

**THE UNIVERSITY SENATE OF
MICHIGAN TECHNOLOGICAL UNIVERSITY**

Minutes of Meeting 456
14 November 2007

Synopsis:

- (1) Kurt Paterson presented the Annual Report from the Sabbatical Leave Committee.
 - (2) The administration has approved Proposal 2-08 "Certificate in Global Technological Leadership."
 - (3) Further admissions data were provided from John Lehman.
 - (4) Bob Keen was selected as a replacement on the University Academic Tenure Committee
 - (5) Madhu Vable presented Proposal 1-08: "Due Process for Imposition of Severe Sanctions on Tenure-Track/Tenured Faculty"
 - (6) The Senate passed Proposal 3-08: "Revision of Senate Bylaws to Reflect Changes in Constituency Units"
 - (7) The Senate modified and passed Proposal 4-08: "Revision of Scientific Misconduct Policy 36-95," renaming it to "Misconduct in Research, Scholarly, and Creative Endeavors."
 - (8) The Senate heard proposals 6-08: "Interdisciplinary Graduate Certificate in Nanotechnology," 7-08: "Theatre and Electronic Media Performance, B. A.," and 8-08: "Second Baccalaureate Degrees."
 - (9) Provost Lovett-Doust provided an update on Tech Select for health care.
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1. CALL TO ORDER AND ROLL CALL

President Sloan called the University Senate Meeting 456 to order at 5:30 pm on Wednesday, 14 November 2007, in Room B45 EERC.

Secretary Glime called roll. Absent were representatives from Army/Air Force ROTC, Engineering Fundamentals, Academic Services A, and Academic Services B. Liaisons in attendance were Lakshmi Krishna (GSC) and Becky Christianson (Staff Council). Academic Services C and Auxiliaries currently have no elected representatives.

2. RECOGNITION OF VISITORS

Guests included Lesley Lovett-Doust (Provost), Jackie Huntoon (Graduate School), Patricia Helsel (Visual & Performing Arts), Roger Held (Visual & Performing Arts).

3. APPROVAL OF AGENDA

President Sloan added item F to New Business, a report from the Provost on the 2008 Health Plans. P. Nelson MOVED and Donovan seconded the motion to approve the agenda as modified. The motion to approve PASSED on voice vote with no dissent.

4. PRESENTATION BY KURT PATERSON ON "SABBATICAL LEAVE COMMITTEE ANNUAL REPORT"

Paterson displayed the proposals by unit. In 2006-07, 11 units submitted leave proposals. There should be an average of 14% of faculty on leave per year if everyone took a sabbatical leave whenever eligible. Instead, the actual average is 7.2%. Percents by unit ranged from 4% to 42.8%.

There were 26 proposals.

9 needed no revision and were recommended

13 were returned, resubmitted, and recommended

1 was returned, resubmitted, and not recommended

2 were late and were denied

1 was withdrawn

The biggest reason for needing resubmission was not following the guidelines, especially insufficient work plan. Other reasons included lack of letters of support from department and host institution and missing report from previous sabbatical.

Of those taking sabbatical leave, 40% were international, 43% remained in Houghton, and 16% were domestic. Of those, 58% took one semester of leave, 42% took two. Half of those taking one semester stayed in Houghton; two-thirds of those taking a year went elsewhere.

Seven units had no submissions.

Paterson offered the following advice:

Faculty

take a sabbatical

follow the guidelines

Administration

encourage sabbaticals;

develop multi-year plan for leaves

reverse financial incentive to encourage 1-year leaves

The chair of the Sabbatical Leave Committee this year is Stan Vitton.

Senator Nelson asked if the department or administration ever turned down an application. Paterson responded that they had; the committee only recommends.

Senator Solomon asked the expected turnaround time. Paterson responded that they try to respond quickly, but that most proposals tend to come in right before the 15 March deadline, so response is somewhat slower.

5. APPROVAL OF MINUTES FROM MEETING 455

Miller MOVED and Polzien seconded the motion to approve the minutes of Meeting 455 as presented. The motion PASSED on voice vote with no dissent.

6. PRESIDENT'S REPORT

Approvals: The administration has approved Proposal 2-08 "Certificate in Global Technological Leadership."

Questions on Admissions Data: At the admissions presentation by Les Cook and John Lehman at the last Senate meeting, several Senators had questions which the presenters offered to research and answer. Thanks to John Lehman we have answers to three of these questions tonight, and the fourth—a 20-year history of acceptance rates—is waiting on data from Institutional Analysis.

Completion rate by type of Undergraduate Application:

For the Fall 2007 entering class

- *71% of all applications were web-based; 33% of these were incomplete
- *22% were pre-populated paper "Smart" applications; 2% of these were incomplete
- *6% were regular paper applications; 12% of these were incomplete

Graduate Applications for Fall 2007

A complete [spreadsheet](#) is being distributed separately. Analysis of these data show that of 1620 total applications,

- *20.4% were accepted (about two-thirds with financial aid)
- *35.4% were rejected
- *30.5% were incomplete or cancelled
- *7% were under review
- *82.8% were international; of these *13% were accepted (about two-fifths with aid)
- *1.6% were domestic minorities; of these *38% were accepted (all with aid)
- *25.7% were female; of these 21.3% were accepted (about three-tenths with aid)

Comparison of Michigan Tech Admissions with Benchmark and Other Schools

Michigan Tech benchmarks admissions against our usual benchmark institutions of

- California Polytechnic, San Luis Obispo
 - Carnegie Mellon
 - Clarkson
 - Colorado School of Mines
 - Georgia Institute of Technology
 - Lehigh
 - Rensselaer Polytechnic
 - Missouri, Rolla
- and an additional set of universities chosen by admissions which include
- William & Mary
 - Grand Valley State
 - Massachusetts Institute of Technology
 - Michigan State
 - Purdue
 - Michigan, Ann Arbor
 - Western Michigan
 - Wayne State

Of these schools,

- Tech's enrollment in Fall 2006 ranked fourth from the bottom, followed by Rolla, Colorado Mines and Clarkson.
- Tech's Fall 2006 acceptance rate of 81.9% ranked 6th from the top with Rolla highest at 90.3% and MIT lowest at 13.3%
- Tech's ACT English average of 24 was below nine of the schools and above three; MIT was highest with 32; Wayne State was lowest at 19.
- Tech's ACT Math average of 27 was below six of the schools and above seven; MIT was highest at 33; Wayne State was lowest at 20.
- Tech's ACT composite of 26 was below eight of the schools and above seven; again MIT was highest at 32 and Wayne State lowest at 20.

7. OLD BUSINESS

a. Election for University Academic Tenure Committee Replacement for Anil Jambekar

There were four nominees for the completion of the term of Anil Jambekar: Robert Keen, William Sproule, Ralph Hodek, Judith Perlinger. The first ballot did not achieve a majority for any candidate, so the lowest vote-getter was eliminated. The second ballot likewise did not achieve a majority and the second and third places were tied. The third ballot ranked the candidates, but did not achieve a clear majority, so there was a vote on the top two candidates. That vote resulted in a tie, so the Senate decided to resolve it by a coin toss. Bob Keen will be the new member of the Academic Tenure Committee.

b. Proposal 1-08: "Due Process for Imposition of Severe Sanctions on Tenure-Track/Tenured Faculty" presented by Madhu Vable

Vable stated that the proposal revisions were necessary because it was not clear what pathway should be taken to appeal severe sanctions. In one case the Administration ruled that the complaint belonged in the grievance procedure, the faculty member and AAUP felt it belonged to the CATPR, and the Senate President directed the CATPR to make an independent decision. It was also not clear what sanctions could be imposed. The CATPR recommended to the Senate President to establish a committee to: (a) create policy and procedure for appeal on imposition of severe sanctions; (b) clean up language to remove jurisdiction problems.

In Autumn 2006 the Senate Academic Policy Committee recommended that the CATPR devise the new policy/procedure because of their familiarity with the problems. The Senate then established an ad-hoc committee from the four members of CATPR and later added a faculty member from the University Faculty Review Committee (Grievance).

The ad-hoc committee developed the proposals and met with then Provost Dave Reed, Ellen Horsch (VP Admin), and Debbie Lassila (Dir HR & Budgeting). After changes based on these discussions, the committee forwarded the proposal to the Senate Academic Policy Committee, which unanimously recommended the proposal to the Senate.

The Senate Officers discussed the proposal with the Provost and recommended editorial changes.

The current University Policies and Procedures include the following statements which lead to some confusion:

"In case of any question in the interpretation of tenure and problems arising from a situation not specifically covered herein or in the Tenure, Promotion, and Reappointment Procedures, the matter shall be referred to the Committee on Academic Tenure, Promotion, and Reappointment."---Section 16.4 of Board of Control Policy: Interpretation.

"This Committee functions independent of the University Senate and the administration of the University"---Section 16.4 of Board of Control Policy: CATPR. Also emphasized in Section 7.2 of Appendix I.

"The status of being tenured is one form of protection from summary dismissal. In addition, tenure is designed to protect those rights associated with academic freedom."---Appendix I Section 5.

"The rights of faculty members to undertake scholarly approaches to their disciplines in accordance with professional standards in the classroom, in the laboratory, and in publications are guaranteed."---Faculty handbook Section 1.7 on Academic Freedom.

"The following issues are non-grievable under this procedure:

2. promotion and tenure actions, which have their own appeal procedure"---Appendix C: Grievance Procedures, Section Grievable Issues.

"Some examples of 'grievable issues' are the following: the application of policy, salary levels or salary adjustments, teaching loads or workload, **reprisals, academic freedom**, facilities or space, and **sanctions**."---Appendix C: Grievance Procedures, Section Grievable Issues.

This approach seems to be inconsistent with that of other universities. The ad-hoc committee started with the Northwestern procedure and evolved into the current form.

AAUP: Statements of Principles on Academic Freedom and Tenure and Statements on Procedural Standards in Faculty Dismissal.

Oregon University

Tennessee

University of Michigan

Western Michigan University

University of Wisconsin, Madison

None of these universities combined minor grievances with severe sanctions in one committee

The Grievance and CATPR proposals define Severe Sanction and Minor sanctions.

- Severe Sanctions—Jurisdiction of CATPR
- Minor Sanctions—Jurisdiction of Grievance Committees
- CATPR can declare all or part of a complaint as a minor sanction and send it to the Grievance Committee
- Grievance Committee can declare all or part of a complaint as severe sanction and send it to CATPR

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Solomon asked what would happen if the committees disagreed. Vable stated that the question had not been resolved yet.

Senator Davis stated that there need to be clear definitions of what is meant by freedom and sanctionable. Vable responded that if it is a sticky area it should be resolved by the CATPR. Davis reiterated his position that we need to make definitions of academic freedom and the rights of tenure.

Miller asked about the background paragraph.

Provost Lovett-Doust congratulated the committee on making good headway, but stressed the need to avoid parallel processing. She presented a flowchart that made the process linear and considered her flowchart to be a friendly amendment (attached).

Luck asked how many cases were typical for a year and who would go this route. Lovett-Doust responded that she did not know what a typical number would be.

Senator Gregg asked if box 2 on the Provost's chart should go directly to the committee. The Provost responded that it is the Chair's responsibility to form the committee and give it its charge.

Davis stated that at present such a grievance goes to the unit chair, then the committee, the dean, and ultimately to the President. If it is a tenure issue it goes to the CATPR.

Senator Flynn reminded the Senate that the concern of this proposal is serious sanctions. In such cases, the individual would not want to have the supervisor or department in the loop.

Lovett-Doust responded by suggesting that our own colleagues are the most qualified to adjudicate. Flynn responded that grievances want more detached individuals.

Gorman asked if the flowchart is different from the proposal. Lovett-Doust responded that the proposal, as written, would permit parallel consideration, which wastes energy and time. Her flowchart makes the process linear and each level can refer the complaint (or part of it) to the CATPR if the committee believes that there has been a procedural violation of tenure or academic freedom.

Gorman responded that it seems the committee doesn't agree. Vable responded that he would want the committee to consider the flowchart and the changes it would necessitate. Lovett-Doust added that she felt guidance of colleagues is central to the academic venture.

Gregg asked, if the claimant is without question one of CATPR jurisdiction, must it go the grievance route? Lovett-Doust responded that if it is an appeal of the procedure leading to a tenure decision or tenure rights, it would go to the CATPR.

Solomon stated that it seems that it must go through a lot of hoops.

c. Proposal 3-08: "Revision of Senate Bylaws to Reflect Changes in Constituency Units" presented by Senate Executive Committee

Kern MOVED and Miller seconded the motion to approve Proposal 3-08. The proposal was approved on voice vote of the full Senate with no opposition.

8. NEW BUSINESS

a. Proposal 4-08: "Revision of Scientific Misconduct Policy 36-95"

Nelson MOVED and Turnquist seconded the motion to approve Proposal 4-08.

President Sloan pointed out that the motion had been distributed the required 10 workdays in advance of the meeting, so it met the requirement for voting on it tonight. Senator Gorman asked why we needed to vote on it tonight. Vice President Polzien responded that the Office of Research would like to supply the revised proposal to NSF as soon as possible.

Senator Morrison asked why it was necessary to change the policy at all. Senator Solomon, Chair of the Research Policy Committee, provided background to the proposal. The policy was created in 1989 based on NIH requirements. The most recent update was proposal 36-95. In the current proposal, **research** replaces **scientific** misconduct. Discussion of plagiarism was moved from part a to b. Self-plagiarism was added. Wording specifies that misconduct does not include differences of opinion. The procedures have been removed to a separate document and are being updated by the research staff.

President Sloan added that we must keep up with federal guidelines.

Senator Borysow asked for clarification of self-plagiarism, citing the case when research is published in conference proceedings, then additional research is added and it is published in a refereed journal. Sloan responded that such a case would be okay.

Friedrich MOVED to amend the proposal to add scholarly and creative endeavors. Flynn seconded the motion.

Senator VanSpronsen stated that she was on the committee and that the appropriate documents would all need to be changed to replace the word research with the new wording. She preferred to call it research misconduct and define research in the document.

Senator Miller stated that many changes were necessary and she felt we needed more time to understand better the impact of these changes. Friedrich responded that her motion was intended to expand the policy to cover a wider array of professional endeavors.

Senator Pierce asked where VanSpronsen suggested placing the definition. VanSpronsen responded that items a-e had that intention.

Secretary Glime stated that if the title stated only research and she had a creative endeavor, she wouldn't read past the title.

Senator Morrison stated that if all uses of the word research were changed to the new wording, the proposal wouldn't make sense.

Provost Lovett-Doust stated that it is extremely important to recognize all scholarly endeavors and treat them equally. She feels that NSF would be happy if we include all these areas.

Polzien stated that NSF doesn't care if we add groups as long as the minimum is there.

Sloan stated that NSF is concerned if violations occur several times and would be happy if there is a non-scientific policy for plagiarism.

Solomon countered that NSF, NIH, and other government agencies all use the word research. Friedrich responded, "except for the National Endowment for the Arts."

There was discussion about what internal changes were needed in the proposal. President Sloan reviewed the proposal line by line.

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The new title would be Misconduct in Research, Scholarly, and Creative Endeavors. The first paragraph would read:

"A major goal of the University is the furthering of research, scholarly, and creative endeavors. The University upholds the scientific method in the conduct of research and is committed to the ethical conduct of all endeavors by its faculty, staff, and students."

The second paragraph is unchanged. The third paragraph would read:

"Conduct inconsistent with ethical research, scholarly and creative endeavors and which is considered misconduct includes:"

Items A and B remain unchanged.

Item C should read:

"Material failure to comply with funding agency (federal, state, private, etc.) requirements that uniquely relate to the conduct of the endeavor; and"

Item D is unchanged. In Item E, the word "Research" is removed.

In the final paragraph, the first sentence should begin, "When **such** misconduct is alleged," and "University's Research Misconduct Procedures" should be changed to "University's Misconduct Procedures."

The final line should likewise read

See "Misconduct Procedures" for more information.

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Senator Gregg questioned if we could really vote on the proposal tonight since there were substantial changes.

President Sloan ruled that the amendment and changes necessitated by it were editorial and we could vote unless someone challenged her ruling. There was no challenge.

The amendment PASSED on show-of-hands vote of the full Senate with opposition.

Luck questioned a difference between Proposal 36-95 and Proposal 4-08, asking if the new wording "accepted practices in the community of one's discipline" meant that plagiarism has different meanings in different disciplines.

Solomon responded that they had changed the statement to add self-plagiarism at the suggestion of the Provost.

The motion to approve Proposal 4-08 PASSED on voice vote of the full Senate with opposition.

8b. Proposal 5-08: "Amendment to Grievance Policy and Procedure for Tenured and Tenure-Track Faculty" was omitted due to the lateness of the hour and need for further work.

8c. Proposal 6-08: "Interdisciplinary Graduate Certificate in Nanotechnology" presented by Hugh Gorman

Questions can be addressed to John Jaszczak.

8d. Proposal 7-08: "Theatre and Electronic Media Performance, B. A." presented by Roger Held

Held stated that there was no acting program for the theatre technology students to work with and that the proposed program addresses this gap. He also noted that it makes sense to bring electronic media together with acting. Half the jobs in acting are such things as voices on an electronic game or development of a media presentation. Most theater programs don't touch electronics and, on many campuses, those in production and performance don't talk to each other, so this program would be unique. Questions can be addressed to <helsel@mtu.edu>.

8e. Proposal 8-08: "Second Baccalaureate Degrees" presented by Hugh Gorman

This proposal clarifies the requirements for a second B.S. degree. This degree is for someone who already has or is pursuing a degree and wants a second one. The current requirement reads that 25 percent of the total credits are required. In fact, the students must meet all the requirements of the second degree, with a minimum of 25 percent of the total additional credits required, and they must do a regular degree audit for that major. The fact that a student is getting a second degree should not affect the requirements for the degree. [Secretary's note: The department recommending the candidate for the second degree has the final authority in determining the courses necessary for that degree.]

8f. Tech Select healthcare update presented by Provost Lovett-Doust

For staff, forms will be mailed the week of 12 November and due 7 December. They will be accepted 10-14 December with a \$25 late fee. Several open forums are scheduled (See Tech Today for 15 November). Tenure-track faculty cannot be covered by the new plan because there is still no approved AAUP contract. The Administration has requested AAUP permission to offer the new plan to the faculty, but there is no response yet. Faculty will receive information on available options one week later and forms will be due 14 December. Contact Ellen Horsch, Ingrid Cheney, or Bill McKilligan with questions.

Christianson (HR) added that there are significant differences between the new plan and the old one.

9. ADJOURNMENT

The meeting adjourned at 7:30 pm.

Respectfully Submitted by Janice M. Glime
Secretary of the University Senate