Bulleit asked whether the referendum could be limited to the affected departments. Bornhorst said that it could.

Heyman asked whether Physical Education had any influence on selection of their department head. Seel replied that the PE department was treated as every other department. Heyman said the other ambiguous case was the proposed Fine Arts department, and that the Senate Bylaws might have to include a line saying that the Fine Arts Department was considered to be equivalent to an academic degree-granting department. Seel asked why there was a concern with the term "degree-granting". Bornhorst said that it was in the constitution. Heyman said that if the term was omitted, then the proposal would include the ROTC departments, for which a charter did not make sense. Roblee asked why ROTC should be excluded. Heyman said that it would be unusual for a military unit to set up its own governing structure. Glime said that the military units might be restricted on the kinds of items that might be included in a charter, but this does not preclude writing a charter. The charter might include the procedures for selecting their senator, for example. Bulleit said that some points of the charter apply to the Library as well. Moore said the proposal describes evaluating and reappointing the chairperson or director. Hubbard said a clause in the charter might say the points are not applicable.

Bornhorst said that if there was no further discussion or objection, the proposal would stand as originally approved.

D. Election of Representative to Search Committee for SBEA Dean. Bornhorst asked for nominations to the Search Committee. There were none. Bornhorst stated that he would attempt to find nominees to stand for an election to the committee to be held at the next meeting.

E. Proposal 2-94, Supplemental Health Benefits. Bornhorst referred to Proposal 2-94 [Appendix G of these minutes] attached to the agenda, and stated that the motion to adopt the proposal had been tabled at the previous meeting. Grzelak MOVED that the motion to adopt Proposal 2-94 be brought to the floor. Carstens seconded the motion. The MOTION PASSED without opposition in a voice vote.

Leifer said that there were three basic questions raised about the proposal. The first question concerned the co-pay provision.

Leifer said the co-pay was 20 percent, just like the health benefit passed in October 1992, and that this was included in the actuarial cost calculations circulated with the agenda [Appendix H of these minutes].

Leifer said that the second question had been raised by Roblee and concerned equality of the TIAA-CREF and MPSERS plans. Leifer distributed a handout [Appendix I of these minutes] which compared the contributions of the two plans. He noted the university contributes more toward the retirement of the personnel on the MPSERS plan versus TIAA-CREF plan, and that co-pay amounts for medical coverage are less for MPSERS than for TIAA-CREF.

Leifer said that the third question involves points raised by Provost Dobney in discussions. Leifer said the first point is Dobney's statement that the health benefits cost the faculty 2 percent in their raises. Leifer asked whether the administrators get the health benefits. Dobney said that they did. Leifer said that he had not heard about 2 percent coming from administrators raises. Leifer said that Dobney's second point was that Proposal 2-94 would cost two faculty positions. Leifer said that it would only cost a single administrative position. Dobney replied that this was true only if another executive vice-president were to be hired.

Bulleit said his constituents had asked about the moneys that had to be spent to fund the proposal, and that it was important to know what was to be given up to gain the benefits of the proposal. Roblee said he wished to reply to Leifer's comments. He said that Leifer's comments last week were correct, that any comparisons between the MPSERS and TIAA-CREF plans were difficult. Roblee said that the three items listed on the handout appeared to favor MPSERS. However, other items favor TIAA-CREF participants. Roblee added that the initial choice between the plans involved trade-offs, and that it was unfair after the selection was made to ask for equality on specific points.

Davutyan asked the discussants to be less emotional. Roblee said that the differences in contributions listed in the handout were correct, but that Leifer had neglected to mention that for many years previously, the university contributed only 9.55 percent to MPSERS retirement versus 10.55 percent to TIAA-CREF. Leifer said that this difference was covered by the annuity given MPSERS retirees.

Mullins said that the issue was not one of MPSERS against TIAA-CREF. The proposal was intended to cover a very few individuals who fall through the cracks of the current plan.

Glime said that a petitioning procedure now exists to extend coverage in extenuating circumstances, and that Cheney of the Benefits Office told her that the procedure could handle the situations covered by Proposal 2-94. Glime said the advantage of working through the existing procedure is that the university is not required to set aside money to fund the contingencies. Beck said that it is desirable to automate the procedure as much as possible, because a widowed spouse is not likely to petition a committee. Bulleit said that the goal of the proposal is worthy, but that the most efficient way of accomplishing the goal is in

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question, and that other options need to be presented. Davutyan asked whether the current restructuring of the American health-care system had any bearing on the discussion.

Bornhorst reminded the Senate that preset time for adjournment was nearing, and that something would have to be done with the motion on the floor. Leifer MOVED to end debate on the proposal.

Hubbard seconded the motion. The MOTION FAILED to obtain a 2/3 majority in a show-of-hands vote.

Bulleit MOVED to send the proposal to the Finance Committee for review. The motion was seconded. Mullins asked what further information was needed regarding the proposal. Bulleit said his constituents wanted to know whether there was a more cost-effective method to accomplish the proposal's goals. There was no further discussion, and the MOTION PASSED in a show-of-hands vote, 15-9.

X. New Business

Proposal 3-94, Establishment of Fine Arts Department. Bulleit said that the Administrative Policy Committee voted to send the proposal to the Senate floor for consideration. Bornhorst said that some urgency was attached to the proposal so that this item could be placed on the agenda for the November meeting of the Board of Control. Bornhorst said that copies of the proposal would be sent minus some appendices to senators with the agenda of the next meeting. Bornhorst said that full copies of the proposal were available at the Reserve Desk of the Library, and that copies were available upon request from Dean Seel.

XI. Announcements

Keen reminded the interim chairs of standing committees that they would meet immediately after adjournment. He also announced that department heads and directors would no longer receive copies of the Senate agendas and minutes, and that it was the obligation of Senators to keep their departments informed.

XII. Adjournment

Mullins MOVED that the meeting be adjourned. Leifer seconded the motion, which PASSED without opposition. Bornhorst declared the meeting adjourned at 7:31 pm.

Submitted by Robert Keen
Senate Secretary

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