The University Senate of Michigan Technological University

PROPOSAL 11-06
(VOTING UNITS: FULL SENATE)
(REVISED PROCEDURES FOR THE ESTABLISHMENT AND AMENDMENT OF CHARTERS
(TO REPLACE UNIVERSITY SENATE PROPOSAL 16-92)

Background

Although charters have existed for a number of years, several procedural problems exist.

At present, there is no time limit for approval and no guidance on how a unit should operate prior to approval. There is no provision for dealing with violation of the charter. Furthermore, there is no statement of responsibility for creating and revising charters. Past Senate interpretation has been that a unit could not be represented in the Senate until a charter was approved, but nothing in Senate Proposal 16-92 addresses the issue of representation of new units; currently two units have been unrepresented because they have received no approval of their charters. This proposal addresses these issues.

Whereas the unit in a college is required to provide the Dean with a copy of the charter and its revisions, the approval of the Dean is not required. This is deliberate to avoid further delay in the process. However, because the unit must provide the college Dean with a courtesy copy, any dean can express concerns to the unit and to the President and/or Provost. Existing wording would permit the President and Provost to ignore such concerns or they can ask the unit to revise appropriately before approval.

This proposal combines the original policy proposal (16-92) with the added procedures to make this a single proposal for ease of reference. No changes have been made to the policy other than their placement in the present proposal and elimination of language that applied only to the initial establishment of charters. The original Proposal 16-92 is covered under Charter requirements except as noted there on the markup copy.

Sample charters and procedures regarding search for a chair and evaluating a chair are available in the Provost's office.

The following statements have been removed and replaced with a list of required charter contents:

1. Departmental/school governance
2. Searching for a chairperson or school dean
3. Evaluation and reappointment of the chairperson or school dean
4. Approval and amendment of the charter

Proposal

Charter requirements (Approved by the Senate 29 September 1993, approved by President Curt Tompkins 15 February 1994, approved by the Board of Control 18 March 1994) are hereby replaced with this proposal and subsequent changes that affect charters have been included here for completeness.

Guidelines for Department/School Charters

Each department/school at Michigan Technological University must have a charter. The faculty of every department develops the charter. Research units and the library may also find it appropriate to develop a charter, although some of the requirements pertaining to faculty may not apply. Instead of Dean or Chair, director would apply. A written charter will establish guidelines for department/school or other unit governance by defining the responsibilities and duties of the Chair or school Dean and the faculty and/or professional staff. Such a document will help reduce uncertainty and help maintain continuity in unit administration.

In any case where the unit charter is in disagreement with a University policy or Senate proposal, the higher level document (University or Senate) has priority. The charter is intended to define things that cannot be universally defined for all units.

Procedures

Approval

The initial departmental/school charter shall be considered approved by the unit after it is approved by a simple majority of the academic Senate constituency of that unit and any other members as determined by that constituency. A copy of the departmental/school charter shall be placed on file in the Provost's Office. The Senate Office and College Dean shall each be provided with a courtesy copy.

1. Charters from departments, schools (herein also called units), or other units shall be sent to the Provost for approval by the Provost and President, in consultation with the dean(s). A statement of approval from the Provost or President should be expected **within 60 calendar days**. If such approval is not forthcoming, and no explanation is offered, the unit should consider the charter approved and henceforth act under its guidelines. If the President or Provost request revisions, these should be provided to the unit in writing and the Provost and unit charter committee (or appropriate committee) shall determine a reasonable deadline for the revisions. The unit may request that the Provost meet with the unit or its committee to discuss the suggested revisions.

2. If the submission is a **revision of a previously approved charter**, including those gaining approval by default, the unit shall operate under the approved charter until such time as the revisions are approved. However, if no approval of a charter or request for revisions is forthcoming from the Provost or President **within 60 calendar days,** the unit shall consider the revisions to be approved and henceforth operate under the new charter guidelines. If the Provost and President are unable to act on the charter or its revisions within the designated 60 days, the Provost or President will submit, in writing to the Chair/school Dean, an explanation for the delay and an expected timeline for the review. If this delay is unacceptable to the unit, that unit shall take the charter or revisions and the timeline and explanation from the Provost or President to the Faculty Review Committee, or, upon decision of that committee, to a specially appointed or elected committee. That committee will consider the charter or revisions and can recommend temporary approval until such time as the Administration is able to address it.

3. **Charter revisions** may be initiated by the unit or requested by the Provost or Senate. It shall be the responsibility of the Chair/school Dean to make sure that revisions are carried out within **six months** of the regular school year from the time of a request from the

Provost or Senate and in accordance with provisions for revisions within the charter.

4. **Assuring compliance** of departmental charters with changing departmental and university policies and procedures is the responsibility of the Chair/school Dean, faculty, and staff of each unit, with the Provost having responsibility to inform the Chair/Dean when changes in university policy or procedures may require changes. This includes the responsibility for assuring that charters are consistent with current policies and contracts. The unit is responsible for reviewing the departmental/school charter each year and updating it as necessary to comply with changes occurring in university policy and contracts and changes occurring within the department/school. Indication of continued compliance or documentation of changes and approval by the unit of these changes should be submitted to the Provost and Senate office when the unit submits its annual reports **each year**. These changes normally will take effect the next academic year. As with other duties assigned to faculty and Chairs/Deans, failure to comply with these timelines and approved guidelines will be considered when the responsible persons are evaluated. If no response is received from the Provost/President within 60 calendar days, the changes shall be considered approved until the unit is notified otherwise.

5. **When any new unit is created**, the unit Chair/school Dean (or the Provost in the absence of these) must appoint a committee to draft the initial charter. The unit may choose to establish a temporary procedure by selecting the most appropriate existing charter from another unit to serve as guidelines for the unit's operating procedures until such time as a charter shall be developed and approved. This new charter shall remain in effect as the temporary mode of unit governance until such time as the Provost or President shall convey to that unit any desired changes to the charter.

6. **New units may elect Senators and Alternates** by simple majority of represented individuals until such time as the charter goes into effect. If the original selection is in violation of the final charter, a new selection shall be made in accordance with that unit's charter.

7. **Department Chairs/school Deans shall be held responsible** for the timely completion of their unit's charter and revisions. This shall be done by the represented members of that unit according to the charter established by the unit, or by a procedure agreed upon by the unit in the case of first charters. Those charged with the task shall be answerable to the Chair/school Dean for the timely completion of the task, presentation to the represented members of the unit, and vote of agreement by those members. **Represented members** here shall be those persons determined by the unit to be included by their charter. At a minimum, they shall include all full-time, fixed-term lecturers and tenure-track faculty, but may also include staff and others deemed appropriate.

Charter Mediation

8. If the unit is unable to reconcile disagreement with the Provost or President on the wording of provisions of a new charter revision, such disagreement shall be submitted to the University Grievance Process (Appendix C of the Faculty Handbook), starting with step 5.

9. If a department/school member or a unit considers that the **unit charter has been violated**, the individual or unit should follow the **University Grievance Process** (Appendix C of the Faculty Handbook). Action on behalf of a unit should represent support of the majority of the unit as defined in that unit's charter approval process.

10. The **Grievance Process** will begin with step 5 of the Grievance Process (Appendix C of the Faculty Handbook), except that the **Faculty Review Committee**, in accordance with regulations set forth in earlier steps of the grievance process, not an Appeal Panel, will be the responsible committee.

Charter Contents

11. **Required** (unit may choose to state that the item will be the responsibility of the Chair/school Dean)**:**
    a. Procedure for changing and **approving the charter**

    b. Procedure and responsibility for **updating charter** and keeping it in compliance

    c. Definition of **voting members** of the unit and procedure for changing eligibility

    d. **Role** of professional staff and other non-tenure track members in unit governance

    e. Procedure for **search** (initiated by Dean) **of the Chair or** search (initiated by Provost) of the **school Dean**. "and limitations on the number of terms the chairperson may serve" has been dropped from requirements [Note: term lengths are already policy in Senate Proposal 2-92 (Chairs) and 3-92 (Deans and Directors)] The sample section "Search Procedure for Department Chairpersons" (defined therein to include school Deans) attached to Proposal 16-92 will be attached to this document.

    f. Procedure for department/school **evaluation and reappointment of the Chair or school Dean** [The "Evaluation for Reappointment of Chairpersons of Academic Programs" in Proposal 16-92 will be attached to this document. The proposal defines reference to Chairpersons to include School Deans].

    g. Areas for **evaluation and guidelines for performance**. Each academic unit will identify in its procedures the areas in which candidates for reappointment, tenure, or promotion will be evaluated. The identified areas must include instructional quality and contribution to the Michigan Tech educational mission, independent research and other scholarly activities, professional service (both internal and external to the University), and the academic responsibility and academic citizenship required for these activities. Other areas consistent with the University and department mission may also be included. The procedures will give performance guidelines for reappointment, tenure, and promotion to each academic rank and will list the types of accomplishments that will be considered in formulating recommendations in each area. The performance guidelines will not normally state specific criteria for performance. Refer to Senate Proposal 7-00.

    h. Clarification of types of materials, observations, etc. to be used for **evaluation of teaching** (BOC policy is that no more than 50% may be from teaching evaluation forms)

    i. Procedures for recommending **promotion, tenure, and reappointment**

    j. Guidelines for determining **salaries and wages**, including distribution of merit pay

    k. Guidelines for **allocating workload**, including teaching assignments, committee assignments, advising, and other university and unit responsibilities

l. Procedure for obtaining advice from the faculty regarding recommendations for **sabbatical leaves** [Required by Proposal 09-05 Sabbatical Leave Procedures]

m. Procedure for recommending **Emeritus/Emerita** status to the President for presentation to the Board of Control. This procedure shall include approval by department/school faculty and an appeal system and may be initiated by the retiree or his/her department/school. The guidelines must be compatible with the current Senate Proposal on Emeritus/Emerita. [Required by Proposal 20-02]

n. Procedure for departmental/school **grievance** [Required by Proposal 23-00]

12. **Suggested:**

a. Procedure for hiring of new faculty and developing descriptions of new faculty positions

b. Procedure for providing input into transfer of faculty into or out of department/school

c. Process by which the department faculty define long-term goals and goals for the period of appointment of the Chair/school Dean

d. Guidelines for allocating departmental resources such as:

teaching assistantships, general research assistantships, and fellowships travel funds flexible external funds and university budget funds office and laboratory space and equipment

e. Procedure for admitting graduate students

f. Procedure for developing and revising curriculum

g. Procedure for hiring and supervising departmental staff

h. Procedure for developing other administrative positions

i. Procedure for electing or appointing members of departmental committees, naming their responsibilities, and selecting members for the Senate and college and university committees.

j. Description of the responsibilities of the Chair/school Dean

Introduced in Senate: 18 January 2006
Revisions Presented: 1 February 2006
Adopted by Senate: 1 February 2006
Revisions Requested by Administration
Resubmitted to Senate: 5 April 2006
Adopted by Senate: 19 April 2006
Rejected by Administration: 27 November 2006

A committee will be appointed consisting of chairs and deans to work with the Senate Administrative Policy Committee to resolve outstanding issues.