

THE SENATE OF MICHIGAN TECHNOLOGICAL
UNIVERSITY

Minutes of Meeting 271
12 March 1997

Synopsis: The Senate

- (1) heard that charters from Fine Arts and the School of Technology have been approved.
- (2) voted to extend the terms of office of Senators and alternates from non-academic units until September/October because the new Constitution will not be ratified in time for spring elections.
- (3) heard Provost Dobney's "final, best offer" for a scaled phase-out of retiree health care benefits and implementation of a 2+2 TIAA-CREF benefit.
- (4) discussed a draft of the revisions to the Constitution.
- (5) heard from Chair Bob Keen that the Instructional Policy Committee would like to poll the faculty again on the issue of semesters vs quarters.

1. CALL TO ORDER AND ROLL CALL

President Bornhorst called Senate Meeting 271 to order at 5:32 p.m. on Wednesday, 12 March 1997, in Room B45 of the Electrical Energy Resources Center.

Secretary Glime called roll. Absent were representatives from Army/Air Force ROTC, Fine Arts, and KRC. Liaisons in attendance were Geoff Roelant (USG), Evan Schemm (GSC), and Ted Soldan (Staff Council).

2. RECOGNITION OF VISITORS

Guests included Freydoon Arbabi (Civil & Env Eng), Les Leifer (Chemistry), Fred Dobney (Provost), Indrajith Wijayaratne (School of Technology), and Marcia Goodrich (Tech Topics).

3. APPROVAL OF AGENDA

President Bornhorst requested the addition of item 6D, Report from the Instructional Policy Committee, by Bob Keen (5 minutes). Vichich MOVED and Carstens seconded the motion to approve the agenda as modified. The motion to approve PASSED on voice vote with no dissent. [Appendix A. NOTE: Only official Senate and Library archival copies of the minutes will contain a full complement of appendices.]

4. APPROVAL OF MINUTES FROM MEETING 270

Senator Suryanarayana stated that on page 6828 of the minutes he was referenced as asking if other persons could handle the responsibility to the undergraduate program. The minutes should state that he had asked if other people could handle some of the responsibilities now handled by the provost [leaving the provost more time for undergraduate instruction].

Richter MOVED and Sandberg seconded the motion to approve the minutes of meeting 270 as amended. The motion PASSED on voice vote with no dissent.

5. REPORT FROM SENATE PRESIDENT

President Bornhorst reported that the officers decided to cancel the meeting on 26 March, making the next meeting on 2 April.

Bornhorst sent to the Administration Proposal 6-97: Recommendation to Change the Retirement Medical Benefits Plan, and Proposal 8-97: Recommended Amendment to Proposed New TIAA-CREF Retiree Health Care Benefits. [Appendices B and C]

He has sent Proposal 9-97, B.S. in Wood Science, to the Curricular Policy Committee. [Appendix D]

President Tompkins has approved department charters for the Fine Arts Department and the School of Technology.

Bornhorst reminded the Senate that spring elections are imminent. Senators will receive, from the Senate Assistant, an outline of the election cycle and a form for nominations. Departments that need to elect a senator are being notified.

There is a problem in election of senators to represent the designated non-academic units and in selecting a Vice President because the new Constitution has not been ratified. The officers have two suggestions for the Senate to consider: 1. extend the terms of current non-academic senators and alternates for one more year. 2. extend the terms of current non-academic senators and alternates until September and extend the Vice President's term until September.

Senator Suryanarayana asked what would happen if we extended the term for one year and the constitution does not pass. Bornhorst replied that it becomes a moot point and those non-academic units still represented would have to re-elect [because their constituency would change].

Vice President Soldan stated that having a one-year extension would prevent turmoil on committees. Senator McKimpson stated that some people would not want one more year; it is difficult to elect in September; October would be better - committees don't do that much until October. Bornhorst responded that persons could always resign if they did not want to continue.

Senator Lambert stated that he would prefer an extension to September; Vichich agreed that September or October would be best.

Senator Melton asked if the Senate would meet in September before the terms end. Bornhorst responded that it would.

Senator Walck asked if Senators normally serve 3-year terms, implying that if so, it should solve the problem. Bornhorst replied that all staff had the same beginning date and had not been given staggered terms because the Constitution had not been approved. Each was given a one-year term.

Lambert MOVED and Carstens seconded the motion to extend the terms of non-academic representatives to September /October. The motion PASSED on voice vote with dissent.

6. COMMITTEE BUSINESS/REPORTS

A. TIAA-CREF Retirement Program Provost Dobney [Appendix E]

Provost Dobney reported his "final, best offer" retirement benefit plan as he will present it to the Board of Control. It represents the combined efforts of the Senate, the Senate Fringe Benefits Committee, and the Provost's Office to continue the affordability of the benefits. The faculty didn't like the 60% matching and the Board of Control didn't like giving a choice because it was taxable. This program will include a phased in matching program and a phased out health care premium subsidy. MTU is currently contributing 10.55% to TIAA-CREF. In 1997-98, he proposes to match up to 1% and in 1998-99 to match up to 2% contribution to TIAA-CREF. The 1% phase in is due to budget constraints in the Governor's proposed 1997-98 budget for the University. He will request that the Board endorse guaranteed insurability at the group rate upon retirement. All new employees will be placed in the matching program because all will be in TIAA-CREF. The recommended program has an 80-point eligibility, assumes Medigap coverage for those eligible for Medicare, and requires a 20% co-pay for participants who retire prior to 1 July 1999; starting 1 July 1999, the co-pay will increase by 10% per year so that by 2006 retirees will be paying 100% of the premium. This is a pay-as-you-go plan because it is part of the current operations budget. It will gradually eliminate the MTU payment of premiums so that co-pay goes to 100%.

The benefit to retirees is guaranteed to continue at

the scheduled co-pay while this program is in place.

The average salary of those age 55 or with 70 points is \$65,511. At 2% matching, in 6 years you would generate the \$20,000 necessary to pay the continued cost of medical benefits premiums. Medical benefit costs are likely to go up, but the increase in salaries has not been figured into this either.

By 2014, we will reach a cost of \$322,645, the peak cost of the new health care plan. The 2+2 plan will continue to increase in cost, reaching \$1.6 million by 2024. Under the November plan, total cost will reach \$107 million; under the February plan it will reach \$124 million; and by this (March) plan it will reach \$118 million by 2057. The \$118 million is guaranteed in faculty pockets.

Senator Suryanarayana asked for clarification that if one retires with 30% co-pay that the 30% would be the continued cost for the rest of retirement. Dobney confirmed it.

Senator Gilles asked if the \$118 million included the cost of the health care plan. Dobney responded that it was only the 2+2 cost; the total health care costs are \$5 million.

Vice President Soldan asked if these costs assume that 100% of those eligible will participate. Dobney responded that it assumes 100%, but that in industry usually only 70-80% participate.

Gilles asked why he chose the 55 years and \$65,000 as the basis of his calculations. Dobney responded that one must have 80 points in 2006 to be eligible.

Gilles expressed concern that the annuities fall drastically short of the premium costs. Dobney responded that the 8% estimated annuity was based on a 35-year average, but that TIAA-CREF had done considerably better than that recently.

Gilles stated that one would almost break even if the money were invested for 30 years; the plan should not be a disincentive to retire, but the annuity and premium are very far apart.

Senator Sandberg stated that Gilles' scenario assumes that only the annuity is being used. We would still have the extra principal from the TIAA-CREF contributions.

Senator Mroz stated that we don't need health care after we die; we have a base as well as the annuity. Dobney stated that he is basing these figures on averages; we will probably have to pay some additional money to meet the costs of health care insurance. Gilles countered that the annuity will be fixed, but Mroz reminded him that we would still have a \$20,000 principal to use.

Leifer (Chemistry) stated that no matter how good the program is, it is not worth anything if the verbiage is the same in the "plan." What is being done to expunge the "plan?"

Dobney responded that if his proposal is approved, he will go back to the Board in May with new language instead so we can guarantee this benefit in so far as the Board is willing to guarantee anything. The Board of Control will not approve expunging the "plan," so it is better to write new language to accompany this proposal; this would supersede the "plan."

Senator Shonnard stated that we don't know the rate of salary increase or health care cost increase and asked if we could avoid having this new program "cast in stone." Bornhorst responded that the Provost has never ruled out a 3+3 plan; this isn't a final solution. The Provost agreed.

Senator Santeford stated that this is only intended as a Medigap coverage, but the age of Medicare eligibility is being pushed back, so we could lose our coverage; we must plan to cover costs of an additional \$1-2000.

Senator Gale asked if the Provost was saying that the

Board would not approve expunging the "plan." Did he have any assurance that his proposal would be approved? Dobney stated that he thinks he can get the Board approval, based on conversations he has had with individual Board members. Then he will write the language to guarantee its provisions.

Gilles expressed concern that the scenario presented was based on an annual salary of \$65,000, but lots of people don't earn that much and won't have enough money even with the added 4%.

Senator Arbabi stated that this proposal addresses the concern that all the dollars be kept with MTU, but he is concerned that the Fringe Benefits Committee has not had a chance to examine the proposal and its implications. Dobney acknowledged that the proposal would not have reached this point had it not been for the help from the Fringe Benefits Committee. Arbabi agreed, but was concerned that there has been no dialog on this final proposal. Dobney responded that he already knows what the questions are and that he wants to get on with this.

Suryanarayana asked if someone is already putting the maximum amount into an SRA, must that person then move 2% from the SRA contribution into the TIAA-CREF to get the matching money. Dobney responded they must.

Senator Chavis asked if someone earning under \$65,000 would need to put in more money to cover health care costs. Dobney responded that, yes, these people are at a disadvantage. If you earn more than \$65,000 you get more than the scenario; if you earn less than that, you get less.

Dobney stated that in his presentation to the Board he will point out two considerations that make the plan financially sound: 1. it limits liability to a maximum of \$6 million (down from \$118 million) and 2. it is financed in the salary pool. Board members are reasonable and will see the advantages of this proposal.

Suryanarayana asked why the Provost is requiring matching money. Dobney responded that fewer than half of those eligible are contributing to SRA's; this requirement makes people do what is right.

B. Discussion of Proposed New Constitution and Bylaws

President Bornhorst stated that the only concern conveyed to him regarding the proposed Constitution was that regarding the status of the Library.

Senator Nordberg stated that the members of the Library have an interest in curricular issues. They spend \$1.5 million each year to support academic programs. Although members of the library do not generate many credit hours, they spend lots of time in one-on-one instruction with students. They have more than 3000 student contacts in formal instruction per term, with over 100 sections of students represented, especially in chemistry, physical sciences, and forestry. Their staff mostly have higher degrees, whereas only half the staff in Physical Education (included in the academic group in the Constitution) have more than a B.S. degree. Therefore, the members of the Library are asking to be double-listed like the members of the Physical Education Department.

Vice President Soldan pointed out that members of IT would have a similar role. Nordberg countered that members of IT do not contribute in a subject-specific way. Senator Walck pointed out that personnel in Student Affairs have a similar role and we must draw the line somewhere. The issue relates to who can vote on particular issues. Academic units vote on everything but the non-academic issues; if they are also non-academic, they can vote on both.

Senator Vichich stated that if some units are double-listed, then the library should be because it believes it should be, unless we can give a good reason why it should not be.

Senator Whitt asked if there can be subgroups within a unit for voting purposes. Bornhorst responded that such a subgrouping was not covered in the Constitution.

Nordberg stated that the Executive Committee will classify each proposal, so the Constitution does in fact rule out subgrouping.

Senator Reed asked if the Senate still would have the option to change the recommended voting units on a proposal. Bornhorst responded that it would be the burden of the floor to object to a ruling, but the objection must be based on constitutional interpretation.

Reed asked if academic units could vote on staff only issues. Bornhorst responded that they could not.

Senator Pegg stated that it makes no sense to include Physical Education and ROTC but not include the Library. Senator Keen responded that the distinction was based on academic title. Pegg responded that maybe we should use different criteria. Keen responded that if we used other criteria, we could make a strong argument to include members of IT and other units on campus.

Whitt stated that there is often a clash between titles and what people actually do; she asked if any thought had been given to more selective categories for groups. She admitted that it would cause more arguments on the floor of the Senate, but if a group is clearly a part of and affected by an issue, we could let that group vote on the issue. Bornhorst stated that some of the language and restrictions were based on the compromise made four years ago.

Senator Melton asked if a unit could petition to vote on an item. Bornhorst responded that they could not. Keen added that the nature of the proposal would determine who could vote, but the voting units included must be based on the list set forth in the Constitution.

Pegg stated that in the old Constitution the President suggested the units and we would vote on those units; we need to continue that flexibility.

Whitt stated that we can design the Constitution based on the worst case scenario or we can be optimistic. We should avoid being too restrictive.

Secretary Glime stated that some things are the responsibility of the tenure-track faculty, whereas others include responsibilities of other course-offering units. Perhaps there are issues where a grouping of course-offering units is appropriate.

C. Academic Policy Committee Bruce Seely

The report was canceled because Bruce Seely could not be at the meeting.

D. Report from the Instructional Policy Committee
Bob Keen

Senator Keen reported that the issue of the Academic Calendar has arisen again. He sees two issues that need to be settled: 1. How do faculty feel about it. 2. What effect does it have on students. He stated that the response of 60% of the faculty that we usually get is not acceptable for such an important issue; the committee would consider a 95% response to be acceptable and would ask Senators to help in achieving this.

The committee envisions a 2-part questionnaire. Part 1 would ask what would be the best possible academic calendar if there were no cost involved. Part 2 would ask what would be the preferred calendar, given the "significant" cost in time and dollars to implement change. Keen acknowledged the help of Willie Melton (Social Sciences) in drafting the survey presented.

Senator Walck stated that the questionnaire was cast in negative language and that it should be reworked to be positive.

Leifer (Chemistry) stated that "significant cost" is vague language.

Secretary Glime stated that the impetus for changing is that semesters are supposed to be better educationally; we need data on ways semesters are better. Lacking

data, people will make their own judgment of which is better based primarily on their own experience in schools where they have been previously compared to here and most will select the system under which they learned because they try to fit their courses into that familiar format.

Senator Suryanarayana asked what the purpose is for asking part 1 when the decision must be based on part 2.

Senator Sandberg stated that the decision will never be based on anything rational; if 80% of the faculty want semesters, then we should know that.

Senator Mroz said we should "let the survey fly." We are the only public institution in the state still on quarters; quarters are a real headache for students when they want to transfer credits.

Walck agreed that the questionnaire should provide information on the benefits of semesters.

President Bornhorst asked Senators to send their comments to Keen.

Senator Vichich asked if the survey would go only to the academic faculty; changing would have significant impacts on the registrar's office and housing.

Keen responded that the calendar is clearly stated as a faculty responsibility.

Bornhorst added that it wouldn't hurt to survey everybody.

7. OLD BUSINESS

A. Proposal 30-95: Revision of Proposal 17-94, Policy on Academic Freedom [See minutes, pages 5718 and 6727, for a copy of this proposal.]

Gale MOVED and Shonnard seconded the motion to accept the revision dated 12/10/96.

Gale MOVED and Mroz seconded the motion to delete the last sentence of paragraph 3 which states, "In the classroom, faculty are entitled to freedom of discussion in their areas of expertise, but have the responsibility to avoid introducing controversial material which has no relation to classroom subject matter."

Senator Pegg asked why we needed to delete the entire sentence and not just the last part.

Mroz stated that the previous sentence covered it. Walck stated that she would prefer to have the sentence stop after "discussion" and exclude the words "in their areas of expertise." Why can they have freedom of discussion only in their areas of expertise?

Senator Chavis stated that a university should be open for discussion in all areas because that is part of learning.

Roelant (USG) responded that he had a professor who spent two days in an SS course discussing politics that were not related to the course.

Senator Sandberg stated that we must strike a balance between the idea that we can't say anything controversial and giving someone the right to spend ten weeks talking about duck hunting and muzzle loaders in a computer science class; students deserve something better.

Senator Shonnard stated that if we restrict discussion to that pertaining to the class, we could eliminate a lot of useful discussion. If students do not like the political discussion, they don't need to partake in it; the discussion will soon end if students don't participate. Furthermore, students evaluate professors, and professors will soon get the message that students consider this inappropriate. Restricting what professors can say will do more harm than allowing the freedom to open up the discussion. We don't restrict what students can ask in class, but we are asking the faculty to be restricted.

Even a statistics class could discuss the application of a particular statistical test to the issue of abortion.

Carstens stated that if he gets off the subject, the

students are not getting what they want and paid for. Nevertheless, this morning he asked how many had seen the comet. He would not want to be restricted from such discussions.

Senator Suryanarayana stated that he was not happy with the terminology "freedom of discussion in their areas of expertise." He felt it would be better to change it to "freedom to discuss topics of relevance to course objectives."

Schemm (GSC) stated that his concern is that if we strike this language, he, now as a GTA, can not only bring up abortion in his 4th term programming class, but he can espouse his views without allowing any opportunity for discussion; it can become a political forum. Sure, his students can write really nasty evaluations at the end of the term, and his department head will see them and maybe something will even be done, but the damage has already been done and their tuition dollars have been wasted.

Whitt asked if the 12/10/96 version was from the Provost or from Jim Gale. Bornhorst responded that the two of them had worked on it together and the Provost had approved it. Whitt expressed concern about the exclusion, based on the Provost's memo of 27 November 1996, of the last paragraph of Proposal 30-95, which ties academic freedom with the system of tenure. The Provost, in that memo, viewed the tie between academic freedom and tenure as unnecessary.

Sandberg agreed that Whitt's concern was a really important issue, but that a different motion was on the floor.

Keen MOVED and Sloan seconded the motion to adjourn. The meeting adjourned at 7:31 p.m. with an open motion on the floor to amend the motion to accept revisions dated 12/10/96 to Proposal 30-95, Policy on Academic Freedom.

Respectfully Submitted by Janice M. Glime
Secretary of the Senate