

The University Senate Of Michigan Technological University

Minutes of Meeting 349

11 April 2001

Synopsis: The Senate

- (1) passed Proposals 11-01 and 23-00.
 - (2) amended Proposal 10-01.
 - (3) tabled Proposal 13-01.
 - (4) introduced Proposals 14-01, 15-01, and 16-01.
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1. CALL TO ORDER AND ROLL CALL

President Keen called University Senate Meeting 349 to order at 5:34 p.m. on Wednesday, 11 April 2001, in Room B45 EERC.

Secretary Pickens called roll. Absent were representatives from Materials Science and Engineering, Mining and Materials Processing Engineering, Finance and Advancement, and Student Affairs and Educational Opportunity. Liaisons in attendance were Anup Bandivadekar (GSC) and Becky Christianson (Staff Council).

2. RECOGNITION OF VISITORS

Visitors included Kent Wray (Provost), Ellen Horsch (Human Resources), Tony Rogers (Chemical Engineering), Josiah Heyman (Social Sciences), and Marcia Goodrich (*Tech Topics*).

3. APPROVAL OF AGENDA

President Keen presented the agenda and noted that Provost Wray would not report on the Strategic Plan Implementation (6. Committee Business/Reports) and suggested adding Proposal 16-01, Clarification of Proposal 5-98, Master of Engineering to New Business. There were no objections to the agenda as amended. [**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 347

Keen presented the minutes from meeting 347 and suggested a clarification to item 4. The clarification was to add the phrase ", and the minutes were declared approved" at the end of the sentence "There were none." There were no objections to the minutes as amended. The minutes stand as amended.

5. PRESIDENT'S REPORT

Proposal 12-01, Search Procedures for Dean of the Graduate School, was transmitted to the administration for approval. [**Appendix B**]

The Budget Advisory Group met on April 5. The group is trying to plan next year's budget. Next year's budget is difficult because of both increasing costs and limited increases in revenue. Several known cost increases will add a million dollars each next year. These factors include fuel costs, health care costs, and salary expenditures resulting from the phased approach to this year's salary increases. The amount of new funding from the state will probably be modest because the Governor's budget only requests 2% for MTU, and the number of new students is not as high as hoped.

The Vice President for Research Search Committee met on April 2. The Committee is still seeking candidates.

The Strategic Planning Working Group met on March 30 and April 6. Another draft of the Action Agenda with implementation plan is nearing completion.

The Search Procedures Task Force is drafting three proposals addressing various search procedures. It has been split into three different procedures for different positions or groups of positions.

President Keen met with Provost Wray on April 10 to discuss the separation proposals.

Keen announced that the Senate will sponsor a forum to discuss the Michigan Tech EnterPrise Smartpark (MTEPS) on Thursday, April 19, at 7:00 p.m. in Dow 642. A survey regarding MTEPS will be mailed to all Senate constituents prior to the forum. Completed surveys will be returned to Senators and delivered by Senators at the Senate meeting on April 29. A web site with information about similar initiatives at other universities is at <http://www.bio.mtu.edu/courses/bl447/survey.htm>.

Keen announced that Senate officers for the 2001-2002 academic year will be elected on May 2.

A call for nominees to serve on the Distance Learning Intellectual Properties Subcommittee will be made soon.

The Administrative Policy Committee will review proposal 7-92 to update the process for conducting reviews of college deans.

Wayne Pennington reported on behalf of the Senior Vice President for Advancement search committee. The search is moving forward and the Committee hopes to have their first candidate on campus for an open and public interview two weeks from today. There are two other candidates still under consideration, who may also have public interviews. The pool of candidates is sufficient, and the committee is nearly on their announced schedule for filling the position.

Senator Pegg asked if the Distance Learning Intellectual Properties Subcommittee is a Senate committee or a university committee. Keen responded that it is a university committee that was asking the Senate to provide three or four members.

Senator Pegg asked for clarification of the issues being addressed during negotiations about the separation proposals. Keen responded that much of the discussion concerned clarifying the intent of the proposals. This was done by Keen as the Chair of the committee which developed the proposals. The university attorney has raised substantial points of contention. These are now under discussion. Keen is leading the Senate efforts on this revision. Wray added that there was not substantial disagreement between his position and Keen's, and that most of the questions focused on the attorney's choice of replacement wording. The reason for the attorney's choice of wording is being requested.

Senator Barna asked why the Distance Learning Intellectual Properties Subcommittee was not initiated by the Senate. Keen responded that this committee is being created by the Distance Learning Implementation Committee, which was created by the Senate this year and has Senate-elected members.

7. UNFINISHED BUSINESS

A. Proposal 11-01, Amendment to Requirements for Graduation [Appendix C]

Snyder MOVED and LaCourt seconded the motion to approve Proposal 11-01 as amended.

The motion to approve PASSED on voice vote with no dissent.

B. Proposal 10-01, Supplemental Contribution to Eligible TIAA-CREF Employees [See minutes, page 8994, for a copy of this proposal.]

Senator Barna reviewed the proposal background and history. In 1997, the administration proposed

replacing the TIAA-CREF retirement health care program, which involved a 20% co-pay for retiree health care insurance, with an increase in TIAA-CREF contributions. The 20% co-pay was to be increase by 10% per year to 100% by 2006 and the increase in TIAA-CREF would be a matching program where one additional percent of the employees' contribution would be matched with 1% from MTU in 1997-8. The 1% match would increase to 2% in 1998-9. This was called the 2 + 2 program.

When this proposal was analyzed by the Finance Committee, it became clear that certain categories of employees would have a significant financial disadvantage as a result of this change. The disadvantage was greatest for those with low salaries and who would retire around the time when the co-pay reaches 100%. The Finance Committee suggested changing the transition to full co-pay to occur over 15 years. The administration felt this approach would be too expensive, and the Provost approached the Senate Finance Committee with an alternative approach of providing a one-time payment for those who would be seriously disadvantaged by the change.

The Senate Finance Committee developed proposal 9-99 to address the issue. That proposal recommended a cash payment to the employees' TIAA-CREF accounts. Those employees making less than \$50,000 would receive the full amount of the shortfall as the payment, while those making from \$50,000 to \$100,000 would receive a reduced payment, with the payment reducing by 2% for each \$1,000 above \$50,000 earned. The proposal also included increasing the TIAA-CREF contribution by .45%.

In 1999-2000 the university made the payments for those earning less that \$50,000, but did not include the other two portions. In April 2000 the Senate approved proposal 13-00, which asked that the administration fund part two of proposal 9-99, which involved the payments for those making from \$50,000 to \$100,000 yearly.

Barna next presented new information involving changes since the 1997 passage of the 2+2 program. Although many planning variables were presented, the focus of the discussion was the health insurance co-pay and its projected rate of increase. Barna indicated that Provost Dobney had assured the Finance Committee that he could keep that co-pay wherever he chose to. However, the health insurance co-pay has increased from \$2,151/year in 1997 to \$5,544/year in 2001. The increase in full health insurance co-pay between 1987 and 2001 is 11% per year.

A large number of alternative scenarios were presented. These examples showed that most employees would not have sufficient accumulation from the MTU portion of the 2+2 to pay for retirement health care. Even those employees with salaries in excess of \$90,000 would not accumulate enough from the 2+2 within the next 15 years for all scenarios starting with the \$5,544/year co-pay.

LaCourt MOVED and Strong seconded the motion to approve Proposal 10-01.

Senator Beck asked if it would be possible for the Senate to negotiate with the administration to find a resolution to this problem. Senator Long spoke in support of this approach, stating that it is counterproductive to send financial proposals to the administration without an indication of their position.

Senator Strong spoke in support of passing the proposal in current form to send a message that we expect past promises to be fulfilled.

Barna MOVED and Sutter seconded that the proposal be amended by adding the following to the proposal:

In addition the University agrees to set the Medigap premium for retirees to a value less than or equal to the rate used in 1998 times an escalation factor that is identical to the predicted escalation rate used in determining the supplemental contribution.

Senator Snyder questioned the cost of the proposal, noting that if it is very costly it would reduce funds available for salary increases and other initiatives. Senator Pickens supported this idea, and emphasized

that the cost of the above amendment is modest now but would grow enormously because the growth in co-pays would be limited to 3% while the cost of the health care services would increase much more rapidly.

Senator Pennington noted that any proposal that commits the university to large and unknown future expenditures will certainly not be approved by the Board of Control (BOC). Senator Pegg responded that we should not limit what we do because we believe that the BOC will not like it.

The motion to amend Proposal 10-01 PASSED on voice vote with dissent.

Snyder MOVED and Pollins seconded a motion to table the proposal. The motion to table FAILED on voice vote with dissent.

President Keen ruled that this is a significant change, and that the Senate cannot act on it until the next Senate meeting.

C. Proposal 23-00, Amendments to Proposal 13-95, Faculty Grievance Policy and Procedures [See minutes, page 9001, for a copy of this proposal.]

Williams MOVED and Reed seconded the motion to approve Proposal 23-00.

Beck MOVED and Blanning seconded the motion to amend by replacing the first sentence under Grievance Committee, 2.b., with the following.

Any member of the FRC who has prior direct involvement in a grievance case, either as a principal or as a participant in the departmental review process or otherwise, shall be precluded from serving on the FRC for that case.

This amendment returns the Senate's original wording, which had been altered in negotiations with the administration.

The motion to amend PASSED on voice vote with no dissent.

Senator Williams asked who had made the change from the Senate's original wording; Keen responded that it had been made by the university attorney.

Keen ruled that the amendment was editorial. There were no objections to the ruling.

Josiah Heyman identified two issues that the committee had considered and had asked that he identify for discussion. The first is the 30 day limit for a person to file a grievance, which could eliminate grievances from being filed if the event occurred, for example, over the summer. The second issue is the exclusion of attorneys for either party from the formal grievance proceedings.

Senator Pennington commented that the 30 day limit is from when the person discovers the event rather than when the grievable event occurs. Therefore, people would not miss their opportunity to file a grievance because they were not aware of administrative actions.

There was extensive discussion about the issue of legal council in grievance proceedings. Senator Pegg asked for clarification of the exclusion of legal council, stating individuals should have access to legal council for this type of proceeding. Senator Reed clarified that there is nothing in the policy to eliminate anyone from seeking legal council. Instead, it says that legal council cannot attend the proceedings associated with the grievance. Senator Snyder emphasized that one of the primary goals of the grievance policy is to avoid having attorneys involved early in the process. Senator Vilmann supported this position, saying that the issue can always be taken to the courts. Josiah Heyman noted that the chances for winning in court are decreased if the grievance procedure is not used first.

The motion to approve Proposal 23-00 PASSED on voice vote with dissent.

8. NEW BUSINESS

A. Proposal 13-01, Policy on Early-Term Class Surveys [Appendix D]

Yarroch MOVED and Archer seconded the motion to approve Proposal 13-01.

Senator Beck said that he has received a large number of comments from his constituents, and many considered the proposal to be micro-management of classroom activities.

Keen clarified that the proposal was developed by representatives from undergraduate student government who submitted it to the Senate. Their goal was to improve classroom learning by providing feedback early in the term. The Senate Educational Policy Committee reviewed the proposal. Bill Kennedy and representatives from USG were to attend tonight's meeting to speak in favor of the proposal, but none are in attendance.

Senator Yarroch emphasized that this is a framework for a voluntary evaluation process. Beck responded that the evaluation should be voluntary on the part of the faculty member. Keen asked if insertion of the language to clarify the voluntary nature of the proposal would satisfy his concern. Beck responded that it depended on the clarifying language.

Pennington MOVED and Blanning seconded the motion to table the proposal. The motion PASSED on voice vote with no dissent.

B. Proposal 14-01, BS Program in Bioinformatics [Appendix E]

The proposal was introduced as new business.

C. Proposal 15-01, PhD Program in Engineering Physics [Appendix F]

The proposal was introduced as new business.

D. Proposal 16-01, Clarification of Proposal 5-98, Master of Engineering

Keen stated that the proposal will be mailed by April 13 and will be eligible for debate and action at the April 25 meeting.

9. ADJOURNMENT

Christianson MOVED and Strong seconded the motion to adjourn. The meeting adjourned at 7:30 p.m.

Respectfully submitted by James B. Pickens
Secretary of the University Senate