

THE UNIVERSITY SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting 398

14 January 2004

Synopsis: The Senate

1. approved Proposal 15-03, Procedures for Loss of Untenured Faculty and Staff Positions; Proposal 11-04, Amendments to Proposal 15-02, Procedures for a Financial Crisis; Proposal 12-04, Amendments to Proposal 16-02, Procedures for Periods of Financial Stress; and Proposal 13-04, Position Statement Regarding the Value of Professional Staff to the University.
2. Senator Tony Rogers requested that a Statement on MTU's Financial Status be added to the agenda. Lengthy discussion on this Statement resulted in it being amended slightly and approved as giving the Sense of the Senate as well as being formally introduced as a Senate proposal at meeting 399.

President Bob Keen called University Senate Meeting 398 to order at 5:35 p.m. on Wednesday, 14 January 2004, in Room B45 EERC.

1. ROLL CALL OF SENATORS

Secretary Terry Monson called roll. Absent were representatives from Army/Air Force ROTC, Humanities, Keweenaw Research Center, and Finance and Advancement. Liaisons in attendance were Brandon Richards (USG), Becky Christianson (Staff Council), and a representative from GSC.

2. RECOGNITION OF VISITORS

Visitors included Jim Moore (School of Forest Resources and Environmental Science), Owen Mills (Materials Science and Engineering), Patty Sotirin (Humanities), Bruce Barna (Chemical Engineering), and Marcia Goodrich (*Tech Topics*).

3. APPROVAL OF AGENDA

Keen presented the agenda [**Appendix A**. NOTE: Only official senate and library archival copies of the minutes will contain a full complement of appendices.] Senator Tony Rogers requested that an addition to the agenda [**Appendix B**]. With no objection, Rogers' addition was added to the agenda.

4. PRESIDENT'S REPORT

Keen indicated that Proposal 10-04 was transmitted to the Administration indicating that the proposal was presented informally to the Board of Control at its December 12, 2003, meeting. [**Appendix C**]

At the same Board meeting, Keen informally informed the Board of the vote of no confidence that was being held. The results were circulated to the Senate following the vote. These results were:

831 - Number of ballots distributed

648 - Number of ballots returned complete

480 - Number of votes agreeing with no-confidence statement

168 - Number of votes disagreeing with no-confidence statement

78.0 - Percentage of distributed ballots that were returned

74.1 - Percentage of returned ballots agreeing with statement

25.9 - Percentage of returned ballots disagreeing with statement

57.8 - Percentage of distributed ballots agreeing with statement

20.2 - Percentage of distributed ballots disagreeing with statement

Keen received Proposal 15-03 from the Provost with Presidential approval if the words "at least" were deleted from paragraph C.8. **[Appendix D]**

The Senate Executive Committee met Friday, January 9, 2004, at which time it was decided to bring a draft resolution explaining the vote of no confidence to the Senate for its approval. Keen informed the Committee of his receipt of Proposal 15-03 with the recommended changes. The Executive Committee also heard reports from several Senate Committee chairs.

Keen has been communicating with the Chair of the Board of Control concerning formation of a committee to investigate University finances. The Board Chair has preliminarily approved the establishment of a committee with a limited scope of studying the University's cash flow and projected deficits during fiscal years 04 and 05 and a limited duration of about one month. The Committee will consist of Board member Roger Kershner as chair, Jim Pickens and Larry Davis (co-chairs of the Senate Finance Committee), Amy Hughes (MTU's internal auditor), and Mike Hendricks (MTU's Controller). This Committee will also draw upon the expertise and input of other MTU faculty and staff to assist its progress. The Committee will communicate its results to the Board of Control.

Keen announced that Senator Terry Monson has replaced Senator Craig Waddell as Senate Secretary. He thanked him for his willingness to serve and thanked Waddell for his service as Secretary during the past one and one-half years.

Senator Dickie Selfe asked if this Committee supplemented or was in lieu of Amy Hughes' audit of the tuition shortfall (as reported by the Provost in the previous Senate meeting). Keen reported that this Committee will supplement her activities but would have a specific task, namely to provide an independent, reliable estimate of cash flows and deficits for FY04 and FT05.

Selfe indicated that this Committee is not charged with identifying structural causes of the University's deficits. Keen agreed.

5. COMMITTEE REPORTS

The Elections Committee reported that Ted Bornhorst, Komar Kawatra, and Pat Martin were nominated to represent the Senate on the Dean of the Graduate School Review Committee. Keen reported that Martin had withdrawn. Keen opened the floor for additional nominations. There were none. There were no objections to closing nominations. A paper ballot was circulated with Kawatra receiving 18 votes and Bornhorst receiving 12 votes. Kawatra will represent the Senate on this Committee.

6. NEW BUSINESS

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

This proposal was passed April 9, 2003, approved by the President with amendment (May 19,

2003), and adopted with amendment by the Senate September 10, 2003. However, the Administration overlooked the phrase "at least" in paragraph C.8, which it wishes to have deleted.

Keen indicated that this proposal would be available for approval, with the Administration's amendment at the next meeting. Senator Jim Pickens asked if there was any interest in considering this proposal as an emergency measure. Keen indicated that the Senate Executive Committee suggested that it taken up as quickly as possible. Senator Selfe stated that professional staff wanted it passed as soon as possible. Pickens MOVED, with support from Senator Selfe, to bring Proposal 15-03 forward as an emergency measure. There was no further discussion.

A secret ballot was held with 28 Senators voting to bring it forward as an emergency measure and 2 voting against doing so.

There was no further discussion and the amended Proposal 15-03 PASSED without dissent.

B. Proposal 11-04, Amendments to Proposal 15-02, Procedures for a Financial Crisis [Appendix F]

Keen stated that the cover memo from the Senate Finance Committee provided reasons for consideration of amendments to Proposal 15-02. These were to provide for the selection of faculty and staff representatives consistent with the reconfiguration committee and to clarify the benefits available to affected faculty and staff.

Senator Martha Sloan MOVED, with support from Senator Anil Jambekar, to accept the amended Proposal.

Pickens MOVED to change Proposal 15-02 to make it consistent with Proposal 15-03. The changes removed the phrase "at least" from paragraph D.10.c.2 and D.10.c.7. Senator Marilyn Cooper supported his motion. There was no discussion and the motion PASSED.

Senator Bahne Cornilsen MOVED that the word "may" in paragraph D.10.c.3 be changed to "will." Senator Sloan supported this motion. Senator Debra Bruch suggested the wording "will, at the faculty member's request,..." Cornilsen accepted her suggestion. Some further discussion ensued concerning reasons for the changes and the amendment was PASSED without objection.

There was no further discussion and the Senate approved Proposal 11-04 without dissent.

C. Proposal 12-04, Amendments to Proposal 16-02, Procedures for Periods of Financial Stress [Appendix G]

Senator Scott Pollins MOVED with support from Senator Jim Turnquist that Proposal 12-04 be approved.

Senator Cooper MOVED, with support from Senator Becky Christianson, to remove the words "at least" from paragraphs D.11.c.2. and D.11.c.7. There was no further discussion and this amendment was PASSED without objection.

The amended Proposal was approved without dissent.

D. Proposal 13-04, Position Statement Regarding the Value of Professional Staff to the University [Appendix H]

Senator Bruch MOVED, with support from Senator Erik Nordberg, to approve this Proposal.

Discussion centered on the availability of standard practices for evaluation, training, transfer and promotion. Senator Christianson indicated that there were practices for evaluation and training, but not transfer and promotion. Senator Selfe asked how the Proposal benefits staff. Keen referred his question to visitors Owen Mills and Patricia Sotirin, co-chairs of the Task Force on Career Opportunities for Professional Staff, who responded that this Proposal is a first step toward greater recognition of professional staff for their current activities and that the Committee intends to have two more proposals to follow Proposal 13-04. Selfe encouraged them to bring these proposals forward even if they may not be financially viable in the short term.

The Proposal was approved with one objection.

E. A Senate Statement on MTU's Financial Status

Senator Rogers presented this statement (see Appendix B), which he felt addresses misperceptions on campus and elsewhere that the referendum of no confidence was solely due to the overestimation of tuition, state budget cuts, and cuts in benefits and salaries.

Senator Selfe asked what is a "forensic audit?" Rogers stated that it is intended to find the cause of the financial problems. A lengthy discussion followed, which centered on, among other items: (1) whether the statement should be considered a "sense of the Senate," which represents the views of Senators, or a formal proposal, which would be discussed at the next Senate meeting and would represent the views of Senate constituents, or both, (2) whether the statement should be divided into two proposals, (3) the timing of release of the statement; (4) how the Senate could disseminate the statement to the media, and (5) clarification of the last sentence of paragraph B.

Senator John Pilling MOVED, with support from Senator Richard Prince, that the statement be considered a Sense of the Senate and be done with it, with the last sentence of paragraph B amended to "We recommend that the financial review requested in Proposal 10-04 be forensic in nature."

Senator Chris Williams MOVED, with support from Senator Pollins, to amend the motion so that "and be done with it" is eliminated. The amendment PASSED with one objection.

Senator Christianson, with support from Senator Selfe, MOVED to amend the original motion so that, if passed, the statement would be considered as a formal proposal at the next meeting. After considerable discussion on whether it was appropriate for the Senate to consider the statement as both a sense of the Senate and a formal proposal and upon the need for the Senate to take action immediately, the amendment was approved by a 16-14 margin.

The Senate next considered the amended motion (to consider the statement as a Sense of the Senate with distribution to the media and as a formal proposal at the next Senate meeting). This motion was approved via secret ballot by a margin of 25 to 6.

7. ADJOURNMENT

Senator Bruch MOVED, with support from Senator Turnquist, to adjourn. The meeting adjourned at 7:08 p.m.

Respectfully submitted by Terry Monson
Secretary of the University Senate