

## THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting No. 205

1 December 1993

## Synopsis: The Senate

- (1) corrected and approved minutes of Meeting 201;
  - (2) heard that a 1992 Proposal on Final Exam Policy had been transmitted to the Provost;
  - (3) suspended temporarily Proposal 5-76 Midterm Grade Policy;
  - (4) heard that a chemical purchasing proposal has been designated Senate Proposal 6-94;
  - (5) learned that G. Dewey had been appointed to the Memorial Union Board;
  - (6) selected Tomas Co to serve on the Ad Hoc Committee on Minority & Women Programs;
  - (7) reviewed a draft Scientific Misconduct Policy;
  - (8) recommended a redraft of Proposal 2-89, and start of a full administrative evaluation in the spring quarter;
  - (9) reviewed the charge to the Ad Hoc Committee on Search Guidelines for Major University Administrators;
  - (10) elected S. Beske-Diehl and G. Lewis to the Affirmative Action Officer Search Committee;
  - (11) reappointed the four Senate representatives to the Presidential Commission on Diversity.
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## I. Call to Order

President Bornhorst called the meeting to order at 5:32 pm on Wednesday, 1 December 1993, in Room B37 of the Electrical Energy Resources Center.

## II. Roll Call of Members

Secretary Keen called the roll. 30 senators or alternates were present. Senators or alternate representatives from AF ROTC, and the Library were absent. Absent senators-at-large: Grimm. Absent liaison members: Dean of Engineering, Dean of Sciences & Arts, Computer Technology Services, Grad Student Council, Staff Council.

## III. Recognition of Visitors

Recognized visitors were F. Dobney (Provost), S. Beske-Diehl (Geology), G. K. Podila (Biology), E. Horsch (Human Resources).

## IV. Agenda Adjustments

Bornhorst referred to the published agenda [Appendix A of these minutes], and proposed two additions: a report by the Administrative Policy Committee, and selection of a representative to the Presidential Commission on Diversity. Bornhorst asked for agenda adjustments from the floor; there were none. Bornhorst asked for objections to the proposed adjustments; there were no objections.

## V. Approval of Minutes

Bornhorst referred to the Minutes of Meeting 201 circulated with the Agenda to Senators, and called for corrections. Hubbard and Grzelak noted corrections. Roblee MOVED that the minutes be

approved as corrected. Heyman seconded the motion, which PASSED without opposition in a voice vote.

#### VI. Report of Senate President

1. The referendum on Proposal 16-92, Departmental Governance, is in progress. A copy of the ballot would be entered into the minutes [Appendix B of these minutes].
2. The 1992 Proposal on Final Examination Policy was transmitted to the Provost on November 30 [Appendix C of these minutes]. The Senate officers had discussed with the Provost methods of publicizing the policy; policy enforcement is to be left to the administration.
3. The Senate officers had heard a presentation from Galetto asking that Senate Proposal 5-76, Midterm Grade Reports, be suspended temporarily for the winter and spring quarters. There are problems generating these reports with the Banner system, they arrive too late to help the students, and only 50 percent of the faculty return the reports.

The Instructional Policy Committee is instructed to review completely the midterm grade policy [Appendix D of these minutes].

(Bornhorst asked for objections from the floor to the temporary suspension of the policy. There were none, and Bornhorst said the policy stood suspended temporarily.)

4. Senate officers had met recently with the officers of Staff Council. The meeting had been productive, and should be scheduled regularly.

Such meetings would promote cooperation and help clear up misconceptions, for example, the Sick Leave Pool. Staff Council had been told that the Senate would not accept some proposed provisions in the pool, when in fact neither body had formally approved any form of the Pool.

(Leifer asked which provisions were not understood. Bornhorst replied that Staff Council had been told the Senate would not accept a 20-day waiting period for the Pool, but would require a 30-day period. In fact, the Senate had never voted on any Sick Leave Pool proposal. Leifer said that the Sick Leave Pool had been discussed by a representative committee that included himself from the Senate, Cheney, Little, Rickard, and Garrow from Staff Council. All groups were represented and informed of everything. Bornhorst again said that the Senate had never had an opportunity to vote on the policy for a Sick Leave Pool.)

The discussions had included the need to ensure that all employees of the university were represented by either the Senate or Staff Council. Staff Council officers were being given copies of the Senate constituency list to check for membership overlap. The new constitution has resulted in some positions moving from Staff Council to the Senate.

(Sewell asked whether it would be possible to include the senators from the non-academic units when membership is discussed with Staff Council. Bornhorst asked why this was necessary, because the Senate constitution defined clearly who was represented by the Senate. Sewell replied that the Senate was not representing the professional staff on some issues that were pertinent to professional staff.)

The discussion with Staff Council officers had included topics on which there should be cooperation between the two groups, including the issues of constituency, smoking policy, administrator evaluations, and the planning and allocation of space on campus. The Institutional Planning Committee should consider the formation of a joint sub-committee on smoke-free buildings.

Policies submitted to the administration as unified proposals from the Senate and Staff Council would strengthen

the position of both groups and maximize the possibility of acceptance of the proposal.

5. The proposal on chemical purchasing has been designated as Proposal 6-94. Action on this proposal is important from a legal standpoint.
6. A change to the semester system is favored by the current administration for pedagogical and other reasons. The Provost has suggested that any proposal for semesters should have the change scheduled for four or five years in the future. The Provost asked that proposals for change be given high priority in the Instructional Policy Committee.

(Bornhorst called for discussion of this request. Heuvers said that the most recent proposal had failed by one vote in the Senate. Leifer asked that the trimester system of the University of Michigan be considered along with any semester

proposals. Arici said that most of the research faculty in his department favored a semester system. Roblee asked what was the rush in considering the change if it was not to be implemented for 5-6 years. Bornhorst commented that any delay would be added to that period. Boutilier said the proposal should have a high priority, that such proposals come up regularly, and that the students' noise against the change scared the Senate in the last vote.

(Mroz said that if the Senate keeps revisiting dead issues, it will not make much progress. Heuvers said that the Instructional Policy Committee already was considering the issue. Bulleit asked whether the issue would return in two years if it were voted down again. Sewell said that the issue was of high priority, and that information gathered in previous discussions would contribute to understanding the issue.

(Bornhorst said that many universities had switched recently to the semester system, and that their experience would be valuable. Grzelak said that Michigan Tech was the last Michigan university on the quarter system. Davutyan said transfer students had difficulties with the two systems.

(Bradley asked what issues would be reduced in priority if the semester issue were made highest priority. Heuvers replied that a subcommittee would be formed to consider the semester issue, with no significant impact on current priorities.)

7. George Dewey of Civil Eng has accepted an appointment as the faculty representative on the Memorial Union Board.
8. The 1992-93 Annual Report of the Michigan Tech Fund carried a message from President Tompkins about the Senate:  
"Yet another example of progress is the reformation of our University Senate to foster shared governance of MTU in meaningful ways. This is an important indicator to our major stakeholders of the strong intention of the faculty and administration to work together to make Michigan Tech one of the best technological universities in the world."
9. A restatement of the Senate President's approach to dealing with the administration and other committees: It is appropriate for other committees on campus to initiate policy matters that will pass through the Senate. Although the Senate may develop university-wide policy, it is not appropriate for the Senate to develop policies that involve only a college or a department. The Senate should review and approve such major college or departmental policies from a

university-wide perspective. This includes matters such as the first-year engineering program.

10. A memo [Appendix E of these minutes] will be sent to department heads and directors about the duties of senators.

## VII. Reports from Committees

### A. Academic Policy Committee.

Bulleit reported that he had been elected the Committee chair, and that a subcommittee structure had been developed. The modification of the Academic Faculty Handbook would keep the Committee busy.

### B. Institutional Planning Committee.

Interim Chair Mullins reported that the Committee was nominating Tomas Co to serve on the Ad Hoc Committee on Minority and Women Programs.

Heuvers seconded the nomination. Bornhorst asked for objections to the selection of Co; there were none. Bornhorst declared Co to be the Senate's representative to the Ad Hoc Committee on Minority and Women Programs.

Mullins said that the committee had several matters to deal with, including the election of a permanent chair, and consideration of policies on smoking, tuition, admissions, and the Campus Master Plan.

Heuvers asked what tuition policy was the Committee considering. Mullins referred the question to Provost Dobney, who said the question involved differential tuition for upper and lower division undergraduate courses, and for graduate courses. Dobney said that MTU was the only school he knew of that charged a flat rate for all courses. Graduate courses are more expensive, and graduate tuition pays only about 13 percent of graduate education. The exceptional student program for students of Wisconsin, Illinois and Minnesota needs to be re-evaluated, either opening it to all students outside of Michigan or applying some surcharge to be used for financial aid for in-state students.

### C. Research Policy Committee.

Chair McKimpson said the Committee has worked on a revision of the scientific misconduct policy. The current policy was put in place in 1990 with limited input from the faculty, and was based on an NIH policy. The policy defined misconduct and set up procedures for investigating alleged misconduct. The Committee felt that the current policy was flawed: (1) the definition of misconduct should be expanded to include retaliation against those making false accusations; (2) the current investigating procedure is too complex; (3) faculty have little input into selection of review committees; (4) procedural problems exist that became obvious in last year's investigation; (5) the question of legal counsel for those involved has been neglected.

Referring to the Draft Scientific Misconduct Policy and its accompanying memo [Appendix F of these minutes], McKimpson asked for Senate input, and input from the constituency of the Senate. The Committee particularly wants to know whether the proposed changes are in appropriate directions.

Glime commented that the Committee had worked hard on the revisions, and had interviewed numerous individuals who were recently involved in the procedures. Glime expressed concern with the statement on page 26-65 of the draft policy that required the "University legal counsel" to "provide advice and counsel throughout the proceedings". Glime said a less restrictive requirement would allow the university to provide specialized legal counsel for the committee if necessary.

Glime asked whether "both committees" referred to on p.26-69 (6th line from page bottom) should be "the three committees".

McKimpson said that Glime was correct.

Leifer said he was concerned with the potential for damage of reputation because of a large number of persons were to be informed of allegations before investigation began. McKimpson said the Committee shared this concern. The proposed revisions decrease the number of informed persons; only a Dean or Director, the Vice-Provost, and the 3-member standing committee were to be informed of the charges initially. This appeared to be a reasonable minimum. Heyman said that low-level "stoppers" at the departmental level were not good policy, when they could block a legitimate complaint. The proposed revisions seemed satisfactory.

Arici referred to page 26-67, and asked who would pay to bring in the persons "determined necessary by the Inquiry Committee". McKimpson said that the funds would have to be provided by the Vice-Provost's office. Beske-Diehl said that the inquiry could be made by telephone or by deposition; the wording of the proposed policy might be generalized at this point.

Heuvers asked how the policy would be applied to the Schools of Business, Forestry and Technology; these three schools have Deans. McKimpson said the Committee had not considered these cases.

Bornhorst said that specifics of appointments to the proposed inquiry committee needed to be considered, including length of terms and rotation. Heyman said that the policy should state explicitly that the three committees will have completely separate memberships. Bornhorst called for further comments; there were none.

D. Steering Committee for Faculty Handbook.

Bornhorst distributed copies of a draft table of contents [Appendix G of these minutes] being considered for the revised Faculty Handbook. Bornhorst asked for comments on the table of contents. He noted

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that the Handbook would separate clearly the Tenurable and Untenable Faculty, and that it was similar to handbooks from other universities.

Heuvers asked why the Senate was not included in the table of contents. Bornhorst replied that the outline was very generalized, and that it would be included under the heading of administrative structure. Bornhorst said the Handbook was currently planned as a living document with continual revision. The Steering Committee has identified four areas needing urgent revision, and four task forces will be appointed to work with these areas. The four are:

1. Task Force on Tenured & Tenurable Faculty which is to focus on the four areas: status definition, evaluation, promotion and tenure.
2. Task Force on Untenable Faculty is to deal with all areas listed in the table of contents except fringe benefits, grievances, and separation. New policies may be needed, because this is a new section of the Handbook. The first item of business will be a joint meeting with the Task Force on Tenured and Tenurable Faculty to clarify faculty status definitions.
3. Task Force on Separation is to deal with separation of both groups. A separation policy does not currently exist. Issues involving tenure are not part of this area.
4. Task Force on Grievances will develop policy to deal with grievances that do not involve tenure decisions. No policy currently exists.

Bornhorst said that the revision process will be open, and that

each task force will report to a standing Senate committee. Any proposed policy changes will be reviewed by appropriate committees, and reported to the Senate for a vote. Each task force has members from appropriate Senate standing committees:

- T/F on Tenured & Tenurable: Bulleit (Academic Policy Comm)
- T/F on Untenurable Faculty: Carstens (Academic Policy Comm)
- T/F on Grievance: Julien (Academic Policy Comm)
- T/F on Separation: unnamed (Institutional Planning Comm).

Bornhorst said that the revision process was to be open, and that there should be no surprises in the revised handbook. Bornhorst called for comments.

Arici asked whether a task force on benefits had been considered, or whether the Steering Committee would work with existing committees. Bornhorst said that he intended to explore that issue with the Finance Committee before going further.

#### E. Board of Control Relations Committee.

Referring to the report [Appendix H of these minutes] attached to the agenda, Committee Chair Bornhorst said it had been prepared by Senate Vice-President Moore as a summary of the breakfast meeting between some senators and some members of the Board of Control. Bornhorst said he had requested another meeting of senators with the Board of Control at the end of February.

Bornhorst summarized some actions taken by the Board in their meeting. Senate Proposal 3-94, Fine Arts Department, had been approved by the Board, 5-0. CFO McGarry had described some potential problems with next year's finances. (Bornhorst commented that McGarry and Dobney were due to make a financial report at the next Senate meeting.) The Board had approved changing the BS in Engineering Administration to BS in Engineering Management. Refinancing the Memorial Union debt had been approved.

Bornhorst called for questions. Leifer asked whether Senate Finance Committee Chair Pickens would be at the next meeting to hear the administration's financial report. Bornhorst said that he would be present. Dobney said that Pickens sat in the bi-weekly meetings between the administration and the Senate officers.

#### F. Administrative Policy Committee.

Chair Heyman said the Committee had met to consider the formal evaluation of the administration. Senate Proposal 2-89, passed by the Senate in 1990, calls for evaluations at the end of the second academic year of each new presidential administration. This is therefore the year that an evaluation should take place, but there are problems with conducting the evaluation.

Proposal 2-89 is specific about some procedures (who should belong on an evaluating commission), but is vague and incomplete about other procedures (reporting and confidentiality). Proposal 2-89 was passed by the Senate but was never approved by the administration or the Board of Control, although an evaluation was carried out in 1991 under its provisions. The Board of Control had indicated that it would tolerate the 1991 evaluation; however, Proposal 2-89 does not appear clearly to be university policy.

Heyman said that in other universities administrative evaluations have significant impacts in deliberations of boards of control. Heyman was uncertain that an evaluation this year was desirable, given that procedures under Proposal 2-89 are neither official nor complete. The Administrative Policy Committee will attempt this year to write a full and adequate set of procedures for regularly evaluating the administration; these procedures are to be based as much as possible on Proposal 2-89.

Heyman said the principal question is whether an evaluation should take place this year under 2-89. An evaluation commission will have to be selected under restrictive and elaborate nominating procedures; the Senate does not carry out the evaluation. Further, the commission must have a member from outside the university.

Heyman said that the logistical problems were difficult; procedures would have to be written, a commission selected, the evaluation conducted, and the results compiled, evaluated, written and published. Heyman said that this year an evaluation somehow might be put together piecemeal, but that it could be more efficiently conducted next fall term after all the procedures had been written. Further, the Provost's office is a significant fraction of the evaluation, and the current Provost has been on campus for only eight months. On behalf of the Committee, Heyman asked for a sense of the Senate on when the evaluation was to occur.

Glime said that President Tompkins has been asking for an evaluation for several years, and asked whether it was fair to him to delay the evaluation further. Bornhorst said that the President on his own could conduct a simple evaluation at any time. Heyman said he was not certain that a good evaluation, as opposed to a superficial one, could be done this year.

Carstens asked whether the old Senate constitution stipulated that all proposals had to be approved by the university President or Board of Control. He asked if the Senate was duty-bound by Proposal 2-89. Heyman said that the Senate probably was not bound by 2-89 because it never became official policy. Further, it was impossible to follow 2-89 to the letter because a lot of letters were missing.

Boutilier said that the logistic problems were real ones. In her experience as a member of the commission, the evaluation required a lot of time. While there was no official permission, the feeling on campus was such that the Senate proceeded with the evaluation anyhow.

Hubbard said that the commission took from January to September to complete the evaluation and present the report. Hubbard said that all the pieces of the evaluation seemed then to be in place, although they may not have been detailed in the proposal. Heyman said that some appendices to the report were hard to find, and may have details of the procedure that could help the Committee. Hubbard and Boutilier volunteered to send Heyman their files on the 1991 evaluation.

Keen read a section from old Senate minutes, "On May 18, 1990, the Board of Control moved, supported and passed by voice vote without dissent that the Board encouraged the Senate's proposal for an evaluation of the administration by the faculty. Dr. Jackie Jaaskelainen was designated to serve as the Board liaison to the Senate Institutional Evaluation Committee." Keen asked whether this had in fact occurred. Boutilier said that it had, and Hubbard said that Jaaskelainen had attended several

committee meetings. Keen said that evaluation therefore was Board policy of some sort, although perhaps only a one-shot policy.

Bornhorst asked whether the Senate wanted to delay the evaluation, or try to perform one this year. Mullins said that there was insufficient information, and that there needed to be further communication between Heyman and members of the previous Committee. If the procedures were in fact worked out, then an evaluation should be possible; if not, it should be postponed. Heyman said that the Committee would pull together a procedure adhering to 2-89 and the former procedure as far as possible. Heyman asked whether it was realistic to start the commission in the middle of an academic year, after Hubbard and Boutilier had stated that evaluation was a nine-month process. Hubbard said that Proposal 2-89 left to the commission the details of the procedure, so the Senate committee did not have to write them. Heyman said

that there were some things absent from 2-89 that needed to be spelled out by the committee. Mullins said that it was a good idea to have a parallel track between the writing of procedure and the process of evaluation.

Sewell said that the evaluations by the staff will take place in the fall, and that delaying the Senate evaluation would permit better coordination. Heuvers said that the commission might be selected in the spring, with the evaluation beginning in the fall. Hubbard said that the Committee could submit an amendment to 2-89 if they were uncomfortable with it, so the commission could be selected by the end of the spring term. Heyman said that the Committee realistically could accomplish this.

Heyman said Hubbard's recommendation would be followed: the Administrative Policy Committee would complete its writing of procedures in time to put them in the hands of an evaluating commission to be selected by the Senate in the spring term, to begin the evaluation in the fall. Bornhorst asked for objections to the recommendation. There were none.

## VIII. Old Business

### A. Ad Hoc Committee on Search Guidelines for Major University Administrators.

Bornhorst referred to the Committee charge [Appendix I of these minutes] circulated with the agenda, saying it was developed by the Senate officers. He also requested the Committee to invite President Tompkins and Provost Dobney to share their views with the Committee early in its deliberations. Bornhorst called for discussion; there was none.

### B. Election of Senate Representatives to Affirmative Action Officer Search Committee.

Bornhorst called for nominations from the floor. Francis Otuonye, Sue Beske-Diehl, Gil Lewis, and Peck Cho were nominated. Bornhorst suggested a secret-ballot vote, and asked the Senate whether the tally should be announced.

Bulleit asked whether the winner should be selected based on a majority of votes, and noted that the Senate had previously conducted Roman balloting. Heyman said that tallies had never been announced, and that it was not usual to do so in campus-wide elections. Bulleit said that when the Senate had tried to find individuals to serve on search committees, tallies had been recorded as part of the Roman balloting procedure. Roblee commented that this would take a lot of time with secret balloting. Jobst said he was uncomfortable with announcing tallies, and would be happy with a plurality.

Mullins MOVED that the secret ballot be conducted without announcing the tally, and that the winner of a plurality be considered the representative. Arici seconded the motion. Bornhorst asked for further discussion; there was none. The motion PASSED in a voice vote.

Glime commented that Beske-Diehl had wanted the Senate to be aware of possible conflicts of interest because she had applied for the position of Associate Dean of Engineering. Glime also said that Beske-Diehl would be an appropriate member of the committee. Sewell said that Beske-Diehl had learned over the past two years the broad parameters of the position of Affirmative Action Officer. Glime commented that the search committee would have the responsibility of defining the role of the office in addition to finding a person.

Ballots were distributed; Bornhorst asked senators to vote for two of the candidates, because the Senate would have two representatives on the search committee.



## IX. New Business

-Selection of Senate Representative to the Presidential Commission on Diversity.

Bornhorst said the Commission consists of 25 persons from the campus community, with four Senate representatives: Nam Kim, Swapan Sen, Ciro Sandoval, and David Sprague. Bornhorst said these representatives have a one-year term, and recommended the reappointment of these individuals.

Bulleit said that he had been on the Senate four years, and had heard nothing previously about these representatives. Bornhorst said he had only learned recently about these representatives. Bulleit said the Senate should get reports from them. Leifer asked if these persons had agreed to serve. Bornhorst replied that two had agreed, and that the others could agree to resign if they did not wish to serve.

Grzelak MOVED that the four individuals be asked to serve for an additional year. Leifer seconded the motion. Bornhorst called for discussion; there was none. The motion PASSED in a voice vote without dissent.

## X. Announcements

Bornhorst said that senators should encourage constituents to vote in the referendum on Faculty Governance. He also said that senators should tell their constituency that the financial report at the next Senate meeting would be televised.

Bornhorst announced that Beske-Diehl and Lewis had been elected to the Affirmative Action Officer Search Committee. Heuvers MOVED to have the ballots destroyed. Davutyan seconded the motion. The motion PASSED without opposition in a voice vote.

## XI. Adjournment

Leifer MOVED that the meeting be adjourned. Bulleit seconded the motion. Without opposition, Bornhorst declared the meeting adjourned at 7:20 pm.

Submitted by Robert Keen  
Secretary of the University Senate

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