

**The University Senate
of Michigan Technological University**

Minutes of Meeting 487
10 February 2010

Synopsis:

The Senate

- Heard and responded to report from Provost
- Passed Proposal 4-11, Entrepreneurial Leave
- Passed Proposal 10-10, Additional Baccalaureate Degrees
- Discussion of 11-10, Graduate Certificates

1. Call to order and roll call. President Rudy Luck called the University Senate Meeting 487 to order at 5:30 pm on Wednesday, February 10, 2010. Luck requested a moment of silence for Tacy Rae Richardson. The Senate Secretary Marty Thompson called roll. Absent were Senators Barry Solomon, Nick Koszykowski and representatives of Materials Science and Engineering, Physics, Visual and Performing Arts, Academic Services A, Research, USG and the Graduate Student Council.

2. Recognition of visitors. Guests included Max Seel (Provost Office), Joe Herbig (Accounting Services), Dave Hand (COI Coordinator) and Bob Keen (Biological Sciences).

3. Approval of agenda. Hamlin **moved** approval of the agenda; Storer seconded the motion; it **passed** unanimously on a voice vote.

4. Approval of minutes from Meeting 485. Scarlett **moved** approval of the minutes; Christianson seconded the motion; it **passed** unanimously on a voice vote.

5. Approval of minutes from Meeting 486. B.Davis **moved** approval of the minutes; Onder seconded the motion; it **passed** unanimously on a voice vote.

6. Report from the Provost

Seel discussed aspects of the Maternity Leave Policy document that outlines implementation within our existing policy 6.2.3.1, Approved Absences with Pay. The policy allows the President to approve a leave of absence with pay for specific occasions for faculty and staff. Seel provided background regarding policy development and implementation. He stated that members of the WISE (Women in Science and Engineering) group sought a specific maternity leave policy in addition to the 12 weeks of unpaid leave. Delegates from the group came up with a proposal, met with human resources and completed their proposal around the end of November of 2009. He noted that the group wanted the proposed policy available for the recent round of hiring. Seel stated the policy can be used with the existing policy 6.2.3.1 and that President Mroz put the new policy in place as of January 1, 2010. Seel cited an email communication with Senate President Luck in mid-December 2009, detailing the proposed policy, explaining the reason for making the change to the existing policy. He noted that all new policies under the category of *Leaves of Academic Faculty* fall in the class of a-list items of Senate responsibilities and this policy can be in effect, giving the Senate time to have a deliberate discussion to form a comprehensive maternity leave policy. Snyder declared that the policy should have been brought to the Senate to determine whether the Senate agrees with this interim policy until the Senate can come up with a permanent policy change. Seel noted that the policy changes came from faculty not administration. Snyder felt it did not matter where the proposal originated, it should have been brought before the Senate for recommendation because such items are a-list items under Senate purview. Seel stated it was a modification of an existing policy already approved by the Senate, rather than a new policy requiring Senate approval. He noted that changes to existing policies can be made by the president of the university. LDavis was quick to note that although this may be true, the spirit of shared governance means that this document should have involved the Senate. Snyder agreed and clarified that it was not the policy itself, as there was some agreement on the need for such a policy, but the principle of not involving the Senate that runs against the grains of shared governance. Luck interjects, mentioning that he forwarded the email sent by the provost containing the proposed maternity leave policy to the appropriate committee rather than the Senate website. He added that Seel originally stated this was not an item for the Senate to discuss and was being issued under Part D, Other special occasions specifically approved by the President. Seel clarified the perceived need for urgency due to hiring female faculty candidates and that it was never meant to bypass the University Senate. Hamlin asked what would be the next step for the Senate in this matter. Seel stated that a more in-depth policy can be examined by the appropriate Senate committee. He added that human resources is also looking into the issue of maternity leave. Snyder urged members of the academic policy committee to interact with human resources as it pertains to policy development. Seel agreed and recommended the academic policy committee chair be involved. Vogler inquired as to whether this policy extends to staff. Seel affirmed that it does. Vogler requested that a staff member also be involved in the process. Pierce asked if staff are on the committee that would examine the policy. Scarlett indicated that something can be worked out to include a staff member for this specific policy. Luck keenly noted that the new policy does nothing to address paternity leave. Seel restated the goal of WISE in writing this policy and the urgency in its implementation.

Seel discussed summer appointments and the growing interest in effort reporting by federal auditors. He cited the reporting requirements according to university accounting procedures and the risks of being penalized if errors are made. He presents data showing several examples of large research universities and the rather large fines assessed to them for errors in reporting percent effort. Mullins stated that the schools listed have one billion dollars in research funding. Seel made it clear that we are

under more scrutiny by auditors and the university gets fined not the faculty member. He cited the NSF, which has a maximum of two months effort in the summer. Allen asked whether this is per grant or cumulative for all grants. Seel stated that this is for NSF grants, but does not prohibit working on a non-NSF grant. LDavis asked if this meant working or getting paid. Seel said there is some question about what is 100% effort and how many hours per week. Mullins cited an NSF program manager as having said 100% effort is based on a 40 hour per week basis. Christianson disagreed and stated that it is based on the percent effort. Seel noted that summer comes with a maximum of 14 weeks and anything in excess requires approval. Mullins wanted to know the number of faculty this issue impacts. Seel approximated that number to be 10-15 faculty, but the university needs to protect itself from the excessive fines by ensuring we are in compliance. Mullins thought this could be carefully audited due to the small number of people impacted. Seel clarified his position as protecting the university from fines, rather than defending policy. Mullins agreed this is being done to carefully audit percent effort, but for very few people at MTU. He compared this to a place like Harvard, where there would be several hundred faculty the policy applies to, and would have staff to accurately monitor the percent effort. Seel provided an example of what information would be necessary to ensure we are in compliance. Mullins interpreted this as a simple form that would need to be filled out by individual faculty. Seel affirmed this should be adequate. Mullins would like to see the numbers of hours come from a federal not university source. Seel reiterated that we must meet federal requirements. Mullins felt a follow-up meeting would be helpful.

Seel presented information regarding the cash flow from tuition relative to tuition dollars for all Michigan universities spanning each of the three academic years from 2006-2009. He discussed the numbers for MTU in terms of student financial aid as a percentage of tuition and fee revenue. Scarlett asked if the change in student tuition has had an impact on enrollment. Seel noted that after going up in the past few years, undergraduate enrollment was down last year. Scarlett asked if it was known how much our undergraduate enrollment changed as a result of state cuts. Seel said the freshman class was 150 students less than the year before, but the increase in graduate students offset that, so there was a small net increase in students. Scarlett asked if students were lost over winter break due to changes in the Promise scholarship. Snyder thought it will be hard to sort out students lost due to changes in a given scholarship program against a background of normal student population changes. Seel postulated that there may also be economic factors complicating data interpretation. LDavis noted that student numbers in his department are down from the previous year.

8. Report from the President

Luck highlighted a link to the administrative handbook. Referencing a comment from a past Senate meeting, where he noted the risks to document integrity by not having a hard copy of the handbook, Luck notes that a hard copy of the document has been made. Luck is confident this move will ensure the integrity of the content found in the faculty and staff handbooks.

Luck raised the question about the different retirement contribution plans that were offered as options during the recent change to compensation. He informed the Senate that all new hires will automatically be put on the 7.5% retirement plan. He adds that although there is no minimum matching contribution, the maximum will be 7.5%. Seel confirmed that the other retirement options are no longer available for new hires.

Provost search committee meets tomorrow and will meet with university President Mroz on Friday. Luck trolled for information about the significance of the Senate's role in the interview process. He further inquired whether members thought it was beneficial and whether the Senate should be involved from the start rather than in the middle of the process. Wood felt the process was useful, but the questions should be impromptu rather than organized. Luck stated it was necessary due to fairness. Snyder felt this was a good forum for the comparison of candidates because the faculty forum is a very different venue and different topics arise. Wood agreed, but felt more time for informal questions would be useful. LDavis said the timing of the interview was an issue, noting the candidates were somewhat fatigued by 5.30 pm. Luck acknowledged the scheduling issues, but re-centered the discussion in order to get a sense of whether the Senate should expand its involvement in future provost searches. Wood inquired as to the availability of the video of the Senate discussions with the provost candidates. Luck clarified the details of the in-house only televised content.

Luck ended his report by requesting that suggestions for the March 4th Board of Control meeting be brought to him by February 17th.

9. Report of Senate Committees

Caneba, Chair of the Administrative Policy Committee discussed the purpose and the methods used for the 2009-2010 presidential evaluation survey. He first acknowledged members of the committee involved in composing the survey and noted he and the committee will go over the survey questions after the Senate meeting. Javier clarified the use of tokens. Vogler asked if the issue of confidentiality kept response rate down. Smith mentioned the concern expressed by faculty and staff in retaining anonymity. Caneba yielded floor to Smith, who noted that in order to get the response rate up, the survey was shortened. He reassured everyone that this did not detract from the breadth of the survey and that comments can be made. He elaborated on details of the survey and encouraged everyone to stay after meeting to examine questions. Luck inquired about whether the president will be asked some specific questions and be asked to provide a report. Smith indicated that will be requested. Luck reminded everyone to stay behind if interested.

Onder, Chair of the Elections Committee is still seeking nominations for both faculty and staff Senators-at-Large. He is also seeking nominations for the Faculty Distinguished Service Award Committee and Sabbatical Leave Committee. Onder noted that once the nominations have been completed there will be an election for the positions.

10. Old business.

a. Proposal 4-11, Entrepreneurial Leave

Scarlett noted the proposal is ready in its final form and asked Luck how we should proceed. Luck mentioned this form of the proposal is final. Scarlett clarified the modest changes that were made to the supplemental information. Luck opened the floor for discussion and noted the ten days required by Senate law were not given because of the protracted availability of this document and the minor nature of the changes. In spite of that, Luck asked if anyone wanted ten days to review the proposal, it would be distributed and voted on at the next senate meeting. No objections were noted. Scarlett stated that the wording had not changed from the discussion at the previous senate meeting. Luck sought objections of the 10 day window or a vote. Mullins requested a summary. Scarlett summarized the proposal and changes that the committee made. To prolong the discussion, Mullins sought comments from the minority position on the committee. Scarlett indicated that he was the primary voice of dissent, but was clear to note that everyone was in favor of the final language. He added that the key issues, such as conflict-of-interest or budgeting were already being done for existing leave policies. Luck compared and contrasted the different types of leave policies, stressing the financial distinction of this entrepreneurial leave policy. Wood asked who will be paying the benefits. Scarlett noted there would be no changes to the mechanism currently used. Seel clarified that currently this is only the case for full time leave. Wood thought the major change in this new policy versus existing leave policies was the payment of benefits. Scarlett clarified that existing policy does not address benefits and that is the reason it was not addressed in the new policy. Seel added that this allows for part time, as we only have full time leave. Stockero alertly noted that the professional leave does not address the part- versus full-time issue whereas the entrepreneurial leave policy does. She stressed a need for consistency between the two types of leaves. Scarlett said this could be addressed in an amendment. Seel noted that up to now, leave was all-or-none, whereas this policy is addressing part-time leave. Scarlett accepted the suggestion to make part- and full-time options available for both types of leave policies. Hyslop asked about whether benefits will be paid, citing that the proposed entrepreneurial leave policy mentions university standards. He added that these standards mean three-quarter time. Christianson confirmed this. Seel clarified that this statement is in the proposal to indicate that no changes are being made to existing university benefits policy. Mullins asked about consecutive leaves. Scarlett stated that is dealt with at the department level and up the chain. Luck declared that sabbatical leave has a committee to make determinations and these other forms of leave do not. Scarlett confirmed this lack of oversight for all but sabbatical leave. Seel said there is no policy change in that sense, but renewals need to be examined for special circumstances. Luck mentioned the promotional value of having a distinct entrepreneurial leave, exclaimed the usefulness of policy and sought concluding thoughts. Scarlett noted the change is directed to the faculty, and not staff, handbook. He mentioned that in the committee's proposal it is recommended the administrative team direct staff to implement this policy in the staff handbook. Luck asked faculty to vote for this policy for incorporation into the faculty handbook and subsequently, the staff can vote on the staff handbook. Pontius asked if the voting at this time includes the friendly amendment put forth by Stockero. Stockero reiterated the inclusion of part- and full-time leave in both the professional and entrepreneurial leave policies. Scarlett affirmed this and noted the phrase incorporating said change, "...*may be full or part time*..." can simply be cut and pasted into the appropriate section of the policy. Luck asked if the committee accepts this change. Scarlett said the indicated section of text will be incorporated to address differences in the two policies. Luck opined this should not be in the Appendix. Scarlett affirmed Luck's observation and noted it is being accepted as a friendly amendment. Pierce asked if this friendly amendment will be accepted. Snyder added that this is a modification of current existing policy as opposed to the introduction of a new policy, so needs to be dealt with separately. Hamlin clarified that the vote will be just for the entrepreneurial leave policy. Scarlett will bring the separate policy proposal to the next meeting. Pontius requested that the issue of benefits be included in that new proposal. Mullins felt that changes to the proposal required more time. Seel clarified that there are no changes to the proposal, but to the new policy being dealt with separately. Luck **moved** for a vote on the faculty version of the proposal; it **passed** unanimously on a voice vote. Luck **moved** for a vote on the staff version of the proposal; it **passed** unanimously on a voice vote.

b. Proposal 10-10, Additional Baccalaureate Degrees

Luck introduced the proposal, noted the minor word changes and opened the floor for discussion. Keen provided an overview of rationale for changing the wording in the policy to permit students to take multiple degrees. Mullins noted students coming in with AP credits have time to get additional majors. Luck **moved** for a vote on the proposal; it **passed** unanimously on a voice vote.

11. New business.

Proposal 11-10, Amendment for Proposal 20-04, Graduate Certificates

Luck introduced Keen who cited the rationale for the proposal. Keen provided an overview of the proposal changes to accommodate graduate certificate seeking students. He noted wording changes in the revised policy and requests a text change for item (c) from "*maximum*" to "*minimum*". Luck encouraged senators to distribute the proposal to constituents and the Senate will vote on this in ten days.

12. Adjournment. Scarlett **moved** to adjourn; Smith seconded the motion. President Luck adjourned the meeting at 6:44 pm.

Respectfully submitted
by Marty Thompson
Secretary of the University Senate