The University Senate of Michigan Technological University

Proposal 26-21

Voting Units: Academic

The University Senate of Michigan Technological University

Proposed Revision to Policy 710.1:

ACADEMIC UNIT~~DEPARTMENTAL~~ GOVERNANCE

Submitted by the Office of the Provost and the Academic Policy Committee

Rationale for Revision

This proposal will update the policy to: eliminate text that is not part of the policy, adjust for the current lack of Schools in the University and promote concise charters for each unit. The current version of Policy 710.1 contains historical narrative that was appropriate for the proposal to develop the policy but should not be included in the policy itself. ~~This proposal will update the policy to eliminate text that is not part of the policy.~~ What follows is a track changes version of the existing policy, showing all changes.

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~~DEPARTMENTAL~~ ACADEMIC UNIT GOVERNANCE

(Proposal 16-92)
(Proposal 5-11)

Senate Policy 710.1

~~**Background:**~~
~~The senate and the administration have failed to reach agreement on revision of the university's charter policies for five years while the key document that defined the charter process is now 18 years old. Points of conflict became complicated by the faculty's creation of the AAUP collective bargaining unit and the administrative response to that action. The Senate advanced two proposed updates to the policy, 11-06 and 22-08. Both of these were rejected by the administration.~~
~~This document updates the existing policies (16-92 and amendments and related policies) with most proposed revisions sought by the faculty. The controversial issues were identified through a series of discussions and correspondence with administrators and various units. The Academic Policy discussed the issues during 2009-2010 and proposed this compromise during the Spring of 2010. The University Senate deliberated and decided to hold this proposal until units could consider these revisions side-by-side with a parallel proposal that would establish university-wide policy covering searching for, hiring, and evaluating unit chairs and school deans.~~
~~Key points of contention and proposed resolution:~~
~~1. **Search for, selection of, and review of Chairs:** This proposal calls for units to remove these provisions from their charters. The University Senate proposes to establish new policy to govern the process of evaluating and searching/selecting new chairs. In the past, the senate wanted to allow units to establish charters so those units could make binding recommendations to the administration regarding the selection and retention of department chairs and deans. No matter the faculty preference, the administration hire deans, directors, and chairs, which they believe serve "at the pleasure of the president." In shared governance, however, units have the power~~

~~to recommend preferred candidates or individuals under review, or rank the individual as acceptable/unacceptable. If members of a unit are unhappy with the president's decision, that department, unit, or individual can rely upon the university's grievance policy, which is also defined by the Senate.~~

2. ~~**Time until approval:** The Provost agreed that charters deserve prompt response from the administration but the 60 day deadline set forth in 22-08 was deemed unreasonable. The Senate agreed that the regular period of 90 days as defined in the senate constitution was a good compromise.~~

3. ~~Policy for **creating new charters and sending reps to the senate**: This document establishes this procedure.~~

4. ~~This Policy includes more **specific instruction** on defining governance within the unit, requiring the charter to **define** the rights and responsibilities of **faculty**, professional **staff**, **non-tenure track persons**, and **others** in the unit.~~

5. ~~**Conflicts with university-wide policy**: While there was much concern on this issue, everyone actually understood that nothing in a unit charter could be in conflict with university-wide policy or senate policy. This makes that explicit again.~~

6. ~~**Updating the charters**: This provides for SHARED responsibility in maintaining charters. It is unrealistic of the faculty to expect that an administrative assistant will catch every conflict with evolving policy. At the same time, the administration cannot reasonably expect the units to monitor policy changes that marginally relate to our day-to-day activities. Shared governance means that we must all make best faith efforts to keep the policies up to date. When discovered to be in conflict, everyone must agree to ix charter-related conflict in a timely manner. 6/20/2019 Policy 710.1 www.admin.mtu.edu/usenate/policies/p710-1.htm 2/3~~

7. ~~**Grievance regarding charters** The University's grievance procedures are currently detailed in Senate Procedures 704-1-1.~~

~~**Proposal Preface:**~~

~~Since 1994, each department, school, research, or academic unit at Michigan Technological University has been required to maintain a written charter. The charters were originally created by Senate proposal 16-92 and then subsequently modified by a series of proposals clarifying specific issues, including policies on the evaluation of teaching 12-03, procedures regarding sabbatical leaves 09-05, for recommending Emeritus/Emerita status 20-02, and defining university grievance processes 23-00.~~

~~In order to restore the normal process of updating existing documents and provide for the creation of new charters, this proposal replaces proposal 16-92 so that charter policy better reflects best current practices and meets concerns identified in the proposals listed above, specifically point 6 regarding university-wide procedures for the selection and evaluation of Chairs and Deans. This document therefore supersedes and replaces 16-92.~~

~~Units are encouraged to simply cut-and-paste existing charter language into their new charter proposal and operating manual as appropriate. This should ensure rapid approval.~~

~~**Proposal Text:**~~

~~Redefining Departmental~~Academic Unit **Governance**

Being necessary for the conduct of shared governance, every department, ~~school,~~college (if without departments), library, and other ~~research or~~ academic units (hereafter all called "~~university~~ academic units" or "unit") will establish and maintain a written charter. The charter should address issues that cannot constructively be defined in a university-wide manner, specifically including required policies and practices defined below ~~(originally 16-92)~~.

A unit's charter cannot conflict with University or Senate policies and in cases where this occurs the higher level governing document has priority and the lower-level document must be brought into

compliance. Any language found not to be in agreement will immediately be considered invalid, but this will have no effect on the rest of the charter's language.

A new unit may approve ~~a new~~ their provisional charter with a simple majority vote of the academic constituency of that unit. The unit may send representatives to serve as voting members of the University Senate as soon as it begins operating under their~~a~~ provisional charter. Those representatives should be selected by a simple majority of the voting members in the unit, as defined in section ~~I.~~1.a below. These representatives serve while the ~~new~~ provisional ~~unit~~ charter is under review by the administration.

When a new unit creates its first charter or an established unit revises their current charter, the document is registered with the University Senate and advanced, without further discussion or debate, to the administration as a senate proposal. The administration has ~~three months~~90 days to provide a written response to the proposal (as defined in Senate Constitution~~, Article III, E.4-6~~). If after that time the charter proposal is neither vetoed nor approved by the president, the proposal is considered approved and goes into effect.

~~Charters are intended to specify the processes that will be used to enact important decisions related to internal governance of academic units that is required by University or Board of Trustees policies. Because the review of charters requires confirmation of the alignment of language in the charter with existing University or Board of Trustees policy, the degree to which the inclusion of non-required components can be reduced or limited will foster rapid review.~~ Units ~~that choose~~are encouraged to develop additional documents to guide internal operations ~~are encouraged to develop~~at the unit-level such as standard operating procedures or similar document~~s~~. In most cases, it will be possible to develop charters that are short and can be easily consulted by all members of each unit.

A. Required Charter Contents to be Stated in the Following ~~Numerical~~ Order:

1. ~~Maintaining the Charter~~Procedures for updating the charter

   a. A procedure for changing and approving the charter, including a definition of the voting members of a unit and the procedure for changing eligibility.

   b. Procedures and responsibilities for updating the charter and keeping it in compliance with University-wide and Senate policies. Units should propose conflict resolutions in a timely manner once one has been identified.

2. A clear definition of the duties and responsibilities of the Department Chair, or ~~or~~Director or for Colleges without departments, the Dean.

3. Procedures for recommending promotion, tenure, and reappointment among their members. Specific areas that must be addressed in the charter are found in Appendix I. (Tenure, Promotion and Reappointment Procedures): Section 1. (Responsibilities of Each Academic Unit) of the ~~Tenured/Tenure-Track~~ Faculty Handbook which implements the Board of Trustees (BOT) Policy on Academic Tenure and Promotion as decreed in the BOT's Bylaws and Policies, Chapter 6.4 Academic Tenure and Promotion.

4. A definition of the role of professional staff and other non-tenure/tenure-track members in unit governance.

5. A procedure for obtaining advice from the unit faculty regarding recommendations for sabbatical leaves. ~~(Senate Proposal 09-05)~~ (Senate Procedure 706.1.1)

6. A procedure for recommending Emeritus/Emerita status to the President for presentation to the Board of Trustees. This procedure shall include approval by ~~department/school~~unit faculty and

an appeal system and may be initiated by the retiree or ~~his/her department/school~~their unit ~~(Senate Proposal 20-02)~~. (Senate Policy 703.1)

7. A procedure for ~~departmental/school~~unit grievance ~~(Senate Proposal 23-00)~~. (Senate Policy 704.1, Procedure 704.1.1)

~~8.~~ Units may include other policies or practices to cover unique aspects of their unit. Unique items should only be included if the unit membership feels them to be so significant that any changes should require review by the administration.~~if they feel that they warrant being included in their charter. Such additional unit policies and practices could be kept separately and referred to in this section of the charter, in which case updates to those items could be made by the unit as needed without requiring an update to the charter.~~

8.

9. If the unit opts to create an operation or policy manual, then the unit should define the process of establishing, changing and approving the policies and manual as in Item #1 above, including establishing a definition of voting members of the unit, procedure for changing eligibility, the role of professional staff and other non-tenure track members in the process, and define procedures and responsibilities for updating the policy manual and keeping it in compliance with University-wide and Senate policies.

B. Guidance for Academic Unit-level policies and practices extra to the Charter.
The following items are examples of practices and policy that could be defined in an operation or policy manual within each unit.
Once approved by the Academic Unit, t~~T~~hese documents carry no less weight than the Charter for internal unit governance, but do not require University-level review or approval. ~~The following items are examples of practices and policy that could be defined in an operation or policy manual within each unit.~~

1. Methods for electing or appointing Senators, members of departmental~~/school~~ committees (if applicable), and members for ~~the~~ Senate, college, and university committees.

2. Procedures for ~~hiring~~selecting and onboarding ~~of~~ new faculty and recommending disciplinary areas of emphasis for ~~the creation of~~potential ~~new~~future faculty ~~positions~~hires.

3. Processes for providing r~~Establishing~~ecommendations related to the long-term goals for the ~~period of appointment of the Chair/school Dean~~department (if applicable) or college.

4. ~~Policies regarding~~ Articulation of the role of the Academic Unit's Graduate Program Director and Graduate Committee~~admitting graduate students~~.

5. ~~Guidelines~~Procedures for reviewing, updating, ~~for~~ developing, or eliminating courses and degree programs~~curriculum~~.

6. ~~Guidelines~~Processes for developing job descriptions, hiring, and obtaining feedback on the performance of ~~other~~ administrative ~~positions~~staff that report to the chair (if applicable) or dean.

~~Procedures for making teaching assignments and allocating teaching loads.~~

~~The process for hiring and supervision of staff.~~

Document History

Proposal 16-92: Adopted as Amended by Senate: 29 September 1993, Approved by President: 15 February 1994, Approved by Board of Control: 18 March 1994.

Proposal 5-11: Introduced to Senate: 10 November 2010, Revised and reintroduced: 23 November 2010, Senate Returned to Committee: 08 December 2010, Revised and reintroduced to Senate: 19 January 2011, Slight editing (in red) done at Senate meeting: 19 January 2011, Adopted by Senate: 02 February 2011, Amended by Administration (in green): 11 March 2011, Amendments Adopted by Senate with Friendly Amendment (in purple): 23 March 2011, Senate Amendment Approved by Administration: 31 March 2011, September 2015: Name changed from Board of Control to Board of Trustees.

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Page 5: [2] Commented [h2]   **huntoon**   **9/1/2020 4:56:00 PM**

I edited these just a bit to expand them and make it clear that some are advisory to the provost, dean or chair.

Page 5: [3] Commented [h3]   **huntoon**   **9/1/2020 4:58:00 PM**

This is a combination of this item and the last item on the original list. I deleted the next item because that is a responsibility of chairs and deans and they are held accountable for this. They cannot delegate it to others.