The University Senate Of Michigan Technological University

Minutes of Meeting 350

25 April 2001

Synopsis: The Senate

(1) heard that the administration approved Proposal 12-01.

(2) heard that the administration returned proposals 23-00 and 11-01 to the Senate with suggested changes.

(3) passed proposals 13-01, 14-01, 15-01, 16-01, and 23-00.

(4) amended proposal 10-01.

(5) discussed proposal 17-01.

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1. CALL TO ORDER AND ROLL CALL
President Keen called University Senate Meeting 350 to order at 5:30 p.m. on Wednesday, 25 April 2001, in Room B45 EERC.

Secretary Pickens called roll. Absent were At-large Senator Adolphs and representatives from Army/Air Force ROTC, Electrical and Computer Engineering, Materials Science and Engineering, Mining and Materials Processing Engineering, Keweenaw Research Center, Finance and Advancement, and Student Affairs and Educational Opportunity. Liaisons in attendance were Jake Young (USG) and Becky Christianson (Staff Council).

2. RECOGNITION OF VISITORS
Visitors included Kent Wray (Provost), Ellen Horsch (Human Resources), Tony Rogers (Chemical Engineering), Max Seel (College of Sciences and Arts), John Adler (Biological Sciences), Gopi Podila (Biological Sciences), Cory Arthur (USG), Brian Rygwelski (USG), Bill Kennedy (CTLFD), and Marcia Goodrich (*Tech Topics*).

3. APPROVAL OF AGENDA
President Keen presented the agenda and asked for corrections. There were no corrections or objections to the agenda as presented. **[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 348
Keen presented the minutes from meeting 348 and asked for amendments. There were none, and the minutes were declared approved.

5. PRESIDENT'S REPORT
Proposals 23-00, Amendments to Proposal 13-95, Faculty Grievance Policy and Procedures, and 11-01, Amendment to Requirements for Graduation, were sent to the administration for approval. [Appendices B and C]

Proposal 12-01, Search Procedures for Dean of the Graduate School, was approved by the administration. **[Appendix D]**

Proposals 23-00 and 11-01 were returned to the Senate with a request for changes from the administration. **[Appendices E and F]**

Keen presented an updated list of benchmark institutions. **[Appendix G]**

Keen reported that the Provost provided a letter from NCA that indicated satisfaction with our distance learning program.

Keen reported that the enrollment figures for Academic Year 2001-2002 are about 100 behind this year's.

Keen requested additional time at the May 2 Senate meetings to allow for the election of officers and the normal two hours for regular Senate business.

Keen reported that the Administrative Policy Committee and Madhu Vable have drafted reappointment procedures for Deans of the Colleges. They will continue to polish them and the procedures will be presented as a new proposal in the fall. Keen expressed appreciation for Senator Oberto's exceptional efforts as chair of the committee this year.

The Budget Advisory Group (BAG) met on April 12. The group is working to balance the budget for next year.

The Strategic Planning Working Group met on April 13.

The Provost and Senate officers met on April 23. Their discussion focused on Proposal 9-01, Amendments to Interim Conflict of Interest Procedures.

Keen met with President Tompkins on April 17. They discussed Tompkins' upcoming interview at the Colorado School of Mines.

The Budget Liaison Group (BLG) met on April 19, 23, and 24. The April 19 meeting included AON, which is MTU's health care advisor. The focus of the effort is to contain health care costs, and the BLG will meet with the Provost and Chief Financial Officer on Monday, April 30 ro present options.

The Senate will seek faculty nominees for the Academic Integrity Committee. The three-year term of Ghatu Subhash expires this academic year.

Keen reported on the MTEPS forum held on April 19 and asked that senators return their surveys on MTEPS as soon as possible. Keen attended a meeting dealing with MTEPS at the University Residence on April 23, where he communicated the attitudes and concerns of Senate constituents concerning MTEPS.

Keen reported that there are four nominees for the four at-large seats: Beck, Keen, Oberto, and Rogers. There were no additional nominees. The election to determine terms will take place later in the meeting.

Keen updated the Senate on the progress of the humanities class that is revising the Senate web site. The students are in need of volunteers from the Senate to interact with the proposed design.

The Distance Learning Implementation Committee had previously requested the Senate to provide two members for the Distance Learning Intellectual Properties Subcommittee. We have only one nominee, and Keen asked the Senate to help identify additional nominees. The subcommittee will decide who owns intellectual properties resulting from distance education activities.

Keen announced that he will run for the Senate Presidency next year. His ability to accept this commitment is a result of having negotiated to receive release time from teaching for his possible service as Senate President. Release time did not occur during the 2000-1 year.

6. UNFINISHED BUSINESS

A. Proposal 13-01, Policy on Early-Term Class Surveys [See minutes, page 9027, for a copy of this proposal.]

Long MOVED and Yarroch seconded the motion to take Proposal 13-01 off the table.

Beck asked if the word "should" implied that the survey must be done, or is it a voluntary procedure. Keen responded that his interpretation was that it is voluntary, but that the current wording is not clear on this point.

Beck MOVED and Williams seconded the motion to amend the following two sentences in section B:

It is recommended that each class of 10 or more students ~~should~~ be supplied with a simple instructional survey form early in the semester.

It is recommended that these two questions ~~should~~ be used as part of the survey:

The motion to amend PASSED on a voice vote with dissent.

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

Keen presented an amendment proposed by several students.

Barna MOVED and Pegg seconded the motion to amend the proposal in section B by replacing *third or fourth* with *fourth or fifth* to read as follows.

During the fourth or fifth week of the semester the instructor would encourage students to complete the survey and turn in at a convenient location.

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

Bill Kennedy spoke in support of the proposal. He indicated that representatives from the Undergraduate Student Government approached him with the idea of an early-term review. A factor the students cited in support of this evaluation was the move to semesters. Since semesters are so long, it is even more important that the instructor receive early feedback.

The motion to approve Proposal 13-01 as amended PASSED on voice vote with dissent.

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

Pegg MOVED and Barna seconded the motion to approve Proposal 10-01 as amended.

Barna presented a summary of proposal discussions from the last meeting and supplemental information concerning health care costs. First, year-to-date expenditures on health care by MTU are running behind last year's pace. Furthermore, the Benefit Liaison Group (BLG) is working to contain health care costs. Finally, the data used to set the retiree health care co-pay was not based specifically on MTU data, but from Blue Cross/Blue Shield data from a broader population, and suggested that it is inappropriate to charge MTU retirees at that rate.

Barna recommended that it would be appropriate to reduce the retiree medical insurance co-pay to the amounts used in the calculations for Proposal 9-99, at least until we have enough data on MTU costs to use them as a basis for setting the co-pay amount. Furthermore, he suggested that the retirees be represented in the discussions on retiree health care cost containment. Barna indicated that the Finance Committee supports the above recommendations.

Barna provided information from Northern Michigan University. They provide a severance incentive program which provides a lump-sum payment at retirement which most employees use to pay for health

care as long as the funds last.

Barna also reported information from TIAA-CREF that indicates that those who reach age 65 can expect to live 22.8 additional years, and information from AAUP on Medicare and medigap insurance.

Senator Christianson asked what Barna's statement that we are significantly behind last year's health care expenses means. What amount of reduction is involved? Barna responded that his understanding is that it is about 1% lower than last year's cost. Ellen Horsch, Director of Human Resources, confirmed that we are below last year's expenditure level. Barna questioned quotations in the press that the President has stated that $1.4 million of our budget shortfall is due to health care costs. Horsch noted that it is hard for her to compare the information she has with that value because benefits operate on a calendar year basis while the budget operates on a fiscal year basis, with the fiscal year starting on July 1. She added that the disparity might be because of the way fringe benefits are charged now versus next year. Barna asked for clarification. In response Horsch asked Pickens to overview the rates used to charge fringe benefits. Pickens noted that he was unfamiliar with President Tompkins' statement. However, last year's fringe benefit budget was in deficit by $1.2 million. The BLG has also attempted to project health care costs using a rate of between 11% and 12%. Rogers clarified the President's statement, indicating that Tompkins had said this year's costs are $1.4 million above the budgeted line items.

Senator Pennington asked for a clarification of the time period during which MTU would limit the cap on the retiree medical insurance cost increases. Barna clarified that the proposal sets a permanent limit on the increase, while he has presented the possibility of a shorter period during which better data could be collected and negotiations with the administration could occur.

Barna requested a secret ballot.

The motion to approve the amendment to Proposal 10-01 PASSED on a secret ballot, 28 yes to 2 no. This amendment is a significant change, and the proposal will be considered at the next meeting of the Senate.

While the secret ballots were being distributed the issue of determining the terms for the four candidates for at-large senate seats was discussed. The four seats have different terms because two are replacements for people who did not finish their terms, while two were for full three- year terms. Pennington suggested an alternative approach where the candidate who had served the most consecutive years would get the shortest term, etc. President Keen asked if there were any objections to the approach suggested by Pennington. There were no objections, and this approach was used to allocate the terms to candidates.

C. Proposal 14-01, BS in Bioinformatics [See minutes, page 9029, for a copy of this proposal.]
This proposal has been reviewed by the Curricular Policy Committee and has been forwarded to the Senate with a positive recommendation.

Snyder MOVED and Pennington seconded the motion to approve Proposal 14-01.

Senator Pegg asked if the Finance Committee has received this proposal for review. Keen responded that it had been sent to the Finance Committee. Barna stated that the Finance Committee has a report on the proposal.

Barna presented the Finance Committee report. One concern of the committee was the need for additional faculty. The proposal estimates two faculty for a proposal that projects 150 additional students. The committee thought that an estimate of 5 to 7 additional faculty would be needed with some in biology and some from other departments providing either cognate or general education courses. There was also concern about section G, which lists a $15,000 one time cost and a $100,000 cost share. Is this $50,000 from each party, or $100,000 each? It is not clear who will provide these two fund commitments. Another concern was the availability of computer lab capacity. Different parts of section G said that additional computer lab capacity was available and was not available.

Snyder clarified that the biology/geology computer facility has excess capacity, and the new students would receive their computer access in that lab. The computer lab in computer science does not have excess capacity, but will not generally be asked to take any of the additional load. Seidel commented that it was good that there was excess capacity for the students in the biology/geology lab, but that it is difficult and causes problems if students try to do computer science assignments in their home department labs.

Barna also expressed the committee's concern that the Provost would support the proposal without increasing resources.

Department of Biological Sciences Chair John Adler responded that the biology/geology computer lab has capacity for the additional students, and already has some of the computer software needed. The $100,000 is the total needed to secure laboratory equipment to support the program, and they are seeking the $50,000 needed for the MTU match from external funding sources. Several faculty from outside biology have agreed to help teach classes, specifically from the School of Forestry and Wood Products, the Department of Mathematics, and other units in the College of Sciences and Arts. The $15,000 for computer software is being supplied by the Department of Biological Sciences.

Dean Seel emphasized that MTU needs additional high-quality programs to attract students, and that he has committed resources to help initiate this program. He acknowledged uncertainty about how successful the program would be, and expressed faith that the Provost would provide the needed resources if it is successful.

Ftaclas asked how many new classes are needed to support this degree program. He noted that the classes must be taught even if only a few students enroll. Adler responded that only three new classes were needed. Ftaclas also expressed concern that the faculty resources might not be provided even if the program is successful. Furthermore, he expressed concern that the program might attract enrollment but not large numbers of students, and that we would then not be able to cancel the program. Snyder responded that, short of current commitment of positions, there was never any guarantee of resources. Senator Seidel commented that the Computer Science Department has been extremely successful at attracting undergraduates with about 35 students per faculty member. Although resources have been added to CS, they have lagged far behind the needs of the department.

Seel argued emphatically that, although there is no guarantee that the resources will follow if enrollment grows, we must develop high quality programs. If they are available, he argued that the resource do tend to flow into undergraduate programs that are successful at attracting large enrollments.

Senator Vilmann spoke in support of Ftaclas' argument, citing that we already have successful programs that are not receiving funding. He cited the Biomedical Engineering BS program. We need strong programs, but need to make the hard decisions to cut some existing programs to free up resources as we add programs. Senator Pickens spoke in support of specifying program needs when proposing programs. However, even if those needs are agreed to ahead of time by all parties and are explicitly stated in the proposals, the resources may not follow. He cited the applied ecology degree jointly offered by forestry and biology. That proposal stated threshold enrollments that would trigger additional resources, but as the trigger enrollments have been achieved the resources specified in the proposal were not allocated to the units that were to receive them.

The discussion continued to focus on how to assure that approved programs would receive the needed resources if they successfully attract enrollment, with many senators expressing similar concerns.

Ftaclas MOVED and Vilmann seconded the motion to return the proposal to the Curricular Policy Committee for further review.

Snyder argued that sending the program back to the committee would delay the program for a year, penalizing the units and faculty supporting the proposal while the concern is with administrative follow-

through. Pennington voiced similar concerns.

The motion FAILED on a voice vote with some support.

Barna asked what the commitment for the Computer Science Department would be if this program attracted, for example, 150 students. Seidel responded that there are no new courses, but that there would be about 3 new sections of existing courses that must be taught.

There was no further discussion. The motion to approve PASSED on voice vote with dissent.

D. Proposal 15-01, PhD Program in Engineering Physics [See minutes, page 9042, for a copy of this proposal.]
Hodek MOVED and Pennington seconded the motion to approve Proposal 15-01.

Barna reported that the Finance Committee had reviewed the proposal, and that they found the financial implications to be minimal.

Seel noted that the faculty line listed is a joint faculty position between physics and material science that was vacant. The new position has been filled to fit the proposed position.

Seel continued to clarify that this program actually is a refinement of existing programs, and will help MTU reach the goal of having Ph.D. graduates in at least 15 different programs. Keen noted that this program has been reviewed by the Curricular Policy Committee, which supports creation of the program.

The motion to approve PASSED on a voice vote.

E. Proposal 16-01, Clarification of Proposal 5-98, Master of Engineering [Appendix I]
Senator Snyder, Chair of the Curricular Policy Committee, provided background for the proposal. In 1998 the Senate approved proposal 5-98 which created the Master of Engineering degree. Different departments were allowed to customize the Master of Engineering degree by defining a course of study to better serve their students. However, there was no indication that the Senate intended to allow units to rename the degree (for example, Master of Engineering in Mechanical Engineering) and create what appears to be a new degree program. This proposal makes it clear that degrees earned under this program will have only one name, Master of Engineering.

Hodek MOVED and Ftaclas seconded the motion to approve Proposal 16-01.

There was no further discussion. The motion to approve PASSED on voice vote with no dissent.

7. NEW BUSINESS
A. Proposal 23-00, Amendments to Proposal 13-95, Faculty Grievance Policy and Procedures [Appendix J]
Keen provided an overview of the status of this proposal. It was approved by the Senate at our last meeting, but has been rejected by the administration with suggested changes and clarifications to make it acceptable. Some changes were made to extend the term *department* to include *school or department*. The other problem involved where the records of grievance proceedings were to be maintained. The change included in this version of the proposal makes it clear that the records are to be maintained by Human Resources.

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

Senator Pegg asked for clarification of the change in record keeping between the previous version and this version of the proposal. Director of Human Resources (HR) Horsch stated that the policy requires HR to maintain the records for all steps in the grievance process. The primary problem with the previous proposal is that it put the burden of record collection on the Chair of the Faculty Review Committee even if the grievance never reached the Faculty Review Committee. This would add a large burden to the

Faculty Review Committee, and make it difficult to get people to agree to serve on the committee. Once collected by HR, the records are held permanently.

Senator Beck asked about the degree of confidentiality for the documents stored at HR. How can the documents be used? For example, can they be disclosed to other potential employers? Horsch responded that some of the records are discoverable during legal proceedings. Grievance records and many other personal records are not generally discoverable, and would not be released unless release was legally mandated by a court. When the files are forwarded to HR she reviews them to make sure the files are complete and identifies those components that are discoverable via legal proceedings.

There was no further discussion. The motion to approve PASSED on voice vote with no dissent.

B. Proposal 17-01, Search Procedure for University President [Appendix K]
Keen provided information concerning the history of Senate involvement in administrative search committees. The recent search for a new provost revealed serious flaws in the existing search procedures, which were established under Senate Proposal 12-95. The search procedures for top level university administrators were developed by a task force chaired by Keen. Other members included Al Baartmans, Renee Greenley, and Bruce Mork. Three proposals were developed to replace 12-95, with the proposals covering different positions.

Christianson MOVED and Prince seconded the motion to approve Proposal 17-01.

Renee Greenley asked that Keen bring an issue to the Senate for consideration. Under the current version of the proposal the Senate selects four committee members. Three are to be faculty, with the Senate President automatically receiving a position. The question Greenley asked the Senate to consider is if the fourth Senate representative, which is an at-large representative, could be a professional staff person. Staff Council elects two staff members of the search committee.

Senator Pollins stated his support for allowing the fourth Senate representative to be a staff member. Senator Long commented that the Staff Council could possibly elect two union members to the committee, and not include a representative from the professional (non-union) staff. Therefore, she supports the possibility of electing a professional staff for the Senate at-large position.

Senator Williams expressed support for keeping the current wording that the four Senate representatives should be faculty, and suggested that he preferred approaching the issue of professional staff representation by requiring that the Staff Council representatives have one union and one professional staff representative. Senator Long commented that there were logical problems with this arrangement. Professional staff have very little contact or communication with Staff Council.

Senator Davis asked how much latitude we have to alter this proposal. Keen clarified that it is our proposal, and we can modified it as we see fit.

Keen outlined three options and asked for an informal poll to get a sense of the Senate position on this proposal. The options were (1) to keep the proposal as it is; (2) expand the Senate representation to five with one being a professional staff; or (3) allow the fourth Senate representative to be a professional staff member. The Senate supported option (2) by a wide margin.

8. ADJOURNMENT
Davis MOVED and Prince seconded the motion to adjourn. The meeting adjourned at 7:36 p.m.

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