

Minutes of the University Council Meeting
May 7, 2013

James Mochoruk, Chair of University Senate, called the meeting of the University Council to order at 3:30 p.m. in the Fred Orth Lecture Bowl at the Memorial Union.

Mr. Mochoruk welcomed the attendees and introduced President Kelley for his address to the University Council.

President Kelley indicated that he would speak informally on legislative events that impact UND. He first welcomed the new Provost, Tom DiLorenzo.

President Kelley provided the University Council a broad overview of the legislative session. He stated that he must thank the North Dakota Executive branch, Governor Dalrymple, Lieutenant Governor Wrigley and their staff for their hard work on behalf of higher education. He thanked the leadership of the House and Senate and their effective work on behalf of higher education. He thanked the legislative committees and especially Senator Holmberg and Representative Skarphol.

For NDUS and UND, there is an 11.9% ongoing increase in the appropriation. The Higher Education appropriation increased 324% in a one-time funding this session. There is \$173.658 million in capital and new construction for UND. The new School of Medicine and Health Sciences received \$124 million over four years. The School of Law received \$12 million. There is also \$29 million for a capital challenge grant.

Vice President Alice Brekke then spoke of the legislative session in more detail. She first spoke of SB 2200, the Funding Model for Higher Education. This was a landmark funding formula basis bill. There will be an interim study and it is good to have it passed.

SB 2003 is the actual appropriation bill. There is an inflationary 5% increase for each of the years of the biennium. The bill includes the state share for salary and fringe and an average of 4% salary increase for year one and a 3% salary increase for year two. There is additional funding of 1% in the first year of the biennium for the state share that is to be matched by the employees for increased retirement contribution. Ms. Brekke stated that after the session ends, the State Board of Higher Education (SBHE) will decide the tuition rate increase. For UND, it would require 4.9% for the model to hold. The State Board of Higher Education meets on May 9, 2013. The legislators and students are encouraging keeping the tuition increase as low as possible. In addition to salary, there is \$190 million included in deferred maintenance for the North Dakota Museum of Art.

Ms. Brekke explained that the legislature wanted to keep the capital buildings as cost effective as possible; therefore, they have held back 5% of the Law request and 2.5% of the Medical Building request for placement in a pool that will be held by the SBHE. UND could request those additional funds from the SBHE if they were needed for the building projects. At the

system level, there is a \$5 million performance pool, a \$10 million deferred maintenance pool, and \$1 million for a system-level master planning process.

Ms. Brekke then stated that HB 1015 was the OMB appropriation and there was an emergency clause for capital funding that could begin immediately. SB 2018 was the Commerce bill which included \$12 million for research grants for universities. This was formerly the Centers of Excellence funding.

President Kelly thanked Joshua Wynne and Kathryn Rand for their work with the Legislature. He also thanked Susan Walton, Alice Brekke and the President's cabinet for their testimony and work with the Legislature.

Susan Walton thanked the entire campus for all the information and responses.

President Kelley stated that the students and faculty have had an excellent semester. He announced that Saturday, May 11 is commencement with Lieutenant Governor Wrigley as the speaker. At 3:30 p.m. on May 2, the Governor will be at UND to sign the UAS bill.

The President then accepted questions:

1. There was a question regarding the Centers of Excellence. Vice President Johnson indicated that of the \$12 million for Research ND, half is for UND and half is for NDSU. The campus match has changed from 2 campus/1 state to a 1 to 1 match; however, the match must be cash. VP Johnson also indicated that there is authority to use some Research ND for gap funding and funding startup companies.
2. Regarding the tuition model and fees and online/campus tuition, Ms. Brekke indicated that the tuition model was not tied to the legislative process. During the legislative process, there were amendments regarding the tuition model but they were all removed. The streamlined tuition model is part of the Pathways to Student Success. Final decisions have not been made regarding all fees and the online/campus differential. There is no change for next year, all will be the same as the 2012-2013 year. The target for the tuition model is 2015, but there is a lot of work to be done before then.
3. A concern was expressed regarding a plan that would see the University's General Counsel not reporting to UND but to the NDUS. The concern is that a lot of UND campus entities and processes need the General Counsel. The question is the impact of this change on business processes and procedures, how the faculty interact, and even how the President interacts. This concern is more for the research institutions. President Kelley said that Internal Audit is also changing. He does not know how this will be done and has concerns as well. There were questions on reporting lines, i.e., if they are realigned to go through the System Counsel or the Attorney General. Julie Evans, UND General Counsel, stated that she understood that the reporting line is to the SBHE and that there will be a possible study on how the reporting will work. She has had a conversation with the NDUS General Counsel and she is not sure on how this will work either. The hope is that all the attorneys will work together on the solution. The final concern stated was that UND and NDSU's needs for Counsel are very different from other campuses.

4. Regarding answering questions about the UND CIO, the President suggested waiting until after the SBHE meeting since it is in flux at this time.
5. As for the ombuds position, President Kelley indicated that Mr. Mochoruk would have an announcement.

President Kelley concluded with his appreciation of the Grand Forks legislative delegation who worked very hard for UND during the session.

Mr. Mochoruk welcomed the new Provost, Tom DiLorenzo. He thanked former Provost, Paul LeBel, for his work over the years as Provost. Mr. Mochoruk expressed personal thanks to Kathleen Tiemann, Arts and Sciences dean, as she concludes her work at UND and moves on.

Mr. Mochoruk provided the University Council with a University Senate update. The Senate had a busy and productive year:

1. The ad hoc ombuds committee was established and has completed its work. Mr. Mochoruk announced that Dusty Farned was offered and accepted the position, contingent upon all the usual matters of due diligence in hiring.
2. The ad hoc committee on shared governance was established and is making progress. The Committee is looking at new ways to structure shared governance. Much of the work of the Senate is done at the committee level and all committees are part of shared governance.
3. Senate action:
 - a. The Senate Review Committee Pool's charge was altered to bring it into full compliance with SBHE policy.
 - b. The Senate Bylaws were amended to include a Staff Senate representative on Senate Executive Committee.
 - c. The grievance language, as outlined in SBHE 612, was improved and streamlined for inclusion in the Faculty Handbook.
 - d. There is a new permanent Senate Faculty Handbook Committee. The Committee and its chair, Dr. Paul Sum, have a lot of work to do, and thanks are extended in advance.
 - e. At the request of student senators, the membership of the Intellectual Property Committee was changed to add voting student members.
 - f. There is a committee to review the UND Student Assessment of Teaching (USAT) process. Tom Petros is leading that initiative.
 - g. Additions were made to the Academic Honesty Policy at the request of the Senate Academic Policies and Admissions Committee.
 - h. The Senate Committee Manual was amended to address issues of quorum and filling vacancies efficiently.

Mr. Mochoruk indicated that many Senate members have worked to make shared/collaborative governance work better. He indicated that along with working with President Kelley, senators were involved in the Provost search, the Affirmative Action office possible redefinition of function and responsibilities, feedback on Chancellor Shirvani's proposals and Pathways to Student Success, and the Ombuds position. Another goal was to provide senators with information to share with their constituents, which also helps the senators better represent their

constituents at the Senate. There has been a lot of involvement by senators on the Higher Learning Commission process. The involvement across the University, including the three senates, is an example of shared/collaborative governance. There were annual reports received from 11 standing committees of the Senate.

Mr. Mochoruk expressed appreciation to Vice Presidents LeBel, Brekke, Reesor and Walton for making presentations to the Senate and answering questions on the Pathways to Student Success, legislative matters, and other important issues.

Mr. Mochoruk then expressed appreciation for the support from the administration for shared governance. He thanked the Senate Executive committee: Vice Chair Ryan Zerr; Past Chair Curt Stofferahn and his agreement to serve an additional year as Past Chair; Kim Kenville; Logan Fletcher, Student Body President; Patricia Young, Staff Senate representative; Doug Munski, CCF representative; Anne Walker; Suzanne Anderson; and Lori Hofland. Mr. Mochoruk thanked the members of the University Senate and the 160 faculty, staff and students who serve on 25 Senate Committees and many ad hoc Senate Committees. He stated he was amazed at the work ethic and closed with his thanks.

The meeting adjourned at 4:10 p.m.

Suzanne Anderson, Secretary
University Council