

THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting No. 227

11 January 1995

Synopsis: The Senate

- (1) Passed Proposal 6-95: Policy on Discrimination and Harassment
- (2) Tabled Proposal 13-95: Faculty Grievance Policy and Procedures, so that the Senate could receive feedback from the Faculty Handbook Committee
- (3) Passed Proposal 15-95: Statement on Professional Ethics
- (4) Passed Proposal 11-95: Membership for University General Education Committee
- (5) Approved changes in Proposal 4-95: Definition of Academic Appointments, but will not vote on the proposal until a later meeting.

1. CALL TO ORDER AND ROLL CALL

President Bornhorst called the meeting to order at 5:31 pm on Wednesday, January 11, 1995 in Room B37 of the Electrical Energy Resources Center.

Secretary Jobst called the roll. Twenty-nine representatives attended. Absent were representatives from Math, both ROTC units, IWR, and NaGrp 2. Absent Liaisons included the Deans of Engineering, and Sciences and Arts; as well as representatives from CTS, USG, and Staff Council.

2. RECOGNITION OF VISITORS

Visitors consisted of Ellen Horsch (Human Resources) and M. Goodrich (Tech Topics).

3. AGENDA ADJUSTMENTS

President Bornhorst made three agenda adjustments: (1) Under "6. Committee Business/Reports," strike "A. Strategic Planning/Budgets/Benchmarking-Provost Dobney," and add to the list "C. Space Committee"; (2) Move all of "8. New Business" to immediately after the above changes; and finally, (3) In "7. Old Business," change the sequence of consideration to E, A, D, B, and C. [Appendix A. NOTE: only official Senate and Library archival copies of the Minutes will contain a full complement of appendices.]

Carstens MOVED with McKimpson's second to approve the agenda adjustments. Since there were no objections, Bornhorst declared the adjustments APPROVED.

4. APPROVAL OF MINUTES

A. MEETING 224

Arici MOVED, with Heyman's second to approve the minutes for Meeting 224. No discussion followed, and on a voice vote, the motion CARRIED.

B. MEETING 225

Keen found a missing close-quotes (section 7. A), while Beck and Heyman pointed out that Poplawski (5. C.) was incorrectly listed as a member of the SS Department rather than the CS Department. The Secretary graciously thanked his proofreaders. Carstens MOVED with Miner's second to approve the minutes from Meeting 225. With no discussion, the Senate, on a voice vote, CARRIED the motion to approve.

5. REPORT FROM SENATE PRESIDENT

A. PROPOSALS SENT TO THE ADMINISTRATION

Bornhorst reported sending to the Administration several proposals: 13-94: Atmospheric Science Option in the BS in Geology Degree; 9-95, Absence from Regularly Scheduled Class Meetings; and 10-95: Recommendation on Disciplinary/ Discharge Policy. [Appendices B, C, D.]

B. STATUS OF OTHER PROPOSALS

1. At-Will Employment

Concerning Proposal 10-95: Recommendation on Disciplinary/Discharge Policy, Bornhorst read a memo from Provost Dobney, which included an article from the Chronicle of Higher Education supporting a change from an At-Will to a Due-Cause system. [Appendix E.] His memo, however, is not to be considered a formal response to 10-95.

2. Proposal 16-95: Recommendation on Observance of MLK Day. Bornhorst reminded the Senate that the Provost had responded to the University in general by memo regarding the Senate's recommendation that University time be set aside to observe Martin Luther King's Birthday. [Appendix F.]

3. Sent to Committee

a. 19-95: Ph.D. Program in Geological Engineering to the Curricular Policy Committee for review.

b. Acting on a complaint from a student and provided by Provost Dobney, Bornhorst asked the Instructional Policy Committee to examine current policy on Sunday examinations.

4. Conflict of Interest. Bornhorst reminded the Senate to be prepared to discuss this proposal at the January 25 Senate meeting.

C. APPOINTMENTS

1. Bornhorst said he had notified R. Zulinski (EE), and G. Campbell (BA) about their recent election to the General Education Committee, and the Committee to Evaluate the Dean of Sciences and Arts, respectively.

2. Commission to Evaluate the Administration.

At the January 25 meeting, the Senate will need to consider selecting a Senate representative for this important task. The selected Senate representative will be the Chair, according to the approved proposal. Beck asked if the person must be a Senator, and Bornhorst said no. Leifer asked for the names of individuals on the Board of Control, and Bornhorst said, to his knowledge, the Governor's most recent selections have not yet been made public.

D. MEETINGS

1. Undergraduate Student Government. Bornhorst met with the USG on January 4 to explore improved communication and USG involvement in policy making.

2. Bornhorst said the Senate will convene on January 18 for a special meeting devoted primarily to the University budget.

6. COMMITTEE BUSINESS / REPORTS

A. COMMITTEE ON ACADEMIC TENURE

Bornhorst reminded the Senate that Gale (Bus) had resigned in fall quarter, and that Nelson (ME-EM) and Carlson (BL) will resign effective February 24, 1995. The term of White (MY) had expired. The term of recently-elected Flynn (HU) expires on 8/31/97.

The President must fill terms vacated by White and Carlson, but he

has agreed to wait until after the faculty vote. The Faculty needs to select replacements for Gale and Nelson, whose terms expire on 8/31/95 and 96 respectively. Bornhorst recommended that the top vote-getter receive the longer unexpired committee term, and the Senate had no objections.

Bornhorst credited Senate VP Glime with locating nominees, which include Hutzler (CE), Plichta (MY), Seely (SS), Pregitzer (FY), Melton (SS), and Jambekar (BA). Bornhorst asked for further nominees from the floor, but there were none. Grimm asked if the problems on the committee which provoked the resignations had been resolved. Bornhorst replied that revisions of the University tenure policy were moving forward and the Senate will eventually see them. Bornhorst said he hoped these would alleviate some of the difficulties, although he noted that regardless of the system some disagreements are inevitable between faculty and administrators.

Heyman MOVED, with Arici's second, to close the nominations for the University Tenure Committee. There was no further discussion. On a voice vote by Academic Degree Granting Units, the motion CARRIED without dissent.

BALLOT INFORMATION

Glime suggested including, on the ballots, candidate information: department, years at MTU, and any prior promotion and tenure experience, if the candidate wished to include it. Beck agreed but recommended a space limitation. Roblee said that the voters know the nominees' backgrounds, but Whitt said newer faculty could use the information. Kawatra argued for no more than fifty words, while Keen reminded the Senate that any such information should appear on a separate sheet from the ballot. Whitt said the candidates should not include a statement but rather a listing of relevant experience. Heyman MOVED with Keen's second to include on a sheet separate from ballots, in 50 words or less, this information: Name, Department, Years of Service at MTU, and Relevant Experience.

When discussion ended, Bornhorst called for a vote. With Academic Degree-granting units responding on a voice vote, the motion CARRIED with dissent.

B. FINANCE COMMITTEE

Jim Pickens, chair of the Finance committee, stated that Chief Financial Officer McGarry would visit the committee to answer questions not covered by the President's visit at the previous Senate meeting.

C. SPACE COMMITTEE

Bornhorst said the committee met on December 14, 1994 and discussed available space on campus and in the community. One available room in the Old Academic Office Building has been assigned to Educational Opportunity. The committee also discussed the Weber House and the building at 224 Blanche, both of which are owned by the University.

8. NEW BUSINESS

[Section moved by agenda adjustment.]

Bornhorst introduced the following new proposals so they could be voted on at future Senate meetings.

A. Proposal 17-95: Certificate in Mine Environmental Engineering [Appendix G].

Beck said he would like to see a hypothetical listing of courses from Mining on what the typical student might take. Bulleit asked about a prospective student's ability to enroll in courses within the other disciplines listed in the proposal. Roblee said it was possible.

B. Proposal 18-95: Senate By-Laws [Appendix H].

Bornhorst walked the Senate through the updates to the By-Laws. Whitt

asked if someone could prevent a proposal from reaching the Senate floor. Bornhorst explained his procedure to insure all proposals reach the Senate, but admitted that the system is not codified in the By-Laws. Roblee said a committee chair could conceivably "sit" on a proposal, but Keen said the Senate could demand a viewing from the Senate President to see any proposal, ignoring a committee. A Senator could also introduce any proposal from the floor.

Leifer called attention to the responsibility of overseeing Student Financial Aid, which is listed under the responsibilities of the Finance Committee. "We don't do this," Leifer said, "but we do discuss University investments, which is not listed." Arici asked who did oversee student financial aid; no one responded. Bornhorst said the listings he had distributed were all directly and solely from authority granted in the body of the Senate Constitution.

Bornhorst called the Senate's attention to section E on page 3 and said this inclusion of a secret ballot had been instituted because of topics that are politically sensitive.

Whitt offered an amendment-on page 3, under section F ("Adoption of a Proposal"), add a number 4: "When a proposal adopted by the Senate is accepted with changes by the Administration, it shall be published in revised form and reconsidered by the Senate in the same manner as a new proposal." Bornhorst said that amendments cannot be debated at this time since 19-95 will not be voted on until January 25; thus her amendment will be noted and considered an editorial change on that date. No one objected. The entire updated By-Laws will be considered at the January 25, 1995 Senate meeting. Senators will receive copies of the proposed amendment.

7. OLD BUSINESS

A. Proposal 6-95: POLICY ON DISCRIMINATION AND HARASSMENT

[See pg. 4898 for a copy of this proposal.]

Whitt said the final word in the proposal had been changed to "Harassment" rather than "Prohibited Conduct."

Bulleit MOVED to amend by adding to the proposal the phrase "violations of these statues or policies" and deleting the two words "These behaviors" in the subsequent sentence, but it failed for lack of a second.

Whitt asked why the proposal lacked procedures, and Bornhorst explained that they were missing for two reasons: (1) Proposals which must go through the Board of Control (BoC) do not contain procedures since they are not appropriate for the BoC policy manual; and (2) the Administration was not ready with changes to the procedures. Keen added more detail: University attorneys offered preliminary comments, but the Senate officers last year

Page 4891 Minutes of Senate Meeting 227 11 Jan 1995

saw other problems as well. The officers conveyed their concern to the Provost, who conferred with counsel, and the result was to strip the procedures from the proposal. Bornhorst said he assumes the Senate will see the procedures at some point. Whitt said that perhaps this paper flow should be described somewhere in the By-Laws.

Reed MOVED to change the word "and" to "or" in paragraph four, before "Board of Control." Glime seconded. With no discussion and the full Senate voting, the motion CARRIED. Bornhorst ruled that this was an editorial change, and he received no objections.

Glime MOVED, with Arici's second, to amend the last paragraph: After the "and" insert "Individuals engaging in these behaviors". With no further discussion, and the entire Senate voting, the motion CARRIED on a voice vote.

Glime MOVED, with Keen's second, to replace "dismissal" with

"termination," and add "or expulsion" after the word "termination." With no further discussion, and the entire Senate voting, the motion CARRIED on a voice vote.

Bornhorst ruled that these two changes were editorial, and there were no objections.

With discussion on Proposal 6-95 at an end, Bornhorst announced a vote of the full Senate. The motion to approve Proposal 6-95 CARRIED on a voice vote.

B. Proposal 13-95: FACULTY GRIEVANCE POLICY AND PROCEDURES

[See pg. 4870 for a copy of this proposal.] Heyman provided an update on this proposal: he said each department will provide a committee to hear grievances, and those going beyond departments will come to a University committee chaired by the University ombudsman. He reminded the Senate that prior rejection of the proposal occurred from mid-level management, Deans and Department Heads, who complained about the possibility of endless appeals. The Administration suggested that grievances be dealt with in each department, but the committee felt this was too narrow; balance was necessary. The new proposal draft covers this area. Individuals failing to find satisfaction at the Department level, Heyman continued, could take grievances to the University committee, which could decide if the topic warranted further consideration.

Keen MOVED to table 13-95 until January 25 so that the Senate may hear from the Faculty Handbook Steering Committee on the current draft. Bulleit seconded. With dissent the motion CARRIED on a voice vote.

C. Proposal 15-95: STATEMENT ON PROFESSIONAL ETHICS

[See pg. 4896 for a copy of this proposal.]

Heyman MOVED, with a second from Glime, to approve proposal 15-95.

Bulleit asked why the full Senate would be voting on this proposal, and Bornhorst ruled: change it to "Degree-granting units." Patricia Moore recommended adding "Other Course Offering Units." Heyman so MOVED, with Whitt's second. No further discussion, and the motion CARRIED on a voice vote.

McKimpson then noted that since only faculty would be voting, non-faculty would presumably not need to follow the guidelines. Bornhorst said the proposal was projected to appear solely in the faculty handbook. Beck asked if the BoC would see it, and Bornhorst said no. Whitt MOVED, with Bulleit's second, to change a word in paragraph three from "intelligence" to "professional." With no discussion, the motion to amend CARRIED on a voice vote.

Bulleit MOVED, and Whitt seconded, to amend paragraph four, after the word "any," replacing with the same wording as used in paragraph three. There was no further discussion, and on a voice vote the motion CARRIED.

Bornhorst declared these amendments editorial changes, and there were no objections. Heyman asked if the topic of faculty dating needed to be addressed.

Keen MOVED, with Glime's second, to replace the word "subjects" in line three of paragraph one with the word "profession." There was no discussion, and the motion CARRIED on a voice vote, with dissent. Bornhorst ruled that this was an editorial change, and there were no objections.

Janners reminded the Senate that the proposal contained no enforceable elements. Heyman responded by identifying the proposal's genre as a "code of ethics."

With no further discussion, the Academic Degree-Granting and Other Course-Offering units, on a voice vote, CARRIED proposal 15-95, with no dissent.

D. Proposal 11-95: MEMBERSHIP FOR UNIVERSITY GENERAL EDUCATION COMMITTEE

[See pg. 4895 for a copy of this proposal.] Roblee said the committee requested this proposal so there would be continuity of members from year to year. Leifer MOVED, with Heyman's second, to approve 11-95.

Bornhorst announced the voting units as Academic Degree-Granting units, and Roblee MOVED to expand this to the full Senate. Heyman seconded. On

a voice vote by Degree-Granting units the motion to expand voting units CARRIED.

Keen, noting the reference in the proposal to the Degree Audit office, asked if this had long been part of the University. He explained that with changes in names by the Administration over the years, this reference might not be clear in the future. Janners said that Degree Audit was under the Registrar's office, and she felt it would remain a part of the school structure with this name in the foreseeable future.

With no further discussion and the full Senate voting, Proposal 11-95 CARRIED on a voice vote.

E. Proposal 4-95: DEFINITION OF ACADEMIC APPOINTMENTS

[Appendix I.] Bornhorst explained that this proposal has undergone substantial changes, and the Senate could not vote on it tonight. Heyman MOVED, with Kawatra's second, to approve the changes. With no discussion, on a voice vote the motion to approve the changes CARRIED.

Heyman MOVED, with Grimm's second to extend the title "Visiting" to include "Visiting Lecturers and Instructors." Whitt asked if a Visiting Lecturer would be a member of the Senate constituency, and Bornhorst said no. This amendment, Heyman said, would clarify who was a Senate constituent.

Leifer identified the ranks mentioned in the proposal as being inconsistent with academic ranks in Europe, saying that the term "lecturer" in England is equivalent in the U. S. to Assistant Professor; and "Senior Lecturer" is the same as "Associate Professor." Roblee said that a visitor's ranking would be the equivalent of what the individual enjoyed at the previous campus.

With no further discussion the Senate, by voice, voted on the amendment, which Bornhorst judged as FAILED. Glime

Page 4892 Minutes of Senate Meeting 227 11 Jan 1995

asked for a show of hands, but Bornhorst said there would be a roll call since the difficulty in accurately counting hands makes the system problematic. Secretary Jobst called the roll, which was 12 to 12, with 3 abstentions; the motion FAILED.

9. ADJOURNMENT

Leifer MOVED and Miner seconded to adjourn. Motion CARRIED. Bornhorst declared the meeting adjourned at 7:30 pm.

Submitted by
Jack Jobst
Secretary of the Senate

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