



OAKLAND UNIVERSITY SENATE

Oakland University Senate

Sixth Meeting
February 13, 1975

MINUTES

Present: Senators Barren, Barthel, Beardman, Bingham, Brieger, Burke, Coffman, Covert, Feeman, Gardiner, L. Gerulaitis, Herker, Hovanesian, Keegan, Krompart, Liboff, Light, Matthews, McKay, McKinley Obear, O'Dowd, 6'Leary, Paslay, Riley, Shacklett, Sturner, Taylor, and Wyatt

Absent: Senators Akers, Atlas, Barnard, D. Burdick, H. Burdick, DeMent, Evarts, R. Gerulaitis, Graber, Gray, Haskell, Hawn, Hough, Johnson, Morehouse, Palmer, Pfeil, Schillace, Schwartz, Seeber, Strauss, Susskind, Tipler and Torch

Upon motion of Mr. Gerulaitis, seconded by Mr. Hetenyi, the minutes of the meetings of December 5 and January 16 were approved with the correction noting the attendance of Ms. Herker and Mr. Taylor at the January 16 meeting.

Mr. O'Dowd commented informally on the 1974-75 budget stating that it is likely to be even more limited than anticipated.

A. Old Business

Motions concerning amendments to the Senate Constitution (Mr. Tower)

a. Mr. O'Dowd noted that the following Matthews/H. Burdick amendment was on the floor having been moved at the last meeting:

THAT THE FOLLOWING BE ADDED AFTER SECTION 9:

Recognition of the University Senate is contained in Article VII of the By-laws of the Board of Trustees of Oakland University which reads as follows:

The Board of Trustees recognizes the University Senate as an organization to advise the President in regard to academic policies and programs. The University Senate shall be organized and shall function in accordance with such Constitution of the University Senate as may be approved or amended by resolution of the Board of Trustees.

The Matthews/H. Burdick amendment to the main motion was defeated on a show of hands.

The main motion was approved by a voice vote.

The amendment to be submitted to the faculty referendum thus reads:

*** THAT THE CURRENT ARTICLE I BE DELETED AND THAT THE FOLLOWING BE SUBSTITUTED THEREFOR AS AN APPENDIX:**

Oakland University, originally established by the Board of Trustees of Michigan State University in 1957, was granted independent status in 1970 as a baccalaureate institution in accordance with a joint act of the Michigan Legislature which is quoted in its entirety as follows:

AN ACT to establish an institution of higher education having authority to grant baccalaureate degrees, known as Oakland university; to provide for the board of control, the organization of such board and the vesting of assets in such board; and granting and confirming the powers of such. board.

The People of the State of Michigan enact:

Sec. I. There is established a state institution of higher education having authority to grant baccalaureate degrees, known as Oakland university to be located in Oakland county. The institution shall be maintained by the state and its facilities shall be made available equally and upon the same basis to all qualified residents of this state. The institution shall be governed by a board of control which shall be a body corporate. The board of control shall have general supervision of the institution and the control and direction of all expenditures from the institution's funds. Until changed by resolution of the board, the body corporate shall be known as the "board of control of Oakland university", hereinafter referred to as "the board with the right of suing and being sued, adopting a seal and altering the same.

Sec. 2. The board shall consist of 8 members who shall hold office for. terms of 8 years and who shall be appointed by the governor by and with the advice and consent of the senate, except of the members first appointed 2 shall serve for 2 years, 2 for 4 years, 2 for 6 years, and 2 for 8 years. The president of the institution shall be *ex officio* a member of the board without the right to vote.

Sec. 3. The board shall elect from its membership a chairman and such other officers as it deems necessary. Officers shall serve terms of 1 year and until their successors shall have been elected and qualified. The board shall also appoint a president, a secretary, a treasurer and other such officers as it deems necessary. Before permitting the treasurer to enter upon the duties of his office, the board shall require him to file his bond to the people of this state with such sureties and in such sum not less than the amount of money likely to be in his possession as the board may designate. No officer shall have the power to incur obligations or to dispose of the board's property or funds, except in pursuance of a vote of the board.

Sec. 4. A majority of the members of the board shall form a quorum for the transaction of business. The board by majority vote of its membership may enact rules, bylaws and regulations for the conduct of its business and for the government of the institution and amend same; fix tuition and other fees and charges, appoint and remove personnel as the interests of the institution, the mandates of due

process, and the policy of the institution on academic tenure may require, determine the compensation to be paid for services and materials, confer such degrees and grant such diplomas as are usually conferred or granted by other similar institutions, offer technical, vocational and occupational programs of less than 4 years collegiate degree level, receive, hold and manage any gift, grant, bequest or devise of funds or property, real or personal, absolutely or in trust, to promote any of the purposes of the college, enter into any agreements, not inconsistent with this act, as may be desirable in the conduct of its affairs, and in behalf of the state lease or dispose of any property which comes into its possession, provided that in so doing it shall not violate any condition or trust to which such property may be subject. The board shall assume and agree to pay any and all liabilities heretofore incurred by the board of trustees of Michigan state university for and on behalf of Oakland university, effective with the date-of this act. This act is intended to implement, clarify and confirm in the board the constitutional powers customarily exercised by the board of control of Institutions of higher education established by law having authority to grant baccalaureate degrees. Enumeration of powers in this act shall not be deemed to exclude any such powers not expressly excluded by law.

Sec. 5. The present assets and facilities of the Oakland branch of Michigan state university constitute the properties of Oakland university and upon the effective date of this act, transfer of the properties shall be made to Oakland university.

Sec. 6. The board shall not borrow money on its general faith and credit, nor create any liens upon its property except as herein provided. The board may acquire land or acquire or erect buildings or alter, equip or maintain them, to be used as residence halls, apartments, dining facilities, student centers, health centers, parking structures, stadiums, athletic fields, gymnasiums, auditoriums and other educational facilities. After the legislature by concurrent resolution has approved the acquisition or construction of such facilities, the board may borrow money issuing notes or bonds under such terms and provisions as it deems best to finance or refinance such facilities, the necessary site or sites therefore, and including, but not limited to, capitalized interest and a debt service reserve in connection with such notes or bonds, and shall obligate itself for the repayment thereof, together with interest thereon, solely out of (a) income and revenues from such facilities, or other such facilities heretofore or hereafter acquired, (b) special fees and charges required to be paid by the students deemed by it to be benefited thereby, (c) funds to be received as gifts, grants or otherwise from the state or federal government or any agency thereof or any public or private donor, if, prior to issuance of such notes or bonds, the state, federal government or agency thereof or other donor has contracted to pay to the board or to the holder of such notes or bonds definite amounts of money as determined by formula or otherwise, (d) the proceeds of or delivery of any notes or bonds issued hereunder, and (e) any combination of (a), (b), (c), and (d).

Sec. 7. Bonds, notes or other obligations issued under the provision of this act shall not be purchased by the state of Michigan.

Sec. 8. The board may adopt, amend and repeal such ordinances, not inconsistent

with this act, as it may deem necessary and in the interest of the health, safety, and welfare of persons using the property and facilities of Oakland university. Such ordinances shall be adopted by affirmative vote of the majority of the board, to be effective upon the date of publication of the ordinance. The violation of any such ordinance shall be a misdemeanor punishable by a fine of not more than \$100.00 or Imprisonment for not more than 90 days or both.

Sec. 9. This act shall become effective July 1, 1970.

Mr. Wyatt, seconded, by Mr. Gerulaitis, moved that b. (2) be amended to read:

THAT THE LAST SENTENCE OF ARTICLE V, SECTION viii BE CHANGED TO READ:

Upon the demand of more than one fourth of the Senators present and voting, one hearing open to the student senators, faculty and staff shall be held before the second reading of any substantive motion.

Following discussion Mr. Wyatt withdrew his motion with the concurrence of Mr. Gerulaitis.

Mr. Wyatt, seconded by Mr. Gerulaitis, moved a substitute motion:

THAT THE LAST SENTENCE OF ARTICLE V, SECTION viii BE CHANGED TO READ:

upon the demand of more than one fourth of the Senators present and voting, one hearing open to faculty, staff and students shall be held before the second reading of any substantive motion

The Wyatt/L. Gerulaitis amendment to section b. 2 of the main motion was approved by a voice vote.

Mr. McKay stated that because the amendment now created a motion with substantial change from that currently included in the Constitution, article 2 of the amendment should now be considered substantive and held until the next meeting of the Senate for a second reading. The chair agreed and the secretary was instructed to include the section 2 amendment on the next agenda of the Senate for second reading.

* Articles (1), (3), (4), (5) and (6) were then passed by voice vote. The amendment to be submitted to the faculty for referendum thus now reads:

(1) THAT THE CURRENT ARTICLE IV SECTION ii BE CHANGED TO READ:

(The University Senate shall:) ... ii. recommend to the President and through him to the Board of Trustees candidates for undergraduate degrees in course, and candidates for university honors;

(3) THAT THE WORD "CHANCELLOR" BE REPLACED WITH "PRESIDENT" WHEREVER APPEARING,

(4) THAT THE DOCUMENT BE TITLED "THE CONSTITUTION OF THE OAKLAND UNIVERSITY SENATE";

(5) THAT AMENDMENT I (GRADUATE COUNCIL) BE INCLUDED AS A NUMBERED ARTICLE AND THAT A NEW SECTION iv THEREOF BE APPROVED, READING AS FOLLOWS:

iv. The Graduate Council shall be responsible for the recommendation to the President and through him to the Board of Trustees of all candidates for graduate degrees.

(6) THAT RENUMBERING OF ARTICLES AND REFERENCES THERETO BE PERMITTED AS MADE NECESSARY BY THE APPROVAL OF THESE AMENDMENTS

* C. THAT ARTICLE VII BE DELETED.

Motion passed by a voice vote.

* d. THAT ARTICLE IX BE CHANGED TO READ:

AMENDMENT

i. The University Senate shall have the right to propose amendments to the Constitution. After distribution to the members of the organized faculties and following an open hearing, a proposed amendment shall be submitted to the members of the organized faculties for ratification. If an amendment is ratified by a majority of the returned valid ballots in a mail referendum it shall be submitted to the Board of Trustees for approval. An amendment shall be effective following approval by the Board of Trustees.

ii. The Constitution must be amended by the Senate so that it is in consonance with the Faculty Agreement negotiated between the Board of Trustees and the faculty bargaining unit. Amendments of this type are procedural motions and do not require a mail referendum.

Mr. O'Dowd noted that the following Matthews/Hetenyi substitute motion was on the floor having been moved at the last meeting;

THAT ARTICLE IX BE CHANGED TO READ:

1. The following are the procedures by means of which this constitution may be amended.

a. To the extent that the provisions of this Constitution may be found to be in conflict with the terms of a collective bargaining agreement negotiated between the Board of Trustees and a bargaining unit, the terms of the collective bargaining agreement shall control. Upon signature by both parties of the collective bargaining agreement, the Director of Employment Relations shall announce the required

amendments to this Constitution to the Senate membership and its several constituencies.

b. To the extent that the provisions of this Constitution may be found to be in conflict with the terms of an agreement reached between the Board of Trustees and the Administrative-Professional Association or the University Congress, the terms of the agreement shall control. The President of the University shall in such case announce the required amendments to this Constitution to the Senate membership and its several constituencies.

c. In addition to the amendment procedures specified in a and b of this Article, the University Senate also shall have the right to propose amendments to the Constitution. After distribution to the members of the organized faculties and following an open hearing, a proposed amendment shall be submitted to the members of the organized faculties for ratification. If an amendment is ratified by a majority of the returned valid ballots in a mail referendum it shall be submitted to the Board of Trustees for approval. An amendment shall be effective following approval by the Board of Trustees.

Following discussion the Matthews/Hetenyi substitute motion was defeated by a voice vote.

The main motion was approved by a voice vote.

B. New Business

1. Election of Senators to Academic Conduct Committee and Academic Standing and Honors Committee

Mr. Obear, seconded by Mr. Gerulaitis, moved:

* THAT THE FOLLOWING BE NAMED TO STANDING COMMITTEES FOR TERMS AS INDICATED:

ACADEMIC CONDUCT COMMITTEE

MEL JORDAN (from alternate to regular member through August 14, 1975)

STEVE MILLER (alternate member through August 14, 1976)

ACADEMIC STANDING AND HONORS COMMITTEE

DAVID JAYMES (to fill the position to be vacated by Peter Bertocci; through August 14, 1975)

This was a procedural motion and eligible for final vote.

The motion was approved by voice vote.

2. Motion from Academic Policy Committee

Mr. Feeman, seconded by Mr. Obear, moved:

THAT THE FOLLOWING MOTION ADOPTED BY THE SENATE IN MARCH 1972, BE AMENDED BY THE REWORDING OF THE INTRODUCTORY SENTENCE AND OF PART A MARKED WITH PARENTHESES AND BY THE DELETION OF PARAGRAPH 2 OF PART C, MARKED WITH BRACKETS.

("That, to receive a second baccalaureate, a student at Oakland University must:

a. receive prior written approval of the Dean and Department Chairperson concerned to officially enter the program leading to the second degree. To pursue two baccalaureates simultaneously a student must obtain such approval for both programs.)

Proposed wording: "That, to receive two baccalaureates simultaneously, a student at Oakland must:

a. receive prior written approval from both Colleges or Schools (and when appropriate from the Departments) concerned to officially enter the programs leading to the degrees.

b. meet all specified requirements for both degree programs.

c. complete a minimum of 32 credit hours of work in residence at Oakland University beyond that required for one degree.. Of these, 16 credit hours must be at an advanced level (courses at 300 level or above).

[A student holding a baccalaureate from Oakland University cannot have his or her undergraduate GPA modified by additional work, nor can the student be a candidate for University honors.]

A student meeting the separate requirements for each of two degree programs (b above), but not the additional requirements for awarding of two degrees (a and c above) may have the certification within the two programs entered on his or her transcript.

Comment: In its original form the 1972 legislation was ambiguous. The proposed changes clarify the legislation so that it refers solely to the case of an Oakland student who seeks two baccalaureates simultaneously. The paragraphs of part (c) provide the distinction between a double major program and a double degree program.

This was the first reading of this motion.

3. Motion from Academic Policy Committee

Mr. Feeman, seconded by Mr. Obear, moved:

THAT TO RECEIVE A SECOND BACCALAUREATE, A PERSON WHO ALREADY HOLDS A BACCALAUREATE MUST:

a. RECEIVE WRITTEN APPROVAL FROM THE COLLEGE OR SCHOOL (AND

WHERE APPROPRIATE FROM THE DEPARTMENT) CONCERNED AS PART OF THE ADMISSIONS PROCESS TO THE SECOND DEGREE PROGRAM.

b. MEET ALL REQUIREMENTS FOR THE SECOND DEGREE AS STIPULATED BY THE COLLEGE OR SCHOOL IN WHICH THE PERSON IS A CANDIDATE.

c. COMPLETE A MINIMUM OF 32 CREDIT HOURS OF WORK IN RESIDENCE AT OAKLAND UNIVERSITY.

d. A STUDENT HOLDING A BACCALAUREATE FROM OAKLAND UNIVERSITY CANNOT HAVE HIS OR HER UNDERGRADUATE GPA MODIFIED BY ADDITIONAL WORK NOR CAN THE STUDENT BE A CANDIDATE FOR UNIVERSITY OR DEPARTMENTAL HONORS.

Comment: The proposed legislation refers to a student who already holds a bachelor's degree, whether from Oakland or from another institution, and who seeks a second bachelor's degree. Thus it complements the previous amended motion. It is made necessary by the large number of cases of this sort which have been encountered in the past year, particularly as professional programs are introduced. For the record it is intended that, as written approval is granted by a college or school and as requirements are stipulated, as part of the admissions process, a copy will be sent to the Registrar's office to permit greater efficiency of operation.

This was the first reading of this motion.

4. Motion from the Academic Policy Committee

Mr. Feeman, seconded by Mr. Coffman, moved:

THAT THE SENATE ADOPT THE FOLLOWING RESOLUTION:

WHEREAS THE SENATE AGREES IN PRINCIPLE WITH THE CONCEPT OF COOPERATIVE EDUCATION, AS DESCRIBED IN THE REPORT PREP/RED BY THE OFFICE OF STUDENT SERVICES AND TRANSMITTED BY THE ACADEMIC POLICY COMMITTEE,

BE IT RESOLVED THAT THE SENATE EXPRESSES ITS SUPPORT OF THIS VENTURE AND ENCOURAGES ALL ACADEMIC UNITS TO DO LIKEWISE.

Comment: The Academic Policy Committee presents the Proposal on Cooperative Education (enclosed with the January 16, 1975 Senate Agenda) to the Senate for its consideration. No legislation is required since no new programs or degrees are involved. However, the APC feels that the proposed effort has many advantages for Oakland students and wishes to support it. It also feels that a supporting Senate resolution would be of great assistance in maximizing communication concerning it and cooperation with it.

The Senate gives its support to the proposal with the understanding that those who are charged with its implementation and administration will pay careful attention to the following significant aspects of it.

- 1) The proper matching of students with jobs in accordance with the basic principles set forth in the proposal.
- 2) Adherence to the statement on credits given in the proposal; that is, "No credit should be awarded solely on the basis of work experience gained by the student as a result of participating in the cooperative program."
- 3) Careful advising of students in the program and coordination of effort among the academic units participating in it.
- 4) Course scheduling to fit the needs of participating students to avoid unnecessary discontinuities in their study programs,
- 5) The need to maintain all commitments made to participating students.
- 6) Recognition of the implications of the program for possible curricular changes.
- 7) The need to protect the rights of various academic units in determining the extent of their involvement in the program.

Mr. McKay inquired as to whether the Senate should not be presented the motion with the same reservations as the APC reserved for itself in presenting the motion. Mr. Feeman supported the rewording of the paragraph which originally read "The APC gives its support to the proposal with the understanding ..." to now read "The Senate gives its support to the proposal with the understanding ..."

This was the first reading of this motion.

5. Motion on proposed constitutional amendment

Mr. Wyatt, seconded by Mr. Burke, moved:

THAT ARTICLE V, SECTION iv OF THE CONSTITUTION BE CHANGED TO READ:

All members of organized faculties shall be eligible to serve as Senators. All-students in good standing shall be eligible to serve as Senators.

This was the first reading of this motion.

Comment: The provision currently reads:

"All members of organized faculties shall be eligible to serve as Senators. All full-time students in good standing who have earned a minimum of 48 undergraduate or 8 graduate credit hours at Oakland University shall be eligible to be elected to the Senate. Only full-time students in good standing who have earned a minimum of 60 undergraduate or 16 graduate credit hours at Oakland University shall be eligible to serve in the Senate."

Mr. Wyatt states:

The arguments against the existing system are:

1. It unduly restricts the Congress in its selection of students to be senators for the following reasons:

A. It eliminates the possibility of considering part- time students who might have the most time to devote to the Senate.

B. It eliminates the possibility of our considering sophomores or freshmen who might be more capable than available upper-class candidates.

C. It eliminates the possibility of our considering transfer students who, through comparable experience at other institutions, might be more capable than other available candidates.

2. It is discriminatory. No such provision exists stipulating that faculty members must have spent a specific time at Oakland before becoming eligible for a Senate seat.

3. It is unclear and bizarre. The idea that a student may be elected with 48 credits but not serve until he has 60 is confusing and meaningless in light of the current selection process.

6. Motion from the Steering Committee

Mr. Obear, seconded by Mi-. Coffman, moved:

* THAT YEL CHANG WU BE APPOINTED TO THE ADMISSIONS COMMITTEE FOR THE WINTER, 1975 TERM.

This was a procedural motion and eligible for final vote.

The motion was approved by voice vote.

7. Motions from the Academic Standing and Honors Committee

Ms. Bingham, seconded by Mr. Obear, moved:

* a. THAT MOTIONS b and c BE APPROVED FOR FINAL VOTE AT THIS MEETING.

This was a procedural motion and eligible for final vote.

The motion was approved by voice vote.

Ms. Bingham, seconded by Mr. Gerulaitis, moved:

b. THAT THE FACULTY OF OAKLAND NOMINATE FOR THE BACHELOR'S DEGREE THE STUDENTS NAMED ON THE DECEMBER GRADUATION LIST DISTRIBUTED WITH THIS AGENDA and

c. THAT UNIVERSITY HONORS BE AWARDED TO DECEMBER GRADUATES NAMED ON THE HONORS LIST DISTRIBUTED AT THIS MEETING.

Motion b-c was procedural and eligible for final vote.

The motion was approved by voice vote.

8. Advisory discussion of eight recommendations from the State Board of Education to the State Legislature

Mr. Brieger asked for advisory discussion regarding eight proposals for statutory language pertaining to the regulation of higher education in Michigan that had been brought before the Association of Michigan Collegiate Faculties (A.M.C.F.) on which the Senate is represented by Messrs. R. Righter and G. Brieger. The eight proposals were distributed with the agenda (see below) for this meeting.

A brief advisory discussion followed.

The meeting adjourned at 5:20 p.m.

William H. Jones, Secretary
University Senate
WHJ:sls
3/4/75

MEMORANDUM

**TO: University Senate STUDENT SERVICES
OAKLAND UNIVERSITY
FROM: G.Brieger
REGARDING: Advisory discussion of eight recommendations from the State Board of Education to the State Legislature**

The following eight proposals for statutory language pertaining to the regulation of higher education in Michigan have been brought before the Association of Michigan Collegiate Faculties (A.M.C.F.) of which we are members (R.Righter, G.Brieger, delegates). Since we will vote on these recommendations at the next meeting of A.M.C.F., we would like the benefit of Senate's opinion on these recommendations.

The State Board of Education intends to:

1. Recommend statutory language which would provide funding only those educational programs which have had the benefit of review by the State Board of Education.
2. Recommend statutory language which would require review from the State Board of Education on Institutional Operating Budgets.
3. Recommend Statutory language which would require review from the State Board of Education on Institutional Capital Outlay Budgets.
4. Recommend Statutory language to establish a direct state student loan program.
5. Request an appropriation supporting the implementation of a planning information system.

6. Recommend statutory language which would provide for statewide community college districting along existing K-12 district lines.
7. Seek equalization of Community College funding.
8. Seek adequate funding to conduct a feasibility study of an external degree program.

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