

Minutes of the University Senate Meeting

May 3, 2001

1.

The May meeting of the University Senate was held at 4:12 p.m. on Thursday, May 3, 2001, in Room 7, Gamble Hall. Randy Lee presided.

2.

The following members of the Senate were present:

Bagheri, Fathollah	Hoffmann, Mark	Olsen, Glenn
Bass, Gerald	Holdman, Linda	Petros, Thomas
Berger, Kristy	Hume, Wendelin	Poochigian, Donald
Boyd, Robert	Jackson, Jon	Rankin, Elizabeth
Cleveland, Mike	Jeno, Susan	Rice, Daniel
DeMers, Judy	Johnson, Arnold	Robertson, Charles
Elbert, Dennis	Krogh, Nancy	Skramstad, Allan
Elsinga, Lillian	Kweit, Robert	Stofferahn, Curtis
Erickson, Daniel	Lang, Gretchen	Stolt, Wilbur
Ettling, John	Lee, Randy	Timmerman, Larry
Fivizzani, Albert	Lindseth, Glenda	Towne, Gary
Frost, Chris	Lowe, D. Scott	Tschacher, Walter
Gabrynowicz, Joanne	Mann, Michael	Wellcome, Dan
Gallager, Robert	Munski, Douglas	Yurkovich, Eleanor
Goodwin, Janice	Nelson, Berly	Zierdt, Candace
Greves, Cole	Nelson, Theron	
Grijalva, James	Norton, Theresa	

3.

The following members of the Senate were absent:

Anjad, Sabrina	Mabey, Renee	Shaeffer, James
Davis, W. Jeremy	Matthews, Jason	Smart, Kathy
Drewes, Mary	Moen, Janet	Smith, Bruce
Even, Brock	Nelson, Enrique	Stevens, Wes
Fox, Carl	Nichols, Elizabeth	Todhunter, Paul
Khavanin, Mohammad	Owens, Thomas	Undlin, Heather
Kraidy, Marwan	Pederson, Randy	Wilson, H. David
Kupchella, Charles	Schletty, Chris	Zupher, Christopher

4.

The following announcements were made:

- 1 . 1. Mr. Lee reported President Kupchella's regret at his inability to attend this meeting. Mr. Lee reminded the Senate of President Kupchella's determination to link budget decisions to strategic plan, and that for this purpose the President had supplemented the membership of his Strategic Planning Committee for its budget advice functioning with Senate representation. The supplemented committee, in this function called the University Planning and Budget Committee (UPBC), includes the chair and vice-chair of this Senate, plus three representatives. Mr. Lee reported that he, vice-chair Sue Jenó, and Senate Restructuring and Reallocation Committee members John LaDuke, Judy DeMers, and John Vitton participated in these UPBC prioritization sessions on April 11, 12, and 23. Mr. Lee made copies of each of the meeting summaries prepared by Budget Director Alice Brekke available to each senator. (Copy available in the Office of the Registrar.)
- 2 . 2. Mr. Lee called attention to May agenda attachment #1, a memo from Sara Hanhan and Barry Stinson regarding a pending ESL partnership with the American Language Academy, and stated that the Senate would take part of the question period of the agenda for questions of Ms. Hanhan and Mr. Stinson, who were present for this purpose. Mr. Lowe asked several questions about the contractual arrangement with ALA, and about subcontracting non-credit courses at UND. What are the academic credentials of their staff? What are their salaries? What are the implications for the University as a whole to bring in a subcontractor? What is the cost to the student? Ms. Hanhan answered that she did not know what the credentials are or what the staff is paid. Student tuition is \$2,595 per session. Ms. Hanhan gave a brief history of our discussions with the program and mentioned that the ALA program is fully accredited by the appropriate accrediting agency. The sessions presented on campus included English faculty and many others interested on campus.

Mr. Petros asked about accreditors and their legitimacy. Mr. Rice asked about the relationship to the Department of Public Instruction program to provide ESL endorsement. Would this create any difficulty? Ms. Hanhan answered that they have talked with Teaching and Learning faculty about how they might use the students for the program. That may not be feasible, as this program's purpose is not to provide ESL teaching experience, but to provide English training to non-English speakers.

Mr. Poochigian asked if there would be possible conflicts between the vendor and other programs on campus. Ms. Hanhan stated that the vendor would have no say over what we might do with curriculum. Mr. Jackson asked if students in need could be eligible for some type of discount. Ms. Hanhan stated that the nature of the intensive course study may not meet that need, but we may be able to negotiate such a service later. It is a possibility, but has not yet been considered.

Ms. DeMers asked about the length of the agreement and how often it would be evaluated. Ms. Hanhan replied that that aspect has not yet been negotiated, but they are working on reviewing and renewal every two years.

Mr. Fivizzani commented that this program is not focused on our students, but others brought in. Also, it does not reduce the ESL needs on our campus now. Ms. Hanhan stated that this can enhance rather than take away. Ms. Gabrynowicz asked if UND will be the first North Dakota campus to do this. Ms. Hanhan said yes, to her knowledge. Mr. Stinson stated that this will help recruitment for other programs.

Mr. Petros asked if there will be UND oversight. Ms. Hanhan replied that an oversight board has not yet been considered, but there would be a close working relationship.

- 3 . 3. Mr. Grijalva provided further details regarding Council of College Faculties action regarding HB1435. He and Ms. Gabrynowicz had reported at the April meeting, in response to a report from a legislator relayed by Mr. Boyd, that as far as they knew although neither had been present at the last CCF meeting the CCF had adopted no formal position on the legislation. In fact, as Mr. Grijalva now reported, the CCF had favored the legislation with the higher education exemption amended in. The legislation was not adopted in any form.
- 4 . 4. Mr. Stradley, President of the Council of College Faculties, and speaking on its behalf, reported that the joint CCF/Academic Affairs Council Intellectual Property Subcommittee never met, but a policy will be presented in June. Mr. Ettlting stated that the Chancellor's concern is that when current law expires, there will be no patent or copyright policy and we need to have something to replace it as a stopgap. The Committee will meet soon. Mr. Stradley also reported that CCF/AAC work, and the Chancellor's Cabinet review of the work, on the grievance policy has been completed. He also stated that CCF's resolution on HB1435 was a reaction to the bill passing the House 49-0 and the likelihood that the bill would pass. CCF was concerned that the House and Senate would abolish Native American programs, and encouraged everyone to get involved if this comes up again. Mr. Petros asked for the email address to send reactions to the intellectual property policy and asked if there will there be a Web address to follow. Ms. DeMers challenged the reported facts regarding the voting of the House of on HB 1435 and criticized the CCF for the position it purported to take on behalf of NDUS faculty. Mr. Stradley stated that he may have misread the results. He said the CCF resolution was easily criticized, but at the time they believed they needed to do something to protect diversity in higher education. Ms. Gabrynowicz commented that the Senate has a new Intellectual Property Committee to respond to issues. Mr. Kweit reported that the anti-discrimination bill may have been confused with the vote on HB 2291 which involved transfer of credit. He also reported that the HB 2203 appropriation bill was passed to keep funding on campus. Mr. Stradley provided a handout summarizing the accountability measures included in the final version of the "Roundtable Legislation."
- 5 . 5. Mr. Ettlting presented Mr. Lee with a plaque thanking him for his service to the Senate for the 2000-2001 year.

5.

Mr. Lee asked for corrections or additions to the minutes of the April 5, 2001 Senate meeting. Ms.

DeMers stated that the minutes indicate she is on the search committee for the Vice President for Research, and she is not. She asked that the minutes be changed to reflect that she had stated that she knew that the committee had met, but that she was not present. The minutes were approved as corrected.

6.

The Chair announced the Question Period.

Mr. Cleveland recognized next year's Student Body President, Matt Brown.

Ms. Gabrynowicz stated that this would be her last meeting and thanked the Senate.

7.

Mr. Lee referenced the consent calendar's Annual Reports from the Conflict of Interest/Scientific Misconduct Committee and the Scholarly Activities Committee and invited a motion. Mr. Jackson moved to receive and file the reports. The motion was seconded, voted upon and carried unanimously.

8.

The recommendations by the University Curriculum Committee were presented by David Perry, Chair. Mr. Towne advised that some of the numbers of the music courses listed would change because of common course numbering. Mr. Perry stated these were technical changes that would be corrected. Mr. Bass moved for approval, Mr. Robertson seconded, and the motion was carried unanimously.

9.

Ms. Krogh presented the roster of Candidates for Degrees for the May 2001 graduation, and moved to approve the list. The motion was seconded, voted upon and carried unanimously.

10.

Rebecca Urlacher, Chair of the Student Policy Committee, presented a recommendation to make a change to the *Code of Student Life* by including a definition of what types of behavior constitute stalking. After an explanation by Ms. Urlacher, the change was approved by a vote of 46 for, 1 against, 1 abstention, and 1 other.

11.

Ms. Urlacher presented a recommendation from the Student Policy Committee to change the Committee's judicial responsibilities by deleting Item #6 under Functions and Responsibilities as printed in the Senate Committee Manual: "Serve as an appellate body for hearing disputes within and among student organizations with authority to lessen but not increase sanctions imposed or recommended by other bodies." Ms. Urlacher stated the Student Policy Committee rarely has

this type of case and is requesting that the Student Relations Committee take over this function. The request was approved by a vote of 44 for, 3 against, 1 abstention, and 1 other.

12.

Ms. Urlacher presented a recommendation from the Student Policy Committee for a proposed change to the *Code of Student Life*, Section 2-13, University Disciplinary Sanctions. The committee recommended deleting item #6 from Section 2-13-F: Other Sanctions. Ms. Elsinga moved to accept the recommendation. Discussion followed and the motion carried unanimously.

13.

Ms. Krogh moved to accept a change to Section 8.2 in the *Code of Student Life* Directory Information policy to strike the words "any or all of their" in the first line of Section B and the delete the last sentence of section B. Discussion followed. Mr. Grijalva noted that if the motion passed and Section 8.2 was amended as requested, the word "specified" that would remain in Section 8.2 would no longer make sense and should be deleted from the section along with the other proposed deletions. The amendment was accepted by Ms. Krogh. After more discussion the motion, as amended, was carried by a vote of 48 in favor with 1 abstention.

The meeting adjourned at 5:25 p.m.

Nancy Krogh, Secretary