

THE UNIVERSITY SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting 391

27 August 2003

Synopsis: The Senate

1. elected Marty Janners, Tom Merz, Martha Sloan, Bill Sproule, and Becky Christianson to the Search Committee for Vice Provost.
 2. approved meeting dates for 2003-2004.
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President Bob Keen called University Senate Meeting 391 to order at 5:37 p.m. on Wednesday, 27 August 2003, in Room B45 EERC.

1. ROLL CALL OF SENATORS

Secretary Craig Waddell called roll. Absent were At-large Senators Rogers and Pilling, and representatives from Army/Air Force ROTC, Chemical Engineering, Fine Arts, the Library, the Keweenaw Research Center, Auxiliary Enterprises, and Research and Graduate School/University Relations/Administrative Offices. Liaisons in attendance were David Tobias (GSC) and Becky Christianson (Staff Council).

2. RECOGNITION OF VISITORS

Visitors included Kent Wray (Provost) and Marcia Goodrich (*Tech Topics*).

3. APPROVAL OF AGENDA

Keen presented the agenda and asked for amendments. None were offered. Keen said that if there were no objections, the agenda would be followed as presented. There were no objections. [**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 382, 383, 384, 386, 387, AND 388

Keen presented the minutes from meeting 382 and asked for corrections or amendments. There were none. There were no objections to approving the minutes as presented.

Keen presented the minutes from meeting 383 and asked for corrections or amendments. Several typographical errors were noted. There were no additional corrections. The minutes were declared approved as corrected.

Keen presented the minutes from meeting 384 and asked for corrections or amendments. There were none. There were no objections to approving the minutes as presented.

Keen presented the minutes from meeting 386 and asked for corrections or amendments. One typographical error was noted. There were no additional corrections. The minutes were declared approved as corrected.

Keen presented the minutes from meeting 387 and asked for corrections or amendments. There were none. The minutes were declared approved as presented.

Keen presented the minutes from meeting 388 and asked for corrections or amendments. Senator Jim Pickens noted a correction on page 10242. There were no additional corrections. The minutes were declared approved as corrected.

5. PRESIDENT'S REPORT

Keen said that Proposal 21-03, Guidelines for an Academic Calendar of 14 Instructional Weeks has been transmitted to the administration for approval. **[Appendix B]**

Keen said that on June 2, 2003, the administration approved Proposal 21-03, Guidelines for an Academic Calendar of 14 Instructional Weeks. The Board of Control approved this proposal at its June 25, 2003, meeting. **[Appendix C]**

Keen said that Proposals 1-04, 2004-2005 Academic Calendar and 2-04, Posthumous Degrees, will be sent to committees for review.

Keen said that Proposals 15-02, Procedures for a Financial Crisis, and 16-02, Procedures for Periods of Financial Stress, will be reviewed by the Senate Executive Committee to bring them in line with Proposal 15-03 so that staff and untenured faculty will receive the same benefits during a declared financial emergency as they receive during an undeclared financial emergency.

Tom Snyder, Chair of the Ad Hoc Committee on Tenure, Promotion, and Reappointment, will update the senate on new tenure, promotion, and reappointment policies in late September.

The senate will initiate the work of the Administrative Evaluation Commission, which every four years evaluates the university administration by way of procedures established by the University Senate.

Keen said that Provost Wray had asked him to determine who makes the appropriate recommendations for the Board of Control instructional policy approved on January 28, 1982. The policy reads in part, "The President shall have power on appropriate recommendation to authorize changes in details of the course offerings of the institution and their organization as curricula. An annual report of such changes approved by the President shall be made to the Board in December. Addition or deletion of academic programs, departments, or degrees will be referred to the Board for action." Keen said that this policy related to several of the proposed budget-reduction initiatives.

Keen said that he believed that this policy was formulated with respect to the termination of Michigan Tech's nursing program in 1981-1982. He said that Senate Proposal 1-81 proposed maintaining Michigan Tech's nursing program. This proposal was defeated in 1981. Senate minutes surrounding the debate over this proposal indicated that the then-current university president [Dale Stein] was waiting for the outcome of Senate Proposal 1-81. This indicates that the senate has traditionally had a voice in decisions as to whether or not to terminate degree programs. The rationale for this authority is based on Proposal 10-70, Procedures for Developing Significant Changes in the Academic Program. According to this proposal, the senate is required to approve any proposals to terminate, add, or suspend degree programs.

Keen said that the Department of Mathematical Sciences wishes to change the name of its M.S. program to bring it into line with the name of its Ph.D. Program in Mathematical Sciences.

Keen said that at meetings of the University Space Committee it was reported that rumors were circulating on campus to the effect that all departmental photocopying machines would be removed and all photocopying would be centralized in the Print Shop. Keen said that there was no substance to such rumors. He said, however, that the Print Shop is looking for a more centrally located facility of about 6,000 square feet.

Keen said that the Board of Control conducted special meetings on June 25 and on August 7. No BOC meetings with senate officers were scheduled during these times. However, during the

June 25 meeting, Keen assured the BOC that the proposed 14-week calendar met the requirements the BOC's had stipulated during its May meeting.

Keen said that a number of university committee elections will be announced shortly. There is a particularly urgent need to fill a vacancy in the Academic Integrity Committee, which hears cases out of the Dean of Students Office.

Keen said that he and Provost Wray had meet with the Curricular Policy Committee and the Academic Policy Committee to discuss a possible name change for the director of International Programs. He said that the senate would form an ad hoc committee to address this issue.

Senator Cindy Selfe asked what the proposed name change would be.

Keen said that the proposal was to change the name from Director of International Programs to Dean of International Programs. He said that questions had been raised as to the appropriateness of this change and to the appropriateness of the senate having previously named the administrator of Michigan Tech's distance learning programs a dean.

Keen said that an orientation session for new and old senators had been proposed. He asked how many senators would be interested in participating in such an orientation. About ten indicated that they would be. Keen said that the time and place of the orientation would soon be announced.

C. Selfe asked how many positions were lost due to the recent budget-reduction process.

Provost Wray said that 64 or 65 positions had been eliminated, but that several of these positions were fractional positions. Hence, he was not sure what this translated into on a full-time equivalent (FTE) basis.

C. Selfe said that the senate sometimes focuses on individual proposals but misses the larger vision of the university. She asked what lessons we had learned from the recent budget-reduction process.

Senator Larry Davis said that about 50 of the 64-65 positions eliminated were vacant; hence, only a small number of people lost their jobs.

C. Selfe said that the same issue of Tech Topics that announced the loss of 15 people also advertised three new jobs.

Wray said that some of these jobs were jobs that had been frozen earlier. He said that Human Resources attempted to direct to these positions people who had lost jobs with Michigan Tech. He said that the senate might ask someone from Human Resources to provide a report on this topic.

C. Selfe said that perhaps President Tompkins might deliver another report to the senate.

Senator Don Beck asked how many staff had had their hours cut.

Wray said that this was included in his comments about fractional positions.

Senator Madhu Vable said that the senate will coordinate an evaluation of President Tompkins later this year but that the Board of Control will finalize a presidential evaluation procedure by its October meeting. He said that the same thing happened in 2000: the BOC completed its evaluation of President Tompkins without the benefit of the senate-coordinated evaluation. He said that these two evaluation processes should be synchronized.

Keen said that he agreed that the two evaluation processes should be synchronized. He said that this issue was discussed in the senate and with the BOC last year. Members of the BOC indicated that they were unaware of the quadrennial, senate-coordinated presidential evaluation. Keen said that President Tompkins has requested that he be evaluated more often. Keen said that he had asked the Administrative Policy Committee to produce a proposal to this effect. He said that he would again inform the BOC that the senate is beginning its evaluation process and that the results of that evaluation might be pertinent to the BOC's own evaluation. He said that this was about all that the senate could do.

Beck suggested that, given the situation, the senate save time by distributing the old presidential-evaluation forms to its constituents. He said that in this way, the senate could complete its evaluation prior to the October deadline for the BOC's evaluation.

Keen said that although the senate could expedite the procedure, it should follow the official, senate-approved procedure rather than implement a potentially objectionable ad hoc procedure.

Beck asked why the process would take so long.

Keen said that the delay would be caused by appointing faculty who wish to serve on committees when there seems to be a dearth of such volunteers.

Beck said that the senate should attempt to assemble such a committee in time for the committee to complete its work prior to the BOC's evaluation deadline. He suggested that the senate also encourage the committee to use the existing presidential-evaluation forms in order to save time.

Keen said that he had no objection to this.

Vable said that the senate should attempt to determine what weight the BOC assigns to the senate's evaluation process.

Beck asked if the results of the senate-sponsored evaluation were published.

Keen said that every faculty member receives a booklet detailing the evaluation.

Beck said that this publicity should bring the evaluation results to the attention of the BOC.

C. Selfe agreed.

Keen said that perhaps a notice could appear in Tech Topics or the Lode that this is the year for a presidential evaluation.

Beck said that he was more concerned about publicizing the results of the evaluation.

C. Selfe said that because the BOC is proceeding with its evaluation, the senate should ensure that it offers timely input.

Vable said that he agreed with following procedure, but that procedure has to take changing circumstances into consideration. Hence, the process should be accelerated.

Keen said that when he and then Senate Vice President Becky Christianson discussed the senate-sponsored evaluation with the BOC, BOC members indicated that they were on a contractual schedule for evaluating the president. However, Keen said that he believed that the BOC was not currently bound by that contractual time line.

Senator Bill Gregg asked if a change of title for the Director International Programs was on the senate's B- list and, hence, only a matter for senate recommendation, not senate authority.

Keen said that the appointment of deans and university-wide administrators is part of the senate's A-list responsibilities.

Gregg asked if the creation of such positions was part of the senate's A-list responsibilities.

Keen said that it was not, but that the filling of such positions was.

Gregg said that the issue was creating a deanship, not filling it.

Keen said that this would need to be resolved by the ad hoc committee formed to address the question of a title change for this position.

6. COMMITTEE REPORTS

A. Election of Search Committee for Vice Provost

Keen said that he had a list of candidates for the Search Committee for Vice Provost.

Senator Larry Davis said that this position was previously entitled Vice Provost for Instruction. He asked what the job description would be for this position.

Provost Wray said that this position had been held open after the departure of former Vice Provost for Instruction Steve Bowen so that he (Wray) could apply Bowen's salary toward the \$1 million reduction in spending planned for that fiscal year. During that year, Dennis Lynch assumed responsibility for administering Michigan Tech's General Education Program. At the end of that year, Wray asked Dana Johnson, who specializes in organizational structure, to review the structure of the provost's office and the vice provost for instruction position and recommend improvements. Johnson's report indicated that the common principal for span-of-control in management is seven supervisions; however, Wray has 22 direct reports. Hence, Johnson recommended that the vice provost for instruction position be changed, including a title change, and that some of the administrative units that currently report to Wray report instead to this vice provost. Johnson recommended that the title be changed to executive vice provost; Wray said that he preferred the title vice provost.

Davis asked which administrative units would report to this person.

Wray said two-thirds to three-fourths of the units formerly reporting to the vice provost for instruction would report to this person. This would include Student Records; Educational Opportunity; and the Center for Teaching, Learning, and Faculty Development. Also reporting to this person would be Enrollment Management, which the provost's office acquired from Advancement and Marketing, and various standing committees.

Davis said that the position seemed to be designed to oversee numerous internal operations. He said that it would take a new person from outside the university a year to get up to speed on the university's internal operations. Hence, if the intention of the BOC was to immediately reduce the provost's workload, it would be more expedient to conduct an internal search. Davis asked Wray approximately how much an external search would cost.

Wray said that external searches for deans and vice provosts have cost about \$15,000. He said that with an external search, it would take about one year to fill this position.

C. Selfe said that she believed that the unspoken concern was that Michigan Tech's fiscal situation has resulted in freezing appointments in various departments and laying off staff, and in the face of this, people are concerned when administrative positions are multiplying. She said

that she would say what she believed no one else wanted to say. She said that enrollments are not grand and, hence, departments are told they must tighten their belts. Selfe said that she knows that Wray has a lot of work, but that she would like to see this belt-tightening happen across the university. She said that she didn't know how to resolve this, but that this needed to be put on the table.

Wray said that he understood this, but that the current Board of Control is information hungry. It doesn't operate in the manner that previous Boards have. During the closed session the BOC had after its main meeting, BOC members wanted to know why they couldn't get their demands for information filled more expeditiously. When they learned that Wray had 22 reports and that the vice provost for instruction position was vacant, BOC members directed President Tompkins to direct Wray to fill this position. Wray said that he was slow in responding to requests for information. Hence, in ordering this position filled, the BOC was trying to increase efficiency by eliminating this bottleneck. Wray said that this is not a new position; it's just a change in title.

Beck asked why the position could not be filled by someone making \$40,000-\$60,000 per year without the title of vice provost. People reporting to this person would recognize that he or she was working with the authority of the provost.

Wray said that faculty do not like to take instruction from someone who is not a faculty member. He said that when department chairs or deans are hired at the associate professor level, their authority is sometimes not respected by full professors. Hence, he said that it would be imperative to fill the vice provost position with either a full professor or a senior associate professor. With respect to the proposed six-figure salary for the position, Wray said that if faculty in the senate added one-third to their nine-month salaries, they would be making near or over six-figure salaries.

Beck said that if he were a department head and an associate professor and a full professor did not respect his authority, he would report this problem to the dean, who would resolve it.

Wray said that he has handled problems in this way in the past, but as soon as he leaves, the problem recurs.

Senator Marilyn Cooper said that an internal search would reduce costs and get a vice provost on board faster.

Wray said that he did not object to an internal search, but that he had been directed to conduct a national search. He said that in many respects, he would prefer to have an internal person fill this position because such a person would not need a year to get up to speed on the university.

C. Selfe said that given that faculty raises were only 2 percent this year and no better during the previous two years and given the recent layoffs, it seems excessive to add another administrative position.

Wray said that this was not a new position.

C. Selfe said that although Wray has a lot of work, the way this hire is being handled seems callous.

Wray said that several BOC members had asked him why he had not filled this position earlier. He explained to them the awkwardness of filling this position given the university's financial situation, but they still insisted that the position be filled.

C. Selfe said that she just wanted to say what she had said so that the provost would know what faculty are thinking.

Davis asked when it would be appropriate to move that the search be conducted internally.

Keen said that since filling the vice provost position was not a senate proposal, the appropriate thing to do would be to pass a sense of the senate on the search being conducted either nationally or internally.

Senator Cindy Selfe MOVED and Senator Larry Davis seconded the motion to transmit to the administration the sense of the senate that the proposed search for a vice provost be conducted internally for the following reasons:

1. There are many qualified candidates on campus.
2. An internal hire would be able to acclimate to the new position more expeditiously.
3. An internal search would save an estimated \$15,000 and, thus, would be more responsive to Michigan Tech's current financial situation.

Keen called for discussion of the motion.

Senator Jacek Borysow said that he disagreed with Wray on the prospect of a junior person failing to gain the respect of more senior people over whom he or she had supervisory authority. He said a counter example to Wray's argument was provided by department administrators who work effectively with faculty under the authority of the department chairs.

Keen said that the problem with authority seems to appear at the level of dean and above.

Borysow asked if deans were a different category of creature.

Keen said that they were.

Senator Becky Christianson asked Wray if, in addition to the administrative units he had mentioned earlier, any academic departments would report to the vice provost.

Wray said that only administrative units would report to the vice provost; all of the deans would report to Wray.

Senator Bill Gregg said that the position had both a name change and a function change. Hence, he asked if the senate should consider this the creation of a new administrative position or the modification of an old position.

Wray said that it should be considered the modification of an old position. It will have most of the teaching responsibilities as in the past, but will also have responsibility for Distance Learning, which is currently overseen by Graduate School Dean Bruce Rafert. The position will also include oversight for Student Records and Enrollment Management.

Gregg asked how filling this position would facilitate the flow of information to the Board of Control.

Wray said that most of the BOC's requests for information are directed to one of the vice presidents or to a vice provost. The BOC expects that person to prepare that information personally. In many cases, Wray has had to go to his staff for information in response to a request from the Board. He then takes that information and puts it into a written report. Wray said that he had spent most of Friday, all day Monday, four hours after he got home the previous night, and all of the current day preparing a report for BOC on the five-part enrollment plan. Wray had previously presented a report on this plan to the BOC, but a new BOC member wanted another report.

Gregg said that perhaps someone needed to be tasked under the provost with an information liaison focus.

Wray said that he hoped that the new vice provost would be able to reduce some of his load of problem-solving requests.

C. Selfe said that she sensed the reluctance of the senate to approve this position.

Davis said that the BOC had ordered this position filled.

C. Selfe said that she didn't feel comfortable approving something just because the Board of Control had ordered it.

Keen said that in this case, filling the position was pretty much a direct order from the BOC.

C. Selfe asked why, then, was the senate discussing this issue.

Keen said that the motion on the floor was to limit the search to an internal search. He called for other comments on the motion. There were none.

The motion PASSED on a voice vote with objection.

Keen said that the Search Committee for Vice Provost will include five members from or elected by the University Senate: four tenured or tenure-track faculty, the senate president, and one member of the professional staff. The procedures specify that the faculty members on the committee be distributed as follows: one from the College of Engineering, one from the College of Sciences and Arts, one from neither of these colleges, and one elected at large. Nominees were Martha Sloan and Bill Sproule from the College of Engineering, Marty Janners from the College of Sciences and Arts, and Tom Merz from outside the two colleges. Martha Sloan was elected to represent the College of Engineering; Marty Janners was elected by acclamation to represent the College of Sciences and Arts; Tom Merz was elected by acclamation to represent academic units outside the two colleges; and Bill Sproule was elected by acclamation as representative at large.

Nominees for the professional staff representative on the search committee were Mick McKellar, Brad Wagner, Helene Hiner, Sharron Paris, Patty Lins, Marti Banks-Sikarskie, Bonnie Gorman, and Becky Christianson. Keen said that *Robert's Rules of Order* indicates that nominees are to be listed in the order in which they were nominated and that the voting body will then indicate in turn which nominee is acceptable. The first one on the list to receive a majority vote will be the representative. Keen said that the senate did not have to follow this procedure. He said that another option was to vote on all nominees and then discard the lowest vote-getters and vote again until one nominee receives a majority vote. He said that *Robert's Rules of Order* points out that this method risks eliminating compromise candidates. Keen called for discussion of voting procedures.

Davis asked what the total composition of the search committee would be.

Keen said that the committee would consist of 15 members: four faculty elected by the senate; one professional staff member elected by the senate; the president of the senate; a department chair selected by the president or by the provost; a dean selected by the president or by the provost; two staff members selected by the Staff Council; someone elected by the Undergraduate Student Government; someone elected by the Graduate Student Council; three other members selected by the initiator of the search (in this case, the provost); and a nonvoting member selected by the Human Resources Office.

Senator Cindy Selfe MOVED and Senator Madhu Vable seconded the motion that the senate vote on all of the professional staff nominees and take the top vote-getter as the professional staff member on the committee.

Senator Susan Amato-Henderson said that it would be better to use the method defined in *Robert's Rules of Order* because by the method proposed by Selfe, a nominee could win with only a small percentage of the votes.

Davis said that with the method defined in *Robert's Rules of Order*, the senate might never even get a chance to vote on some of the nominees.

Amato-Henderson said that if this process resulted in electing a nominee for whom the majority of eligible voters voted, that would be preferable to electing someone with only a small percentage of the total votes.

Keen said that this was the reasoning behind *Robert's Rules*: to elect a candidate whom a majority of voters support.

Senator Dickie Selfe said that based on the number of candidates for membership on the search committee, it was obvious that staff were more concerned about the vice provost position than were faculty. He said that he hoped that additional staff would be able to serve on the committee.

Keen asked if there was further discussion of the motion. There was none.

The motion that the senate vote on all of the professional staff nominees and take the top vote-getter as the professional staff member on the committee PASSED on a voice vote with opposition.

The election resulted in a tie between Bonnie Gorman and Becky Christianson. Christianson won the run-off election.

B. Senate committee assignments

Keen said that senators had previously received an e-mail message from Senate Assistant Jeanne Meyers asking them to indicate their first, second, and third preferences for standing-committee assignments. He asked that senators return their requests as soon as possible.

Senator Nilufer Onder asked if senators could serve on the same committees that they had served on last year.

Keen said that they could.

7. UNFINISHED BUSINESS

Proposal 19-03, Changing Principal Investigators on Funded Research Projects [See minutes, page 10290, for a copy of this proposal.]

Keen said that since this proposal had been introduced at the senate's last meeting during the spring 2003 semester, the senate could vote on the proposal at its current meeting; however, he said that it might be preferable to allow more time for senate constituents to consider and respond to the proposal. He asked senators in academic departments and research units to solicit comments on the proposal from their constituents and to be prepared to discuss and vote on the proposal at the senate's next meeting.

C. Selfe asked if there were any problems with the proposal.

Borysow said that, as currently written, the proposal indicates that if the principal investigators (PI) on a research project leaves Michigan Tech, Michigan Tech *may* allow transfer of the

project to the PI's new institution. He said that this decision should be made by the research sponsor, the PI, and the new institution, not by Michigan Tech. Even though the contracts are formally awarded to Michigan Tech, in practice, the PI's are responsible for the research.

Hand said that research contracts are awarded to the university, not to the PIs.

Borysow said that that was true; nevertheless, the university cannot perform the research.

Hand said that when a PI signs a transmittal sheet, he or she agrees to perform the research for the university. The university then signs the contract with the sponsor.

Borysow said that he was aware of this; he said that that is why he insists that any research contract for which he is the PI includes a clause indicating that the contract is valid as long as he is the PI.

Vable said that in some situations, commitments are made not to the PI, but to the university and to other personnel within the university. If oversight is not left with the university, these other people can get into trouble. He said that he believed that the wording of Proposal 19-03 is almost identical to the wording on the same point in National Science Foundation (NSF) documents.

Hand said that this was true.

Cornilsen said that in practice, Michigan Tech almost always approves transfer of contracts to the PI's new institution.

Keen said that this might be a problem for team research.

Cornilsen said that Proposal 19-03 was not confined to team research. He said that Proposal 19-03 makes it sound like the PI has no influence on the decision-making process.

Keen urged Cornilsen to prepare amended language for the next senate meeting.

Cornilsen said that he would. He asked if it was illegal for Michigan Tech to write a document that allows the PI initial voice in such decisions.

Hand said that the PI always has input and that in most cases, the contracts go with the PI. However, in some situations, the contracts cannot go with the PI. That's why Proposal 19-03 indicates that the university *may* allow transfer of the project.

Keen said that Proposal 19-03 would be available for discussion and vote at the next senate meeting.

8. NEW BUSINESS

A. Proposed 2003-04 meeting dates [Appendix D]

Senator Jim Pickens MOVED and Senator Becky Christianson seconded the motion to approve the senate meeting dates for 2003-2004. There was no discussion. The motion to approve PASSED on a voice vote without objection.

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

Keen said that the senate passed this proposal last spring. On the advice of the university attorney, President Tompkins will accept this proposal if two words are deleted from Section C.2. The proposed change is from "for a period of at least three years after their removal" to "for a period of three years after their removal." Keen said that under the Senate Constitution, if the university president proposes an amendment to a past proposal, the proposal returns to the

senate as a new proposal, but not with a new number. He urged senators to refer Proposal 15-03 to their constituents for their consideration.

Senator Jim Turnquist said that one of his constituents had asked that the words "at least" also be deleted in section C.8.

Keen asked why the constituent made this request since it would seem to limit the employees' benefits.

Turnquist said that he didn't know the reason for the request.

Keen said that this could be proposed as an amendment at the next senate meeting.

9. ADJOURNMENT

Senator Turnquist MOVED and Senator Hagenbuch seconded the motion to adjourn. The meeting adjourned at 7:10 p.m.

Respectfully submitted by Craig Waddell
Secretary of the University Senate