

THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting No. 240

6 September 1995

Synopsis: The Senate

- (1) Heard a report from Bruce Seely on discussions with the Board of Control and with Board members Jim Mitchell and Ken Rowe on the Conflict of Interest Policy (Proposal 4-96).
- (2) Passed a motion for the non-academic-degree-granting units to establish a procedure for resolving ties in selecting their senators and alternates and to provide the Senate with only one person for each Senate position.

1. CALL TO ORDER AND ROLL CALL

President Bornhorst called Senate meeting 240 to order at 6:15 PM on Wednesday, 6 September 1995, in Room B37 of the Electrical Energy Resources Center.

Secretary Glime called Roll. Absent were At-large Senator Evensen and representatives from Mathematical Sciences and Fine Arts. Liaisons in attendance were Max Seel (Dean of Sciences and Arts), Yadu Dar (GSC), David Henke (USG), and Ted Soldan (Staff Council).

2. RECOGNITION OF VISITORS

Guests included Beth Flynn (Humanities), Mike Gilles (Res/Com Svc/Adm Off), Steve Tyrell (Asst. Dean of Students), Marcia Goodrich (Tech Topics), Eric Obermeyer (Lode), Bruce Barna (Chemical Engineering), Freydoon Arbabi (Civil and Environmental Engineering), Brian Whitman (GSC), Mark Lambert (Career Center), Bruce Seely (Chair of Conflict of Interest Committee), and Fred Dobney (Executive Vice President and Provost).

3. APPROVAL OF AGENDA

Brokaw MOVED and Carstens seconded the motion to approve the agenda. There were no objections, so the agenda was APPROVED. [Appendix A. NOTE: only official Senate and Library archival copies of the minutes will contain a full complement of appendices.]

4. NEW BUSINESS

A. PROPOSED MEETING DATES

Heyman MOVED and Soldan seconded the motion to approve the meeting dates as published with the Agenda for Senate Meeting 240. There were no objections so the meeting dates were APPROVED as published [Appendix B].

B. PROPOSAL 4-96, CONFLICT OF INTEREST STATEMENT FOR THE BOARD OF CONTROL [Appendix C]

Committee Chair Bruce Seely reported that the policy portion of the Conflict of Interest Proposal passed by the Senate last spring had been separated from the procedures and that the Board of Control had raised concerns about several items in the policy. NSF and NIH guidelines require that the university have a Conflict of Interest policy in place by 30 September 1995, to be effective for all subsequent proposals. The next meeting of the Board of Control will be 22 September.

One item of concern raised by the Board at the July 1995 meeting relates to the statement that concerns the conflict between giving advice to the University and then providing service to the University.

Seely reported that the procedure has been approved in principle but that these will come back to the Senate for approval because the

organization of the procedures and some of the wording changed when the procedures were separated from the policy.

Seely reported that Provost Dobney has asked Seely to be Conflict of Interest Coordinator, a position recommended by the proposal.

The Board of Control Subcommittee will discuss the policy this weekend.

Senator Whitt expressed concern that permitting the Board to dictate what we can and cannot put in our proposals is not shared governance.

Taking a policy to the Board or University lawyer before it is passed by the Senate is contrary to the procedure we established last year.

Whitt suggested we have a discussion of what we mean by shared governance.

Seely urged the SENATORS TO APPRISE THEIR CONSTITUENTS of the new procedures that will take effect 1 October. All proposals must have a completed form revealing any potential conflict of interest, and enough time must be allotted for reading the statement and gaining approval to submit the proposal. Guidelines will arrive in campus mail.

Whitt stressed that this proposal was being handled differently (regarding the role of the Board and lawyer in reshaping it) because of the NSF and NIH deadline and that this should not establish a precedent for future proposals.

C. PROPOSAL 2-96, FRINGE BENEFITS COMMITTEE [Appendix D]

Senator Leifer stated that work on fringe benefits consumed lots of time on the Finance Committee. Former Finance Committee Chair Pickens suggested that the creation of a Fringe Benefits Committee might solve time conflicts arising from dealing with both the budget and fringe benefits in the Finance Committee.

Leifer stated that the current advisory fringe benefits committee advises on benefits plans that Ingrid Cheney is considering. The role of a Senate Fringe Benefits Committee would be to propose changes.

Senators expressed concern about how the Fringe Benefits Committee and the Finance Committee might interact. Leifer stated that the Finance Committee had discussed this at length and that they felt there needed to be cooperation between the two committees. Vice President Walck stated that having two committees would create a check and balance system.

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D. PROPOSAL 3-96, DUE PROCESS [Appendix E]

Senators questioned the meaning of the words "all planned criticism."

McKimpson suggested we need procedures for item #1 if it is to be implemented.

5. REPORT FROM SENATE PRESIDENT

A. President Bornhorst welcomed the new senators.

B. President Bornhorst announced that he had appointed a non-academic-degree-granting units elections committee to establish procedures for their first election of senators. The members were Barbara Filer (chair), Jim Turnquist, Nancy Byers-Sprague, Ingrid Cheney, and Ed Laitila.

The election resulted in two ties which must be resolved.

Leifer MOVED and Carstens seconded a motion to toss a coin to determine the Senator or Alternate. Senator Keen reminded us that the Senate Constitution does not tell units how to conduct their elections. The motion FAILED by a voice vote.

Arici MOVED and Leifer seconded a motion to have the units decide how to determine the Senator and Alternate, with only one of each. After discussion ended, the motion PASSED by voice vote.

C. President Bornhorst reported that he had written a letter to the

non-academic-degree-granting units that since the election of officers had taken place before the new constituency proposal passed, we had a faculty member as Vice President. He therefore had suggested that the non-academic-degree-granting units should select a person to serve as an "ex-officio" officer for this year. Bornhorst then stated that he realized he should have brought this matter to the Senate.

Soldan MOVED and Sandberg seconded a motion to retain the slate of Senate officers as is, suspend the Bylaws for 1995-96, and select an ex officio vice president from a unit other than an academic degree-granting department.

Senator Keen clarified that the constitution delegates the day-to-day-decision-making authority of the Executive Committee to the Senate officers.

Keen reminded the Senate that a decision to create a fourth officer is in contradiction to the recently passed revisions that are in effect on a trial basis for the 1995-96 academic year.

Carstens MOVED and McKimpson seconded the motion to adjourn. The meeting was adjourned at 7:32 PM.

Respectfully Submitted by Janice M. Glime
Secretary of the Senate

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