

**THE UNIVERSITY SENATE OF
MICHIGAN TECHNOLOGICAL UNIVERSITY**

Minutes of Meeting 446
13 December 2006

Synopsis:

- (1) Heard that Senate Assistant Paige Hackney has accepted a position with the Institute for Interdisciplinary Studies.
- (2) Heard the Michigan Tech will be featured in PC Magazine as one of the Top 10 Wired Schools in the nation.
- (3) Heard that the President has approved Proposal 4-06, Proposal for Change in Non-Tenure Track Instructor and Lecturer Appointments; and Proposal 9-07, Amendment to Tenure, Promotion and Reappointment Procedures: Deletion of Citizenship/Residency Requirement.
- (4) Heard that the Faculty referendum on the four tenure proposals originally scheduled for early December has been postponed until after the Christmas break due to concerns with Proposal 9-06, Transfer of Tenure and Rank Between Academic Units voiced by several individuals who attended the Faculty Forum.
- (5) Heard that in most cases in recent years, Senate policies dealing with the appointment and reappointment of major administrators have not been followed.
- (6) Passed Proposal 10-07, Mid Term Grade Proposal; Proposal 11-07, Revision of Proposal 14-97 to Reflect Semester Conversion; Proposal 13-07, Master of Science in Applied Natural Resource Economics Name Change for the Master of Science in Mineral Economics Degree; and Proposal 14-07, Health and Physical Education Major, B.S.
- (7) Rejected Proposal 12-07, Scheduling of Evening Exam Proposal.
- (8) Introduced Proposal 16-07, Transfer of Tenure and Rank Between Academic Units.

1. CALL TO ORDER AND ROLL CALL

President Sloan called the University Senate Meeting 446 to order at 5:30 pm on Wednesday, 13 December 2006, in Room B45 EERC.

Senate Assistant Paige Hackney called roll in Secretary Glime's absence. Absent were at-large Senators Craig Waddell and Scott Pollins and representatives from Army/Air Force ROTC, Biological Sciences, the Library, SFRES, School of Technology, and the Student Affairs group. Liaisons in attendance were Nick Nanninga (GSC) and Becky Christianson (Staff Council). Academic Services C, Advancement, and Auxiliaries currently have no elected representatives.

2. RECOGNITION OF VISITORS

Guests included Jason Carter (Exercise Science, Health & Physical Education), Max Seel (Sci & Arts), Dave Reed (Provost) and Marilyn Cooper (MTU-AAUP).

3. APPROVAL OF AGENDA

President Sloan deleted agenda item 7A, Proposal 15-07, Proposal to Add a Residency Requirement for Minor Degrees at the request of the Curricular Policy Committee.

Waddell MOVED and Clancey seconded the motion to approve the agenda as amended. The motion to approve PASSED on voice vote with no dissent.

[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 445

Luck MOVED and Hagenbuch seconded the motion to approve the minutes of Meeting 445 as presented. The motion PASSED on voice vote with no dissent.

5. PRESIDENT'S REPORT

President Sloan reported that the Senate Secretary is not with us tonight because of illness. A get-well card was passed around the room for well wishers to sign. The card will be delivered to Secretary Glime at the conclusion of tonight's meeting.

Proposals: The administration has taken the following actions on Senate proposals:

Approved **Proposal 4-07**, Proposal for Change in Non-Tenure Track Instructor and Lecturer Appointments with the following note: The Provost will be working with Academic Human Resources on implementation.

Approved **Proposal 9-07**, Amendment to Tenure, Promotion and Reappointment Procedures: Deletion of Citizenship/Residency Requirement.

Forum: The Faculty Forum on proposed changes to tenure policies was held on Tuesday, December 5 at 4:30 p.m. The faculty attending the forum had no problems with Proposals 13-06, 20-06 and 9-07. However, the attendees identified a serious problem with Proposal 9-06, Transfer of Tenure and Rank Between Academic Units. A clause relating to disciplinary action had been introduced into the proposal after its initial submission and no one can remember how that happened. The Senate Executive Committee, followed by the Senate officers and the provost, have discussed the issue. The proposed resolution is to modify this proposal by deleting the clause. Hence, it has been added to the agenda for this meeting. The provost and the Senate are working together to avoid this type of problem in the future. Because of this problem, the faculty referendum will now be held after the Christmas break.

Search Policies: An article in the *Mining Gazette* last Friday (December 8) identified a difference of opinion on the implementation of policies regarding appointments and reappointments to major administrative positions between some faculty and a vice president. Since all of the policies involved are Senate policies, it is appropriate to try to clarify the issues involved.

Shown below is a table of the major administrative appointments/reappointments covered by Senate policies over the last 32 months or so in terms of the incumbents in these positions. All policies are posted on the Senate website, <http://www.sas.it.mtu.edu/usenate/> In this table, "followed" means that at a minimum the appropriate committee was established; "not followed" means it was not.

While others assisted in compiling and reviewing this table, any errors or oversights are the responsibility of the Senate President.

Position	Policy/ies	Policy/ies	Followed/Not followed
President	17-01	Search Procedure for University President	Not followed: Board of Control reserves the right to modify
Provost & Vice President for Academic Affairs	18-01 (2-07)	Search Procedure for University Administrators	Not followed: Searches have been underway for nearly two years
Vice President for Administration	18-01 (2-07)	Search Procedure for University Administrators	Not followed
Vice President for Student Affairs	18-01 (2-07)	Search Procedure for University Administrators	Not followed
Dean of Engineering	39-04	Review & Reappointment of Deans of Colleges	Not followed
Dean of Business and Economics	School Charter as Established by 16-92	Departmental Governance	Not followed
Dean of Forest Resources and Environmental Sciences	School Charter as Established by 16-92	Departmental Governance	Not followed
Graduate Dean	12-01	Search Procedures for Dean of the Graduate School	Followed

President Sloan then made the following observations with regard to the major administrative appointments/reappointments covered by the above table:

1. Proposal 17-01 states, "The Board may modify the following procedures as necessary." Thus the Board does not have to follow policy when it deems it not necessary to do so.
2. Five of the seven top academic administrators – president, provost, and the five academic deans – were appointed contrary to policy.
3. All vice presidents subject to Senate policy appointed in the last 32 months were appointed without following policy.
4. All administrators who were appointed or reappointed without following policy have served or will have served for two to three years or longer.
5. No special situations such as death or taking a position elsewhere have been involved.
6. Searches have been underway for the provost off and on for nearly two years. A search is well along for the dean of engineering, and searches are planned for two other deans.

President Sloan then opened up the floor for questions.

Gorman stated that when you say not followed, that could mean anything. President Sloan replied that due to time constraints, the threshold for determining whether or not procedure was followed entailed whether or not the appropriate committee was established to perform the duties required by the policy. The two aspects that seem most important to faculty are whether or not a committee is formed with faculty representation and whether or not the candidates for the position are available in a public forum so that the faculty can see and judge them. Basically if a committee was established, and hopefully carried out its duties, I considered that the policy was followed. If there was no such committee formed as required by the procedure, then I deemed that policy was not followed.

Flynn stated that there has been a Provost Search going on. Sloan replied that she had indicated in her table that a search has been underway for nearly two years and commented that this was also covered in #6 of her observations. She maintains that the incumbent was not appointed subject to the correct procedures.

Luck inquired as to what the procedures were prior to this and did the administration always follow them. Sloan replied that not always. She recounted that in 1999 there was an administrative search for which procedures were in place and a committee was formed. The Senate elected the prescribed number of people to this committee and the President was to appoint a certain number of other people to serve on this committee. The President appointed roughly twice as many people as he was allowed. The Senate passed a resolution at that time that condemned him for doing so, and, in addition, ordered the members of that committee who had been elected by the Senate to stand down and not be on that committee until the President got his number of appointed members down to the correct number. The President justified his over-appointments as an attempt to get a more diversified committee. Ultimately, the Senate won that disagreement.

Luck inquired if the Senate had spoken with the administration over the past 32 months to say that these procedures are not being followed or is this the first time that this matter is being explored. Sloan said that she could not speak for the entire 32 months, but her opinion is that given the suddenness of the changeover, everybody bent over backwards to provide a honeymoon period and realized that some of the decisions made had to be made. As time went on there were concerns. Sloan personally spoke to the Board of Control about the Presidential situation and reminded them of the policy. She also said at the same time that she realized that they had the authority to do whatever they wanted. But speaking as Senate President she felt compelled to remind them of the policy.

Dean Seel observed that the administration always has the right to appoint interim Deans and Provosts to serve for a limited time. Sloan agreed that interim appointments are understandable. Seel stated that the appointment of the interim Provost was made in that spirit and the current search underway speaks to that point.

Janners asked if there are searches for the Dean positions. Sloan replied that the search for the Dean of Engineering expects to announce their list of candidates this week and indicated that procedure is currently being followed.

Luck requested that the Senate officers ask the President why these procedures were not followed in the past and request that they be followed in the future. Sloan responded that the ongoing searches are following set policy and has spoken with the Provost about the upcoming searches. She feels that moving forward, we are in good shape.

Monson said that the School of Business is currently revising their charter and procedures and policy for searches is being included.

6. OLD BUSINESS

A. Proposal 10-07, Mid Term Grade Proposal

Miller MOVED and Clancey seconded the motion to approve proposal 10-07. There was no discussion. The motion PASSED on voice vote of academic units with no opposition.

B. Proposal 11-07, Revision of Proposal 14-97 to Reflect Semester Conversion

Janners MOVED and Bruch seconded the motion to approve proposal 11-07. There was no discussion. The motion PASSED on voice vote of academic units with no opposition.

C. Proposal 12-07, Scheduling of Evening Exam Proposal

Kern MOVED and Janners seconded the motion to approve proposal 12-07. Monson asked for a summary of the reasoning behind the proposal. Kern stated that it arose because students were coming into their evening classes late because they had exams in other courses scheduled outside of the 6-7pm time. Students felt uncomfortable going to their instructors mentioning that they had a class and couldn't take the exam. The committee tried to clarify the intention by changing "must be arranged" to "shall be arranged" in an attempt to get everyone to schedule exams only from 6-7. Janners stated that the old policy stated "should" and it is being changed to "shall." Shene stated that some of his colleagues had very strong opinions about this. Basically there are two reasons they are concerned: 1) mostly they handle very large classes so they would like to have more time for exams, and 2) disabled students require a longer time to complete exams. Kern stated that there are many good reasons for wanting more time for exams, yet unless some change is made, we will be left with the same problem. If there is a conflict between an evening exam and an evening class, the evening class should take priority and the instructor who is scheduling the evening exam beyond the 6-7pm time period is required to accommodate the student who has a conflict. There just aren't enough hours to carve out 1.5-2 hours when there are no classes scheduled. Mattila asked where this proposal originated. Kern stated that this proposal came from the Instructional Policy committee based on complaints of instructors of evening classes and students with conflicts. Smith said students in his department had requested evening exams and were more vocal on this than the faculty. The motion FAILED on voice vote of academic units.

E. Proposal 14-07, Health and Physical Education Major, B.S.

Vice President Polzien passed out supplemental information on this proposal [Appendix B]. Dr. Carter explained the proposed changes which address concerns from the Education Department on discrepancies surrounding degrees granted by other institutions in either Education or Physical Education. A clarification was also made on page 8 of the proposal to reflect changes in the endorsement codes recently made by the State of Michigan to eliminate integrated endorsement codes. Students who graduate from this program will now have to take certification tests in Physical Education (code MB) and in Health Education (code MA). Gorman MOVED and Kern seconded the motion to approve proposal 14-07. There was no discussion. The motion PASSED on voice vote of academic units with opposition.

7. NEW BUSINESS

A. Proposal 16-07, Transfer of Tenure and Rank Between Academic Units [Appendix C]

President Sloan explained the reason behind this proposal which was identified during the Faculty forum on the tenure proposals. She stated that when this proposal was last reviewed, the focus of the review was on deleting a highlighted sentence referring to procedures which had no place in the proposal. Everyone's attention was probably drawn to the highlighted sentence in question, thus no one reread the proposal thoroughly enough to catch the phrase now in question. After the forum, the Senate executive committee, then the officers along with the provost, decided that the best way to handle this situation was to revise the proposal deleting the phrase "unless the move is part of a disciplinary action" in paragraph 1 of the Policy Proposal. It was also suggested that, since this proposal was going to be brought before the Senate, clarifications should also be added to paragraph #4. Flynn stated that these changes were made to make it perfectly clear that this is not a new tenure agreement. Since changes were being made anyway, it was decided to incorporate the clarification as well.

Provost Reed also clarified that the phrase being deleted was in the original proposal when the Senate initially reviewed and adopted the proposal. Sloan agreed that the phrase has been in the proposal all of the time and was caught by the person who originally wrote the proposal.

Sloan asked for any more discussion. Being none, she commented that the Provost has agreed to have this proposal undergo legal review before the next Senate meeting in mid January.

8. ADJOURNMENT

The meeting adjourned at 6:07 pm.

Respectfully Submitted by Paige H. Hackney
Assistant of the University Senate