

The University Senate of Michigan Technological University

Proposal 10-16

(Voting Units: Full Senate)

“Rationalization of Senate Procedures on the Selection/Election of Membership of Various Committees”

Background

The Senate is responsible for running the elections for the membership of the various university wide committees that have been established through senate proposals/policies/procedures developed over the years. The method of the election, eligibility, composition and duration of the membership of committees are widely different from each other.

While some of these variations are natural due the varying nature of these committees, others are due to lack of due-diligence to quality control, and following a standardized common practice, even when the circumstances are identical.

The purpose of this proposal is to bring the relevant procedures relating to the selection of membership of these committee, as far as it makes sense, into a common format.

In addition this proposal will try, to the extent possible, to give the Senate a more engaging role in shared governance.

Procedures and Policies Affected by This Proposal

The following procedures and policies are affected by this proposal

1. SEARCH PROCEDURE FOR UNIVERSITY ADMINISTRATORS ([Senate Procedure 801.1.1](#))
2. SEARCH PROCEDURES FOR DEAN OF THE GRADUATE SCHOOL ([Senate Procedure 803.1.1](#))
3. SABBATICAL LEAVE PROCEDURES ([Senate Procedure 706.1.1](#))
4. ACADEMIC INTEGRITY PROCEDURES ([Senate Procedure 109.1.1](#))
5. CONFLICT OF INTEREST PROCEDURES ([Senate Procedure 201.1.1](#))
6. SCIENTIFIC MISCONDUCT PROCEDURES ([Senate Procedures 204.1.1](#))
7. OFFICE OF OMBUDS ([Senate Policy 210.1](#))
8. FACULTY DISTINGUISHED SERVICE AWARD ([Senate Proposal 7-99](#))
9. FACULTY GRIEVANCE PROCEDURES and FACULTY GRIEVANCE POLICY ([Senate Procedure 704.1.1](#) and [Senate Policy 704.1](#))

Proposal

It is proposed that barring the required variations in composition of the membership of various committees listed in this proposal, the involvement of the Senate or the Senate constituency in the selection or nomination of the membership to these committees will follow the following rules.

1. The selection/election of members to these committees by the Senate is deemed to mean conduct of the election by the majority vote of a quorum of the Senate.

2. The nomination will be open to the entire Senate constituency (faculty, staff, or both), as appropriate to each individual committee.
3. Where appropriate the nomination and election by staff refers to professional staff who are the Senate constituency. Therefore, the Senate and not the Staff Council is responsible for those elections.
4. When appropriate an elected person serves for three years in a committee.
5. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years.
6. Senate-only-elect standing committees (SABBATICAL LEAVE, ACADEMIC INTEGRITY, CONFLICT OF INTEREST, SCIENTIFIC MISCONDUCT, FACULTY DISTINGUISHED SERVICE AWARD, and FACULTY GRIEVANCE) will all be three-member committees.
7. All committee decisions are by majority vote if the consensus cannot be reached.

The committees listed above all are set up by the adoption of various senate resolutions. In addition to these committees the Senate also selects representation to various other university wide committees and councils. It is also proposed that the Senate will follow the rules stated above to the letter or the spirit, as appropriate. Example of some of these committees are:

1. Benefit Liaison Group
2. Graduate Council
3. Athletic Council
4. Michigan Tech Enterprise Corporation
5. Public Safety Oversight Committee

Specific Changes

I. Changes to Procedure “SEARCH PROCEDURE FOR UNIVERSITY ADMINISTRATORS ([Senate Procedure 801.1.1](#))”

The following text in the procedure will be changed as:

Revised Text: “This procedure varies automatically for the following positions: Provost and Vice President for Academic Affairs, Vice President for Administration, Vice President for Research, Vice President for Student Affairs, Vice President for Governmental Relations and any other members of the University Executive Team. For each search the initiator and the Senate President must meet to determine what sort of professional training and knowledge is essential to be represented among the committee members, before the nomination and selection process begins. Any such determination should be communicated to the Senate. The search committee consists of up to 10 persons. The Initiator will request that the Senate selects up to four members, to include both faculty and staff, from the Senate constituency. Up to three faculty-at-large and up to one staff-at-large will be elected by a majority vote at a duly-constituted meeting of the full Senate. The Initiator will select four other persons. One representative each from the undergraduate and graduate students may be selected if the Initiator deems appropriate for the purposes of the search.”

Original text: “This procedure varies automatically for the following positions: Provost and Vice President for Academic Affairs, Vice President for Administration, Vice President for Research, and Vice President for Student Affairs. For other executive vacancies, the Initiator and the Senate President must meet to determine if it is necessary to implement this procedure. They should also determine what sort of professional training and knowledge would constitute an appropriate committee for all searches. The search committee can consist of up to 10 persons. The Initiator will request that the Senate selects up to four members, to include both faculty and staff, from the Senate constituency.”

The Senate Executive Committee will decide on the selection method. The Initiator will select up to four other persons. One representative each from the undergraduate and graduate students may be selected if deemed appropriate for the purposes of the search.”

II. Changes to Procedure “SEARCH PROCEDURES FOR DEAN OF THE GRADUATE SCHOOL ([Senate Procedure 803.1.1](#))”

The composition of will be modified for the staff member to be elected by the Senate instead of the Staff Council as:

Constituency	Elector	Number of Representatives
Staff	University Senate	1

III. Changes to Procedure “SABBATICAL LEAVE PROCEDURES ([Senate Procedure 706.1.1](#))”

Change 1: The following text in the procedure will be changed as:

Revised Text: “The Sabbatical Leave Committee shall consist of three tenured members of the Academic Faculty elected by the Senate. The Committee, serving as an advisory committee to the President of the University, is to (1) review and make recommendations on applications for sabbatical leave; (2) review reports of and evaluate completed sabbatical leaves; (3) recommend modifications of sabbatical leave procedures.

Members of the Committee shall serve for staggered three-year terms. Any vacant position on the Committee, shall be filled by a tenured member of the Academic Faculty selected by University Senate on the notification from the Provost. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee shall elect its chair each year. The Senate shall assemble and forward the list to the Provost as soon as possible after any vacancy occurs. The nomination can come from the faculty-at-large from the Senate constituency”

Original Text: “The Sabbatical Leave Committee shall consist of five tenured members of the Academic Faculty appointed by the President of the University. The Committee is to (1) review and make recommendations on applications for sabbatical leave; (2) review reports of and evaluate completed sabbatical leaves; (3) recommend modifications of sabbatical leave procedures.

Members of the Committee shall serve for five-year terms ending on August 1. Any vacant position on the Committee, including temporary vacancies, shall be filled by a tenured member of the Academic Faculty selected by the President of the University from a list of three candidates submitted by the University Senate. The Senate shall assemble and forward the list to the President as soon as possible after any vacancy occurs. Each Senator representing an academic department shall be permitted to make one nomination. At a regular meeting of the Senate, each senator eligible to vote on academic matters shall vote for up to three nominees from the list of all nominees. The three nominees receiving the largest number of votes shall be the candidates which the Senate will submit to the President of the University”

Change 2: All the reference to the President of the University will be globally replaced with references to the Provost.

Change 3: All sentences with reference to the Provost will be removed.

IV. Changes to Procedure “ACADEMIC INTEGRITY PROCEDURES ([Senate Procedure 109.1.1](#))”

No change is required.

V. Changes to Procedure “CONFLICT OF INTEREST PROCEDURES ([Senate Procedure 201.1.1](#))”

The following text in the procedure will be changed as:

Revised Text: “The Committee will review all activities that fall under Category IV, as well as research proposals seeking external funding that contain conflicts of interest that cannot be resolved by the coordinator, in a timely manner. The Committee is a permanent committee elected by the Michigan Tech Senate, consisting of three members from the Senate constituency (faculty and staff, with each having at least one representative), with staggered terms, in addition to the coordinator as a non-voting ex officio member. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee shall elect its chair each year. It is anticipated that relatively few cases will require such a review. But for these reviews, the Committee may add on a case-by-case basis, additional non-voting members as necessary. These additional members will be appointed by the President of the Michigan Tech Senate and the President of Michigan Tech based on their knowledge of the applicable field of expertise as well as knowledge of conflict of interest and intellectual property issues.

Original Text: “The Committee will review all activities that fall under Category IV, as well as research proposals seeking external funding that contain Conflicts of Interest that cannot be resolved by the Coordinator, in a timely manner. The Committee is a permanent committee elected by the Michigan Tech Senate, consisting of three members from the Senate constituency (faculty and staff), with staggered terms, in addition to the Coordinator as an ex officio member. It is anticipated that relatively few cases will require such a review. But for these reviews, the Committee may add, on a case-by-case basis, additional members as necessary. These additional members will be appointed by the President of the Michigan Tech Senate and the Michigan Tech administration based on their knowledge of the applicable field of expertise as well as knowledge of Conflict of Interest and intellectual property issues.”

VI. Changes to Procedure “SCIENTIFIC MISCONDUCT PROCEDURES and ([Senate Procedures 204.1.1](#))”

The following text in the procedure will be changed as:

Revised Text: “A Standing Committee of Inquiry is a committee established by the University Senate. This Standing Committee of Inquiry shall be a standing University committee made up of three members, with staggered three-year terms, from the faculty and staff-at-large (with at least three faculty-at-large) by the Senate. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee shall elect its chair each year. The committee may add, on a case-by-case basis, additional non-voting members as necessary. These additional members, if requested by the committee, will be appointed by the President of the Michigan Tech Senate, the Vice President for Research and the Provost based on their knowledge of the applicable field of expertise as well as knowledge in scientific misconduct. This committee has the responsibility for assisting the Vice Provost for Research and the Provost, or a person appointed by the President of the University to act in place of the Vice Provost for Research and the Provost, in preliminary investigations into allegations of misconduct. The Standing Committee of Inquiry may decide that a Formal Committee of Investigation should be appointed to undertake a more detailed investigation into the allegations. The Standing Committee of Inquiry shall elect their own chair and establish their own operating procedure within these guidelines.”

Original Text: “A Standing Committee of Inquiry is a committee established by the University Senate. This Inquiry Committee shall be a standing University committee made up of three members and one alternate. If one of the three primary members of the Inquiry committee has a conflict of interest with any of the parties involved in the alleged misconduct, or is in the same department/non-academic unit as the one in which the alleged misconduct occurred, the Vice Provost for Research and Dean of the Graduate School shall designate that this member be replaced by the alternate when transmitting the allegations to the Committee. This committee has the responsibility for assisting the Vice Provost for Research and Dean of the Graduate School, or a person appointed by the President of the University to act in place of the Vice Provost for Research and Dean of the Graduate School, in preliminary investigations into allegations of misconduct. The Standing Committee of Inquiry may decide that a Formal Committee of Investigation should be appointed to undertake a more detailed investigation into the allegations. The Standing Committee of Inquiry shall elect their own chair and establish their own operating procedure within these guidelines.”

VII. Changes to Procedure “OFFICE OF OMBUDS ([Senate Policy 210.1](#))”

The following text in the procedure will be changed as:

Revised Text: “The Ombuds Officer shall be appointed by the appointing committee which shall consist of the following members of the Michigan Tech community: one member appointed by the President; three members elected by the Senate from among its constituency (faculty and staff-at large) where faculty and staff, each will have at least one representative; and one member elected by Michigan Tech enrolled students. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee will choose its chair. The term of the Ombuds Officer shall continue until his/her resignation or until terminated by a two-thirds majority vote of the entire University Senate membership.”

Original Text: “The Ombuds Officer shall be appointed by the appointing committee which shall consist of the following members of the Michigan Tech community: one member appointed by the President; one member elected by the Senate from among its members; one member elected by the Academic Faculty; one member elected by the Staff Council; and one member elected by Michigan Tech enrolled students. The choice of the appointing committee must be unanimous. The term of the Ombuds Officer shall continue until his/her resignation or until terminated by a two-thirds majority vote of the entire University Senate membership.”

VIII. Changes to Procedure “FACULTY DISTINGUISHED SERVICE AWARD ([Senate Proposal 7-99](#))”

The following text in the procedure will be changed as:

Revised Text: “The committee shall be composed of three members elected by the Senate from the faculty and staff-at-large (with at least three faculty-at-large) staggered three-year terms to insure continuity. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee will choose its chair every year.”

Original Text: “The committee shall be composed of two representatives of the University Senate (to be elected by the Senate), two representatives of the faculty (to be elected by the faculty at large), and a representative of the Provost. Each member shall serve staggered three-year terms to insure continuity.”

IX. Changes to Procedure “FACULTY GRIEVANCE PROCEDURES and FACULTY GRIEVANCE POLICY ([Senate Procedure 704.1.1](#))”

The following text in the procedure will be changed as:

Revised Text 2. The University Senate (Senate) shall establish a standing, University-wide Faculty Review Committee (FRC).

a. The FRC will consist of three members serving staggered three-year terms, elected by the Senate from among the faculty-at-large. In the case of conflict of interest for an elected person, the Senate will elect a new member to serve for three years. The committee will elect its chair each year.

b. Any member of the FRC who has prior direct involvement in a grievance case, either as a principal or as a participant in the departmental review process or otherwise, shall be precluded from serving on the FRC for that case.

c. For implementing Steps Two through Five (see below), the FRC shall develop a set of uniform procedures and forms that are consistent with this procedure; the forms must be approved by the Senate. The FRC shall submit to the Senate an annual report of the year's activities at the end of each academic year. The report should include a summary of the number of grievances filed, resolved, appealed, etc., from the department level through the Appeal Panel. Human Resources will provide information to help tabulate these summaries. (This may include data on numbers of grievances filed at the department level.)”

Original Text: “2. The University Senate (Senate) shall establish a standing, University-wide Faculty Review Committee (FRC).

a. The FRC will consist of three members and one alternate member, no two from the same department, chosen through an election of the faculty at large which is to be run by the Senate. Members shall be elected to three-year terms. (The longest-serving member of the committee will serve as Chair.) The terms shall be staggered such that an election is held each year.

b. Any member of the FRC who has prior direct involvement in a grievance case, either as a principal or as a participant in the departmental review process or otherwise, shall be precluded from serving on the FRC for that case. For such cases only, the position on the committee shall be filled by the elected alternate (refer to 2.a above). Such temporary appointment shall terminate when the findings of the FRC are submitted, and shall not abridge the rights and duties of the regular incumbent insofar as other activities of the committee are concerned. In such a case as this, the thirty (30) work day period would begin at the formation of the revised FRC (refer to Step One, below).

c. For implementing Steps Two through Five (see below), the FRC shall develop a set of uniform procedures and forms that are consistent with this policy; the forms must be approved by the Senate. The FRC shall submit to the Senate an annual report of the year's activities at the end of each academic year. The report should include a summary of the number of grievances filed, resolved, appealed, etc., from the department level through the Appeal Panel. Human Resources will provide information to help tabulate these summaries. (This may include data on numbers of grievances filed at the department level.)”