



# OAKLAND UNIVERSITY SENATE

## OAKLAND UNIVERSITY SENATE

Seventh Meeting  
Thursday, March 31, 1977  
3:00 p.m.  
156 North Foundation

### *MINUTES*

Senators Present: Atlas, Bertocci, H. Burdick, Burke, Chapa, Eberwein, Felton, Flynn, Genyea, Hammerle, Hampton, Henry, Hetenyi, Hitchingham, Johnson, Keelin, Liboff, Lilliston, Matthews, McKay, McKinley, Obear, O'Dowd, Russell, Scherer, Schuldenberg, Sponseller, Stonne, Swanson, Torch, Tower, Tucker, Warren and Witt.

Senators Absent: Allvin, Barnard, Barren, D. Burdick, Cameron, Coffman, Coppola, Doane, Freeman, Gardiner, Heubel, Hovanesian, Keegan, Ketchum, Kuczynski., Moberg, Payne, Roy, Ruscio, Schwartz, Shacklett, Swartz, Torongeau and White

Mr. O'Dowd presided.

Mr. O'Dowd commented on several matters of importance to the Senate:

1. Budgetary prospects for 1977-78 appear to be encouraging at the moment, maybe about 9% over last year, but only time will tell the final tale;
2. There is talk of a Constitutional Convention for the State coming from the Higher Education Coordinating Agency; this will bear watching;
3. The admissions picture for next year looks bright, with more from out state than usual; the percentage of women applicants is also up;
4. As to the Open Meeting law, the Board at its last meeting, acting on knowledge of the March 8 ruling of the State Attorney General, adopted a policy which defines only the Board as a "public body" within the meaning of the Act, thus for then once taking the pressure off such bodies as the Senate and its committees. The two most pertinent paragraphs of the Board's statement are:

2. The Board of Trustees hereby reserves exclusively unto itself all powers of deliberating toward and deciding all matters of public policy which are subject to regulation under the Open Meetings Act and hereby rescinds all delegations of such power, express or implied, which now exist, subject only to exceptions or delegations of authority provided In this declaration of policy.

3. This policy shall not be deemed or interpreted to abrogate the provisions of any existing contract during the term thereof, or to limit the authority heretofore delegated to any committee or other public body pursuant to any existing contract.

Mr. Matthews pointed out that the Steering Committee which had been preparing a set of Senate Bylaws to accommodate the Act (no great problem) had in light of the Board's policy now decided to do so next fall. Mr. McKay inquired of Mr. O'Dowd about the Board's review of the President. Mr. O'Dowd stated that because of conflict of interest, he had made no procedural recommendations to the Board nor had the Board ever consulted him on procedures. Mr. O'Dowd expressed the belief that the Board is deeply convinced of the correctness of its procedure.

The meeting was called to order at 3:45 p.m.

Upon motion of Mr. Torch seconded by Mr. Tower the minutes of the meeting of March 17 were approved as distributed with a correction on page 3, paragraph 3 such that on line 5 "by better than three-fourths majority of present and voting members" be substituted for "by voice vote."

Attention was then directed to the formal agenda.

### Old Business

\* I. Item I. 2. (Old Business), agenda of March 17, motion to adopt the report from the Academic Conduct Committee containing a revised University Policy Statement on Academic Conduct dated March 17, 1977, in second reading.

Motion approved without discussion by voice vote with scattered nays. (NOTE: The full text of the March 17, 1977, Policy Statement may be found on the agenda of March 17, Old Business 1,2.)

2. Item III. (New Business) agenda of March 17, various motions from the Academic Policy Committee, all in second reading. Mr. Tower as prime mover of these motions noted that throughout the University Committee on Undergraduate Instruction should be substituted for the Academic Policy Committee.

1. Approved by voice vote, no discussion.
2. Approved by voice vote after brief discussion of the memo from Keith R. Kleckner to the Senate as distributed.
3. Approved by voice vote without discussion.
4. Approved by voice vote without discussion.
5. Approved by voice vote without discussion.

(NOTE: The full text of these unamended measures may be found on the agenda of March 17, 1977, New Business III, 1, 2, 3, 4 and 5)

### B. New Business

I. Motion 1., moved by Mr. Tower, seconded by Mr. Tucker, to approve motion 2. for final vote at this meeting approved by voice vote.

2. Mr. Tower, seconded by Mr. Tucker moved motion 2. concerned with a new scheduling matrix. Mr. Heberle, invited to speak, strongly supported the new scheduling matrix and at his

suggestion Mr. Torch, seconded by Mr. Witt moved to amend such that the modules D, E, F and G (attachment A) would run consecutively from 11:45 a.m. to 4:45 p.m. After a brief discussion in which Mr. Tower defended long lunch hours, and Messrs. Witt and Russell voiced some concern over lab scheduling, the amendment was approved by voice vote.

During consideration of the main motion as amended, Mr. Burke, seconded by Ms. Eberwein moved to amend the main motion such that modules K and L (attachment A) be scheduled to start 1/2 hour latter than indicated, thus creating on Tuesday/Thursday a 1<sup>1/2</sup> hour lunch period. Upon invitation, Mr. Heberle spoke against the amendment on grounds of efficient use of space and time; Mr. Burdick and Mr. Burke spoke in support on grounds of the civilized values inherent in long lunches and the facilitation of a visiting speakers policy such non-class time would provide; Mr. Flynn spoke against, pointing to the 5:30 termination of L if the amendment were to pass. Upon call of the question, the Burke/Eberwein motion failed to carry.

Mr. Tower, seconded by Mr. Coffman moved to amend by adding a new 6:45-8:00 p.m. module M, W, F with no faculty required to use it. Mr. Witt pointed out that all faculty are free now to use these hours if they wish; so why a motion? Mr. Flynn worried that once started, such a module might be required, and eventuality to be avoided at all cost; Mr. McKay suggested the main motion as amended be returned to the Academic Policy Committee but did not offer a motion to that, effect. Upon call of the question, the Tower/ Coffman amendment failed.

Question was then called on the main motion as amended by Torch/Witt which carried by voice vote as follows:

**MOVED THAT FALL AND WINTER CLASSES, BEGINNING WITH FALL, 1977 BE SCHEDULED ACCORDING TO THE MATRICES SHOWN IN ATTACHMENTS A AND B, EXCEPT THAT IN ATTACHMENT A, MODULES D, E, F, AND G ARE TO RUN CONSECUTIVELY FROM 11:45 A.M. TO 4:45 P.M.**

3. Motion from the Graduate Council concerning Ph.D. in Reading Education was moved by Mr. Johnson and seconded by Ms. Schuldenberg.

Mr. McKay inquired about other programs in the state; Mr. Hetenyi replied that formally there was a program only at MSU, but that UMAA and WSU both had programs under other labels. In response to a question as to where the best such programs were, Mr. Cramer replied University of Delaware, Syracuse, and Virginia.

This program was expected never to be large, but to reach about 6-7 doctoral FYES In the fourth year (10-12 part time); assistantships would be at \$3,200 and entail diagnostic work in the Reading Clinic but not teaching. Costs were then discussed with Mr. Torch expressing deep concern about initiating programs that are more costly than programs being discontinued in the University. In this vein, he asked for assurances that it was the intention of the proposers to maintain the student/faculty ratio at 22.3 as indicated in the proposal. He received assurance that this was indeed the case from Messrs. Johnson, Hetenyi and Cramer. Mr. Russell stated that with the growth rate presented, no new faculty would be needed in Education, the resources coming from internal shifts within the School. In the course of the discussion it became clear that the program did not contain an escape route such as that for students who

failed the Ph.D. might opt for an Ed.D.; that a thesis based upon research (about 33% of a student's time) was required and that such thesis research would take about two years to complete, the 18 hours mentioned in the proposal being for credit bookkeeping rather than for accurately measuring actual student time devoted to research.

#### 4. Motions to amend the Constitution

1. Mr. Tower moved and Mr. McKay seconded Item B. 4, I. (New Business) agenda of March 31. Before discussion could take place, Mr. McKay seconded by Mr. Russell offered a substitute motion to Item B. 4, I. as follows:

**MOVED THAT THE WORDING OF ARTICLE I OF THE CONSTITUTION OF THE OAKLAND UNIVERSITY SENATE (AS AMENDED 1975) BE DELETED ENTIRELY AND THE FOLLOWING WORDING SUBSTITUTED:**

**THE OAKLAND UNIVERSITY SENATE IS AN ORGANIZATION TO ADVISE THE PRESIDENT AND THE BOARD OF TRUSTEES IN REGARD TO ACADEMIC POLICIES AND PROGRAMS. THE SENATE SHALL BE ORGANIZED AND SHALL FUNCTION AS PROVIDED HEREIN.**

Comment: The Constitution (as amended) has the following statement as section I. of Article IX:

I. The University Senate shall have the right to propose amendments.. . If an amendment is ratified...it shall be submitted to the Board of Trustees for approval. An amendment shall be effective following approval by the Board of Trustees.

With this wording in Article IX it is not appropriate to insert statements about amendment approval by the Board of Trustees in Article I, unless something more is intended by the statement to the effect that the Board could enact amendments which had not been ratified by the faculty, nor negotiated by the faculty.

Comments: Mr. Hammerle commented that the difficulty lay in Article VII of the Board's Bylaws which could be read (Mr. Hammerle did not so read) to mean the Board could unilaterally amend the Constitution; AAUP says no to this if that's what Article VII says. The purpose of the substitute motion is to avoid the argument; maybe by the second reading April 5, it will get straightened out. Mr. McKay called attention to the wording in the substitute motion which adds "and the Board of Trustees" along with the President as the object of the Senate's advice.

2. Mr. Tower moved and Ms. Hitchingham seconded Item B. 4, 2. (New Business) agenda of March 31. Mr. McKay seconded by Mr. Hampton moved to amend B. 4, 2. (b) by substituting "THE BOARD OF TRUSTEES" for "PRESIDENT."

3. Mr. Tower moved and Mr. Hammerle seconded Item B. 4, 3. (New Business) agenda of March 31.

4. Mr. Tower moved and Ms. Hitchingham seconded Item B. 4, 4. (New Business) agenda of March 31. Mr. McKay, seconded by Mr. Obear moved to amend B. 4, 4. (b) by substituting

"THE BOARD OF TRUSTEES" for "PRESIDENT."

5. Mr. Tower moved and Ms. Hitchingham seconded Item B. 4, 5. (New Business) agenda of March 31.

6. Mr. Tower moved and Ms. Hitchingham seconded Item B. 4, 6. (New Business) agenda of March 31. Mr. Hammerle informed the Senate that amendment to this main motion may be forthcoming at the April 5 meeting.

7. Mr. Tower moved and Ms. Hitchingham seconded Item B. 4, 7. (New Business) agenda of March 31.

5. Mr. Tower moved and Mr. Torch seconded Item 5 (by error 4 is used on page 9 of the agenda of March 31; it should be 5). Mr. Tower moved and Mr. McKay seconded a motion to amend Item 5 by substituting University Committee on Undergraduate Instruction for Academic Policy Committee throughout the main motion.

Brief discussion followed upon query if an Arts and Sciences department could take advantage of the provision permitting schools to enforce more stringent regulations. Mr. Matthews replied that with the approval of the Arts and Sciences Committee on Instruction (which in turn must seek the approval of the University Committee on Undergraduate Instruction) it could be done.

Meeting was adjourned upon legal motion, duly seconded at 5:20 p.m.

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GTM:jb  
Office of the Provost  
4/8/77

*Back to*  
OAKLAND UNIVERSITY  
**SENATE**  
*Home Page*