

**The University Senate  
of Michigan Technological University**

Minutes of Meeting 499  
8 December 2010

**Synopsis:**

The Senate

- Presentation: "Changes to Federal Conflict of Interest Regulations"
- Proposals 3-11 and 4-11 passed
- Proposals 5-11 and 6-11 were referred back to committee

**1. Call to order and roll call.** President Rudy Luck called the University Senate Meeting 499 to order at 5:30 pm on Wednesday, December 8, 2010. The Senate Secretary Marty Thompson called roll. Absent were Senators Koszykowski, Caneba and Kangas, and representatives of Army/Air Force ROTC, Academic Services B, Auxiliaries and Cultural Enrichment, Advancement, IT, Research and USG.

**2. Recognition of visitors.** Guests included Max Seel (Provost Office), Anita Quinn (Human Resources), Keshon Moorehead (USG), Dave Reed (Vice President for Research Office), Joe Herbig (Accounting Services), Katie Russell (COMPASS), and Jackie Huntoon (Graduate School).

**3. Approval of agenda.** Luck added an item to the agenda. He asked if there was approval of the agenda; it **passed** unanimously on a voice vote.

**4. Approval of minutes from Meeting 498.** Luck asked if there were any changes; there being none Luck declared the minutes stood **approved**.

**5. Presentation: "[Changes to Federal Conflict of Interest Regulations](#)" by Dr David Reed**

Barkdoll introduced Reed, Vice President for Research, who provided background on factors leading to the revisions in federal regulations as they pertain to conflicts of interest (COI). Reed cited the Grassley Hearings which identified numerous discrepancies in COI disclosures. Reed listed the goals of COI changes and stated what, specifically, was going to change. He stated the implications of these changes as financial disclosures required of investigators. Reed also defined what he expects the impending reporting requirements to consist of. He listed a university site that is already beginning this process as an example of the direction Tech needs to be moving in, in order to be in compliance with the new regulations. Reed suggested a timeline for the initial implementation of developing policies and procedures for compliance. He expected implementation to be late 2012 or early 2013, but the date ultimately depends on when the policy is finally issued. Scarlett asked how these changes will impact graduate students. Reed indicated those students mentioned in a project by name would most likely be required to be in compliance. He added that until the rules are written, he cannot say explicitly. Moran noted that we will not have to redo reporting prior to 2011. Reed affirmed this, but if an entity, such as a business exists beyond 2011 it will need to be in compliant with the new rules. Moran clarified that these rules do not apply to an individual's complete investment portfolio, but specific investments. Reed stated that this would not apply to a broad retirement fund where the investigator has no control over investment choices. Herbig asked if the rules distinguished between individual stocks versus a mutual fund. Reed said the answer to that question is unclear right now. Moran asked if Tech will be meeting the minimum disclosure requirements to be in compliance. Reed said it was premature to definitively answer that until the regulations are passed. Snyder gave an example where a COI would exist in teaching. Reed acknowledged that as a potential issue to be addressed. Barkdoll concluded the discussion and thanked Reed.

**6. Report from the Senate President**

Luck reminded everyone about the agenda approval mechanism. Luck informed the senate that if an administrator changes a senate approved proposal that it is effectively a new proposal requiring senate approval. He stated an example from the recently approved Proposal 2-11, which had several modest word changes. He asked the Instructional Policy Committee to consider the administrative changes made to Proposal 2-11, post-Senate approval, to be accepted. Snyder **moved** approval of the Proposal; Scarlett seconded the motion; it **passed**

unanimously on a voice vote. Luck also reminded the senate of the upcoming [Board of Control meeting](#). He concluded by asking who among the senate constituency is permitted to vote on which proposals. He then cited the Bylaws pertaining to the appropriate business relating to each voting unit. He also asked that the program approval deadlines be put into the minutes so those senators submitting proposals requiring state approval have adequate preparation time.

## **7. Report from Senate Standing Committees**

Onder, Elections Committee, reported that Heiden and Cooper were elected to CATPR. Luck asked if the chair of the Elections Committee would handle the election needed for Senate Vice-President. Onder sought nominations from the senators present. Barkdoll asked if the duties of the vice-president could be described. Luck said the vice-president steps in for the president in his absence to preside over senate meetings. Pierce nominated Kangas for vice-president. Lacking any official confirmation that Kangas wanted to be the vice-president, Luck referred any nominations to the Elections Committee and declared a vote will take place at the next senate meeting. Seel, Provost, thanked Pierce for his service as vice-president and wished everyone happy holidays.

## **8. Old Business**

### **Proposal 3-11: “Amendment to Senate Proposal 24-10: International Dual Graduate Degrees”**

Storer, Curricular Policy Committee, restated the rationale for making changes to the policy. Luck asked if there were any additional comments; there being none; it **passed** unanimously on a voice vote.

### **Proposal 4-11: “Amendment of Senate Proposal 11-10: Graduate Certificates”**

Storer, Curricular Policy Committee, described the clarifying language being added to the policy defining credits that can be applied towards graduate certificates. He noted the five year limit to avoid people applying credits acquired greater than five years ago to this certification. Mullins asked if this proposal was consistent with new changes to the senior rule. Storer said it was written with the senior rule in mind and it should be consistent. Depew noted that there may be a risk that credits could be multiply counted. Storer said that it will need to be compliant with the senior rule. Luck asked if there were any additional comments; there being none; it **passed** unanimously on a voice vote.

### **Proposal 5-11: “Redefining Departmental Governance” and Proposal 6-11: “Proposal to Establish University-wide Procedures to Search for, Hire, and Evaluate the Performance of a Departmental Chair or School Dean”**

Scarlett, Academic Policy Committee, thanked all the senators for the energy put into these proposals. He clarified this will not be voted on tonight, but committed and brought back at the next senate meeting. Scarlett noted that many of the concerns were similar across campus and he defined some common concerns. He first noted that the current grievance policy does not work. Scarlett clarified what defines university policy versus a departmental operations manual. He noted that grievance will be dealt with later as it is under the purview of the senate. Processes related to chairs and deans of schools will be handled differently. Scarlett described the concerns surrounding formation of the chair search committee and search process that must be followed. He discussed combining internal and external chair searches under a single set of criteria encompassing both options. Scarlett described the method used to vote on chair and by which chair nominees are submitted to the dean. He proceeded to discuss evaluation and reappointment procedures for chairs. Storer agreed processes describing search and evaluation of school deans and chairs should be kept separate. He added that charters will be weakened if it is an operating manual that has no legal binding. Scarlett stated that the operating manual can define the terms needed to change the manual. He referred to grievance as a means where procedure must be carefully followed. Storer noted that if the manual is not legally binding such a grievance would hold no weight. Luck noted that the various charters complicate the grievance process and the proposed changes would alleviate this. Storer noted that if it is not official policy it will not be binding. Scarlett noted that grievance policies would be binding within Tech. Storer asked why is this proposal was needed. Scarlett noted the complication of various charters. He noted that the administration only needs to be involved on a few key aspects and the bulk of the content is at the discretion of the unit. Seel cited the chair search as an example of a university-wide policy that should be in place. Storer felt the request for these charter changes was the administration telling units how to do business. Luck noted the charter committee can work on this question, as it should be addressed. Scarlett surveyed the senators to get a sense of the level of support for the existing charter versus an operations manual. He noted this proposal was the hard work of the committee and was not dictated by the administration. Plummer

noted their charter was changed recently. Cooper noted that some issues should and should not be listed and cited several examples. Luck asked who would want to be on a grievance committee noting the complications and variations in the numerous charters. Cooper noted the grievance committee will need to read the department charter, but there are some issues that are common and could be in all charters. Irwin said there are charter differences between the schools. Scarlett noted the challenge in reconciling those differences in developing a university-wide procedure. Moran spoke with two departments who felt this proposal removed shared governance. He suggested that Proposal 6-11 could be referenced as best practices. Scarlett noted the unit forms and runs a search committee, that there was no practical change. Moran stated the two units he spoke with felt their current procedures worked and would be in conflict with much of Proposal 6-11. Snyder asked what is gained by splitting the chair search policy from the individual charters. Scarlett noted the request for these changes came from administration, deans and chairs. He added that we gain a more clear hiring procedure. Snyder said we make the chairs more like administrators. Scarlett clarified that chairs will be administrators selected from individual units. Onder described his department's chair search procedure, noting the dean makes the ultimate choice. He noted that if this aspect is clarified university-wide, it could simplify the process. Luck felt the discrepancies between charters led to unfairness. Scarlett surveyed the senators to get a sense of whether the committee should continue to work on this proposal. Scarlett ended with a motion to commit these two proposals back to the APC; Storer seconded the motion; it **passed** unanimously on a voice vote.

## **9. New Business**

### **Proposal 7-11: "Minor in Fish Biology"**

Storer, Curricular Policy Committee, stated the interest in the proposal, noting it required no new courses or costs. It was previously listed as an area of concentration.

**10. Adjournment.** Storer **moved** to adjourn; Malette **seconded** the motion. President Luck adjourned the meeting at 7:02pm

Respectfully submitted  
by Marty Thompson  
Secretary of the University Senate