

# The University Senate of Michigan Technological University

## Minutes of Meeting 279 10 September 1997

Synopsis: The Senate

- (1) overruled President Seely's ruling that those Senators and Alternates who had already served six consecutive years were ineligible to serve on the Senate this year, and instead interpreted the Constitution to mean that they could complete their terms but could not be re-elected until being off the Senate for three years.
- (2) heard that the Administration has approved proposals 5-97, Certificate in Industrial Forestry; 17-97, Earth Science Education Option in the B.S. in Geology Degree; 18-97, Amendment of Teaching Evaluation Policy.
- (3) heard that the Board of Control has approved degree proposals for Associate in Applied Science Degree in Chemical Engineering Technology; B.S. Degree in Applied Ecology and Environmental Sciences; M. S. Degree in Environmental Engineering.
- (4) heard that the Board of Control has approved the Senate Constitution.
- (5) heard that the recommendation to change to semesters passed on a faculty vote of 72% yes, 28% no, with 81% of the faculty voting, and that President Tompkins has appointed a task force to look at how we should proceed.
- (6) heard from Christa Walck that the NCA accreditation preparations are on track and a report document will be ready by the end of the month.
- (6) heard a report from Provost Dobney on the budget he will present to the Board of Control at their meeting on 12 September.
- (7) Passed, as an emergency vote, a statement that "the Senate finds the proposed 1% pay increase unsatisfactory" and directed President Seely to deliver the statement to the Board of Control at their meeting on 12 September.

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### 1. CALL TO ORDER AND ROLL CALL

President Seely called Senate Meeting 279 to order at 5:34 p.m. on Wednesday, 10 September 1997, in the Alumni Lounge of the Memorial Union Building.

Secretary Glime called roll. Absent were representatives from Biological Sciences, Civil and Environmental, Forestry and Wood Products, Technology, Army/Air Force ROTC, Finance and Advancement, and Academic Services/Engineering. Liaison in attendance was Ted Soldan (Staff Council).

Senator Williams asked for clarification of the term of the Senators [based on the memo sent to Senators indicating that those who had served 6 consecutive years as Senator or Alternate would not be eligible to be Senators or Alternates again for three years]. He reported that his years of service were incorrect and that Senator Leifer had served three years as alternate, three years as Senator, and one year as alternate; his term of alternate has two years remaining. Williams stated that it is unusual to terminate the service of a representative when the term has not expired.

President Seely responded that the bylaws apply to all members at the time they go into effect.

Senator Pegg stated that we don't need to be bound by the interpretation of other bodies regarding parliamentary procedure if the Senators don't want to do that.

Seely ruled that the bylaws are effective now and that prior service counts, making Senators and Alternates with 6 or more consecutive years of service ineligible to continue as a Senator or Alternate.

Pegg MOVED and Williams seconded the motion to object to the ruling of the Chair. If the objection is supported, Senators and Alternates are eligible to complete the original term of office.

Senator Leifer stated that he had been elected as an alternate from 1996 to 1999.

Williams raised concern that departments had been given only one week notice that terms had expired. That was insufficient time to get replacements and that the present Senate was not properly constituted.

Senator Barna stated that he supported the objection and the new bylaws should not apply to a sitting Senator.

Seely stated that he had consulted the American Society of Parliamentarians on the Web and their practice supported his ruling. Their president had been elected for one year, but the constitution had been amended to provide for a 2-year term. The president then ruled that his term should be two years. Seely added that he doesn't believe it is reasonable to use different rules for different senators.

Senator Pennington stated that it is implied that alternate means alternate senator and that the new bylaws therefore provided clarification.

Pegg stated that the example Seely had given was for increasing terms, not for throwing people out. The logic of unequal rules is not used for students; they are subject to the rules in place when they enter the university.

Barna stated that the Constitution requires that after serving six consecutive years as a Senator and/or Alternate, an individual shall not be eligible for RE-ELECTION for a period of three years.

Pegg stated that this new Constitutional rule results in a constant changeover of Senators with short terms and who can be relatively manipulable.

Seely stated that unless specifically stated, grandfathering does not occur.

Senator Suryanarayana stated that the revised Constitution doesn't say that current Senators cannot complete the term.

Vice President Soldan asked for clarification of the motion. Seely responded that the motion is simply to overrule his ruling.

Pegg added that his intent is that sitting Senators be permitted to continue.

Suryanarayana stated that there is a distinction between a Senator/Alternate whose term is over and one whose term is continuing.

Nordberg stated that the Senate can amend the bylaws by a 2/3 vote. Seely pointed out that it was in the Constitution, not the bylaws.

Pegg stated and Williams agreed that the intent of the motion was that all sitting Senators/Alternates remain until their term expires or they resign. Discussion ended.

Senator Gale requested a secret ballot.

The motion to overrule passed 22 yes to 10 no by secret ballot, so the ruling was overturned. Therefore, Senator Leifer and other elected Senators and Alternates can complete their elected terms.

## **2. RECOGNITION OF VISITORS**

Guests included Fred Dobney (Provost), Marcia Goodrich (*Tech Topics*), Bill Kennedy (Director, Center for

Teaching, Learning, and Faculty Development), Don Beck (Physics), and Les Leifer (Chemistry).

### **3. APPROVAL OF AGENDA**

Senator Nadgorny requested that an emergency vote be added to the agenda for President Seely to take to the Board of Control meeting on Friday, 12 September, a statement from the Senate that "The Senate finds the proposed 1% pay increase unsatisfactory."

Seely suggested that it be added as item 5B.

Nesbitt supported the request for an emergency vote.

Provost Dobney agreed that it is unsatisfactory, but he requested that the vote be taken after his presentation.

Seely stated that he would place it as item 7E, right after Dobney's presentation.

Senator Suryanarayana stated that it was important that we act on it today; placing it later would be okay as long as it is acted on today.

Nesbitt MOVED and Williams seconded the motion to approve the agenda. The motion to approve as amended PASSED on voice vote with one 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 MEETINGS 277 and 278**

Reed MOVED and Gale seconded the motion to approve the minutes of meeting 277. The motion PASSED on voice vote with no dissent.

Richter MOVED and McKilligan seconded the motion to accept the minutes of meeting 278.

Senator Nordberg pointed out two errors on page 7014 regarding the roll call vote. Flynn obviously had called for a roll call vote, not secret ballot, because the vote was published [the result of the voice vote was unclear]. The vote from Chemical Engineering had been cast by Senator Barna because Senator Shonnard had left by that time.

The motion to approve the minutes of meeting 278 as corrected PASSED on voice vote with no dissent.

### **5. NEW BUSINESS**

#### **Proposed Meeting Dates**

President Seely presented the proposed meeting dates and pointed out that the next meeting would be 17 September to avoid meeting on the date of the convocation. [**Appendix B**]

Senator Pegg objected to the room because the pillars prevent Senators from seeing some of the other Senators. President Seely responded that future meetings would be in U113 (Metallurgy) except for three dates when that room would be unavailable. On those dates the Senate will meet in the Graduate Room (Blue Room) in the ROTC building.

Santeford MOVED and Nordberg seconded the motion to adopt the calendar as presented. The motion PASSED with no opposition.

### **6. REPORT FROM SENATE PRESIDENT**

President Seely thanked the Senate for selecting him as chair and for the vote of confidence that his election indicated. He thanked former President Bornhorst for his service to the body and for the hours he had spent helping Seely prepare for his term of office. He thanked Jeanne Meyers for her service as Senate Assistant, stating that the officers could not function without her.

Three proposals have been forwarded to the Administration for approval: 5-97, Certificate in Industrial Forestry; 17-97, Earth Science Education Option in the B.S. in Geology Degree; 18-97, Amendment of Teaching

Evaluation Policy. These have all been approved by the Administration. **[Appendices C-H]**

The Board of Control has approved three degree proposals in their meeting of 23 May 1997: Associate in Applied Science Degree in Chemical Engineering Technology; B.S. Degree in Applied Ecology and Environmental Sciences; M. S. Degree in Environmental Engineering. **[Appendices I-K]**

The Board of Control approved the Senate Constitution at their June meeting.

Walt Milligan was selected to serve as representative to the Computer Executive Committee.

The vote on quarters vs semesters passed with 324 votes cast (81% return) by eligible faculty; yes votes = 232 (72%); no votes = 92 (28%).

Seely stated that he would request election of Senator and Alternate by 1 October from those units lacking these.

The preparation of a Senate web site is proceeding under the guidance of Vice President Soldan. Documents need to be linked, such as linking the agenda with the proposals.

Senator Suryanarayana stated that we were led to believe that if the vote on the calendar supported semesters that we would definitely make the change, and he asked the status of that. Seely responded that President Tompkins has appointed a task force to look at how we should proceed. A smaller committee will prepare a document for presentation to the Board of Control. Seely noted that Provost Dobney and the deans of both colleges and most of the chairs and directors had stated their support of changing to semesters. The President has not given a formal statement of support.

## **7. OLD BUSINESS**

### **A. 1997-98 Committee Assignments**

President Seely reminded the Senators to review the Senate committee assignments and to make any trades within the next week (and notify the Senate office). The Senate will vote on the committee list at the next meeting, even though some Senators may not be elected yet.

Seely stated the concern that each year the Senate stops functioning for the summer and must put itself back together before its committees can function. It is important that each committee have a memory of the status of their tasks and proposals. He therefore suggests, with the concurrence of the Executive Committee, that each committee vote for a vice chair as well as a chair and that one of these two people must have a continuing term so that he/she can get the committee started the following year.

Within the two weeks following approval of the committee membership by the Senate, the interim chairs should call a meeting of their committees to elect a chair.

Senator Pegg asked if the chair quits, can the committee elect someone other than the former vice chair. Seely responded yes, but that the former vice chair would convene the first meeting.

Vice President Soldan added that the former committee chair/vice chair would be a member of the committee, but need not be chair or vice chair the next year.

### **B. University Committee Nominees**

President Seely provided a list of University committees for which the Senate must select members. He requested that Senators notify their constituents of these vacancies and to forward any suggestions/nominations to the Senate office.

Senator Reed questioned why the Presidential Commission for Diversity needed faculty members from each of the schools and not from the colleges. Seely responded that it was because the colleges were represented by continuing members.

Senator Pegg inquired whether a presidential or "provostial" committee exists on separation. Provost Dobney responded that there had been one to work on the handbook, but that the committee had been disbanded.

Seely stated that two events dominate the University calendar: NCA evaluation and study of the academic calendar change.

### **C. NCA Update -- Christa Walck**

Senator Walck stated that the self-studies had been completed and that by the end of the month a complete draft would be presented to the Board of Control and the colleges. This document is nearing 300 pages.

The existing Web page has been mostly erased and is being replaced as the report is progressing. There will be a 2-week period in which university constituents can comment on the report. The web page can be accessed from the home page.

The chair and three members of the external review committee have accepted; the targeted committee size is 10. The chair will be the Dean of the College of Letters and Science at the University of Wisconsin, Madison. That committee will write a report, which will then be reviewed by a different external committee.

The accrediting commission will decide in August if we will be re-accredited and the year of the next visit.

President Seely asked if the Senate would be part of the visitation process involving the external review committee. Walck responded that nothing specific had been set yet but that she anticipates Senate involvement.

### **D. Budget Update -- Provost Dobney [Appendix L]**

Dobney attempted to explain how a 4% increase by the state could only be translated into a 1% increase in faculty salaries. In addition to the 4% increase in the state's 53% share of the budget, tuition is up 3% and enrollment is up by 68 students. The enrollment reflects an increase in freshmen from 1060 to 1267, but decreases in Ph. D. students (281 down to 271 - we graduated 50 last year), M.S. students, and transfer students.

The 1% salary increase costs \$500,000. Non-resident tuition is up 5%; graduate tuition is up 10%.

The state increase translates to 4% of 53% of the general fund or of 66% of the current operating budget. A \$311,000 one-time amount was provided by the state for renovation of the chemistry building for use by biology.

Department operating budgets have been increased by 4%. Program development is budgeted for \$500,000.

The compensation enhancement for faculty includes 1% salary increase across the board, with a pool of \$50,000 for special circumstances (keeping people we were in danger of losing), 1% matching fund increase in the TIAA/CREF contribution by the University, and additional employee education benefits.

Provost Dobney then outlined where the additional allocated money would go:

tuition variance (1996-97 shortfall) \$500,000

additional financial aid \$1,300,000

lab fees (in & out) \$200,000

supplies (up 4%) \$370,000

program development \$500,000

TIAA/CREF matching \$300,000

1% salary increase \$500,000

This total increase is \$3.67 million.

Residence halls are oversubscribed for 600 students, putting 3 students in 200 2-person rooms.

Senator Barna asked about the scholarships for out-of-state students. Dobney responded that a scholarship actually attracts more students, even though they are given less money than if the out-of-state tuition were waived, so it brings in more money.

Senator Suryanarayana asked about the \$500,000 salary increase budget with a state increase of \$2 million, but that Dobney had indicated it was \$1.8 million. Dobney responded that it was a total new revenue of \$3.6 million. The state increase was 4%, but this is only 2% of the total budget. We have a general fund budget of \$86 million; the state contributes 53% of that and the state increase is 4% of that 53%.

Suryanarayana asked, if all the salaries and wages came from the 53% [from the state], which increased by 4%, then why weren't all salaries increased by 4%?

Dobney explained that not all salaries were in that 53%; we have hired fewer new faculty than any year since he has been here, with only three or four this year. The 1% will start with the first paycheck.

Senator Pegg asked if the \$11 million in gifts and grants was projected or certain. Dobney responded that it was projected but that this projection was possible because some gave on a regular basis.

Senator Leifer reminded the Provost that he (Dobney) had stated that faculty salary equity was his top priority. Leifer claimed that the average salary increase since Dobney arrived had not reflected any attempt to reach salary equity.

The Provost responded that it has been his top priority and that salary increases have been, on the average, 6.5, 4.0, 3.0, and 3-4% during the previous four years since he arrived.

Leifer countered that there had been no problem in elevating deans to vice provost and creating other administrative positions. Leifer contended that it has to be stated by the Provost, in public and officially, that he will give top priority to faculty salary equity. Leifer asked the Provost to state that his top priority is getting senior faculty salaries up.

Senator Nordberg asked what final program of TIAA/CREF had been approved. Dobney responded that faculty would soon get a letter in the mail describing the program. Faculty will have until 30 June 1999, at which time the University contribution [to health care] goes down by 10% per year until it goes away. This is a compensation increase, but not a salary increase. It will be 1% this year and he hopes it will be 2% next year.

Senator Barna asked about the \$500,000 tuition variance and how this related to the overall shortfall. Dobney responded that this amount is also the amount of the overall shortfall.

Senator Santeford commented that the Provost had presented a 2 + 2 plan, but that now we are only getting a 1 + 1 plan. Dobney responded that he intends to bring it up to 2 + 2 next year.

Senator Pennington added that few of us view this as a compensation increase, but rather view it as a shift in compensation. Dobney responded that the old plan could have bankrupted the university and would not have been continued; he agreed that the compensation is inadequate.

## **E. Emergency Proposal**

Nadgorny MOVED and Nesbitt seconded the motion that "The Senate finds the current 1% pay increase to be unsatisfactory and that the Senate's statement of opinion should be given to the Board of Control at the meeting Friday, 12 September."

Nadgorny stated that he and others did an unofficial inquiry and contacted 118 faculty regarding the salary increment; 96% agreed that it is unsatisfactory and no one disagreed (4% abstained). He asked if we could add

to that motion that the Provost supports it.

In a secret ballot, 20 supported treating this as an emergency proposal and 10 did not. The motion to treat it as an emergency proposal PASSED.

Williams requested a secret ballot on the main motion.

President Seely ruled that all units can vote on this issue; there was no objection.

Seely stated that we would discuss the Senate priorities at the next meeting and that Senators should inform him of other issues that need to be considered.

Discussion ended. The motion to take the statement regarding dissatisfaction with the 1% salary increase PASSED by secret ballot with 21 yes, 8 no, and 1 abstention.

Vichich MOVED and Suryanarayana seconded the motion to adjourn. The meeting adjourned at 7:34 p.m.

NOTE: The tapes of this meeting are unreadable so minutes are based on notes taken from the floor.

Respectfully Submitted by Janice M. Glime  
Secretary of the Senate