

Minutes of the University Senate Meeting
April 24 2003

1.

A special meeting of the University Senate was called to order at 4:20 p.m. on Thursday, April 24, 2003 in Room 7, Gamble Hall. Jan Goodwin presided.

2.

The following members of the Senate were present:

Alfonso, Peter	Hoffmann, Mark	Potvin, Martha
Alleva, Patti	Hume, Wendelin	Rakow, Lana
Bagheri, Fathollah	Jenniges, Sharleen	Rice, Daniel
Blackburn, Royce	Jeno, Susan	Romanick, Mark
DeMers, Judy	Jerath, Sukhvarsh	Sheridan, William
Drewes, Mary	Jose, Matt	Skramstad, Allan
Ettling, John	Krogh, Nancy	Smith, Bruce
Fivizzani, Albert	Kupchella, Charles	Stanlake, Lowell
Gagnon, Gregory	Lee, Randy	Stofferahn, Curtis
Gerber, Anne	Marshall, David	Sukalski, Katherine
Goenner, Cullen	Murphy, Eric	Thompson, Myra
Goodwin, Janice	Norman, Katherine	Thureen, Faythe
Hanhan, Sara	Perry, David	Tschacher, Walter
Hansen, Kenneth	Petros, Thomas	

3.

The following members of the Senate were absent:

Anderson, Angie	Heitkamp, Thomasine	Ruff, Nick
Baker, Adam	Hikins, James	Ryan, Steffen
Bartsch, Brent	Hildre, Nate	Shaeffer, James
Benoit, Joseph	Kenville, Kimberly	Shaeffer, Margaret
Boyd, Robert	Knight, Barbara	Stolt, Wilbur
Bridewell, John	Levang, Chris	Tiffany, Mark
Downie, Morgan	Lovseth, Jon	Venhuizen, Brett
Effertz, Kayla	McBride, Rosanne	Watson, John
Elbert, Dennis	Nichols, Elizabeth	Wilson, H. David
Elsinga, Lillian	Porter, James	Zidon, Margaret
Gallager, Robert	Porter, Kimberly	Zierdt, Candace
Jackson, Jon	Romero, Alan	

4.

The following announcements were made:

A. The chair announced that the NCA self-study report is now available online. Paper copies are also available in the Office of the Vice President for Academic Affairs and Provost in Twamley Hall, at the circulation desk on the second floor of the Chester Fritz Library, at the dean's office of the John D. Odegard School of Aerospace Sciences, and the dean's office of the School of Medicine and Health Sciences. Senators were encouraged to review the report and to direct comments to Mr. Rice, the chair of the NCA steering committee.

B. The chair announced that the University Council will meet at 3:00 p.m. Monday, May 5 in the Memorial Union Ballroom. Mr. Murphy asked if this conflicted with a meeting of the graduate faculty. Ms. Goodwin agreed to check and send a notice on the Senate listserv.

5.

The chair asked for corrections to the April 3, 2003 minutes. There being none, the minutes were approved as distributed.

6.

The chair announced that the proposed change item two on the business calendar had been pulled from the agenda.

7.

Ms. Melland, on behalf of the Senate Academic Policies and Admissions Committee, presented the proposed readmission policy. After discussion, the motion was approved unanimously.

8.

Ms. Goodwin introduced the proposed changes to the UND constitution and the changes that were recommended by Pat Seaworth, General Counsel to the University System. The chair reviewed the document distributed at the meeting beginning with Article I, The Governing Board. Mr. Marshall moved to omit the two sentences "The President shall submit monthly for the information and approval of the Board a report showing what matters already approved by the Board have been put into execution, and all new matters, which, in his/her judgment, demand attention, or for which he/she wishes the approval of the Board. Since the Board is responsible for the management of the institution, it desires full information upon all matters, financial and educational, from proper officials." from the proposed constitution draft as recommended in the revision of 4/10/03. The motion was approved with 38 in favor and 1 abstention.

9.

Mr. Marshall moved to take the suggested language of 4/19/03 to change Article II, The University Legislature, part 3, Powers and Functions, section a.8 to read:

Acting as a consultant to the President in matters pertaining to: planning; organization or reorganization of the schools, colleges, and departments; disputes arising between or among schools and/or colleges; matters of budget apportionment; and decisions regarding physical resources.

The Senate discussed. The motion carried on a vote of 37 in favor, 1 opposed, and 1 abstention.

10.

Mr. Marshall moved to take the suggested language of 4/19/03 to add to Article II, The University Legislature, part 3, Powers and Functions the following sections:

- o All legislative actions undertaken by the Council, the Senate or its committees shall be submitted to the President for approval (SBHE policy 305.1 Presidents Authority and Responsibilities).
- o At each Senate meeting, the President, or his designee, shall report the President's position as related to legislative actions taken at the previous Council or Senate meeting. Should any legislative action be vetoed by the President, the President shall provide a rationale for the decision. For legislative actions passed at the May meeting of the Senate, the President shall report via the Senate listserv within 30 days as to his position taken on these legislative actions using established channels.

The Senate discussed. Mr. Kupchella offered a friendly amendment to insert the words "regarding University policy" after the words "legislative action in sections e. and f. This was accepted by Mr. Marshall. Ms. Rakow offered a grammatical correction to strike the word "his." The discussion continued. The Senate voted and the motion carried unanimously.

11.

Mr. Marshall moved to accept the proposed language of 4/10/03 of Article III, part 1 which reads:

The President is the executive head of the University and the laboratories and stations associated with it. The President is the official medium of communication between the Chancellor and, through him, the Board, on the one hand, and the University legislature, faculties, administrative officers, student organizations and students, on the other. The President is responsible to the Chancellor for institutional policy and administration and accordingly has supervision over all of the institution's officers and all of the institution's interests, subject to the state law and rules and regulations of the Board. (SBHE policy 305.1 Presidents Authority and Responsibilities).

Ms. Rakow offered a grammatical correction to strike the word "him" in the second sentence and replace with the words "the President." The motion carried unanimously.

12.

Mr. Marshall moved to adopt the language of 4/10/03 in Article III, part 2. to read:

It is the duty of the President, in consultation with the University legislature, to make recommendations covering the general policy of the institution and for securing and coordinating its parts. Although it is the duty of the President to make such recommendations covering general policy of the institution, whenever possible, recommendations should only be made to

the Chancellor after first consulting with the University legislature. However, prior to presenting any recommendations affecting the policy, status or mission of any school, college or department, in the absence of emergency conditions, the President shall consult with the faculty of that school, college or department using established channels.

After discussion the motion carried 39 in favor and 1 opposed.

13.

Mr. Marshall moved to adopt the language of 4/19/03 in Article III, part 3. to read:

It is the duty of the President to see that the rules and regulations of the Board and of the University are enforced. It is, moreover, the duty of the President to consult through established academic organizational channels the faculties concerned on the appointment, promotion or dismissal of any member of the faculty. It is also the duty of the President to consult with the University Senate on matters having to do with planning, organization, budgeting, and the use of physical facilities. The right of the final decision in these matters, as well as all other University business, is reserved to the President. The President shall present in writing to the Chancellor his position in the matter in question if Board approval is required or to the secretary of the University Senate if Board approval is not required. In cases of differences between the President and campus units, University Senate or the Council, an alternative position must be presented to the University Senate for consideration. If the alternative position is adopted by the Senate, the chair of the University Senate shall present the alternative position in the matter in question, in writing, to the President for presentation to the Chancellor if Board approval is required, or to the secretary of the Senate if Board approval is not required.

The Senate began discussion. Ms. Goodwin offered a friendly amendment to delete the words "or to the secretary of the Senate if Board approval is not required" in the last sentence. Mr. Marshall accepted this change. Discussion continued. Mr. Marshall asked to correct his motion to substitute the words physical resources for the words physical facilities in the third sentence. After continued discussion the motion carried unanimously.

14.

Mr. Marshall moved to adopt the language of 4/10/03 in Article VI, The Service of Faculty and Administrative Officers, part 5. to read:

Faculty members and administrative officers may, consistent with Board policy (SBHE Policy 701.2 Developmental Leave) be granted developmental leaves, normally not to exceed one academic year, with or without financial assistance from the University in accordance with regulations and policies formulated by the University. Leaves may also be granted by the President for other purposes as appropriate to the interests of the University.

The Senate discussed. Mr. Murphy pointed out a grammatical change to insert a comma on the second line. The motion carried unanimously.

15.

Mr. Marshall moved to adopt language of 4/19/03 in Article VII, Communication and Cooperation, part 1, section a. to read:

Communications or reports pertaining to matters of business or appointments to be presented to the Board shall be first presented to the President for his/her examination and recommendation.

After discussion Mr. Marshall withdraw his motion.

16.

At 5:30 p.m. Mr. Petros moved to extend the meeting by ten minutes. The motion carried.

17.

Mr. Sheridan moved to adopt language of 4/19/03 in Article VII, Communication and cooperation, part 1, section a. to read:

Communications or reports pertaining to matters of business or appointments to be presented to the Board shall be first presented to the President for his/her examination and recommendation in a manner consistent with Board policy.

Discussion ensued.

18.

Mr. Petros moved to extend the meeting to 5:45 p.m. The motion carried.

19.

The meeting adjourned at 5:40 p.m. because a quorum was no longer present.

Nancy Krogh
Secretary to the Senate