

THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting No. 214

20 April 1994

Synopsis: The Senate

- (1) corrected and approved minutes of Meeting 212;
- (2) learned that Proposals 16-94 and 21-94 had been sent to the provost;
- (3) decided to hold an election for senators at-large with the two nominees on the ballot for the two positions;
- (4) editorially amended and passed Proposal 19-94 Attendance Policy;
- (5) passed Proposal 20-94 Recommendation for an Optional Retirement Furlough Program;
- (6) editorially amended and passed Proposal 22-94 University Senate Administrative Evaluation Procedure;
- (7) received Proposal 23-94 Scientific Misconduct Policy;
- (8) received Proposal 18-94 PhD Program in Computational Science & Engineering within the PhD in Engineering;
- (9) received Proposal 17-94 Policy on Academic Freedom.

I. Call to Order

President Bornhorst called the meeting to order at 5:34 pm on Wednesday, 20 April 1994, in Room B37 of the Electrical Energy Resources Center.

II. Roll Call of Members

Secretary Keen called the roll. 27 senators or alternates were present. Senators or alternate representatives from AF ROTC, Fine Arts, Phys Ed, KRC, and Non-Academic Unit Group 2 were absent. Absent liaison members: Dean of Engineering, Dean of Sciences & Arts, Undergrad Student Govt, and Staff Council. Keen noted the presence of Brian Whitman, the new liaison from the Graduate Student Council.

III. Introductions and Recognition of Visitors

Recognized visitors were E. Carlson (BL), I. Cheney (Human Resources), K. Lipman (MTU Lode), A. Melton (CS), S. Miner (Residence Cnslr), and D. Thayer (MY).

IV. Agenda Adjustments

Bornhorst referred to the published agenda [Appendix A of these minutes], and proposed deletion of the report of the Faculty Handbook Steering Committee. Bornhorst asked for agenda adjustments from the floor; there were none. Heyman MOVED to approve the adjusted agenda, and Sewell seconded the motion. Bornhorst called for objections to the motion. There were no objections, and Bornhorst declared the agenda approved.

V. Approval of Minutes

Bornhorst called for corrections to the minutes of Meeting 212, circulated with senators' agenda. Glime and Grzelak each noted one typographical error. Hubbard MOVED to approve the corrected minutes; Grzelak seconded the motion. The motion PASSED with no

objection in a voice vote.

VI. Report of Senate President

1. Proposal 16-94 Recommendation for a Smoke-Free Campus, has been sent to Provost Dobney (Appendix B of these minutes).
2. Proposal 21-94 Recommendation for a Professional Staff Handbook has been sent to Provost Dobney (Appendix C of these minutes).
3. The Senate Ad Hoc Committee on Charters has communicated to departments the need to form charter committees and to write charters.
4. The Senate President met recently with President Tompkins and discussed particularly the issues of communication between administration and faculty, and the continued progress of shared governance.
5. There has been no recent meeting of the Provost with the Senate officers.

Bornhorst opened the floor to questions. There were none.

VII. Reports from Committees

Elections Bornhorst said that the forms soliciting nominations for the Committee on Academic Tenure, Athletic Council, Sabbatical Leave Committee, and General Education Committee had been sent to Senators for distribution to constituents. Bornhorst asked Secretary Keen to report on the progress of elections for senators at-large. Keen noted that the form soliciting committee nominations (Appendix D of these minutes) was incorrect; members of the Committee on Academic Tenure could serve more than one term. Keen also noted that members of the Sabbatical Leave Committee serve staggered five-year terms, and that some miscue had resulted in the election of two representatives in 1993. Keen said that Jobst had agreed to serve a four-year term expiring in 1997, restoring the sequence of election.

Keen said that only two nominations had been submitted for the two positions of senator at-large. Bornhorst asked whether there were objections to considering the two nominees as elected without a constituency election. Brokaw asked about the possibility of write-in candidates. Keen said that nominations required five signatures. Bornhorst said that for election a write-in candidate would require at least five votes. Roblee said that the two nominees should be declared the senators at-large. Grzelak said that an election should be held, that otherwise the individuals could not be considered to be elected. Hubbard said a vote was required to meet the constitutional provision for election. Bornhorst said that the vote could be held immediately in the Senate. Heyman asked whether a mailing to the constituency would be carried out anyhow. Keen said that a mailing was planned for the elections to university committees, but that a mailing for electing senators at-large would delay the process of electing Senate officers. Heuvers said that he remembered elections being held with the ballot having a separate line for write-in candidates.

Heuvers MOVED that an election be held for senators at-large with a blank line available for write-in candidates. McKimpson said that he supported the motion, saying that the Senate should avoid the perception of assigning or choosing the senators at-large. Grimm seconded the motion. Bornhorst called for discussion.

Roblee asked Heuvers whether the remembered ballot was for senator at-large. Heuvers said he did not remember. Hubbard said the requirement for five signatures was a problem, and suggested extending the deadline for submitting nominations. Heuvers said that a winning write-in candidate would have more than five votes; the signatures of the voters would be on the balloting envelopes.

Bulleit said it was inconsistent to have the possibility of a write-in candidate, when there was a requirement for five nominating signatures. McKimpson asked whether it would be inconsistent to require a write-in candidate to have five votes to be elected.

McKimpson MOVED to amend the motion by adding a requirement for at least five votes for the election of a write-in candidate. Heuvers seconded the motion. Hubbard said that the amendment was a good one.

Brokaw said that the nominated people would get elected, and the whole problem was about nothing. Grimm said an election would give people a choice if they did not like the two nominees. Bornhorst called for further discussion of the amendment. There was none. The motion to amend PASSED in a voice vote.

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Bornhorst called for further discussion of the amended motion. There was none. The motion PASSED in a voice vote.

Bornhorst said that a special meeting of the Senate might be needed during finals week for the purpose of electing Senate officers. He noted that a quorum was necessary for the election. Leifer asked whether lack of a quorum would mean that the current officers would continue into the fall quarter. Keen said that meetings would be called until a quorum was obtained. Bornhorst said that balloting with proxy votes was another possibility.

VIII. Old Business

A. Proposal 19-94 Attendance Policy. Bornhorst referred to the copy of the proposal attached to the circulated agenda, and called attention to the editorial change [Appendix E of these minutes]. He asked whether there were objections to considering the changes to be editorial. There were none.

Heuvers MOVED that Proposal 19-94 be approved. Grzelak seconded the motion.

Bornhorst asked for objections to the recommended voting units. Sewell said that the policy extends beyond the classroom, and that the Dean of Students office and Counseling Services are involved in defining extenuating circumstances. Heuvers said he agreed.

Roblee MOVED that the voting unit be extended to the whole Senate. Glime seconded the motion. Bornhorst called for discussion. There was none. The motion PASSED without opposition in a voice vote.

Bornhorst called for discussion of the proposal. Mullins asked for the source of the editorial change. Heuvers said that it came from Dean Martha Janners, who serves on the Instructional Policy Committee.

Glime MOVED to amend the proposal by changing "should" to "must" in the second and third sentences of Part A. Vanek seconded the motion. Glime said the amended wording clarified the responsibility for sending a notice of absence. Bornhorst called for further discussion. There was none. The motion to amend the proposal PASSED without dissent in a voice vote.

Bornhorst asked whether there were objections to considering the change to be only editorial. There were none.

Brokaw MOVED that the material after the first paragraph be stricken, and to stand in its place the sentence "Specific attendance policies and requirements are set by the instructor". Daavettila seconded the motion. Bornhorst called for discussion of the amendment.

Mullins said the amendment defeats the purpose of the proposal, and would permit instructors to be arbitrary and capricious.

Roblee said that the amendment would aggravate such problems as low attendance just before Xmas break. Bornhorst asked for more discussion. There was none. The motion to amend the proposal FAILED in a voice vote.

Bornhorst asked for discussion of the original motion as amended. Arici said that his faculty did not want to police the students, and asked for the motivation behind the statement that students are expected to come to class. Mullins said that classes were designed with the expectation that students would attend. Heyman said that the policy helps with the problems mentioned by Roblee. Heuvers said the wording of the proposal comes directly from the Student Handbook.

Bornhorst called for further discussion. There was none. The motion to approve Proposal 19-94 PASSED in a voice vote.

B. Proposal 20-94 Recommendation for an Optional Retirement Furlough. Bornhorst referred to the Proposal as introduced at the previous meeting [Appendix F of these minutes] and then distributed copies of the proposed furlough program [Appendix G of these minutes]. Bornhorst stated that it contained the revisions that had been indicated when the proposal was distributed at the previous meeting [Minutes of Meeting 213, p.4390]. In addition, the procedural part of the original proposal had been stricken in the revision because the recommendation was intended to involve policy only. Cheney listed the changes in response to a question from Leifer.

Bornhorst asked for objections to considering the changes to be editorial. Heuvers asked whether the changes had been brought up on the floor at the previous meeting. Bornhorst said that all but the striking of the procedures had been noted then.

Leifer said that no provision for a life insurance pool was included in the proposal. Bornhorst said that Proposal 20-94 concerned only the furlough, and that life insurance would have to be another proposal. Cheney said that she had been discussing the life insurance options with Travelers Insurance, and that she had obtained rates for retirees in their own separate pool.

Boutilier asked what the proposal would add to a department head's options that are not now present. Bornhorst said that it may add nothing, and restated his call for objections to considering the changes to be editorial. Roblee said the changes were only clarifying, not substantial. Leifer said that the life insurance provisions were not included. Bornhorst asked for a vote to determine whether the changes were editorial. In a voice vote, the changes were approved as editorial.

Glime MOVED that Proposal 20-94 be approved. Bulleit seconded the motion.

Bornhorst called for objections to the recommendation of voting units. Diebel MOVED to expand the vote to the entire Senate. Vanek seconded the motion. Bornhorst said that the proposal appeared to fall under the constitutional provisions for fringe benefits, which require the vote of the full Senate. Bornhorst called for discussion of the motion.

Heyman said that numbers of tenured faculty were in departments such as Fine Arts, the Library, and Physical Education, which were outside of the category of academic degree-granting departments. Bornhorst said that the constitution restricted the responsibility of faculty leaves to degree-granting departments. If the proposal were interpreted as a faculty leave, then voting would be restricted constitutionally to senators from academic degree-granting departments. Bornhorst said that under the Interim Protocol of Proposal 5-94, the motion to expand the voting units could be voted upon only by senators from academic degree-granting departments.

Mullins said that Proposal 20-94 was clearly a sabbatical-type leave, and the vote should be confined to the academic faculty.

Pickens noted that the furlough requirements differed somewhat from sabbatical requirements. Heuvers said that tenured faculty were located in departments classed as Other Course-offering Units. Sewell said that one person in Counseling Services was a tenured faculty member. Bornhorst called for further discussion. There was none. The motion to expand the voting units FAILED in a show-of-hands vote, 9-10.

Heuvers MOVED to extend the vote to senators representing Other Course-offering Units. Grzelak seconded the motion. Bornhorst called for discussion. Roblee asked how the motion affected the constitution. Bornhorst replied that the constitution was not affected, but that the Senate was following the interim protocol designed to minimize confusion associated with subdividing the Senate vote on various issues. Bulleit said that the other course-offering units included groups such as ROTC that did not have tenured faculty, and that the logical options were either the full Senate or the academic degree-granting departments. Heyman said that the group of Other Course-offering Units was the closest approximation to inclusion of all tenured faculty. Bornhorst said the issue also would arise next fall when the Senate voted on tenure policy, that the protocol was perhaps defective, and that the subsets might be redefined around tenured faculty.

Diebel said he had moved to expand the vote to the whole Senate because the proposal had been originally a retiree fringe-benefit enhancement program. The revision had restricted the proposal to tenured faculty. Diebel said he objected to one group being offered a benefit not available to the whole group. Heuvers said the tenured faculty were affected because they would have to

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pick up the teaching load of the furloughed individuals. Keen asked Diebel if he objected to tenure not being offered to everybody. Diebel said that he would prefer that tenure be offered to nobody.

Bornhorst called for further discussion. There was none. The motion to expand the voting to the Other Course-offering Units PASSED in a voice vote.

Leifer noted that all senators had been mailed copies of an analysis of the proposal prepared by the Fringe Benefits Subcommittee [Appendix H of these minutes]. Leifer said that the Subcommittee was not opposed to the proposal, because the administration could propose whatever it liked; however, the proposal would persuade few persons to retire.

Heyman said that the requirement for application one year in advance allowed too much discretion on the part of department heads and deans; the proposal could permit the reward of one faculty member and punishment of another. The proposal lacked a statement of intent that could be used in an appeal. Bornhorst said that the retirement furlough is much like the current sabbatical leave policy and added that a proposal for a grievance procedure would be soon introduced to the Senate.

Heuvers asked why ten years of service was required. Cheney said that the provision was copied from the Univ of Michigan policy. Pickens asked if 10 years of service was now a requirement for retirement. Cheney said that the requirement applied only to MPSERS personnel. Grzelak said that the 10 year requirement was part of the medical retirement benefits.

Mullins said the program resembled a sabbatical, and asked what spacing was needed between a sabbatical and the retirement furlough. He commented that labelling the program as a benefit package was disingenuous, because it was only a modified sabbatical

from which one did not have to return. Roblee said he saw little advantage in taking half pay for a final year at the university. Bornhorst said that if retirement is currently taken in May, full social security benefits might not be collected for the remainder of the calendar year. The proposal would help financially with this.

Leifer said that the administration could offer the furlough with or without Senate approval. He called attention to the 91.67% calculation in the Subcommittee's analysis of the furlough, and said that the administration might be more magnanimous.

Heyman said the furlough was not an advantage to everybody who was eligible for retirement, but only those who are ready to collect social security, who can collect TIAA/CREF benefits, or who can move to another job. He asked whether MPSERS retirees would benefit by the plan. Cheney said they would not. Heyman said that the plan is not unfair; it adds another option to what is currently available. Roblee said that the plan has both benefits and costs; in this case the cost is the same as a sabbatical.

Boutilier said that the plan adds nothing to what the department heads now have the freedom to do. Carlson said that the proposal allows everybody to be offered the same plan, as opposed to a whim of a department head.

Bornhorst said that the administration would not offer the retirement furlough without Senate approval. Daavettila said the proposal was an improvement over the current situation. Bulleit said that the proposal would increase the number of available retirement options. Cheney said the proposal offered a half-year salary for doing nothing. Leifer said that the payment had already been earned. Glime said that the safeguards against departmental arbitrariness could be built into departmental charters.

Heuvers said that the furlough provides a benefit for May retirees that they would not currently obtain. Leifer said that the furlough program provides the half-year salary in any calendar year that the retiree chooses.

Bornhorst called for further discussion. There was none. Bornhorst said that a secret ballot had been requested. Ballots were distributed and the motion PASSED, 14-6 with two abstentions.

C. Proposal 22-94 University Senate Administrative Evaluation.

Bornhorst gave the floor to Administrative Policy Committee Chair Heyman, who referred to Proposal 22-4 circulated previously [Minutes, p.4390], and noted that some clarifying editorial changes were needed.

Arici MOVED the approval of Proposal 22-94. Vanek seconded the motion.

Bornhorst called for objections to the recommended voting units. There were none.

Heyman MOVED to amend the proposal (A) on Page 1 by inserting "Education & Public Services" with the Library and Non-Academic Groups under the heading "Make-up and Selection of an Evaluation Commission"; and (B) on the last line of Page 2 by striking "(without appendices)" and inserting "and self evaluations (but no other appendices)". Hubbard seconded the motion.

Heuvers asked whether the report could be distributed by e-mail to save the expense of photocopying. Heyman said that it could be, except for those constituents not receiving e-mail, and that in the future, the distribution might be completely electronic.

Bornhorst called for further discussion of the amendment. There was none. The motion PASSED without opposition in a voice vote.

Bornhorst called for objections to considering the amendment to be editorial. There were no objections.

Bornhorst called for discussion of the motion to approve the proposal. There was no discussion. The motion PASSED without

dissent in a voice vote.

IX. New Business

A. Proposal 23-94 Scientific Misconduct Policy. Bornhorst referred to the copies of the proposal [Appendix I of these minutes] circulated with the agenda, and asked McKimpson to introduce the proposal. McKimpson said the Research Policy Committee had written the proposal to modify the existing policy. The administration had produced the existing policy with minimal input from faculty and staff. McKimpson noted that the principal revisions were covered in the Background statement on the first page of the proposal. The proposal had been produced with input from Research Services, from Vice-Provost for Research Lee, from Human Resources, and from Provost Dobney. McKimpson said that the proposal was a consensus policy from the people who would be involved ultimately in its operation.

Bornhorst called for questions. There were none.

B. Proposal 18-94 PhD Program in Computational Science & Engineering within the PhD in Engineering. Bornhorst noted that copies of the proposal [Appendix J of these minutes] had been circulated with the agenda, and asked A. Melton for introductory remarks.

Melton said that the proposal was for a new option in the College of Engineering Interdisciplinary PhD Program, and that a more descriptive title might be Computational Sciences and Computational Engineering. Melton noted that nine different departments would be represented in the program initially. Melton noted the national need and demand for researchers who could work in both an applications area and in computation, citing the magazine article [Appendix K of these minutes] circulated with the proposal.

Hubbard said that he would take exception to the first sentence under the heading of Teaching Portfolio on p.6; the reading should be "this PhD program", not "any PhD program". Heuvers noted that PhD programs in mathematics had been criticized for failure to prepare candidates for other than academic careers. Heuvers said that more detail on the comprehensive exam and admission requirements should be provided in the proposal. Glime said that the three-month minimum required between research defense and dissertation defense might be too long for bright students. Heyman asked whether the proposal listed any core course

requirements for the program. Melton said it did not.

Kawatra asked about the cost of the program, and the source of the funds. Melton said the program would require no new faculty or equipment. Kawatra asked whether the students in the program would be supported during the summer. Melton said they would be. Hubbard noted that no PhD program proposal had ever had any start-up costs.

Bornhorst called for further questions. There were none.

C. Proposal 17-94 Academic Freedom Statement. Bornhorst referred to the proposal [Appendix L of these minutes] circulated with the agenda, and asked Bulleit for introductory comments. Bulleit said that the statement would appear under its own heading in the revised Faculty Handbook. He noted that the statement had been through several revisions.

Heuvers asked how the proposal differed from the current statement. Bulleit said the statement was a combination of the

current statement and some ideas from Penn State's statement. Bulleit urged senators to compare the current and proposed wordings.

X. Announcements

Bornhorst asked the Senate to obtain the input of their constituents on the three new proposals. He reminded the Senate that any new proposals for consideration this year had to be communicated to the officers by Wednesday, 27 April. Proposals may be submitted after this time, and will be considered at the beginning of the next academic year.

Bornhorst called for other announcements. There were none.

XI. Adjournment

Bornhorst called for a motion to adjourn. Grzelak MOVED that the meeting be adjourned. McKimpson seconded the motion. Without opposition, Bornhorst declared the meeting adjourned at 7:10 pm.

Submitted by Robert Keen
Secretary of the University Senate

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