

THE UNIVERSITY SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting 384

9 April 2003

Synopsis: The Senate

1. heard that the BRAC had voted unanimously to oppose the proposed university reorganization.
 2. passed Proposal 22-02, Policy on Consensual Relationships.
 3. passed Proposal 15-03, Procedures for Loss of Untenured Faculty and Staff Positions.
 4. passed Proposal 2-03, Conflict of Interest Procedures.
 5. passed Proposal 16-03, Senate Referendum on Reorganization.
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President Bob Keen called University Senate Meeting 384 to order at 5:33 p.m. on Wednesday, 9 April 2003, in Room B45 EERC.

1. ROLL CALL OF SENATORS

Secretary Craig Waddell called roll. Absent were At-large Senators Oberto, Selfe, and Pilling and a representative from the Keweenaw Research Center. Liaisons in attendance were Karl Haapala (GSC) and Becky Christianson (Staff Council).

2. RECOGNITION OF VISITORS

Visitors included Christa Walck (Conflict of Interest Coordinator), Bill Kennedy (Center for Teaching, Learning, and Faculty Development), Max Seel (College of Sciences and Arts), Linda Ott (Computer Science), and Roger Kieckhafer (Electrical and Computer Engineering).

3. APPROVAL OF AGENDA

Keen presented the agenda for meeting 384 and asked for amendments.

Senator Jacek Borysow said that the agenda did not reflect the fact that the entire university is supposed to be overhauled within the next few weeks.

Keen said that he had indicated in his recent e-mail to senators that item 6.D on the agenda, Discussion of the Budget Situation, will be a meeting of a Committee of the Whole during which the senate will discuss this issue as long as the senate cares to remain in session.

Senator Tony Rogers said that in order to ensure that there was adequate time for this discussion, perhaps it should be moved up in the agenda.

Keen said that this was up to the senate but that the senate had waited four weeks to vote on the Policy on Consensual Relationships and on Conflict of Interest Procedures. He suggested that the senate begin on these two items, and if they appear to be taking too much time, the senate move on to a discussion of the budget situation.

Rogers proposed that the discussion of the university's budget situation be moved up at least to the top of the New Business segment of the agenda.

Keen asked if there were any objections to this proposal. There were none.

Senator Becky Christianson requested a new item 6.E. Proposal 15-03, Procedures for Loss of Untenured Faculty and Staff Positions.

Senator Bill Gregg suggesting moving Proposal 13-03, BS Program in Software Engineering as the first item of new business since it should be a brief matter and there were several visitors in attendance only for this purpose.

There were no additional amendments and no objections to the agenda as amended. Keen said that the agenda would be followed as amended. [**Appendix A.** NOTE: Only official senate and library archival copies of the minutes will contain a full complement of appendices.]

4. PRESIDENT'S REPORT

Keen said that the University Senate is represented on the President's Budget Reduction Advisory Committee (BRAC) by the three senate officers and two members of the Senate Finance Committee, Larry Davis and Jim Pickens. To date, the BRAC has met four times. The most recent meeting occurred from 4-5 p.m. this afternoon. Keen presented the text of a motion that the BRAC passed unanimously at that meeting: "The proposed reorganization plan is not supported. Any reorganization discussion needs to take place in deliberate fashion. Priority will be given to budget reduction planning." Keen said that this motion will be transmitted to President Tompkins as soon as possible. The plan that was published on the front page of the Lode and that has appeared for a week on the Michigan Tech budget Web site is no longer in play until after the Fiscal Year 2004 budget is in place. However, some small reorganizations that were proposed as part of the deans' 10% budget reduction proposals will still be on the table.

Senator Dickie Selfe asked when people might expect to learn President Tompkins's response to this motion.

Keen said that he didn't know.

Senator Tony Rogers asked if this motion carried the force of policy.

Keen said that it did not.

Keen said that at the previous senate meeting, the senate charged him with requesting that the Board of Control meet with the University Senate and other Michigan Tech faculty and staff to discuss the university's budgetary difficulties. He said that he had contacted the BOC. The BOC is meeting on April 14. The details of a meeting with BOC members have yet to be worked out with the BOC office. Keen said that as soon as these details are worked out, he will immediately inform the senate.

Keen said that he had received a request from the Task Force on Career Opportunities for Professional Staff. This task force was charged with developing a series of recommendations that were to be reported to the senate fairly promptly. However, the recent discussions about university reorganization have distracted the task force from its efforts. Hence, the task force members have requested permission to delay reporting their recommendations until next fall. There were no objections to this request.

Keen said that Tenure and Promotion Committee Chair Tom Snyder had received revised Tenure and Promotion Procedures from the provost's office and a copy of a tenure policy that the university's attorney rewrote without being requested to do so. This rewritten policy begins with a statement indicating that the Board of Control is not restricted in any way and can modify these policies and procedures without limitation at any time. Keen said that he had told both Snyder and Provost Wray that he would not like to see such an insulting document brought to the faculty. Snyder has made his own comments on this document and has returned it to the provost. Hence, there is not likely to be a vote on the new P&T procedures prior to next fall.

Keen said that at the senate's March 12 meeting, he had presented a request from the administration that senators from academic departments query their departments as to whether or not the model schedules currently published in the undergraduate catalog might be discontinued. This would save about 20 pages in the catalog. Keen said that he had received some feedback from the College of Engineering. He asked that others also provide feedback.

The senate needs four nominations for senators at-large. Thus far, only Bill Gregg has been nominated. Keen asked senators to solicit other candidates.

Senator Dickie Selfe said that he did not know what the procedure was for replacing his alternate as senator for Academic Services, Non-Engineering Unit.

Keen said that Shane Crist had volunteered to serve in this capacity and that it was up to the unit to approve or disapprove Crist's appointment to this position.

Selfe asked if Crist would be assigned to a committee and what Crist's term of office would be.

Keen said that Crist probably would be assigned to a committee and that his term of office would be six years.

5. UNFINISHED BUSINESS

A. Proposal 22-02, Policy on Consensual Relationships [Appendix B]

Keen said that a proposed Policy on Consensual Relationships was presented last year. Senator Don Beck proposed an amendment to the proposal. Consequently, the original Task Force on Consensual Relationships with the addition of Senator Bill Gregg reviewed the proposal and developed the revised proposal that is now before the senate. Keen called for a motion to approve Proposal 22-02.

Senator Bill Gregg MOVED and Senator Debra Bruch seconded the motion to approve Proposal 22-02.

Keen called for discussion of the proposal. There was none.

Gregg read a comment on consensual relationships from the University of Derby, England: "However, it is recognized people do become attracted to and involved with one another without deliberate intent and that such relationships may be genuinely desired by both parties and impossible to stifle." Gregg said that the revised proposal acknowledges such situations, yet indicates that we must be cautious about potential abuses.

Keen said that he believed that the revised proposal also satisfies Beck's objection, which was that the original proposal was centered unfairly on faculty. The revised proposal addresses consensual relationships among all members of the Michigan Tech community.

Senator Nilufer Onder said that she had two versions of the proposals and asked which was being voted on.

Keen said that the senate was about to vote on the draft dated 28 February 2003.

The motion to approve Proposal 22-02 PASSED on a voice vote with no dissent.

6. NEW BUSINESS

A. Proposal 13-03, BS Program in Software Engineering [Appendix C]

Keen said that Proposal 13-03 has been approved by the Senate's Curriculum Committee and by the Senate's Finance Committee. He said that Department of Computer Sciences Chair Linda Ott was present to respond to questions. Keen said that unless the senate took this

proposal up as an emergency measure, the proposal would not be voted on today because the senate has not had the proposal long enough.

Senate Curriculum Committee Chair Bill Gregg expressed his strong support for the proposal.

Senate Finance Committee Co-Chair Larry Davis said that he would defer comment until the senate's April 23 meeting.

Senate Finance Committee Co-Chair Bruce Barna said that the Finance Committee had received some supplemental financial information from Ott and that he hoped that the final proposal would include this information.

Ott said that this information could be included with the final proposal.

Keen said that the senate would vote on this proposal at its next meeting.

B. The University Senate recessed Meeting 384 at 6:02 p.m. and entered into a meeting of the Committee of the Whole without minutes to discuss the university's budget situation.

The University Senate conducted its meeting of the Committee of the Whole and reconvened Meeting 384 at 6:50 p.m.

C. Proposal 15-03, Procedures for Loss of Untenured Faculty and Staff Positions [Appendix D]

Keen said that Proposal 15-03 was developed by the Fringe Benefits Committee in consultation with the Professional Staff Committee in response to concerns raised by Pam Long on the Task Force on Career Opportunities for Professional Staff. Keen said that in response to Long's concerns, he had asked Director of Human Resources Ellen Horsch to consider a gap in protection for Michigan Tech employees laid off under the financial emergency procedures and those laid off due to budget restrictions that had not been officially declared a financial emergency. This proposal attempts to address that gap in benefits, providing employees laid off when no financial crisis has been declared with the benefits provided to those who are laid off during a declared financial crisis. These benefits include prompt and explicit notice of layoffs, assistance with finding alternative employment, preferential rehiring, not losing credit for previous years of service, and two-month continuation of health benefits.

Senator Tony Rogers said that he would like to see that two-month continuation extended to all fringe benefits.

Senator Becky Christianson said that Assistant Director of Human Resources Ingrid Cheney had recommended the same thing.

Keen said that health benefits are provided under federal law and that eligibility for the Tuition Reduction Incentive Program (TRIP) would continue for three years.

Keen said that the senate would be able to vote on this proposal in two weeks.

Senator Bruce Barna asked if this proposal includes all of the benefits defined under the proposals for officially declared financial emergencies.

Keen said that it does.

Christianson said that a few additional benefits, such as the two-month extension of health benefits, are included in this proposal.

Keen said that the financial-emergency proposals might need to be revised to include this benefit.

Senator Debra Bruch asked if "preferential rehiring of removed persons to fill any vacancy for which they are qualified within the University" might be changed to "mandatory rehiring of removed persons to fill any vacancy for which they are qualified within the University."

Keen said that this was discussed within the Benefits Liaison Group, but there are legal problems with such a stipulation.

Senator Dickie Selfe MOVED and Senator Chris Williams seconded the motion to consider Proposal 15-03 as an emergency proposal.

Keen said that a motion to adopt a proposal as an emergency measure must be voted on in a secret ballot. He said that voting tonight would not afford senators the opportunity to consult with their constituents. He called for discussion of the motion.

Barna asked what difference it would make to wait two weeks.

Dickie Selfe said that he believed that passing this proposal tonight might provide some psychological comfort to Michigan Tech's most vulnerable employees.

Davis asked if this proposal would have to be approved by the BOC before it became policy.

Keen said that this was procedure not policy; hence, after being passed by the senate, it would only have to be approved by the administration before going into effect.

Christianson said that as one of the drafters of Proposal 15-03, she would like senators to bring the proposal to their constituents prior to a senate vote to see if anything is missing from the proposal.

Senator Chris Williams said that she agreed with Christianson, but that she thought that passing the proposal tonight would help to boost the morale of the professional staff.

Dickie Selfe said that we need to do what we can to retain good people.

Senator Susan Martin said that the senate might not have a quorum at its next meeting; hence, the senate should vote on this proposal tonight.

Christianson said that this proposal does not apply to union staff.

Senator Adolphs said that administrative approval of the proposal would take even more time; hence, the senate should vote on the proposal tonight.

Waddell asked if taking Proposal 15-03 up as an emergency measure might further alarm the campus community.

Several senators said that it would not.

Senator Bill Gregg asked which people had drafted the proposal.

Keen said that he had written the first draft, based on the protections afforded in Senate Proposals 15-02 and 16-02. That draft was reviewed by the Benefits Liaison Group, the Senate's Fringe Benefits Committee, and Director of Human Resources Ellen Horsch.

Gregg said that a considerable amount of expertise had been invested in the proposal and that, hence, he would support considering it on an emergency basis.

Keen asked if there was any further discussion of the motion to consider Proposal 15-03 as an emergency measure. There was none.

The motion to consider Proposal 15-03 as an emergency measure PASSED on a secret ballot 27 to 1.

Keen called for a motion to adopt Senate Proposal 15-03.

Senator Scott Pollins MOVED and Senator Dickie Selfe seconded the motion to approve Proposal 15-03.

Keen opened the floor for discussion of Proposal 15-03.

Senator Tony Rogers said that the first sentence of the second paragraph of Proposal 15-03 refers to employment lost due to program reconfiguration. He said that this should be generalized to any employment loss due to any budget cuts.

Rogers MOVED and Bruch seconded the motion to amend the first sentence of the second paragraph of Proposal 15-03 to read, "These procedures will apply when circumstances of financial difficulty at the University involve the loss of untenured faculty and/or staff positions."

Keen declared the amendment an editorial change, which does not require a vote. There were no objections.

Keen called for further discussion on the motion to approve Proposal 15-03. There was none.

The motion to approve Proposal 15-03 PASSED without dissent.

5. UNFINISHED BUSINESS

B. Proposal 2-03, Conflict of Interest Procedures [See minutes, page 10070, for a copy of this proposal.]

Keen said that COI Coordinator Christa Walck had presented drafts of proposal 2-03 at the previous two senate meetings. He called for a motion to approve the current draft of Proposal 2-03.

Senator Dick Prince MOVED and Senator Dave Hand seconded the motion to approve Proposal 2-03.

Keen asked if there was any discussion of the proposal.

Senator Bill Gregg said that after the previous senate meeting, he had discussed with Walck some of concerns raised by senators and that he was satisfied that these concerns had been adequately addressed in the revised proposal.

Keen said that Gregg had proposed an amendment to an earlier draft of Proposal 2-03, after which the senate adjourned without adopting the proposed amendment. He said that that proposed amendment was still on the floor even though Gregg's concern has been addressed by the current draft of Proposal 2-03. Keen suggested that the senate replace that amendment with the current draft of Proposal 2-03.

Gregg recommended that his proposed amendment be voted down.

There was no further discussion.

The motion to amend the earlier draft of Proposal 2-03 FAILED on a voice vote with objection.

Keen called for a motion to replace the earlier draft (20 February 2003) of Proposal 2-03 with the draft dated 24 March 2003.

Davis MOVED and Rogers seconded the motion to replace the earlier draft (20 February 2003) of Proposal 2-03 with the draft dated 24 March 2003.

The motion PASSED on a voice vote without objection.

Keen called for discussion of the motion to approve Proposal 2-03 as amended. There was none.

The motion to pass Proposal 2-03 as amended PASSED on a voice vote without objection.

6.D Proposal 12-03, Teaching Effectiveness [Appendix E]

Keen introduced Senate Instructional Policy Committee Chair Bill Yarroch to discuss Proposal 12-03.

Yarroch said that Proposal 12-03 does not create a second Center for Teaching Excellence. He said that about a year ago, he searched the Web version of the Faculty Handbook for a section on teaching evaluation and found that this section was blank. Section 3.211 in the hard copy of the Faculty Handbook offers a discussion of teaching evaluation policy, which it attributes to Senate Proposal 2-87, but the text of this section is not from Senate Proposal 2-87. Hence, Yarroch said that the Instructional Policy Committee felt that it was necessary to rewrite a policy on teaching evaluations. Proposal 12-03 offers a process for rewriting this policy.

Yarroch presented the original senate proposal on teaching evaluations, Proposal 10-85. He said that this proposal does not describe the way teaching evaluations are currently conducted at Michigan Tech. In the meantime, Senate Proposals 2-87, 2-97, 19-97, and 5-99 have all addressed teaching evaluations. Yarroch said that he had tried to synthesize these four senate proposals with Senate Proposal 10-85. The Instructional Policy Committee then tried to bring the resulting document up to date with current practice at Michigan Tech. Changes included indicating problems with core-course coordinators and evaluating instructors and removing the form for peer evaluations since most departments have their own forms for such evaluations.

Yarroch called for questions.

Senator Dickie Selfe said that many staff teach and are evaluated, but they are not included in this proposal.

Yarroch said that the proposal defines as faculty anyone who has an instructional appointment.

Selfe asked if professional staff were allowed to vote on this proposal.

Keen said that they were not, but that if they are teaching, they have an instructional appointment and are represented by an academic senator.

There was no further discussion. Keen urged senators to discuss this proposal with their constituents.

E. Proposal 14-03, Transfer Credit Evaluation - Undergraduate [Appendix F]

Yarroch said that Michigan Tech does not currently have a policy on transfer credit evaluation. He said that the Instructional Policy Committee began with a policy on evaluating life-experience credit and realized that Michigan Tech also needed a policy on transfer credit. Hence, the committee created a blanket transfer policy. The university now wants to use this

format. Some procedures need to be included and some related documents need to be composed. The first sentence under Policy Requirements in Proposal 14-03 says, "Credit will be evaluated for the non-traditional experiences of credit by examination and military education only." The committee decided that having a life-experience policy in place would be too expensive and time consuming because it includes such things as portfolio assessment.

Senator David Hand asked if there was a limit on the number of credits that a student can transfer to Michigan Tech.

Yarroch said that the senate passed a proposal allowing students to transfer in enough credits to achieve senior status; hence, students have to complete at least their last year at Michigan Tech in order to receive a Michigan Tech degree. He said most of Michigan Tech's peer institutions have similar policies.

Keen called for further discussion of Proposal 14-03. There was none.

F. Proposal 16-03, Senate Referendum on Reorganization [Appendix G]

Keen said that Proposal 16-03 was proposed during this evening's meeting of the Committee of the Whole. Keen said that since this was a new proposal, the senate could either vote on it in two weeks or take it up as an emergency measure and vote on it now.

Senator Don Beck MOVED and Senator Jacek Borysow seconded the motion to consider Proposal 16-03 an emergency proposal.

Keen called for discussion of the motion.

Senator Bruce Barna said that there was no need to take Proposal 16-03 up as an emergency measure at the moment since the BRAC has unanimously recommended that university reorganization be delayed.

Senator Jacek Borysow said that it was extremely important that the senate communicate to the administration as soon as possible what faculty and professional staff think about the university's financial difficulties. He said that there was unanimous support among his constituents for such action.

Beck asked what the timing would be on Proposal 16-03 if it was not taken up as an emergency measure.

Keen said that the proposal calls for a referendum. He said that the ballot for such a referendum could be in constituents' boxes the day after the senate voted to approve the proposal.

Beck said that the senate would then need additional time to collect and tabulate the ballots, probably at least an additional week, which would push the matter into finals week if the proposal is not taken up as an emergency measure and voted on this evening.

There was no further discussion.

The motion to consider Proposal 16-03 an emergency proposal PASSED on a secret ballot 16 to 14.

Senator Dave Hand MOVED and Senator Scott Pollins seconded the motion to adjourn. The motion failed on a voice vote with objection.

Keen called for discussion of Proposal 16-03, Senate Referendum On Reorganization.

Barna asked to see the text of the proposal.

Keen presented the following text: "The Senate constituents of any units to be merged/reorganized into a new unit must approve by majority vote the merger/reorganization. This requires a majority vote of the constituency of EACH of the affected units. This proposal is to become effective immediately upon passage by a majority of the MTU Senate constituents."

Beck said that it should be understood that the senate will conduct the ballot.

Keen agreed. He said that only the administration could determine whether the proposal would become effective upon passage by a majority of the senate constituents.

Barna said that he had a problem with defining a "merged/reorganized" unit. He said that this policy could prevent practically any reorganization.

Beck disagreed. He said that the administration has plenty of tools at hand.

Bruch requested a secret ballot.

The motion to approve Proposal 16-03 passed on secret ballot 19 to 11.

7. ADJOURNMENT

Senator Debra Bruch MOVED and Senator Jim Turnquist seconded the motion to adjourn. The meeting adjourned at 7:40 p.m.

Respectfully submitted by Craig Waddell
Secretary of the University Senate