Minutes of the University Senate Meeting  
December 1, 2005  

1.  
The December meeting of the University Senate was held at 4:05 p.m. on Thursday, December 1, 2005 in Room 7, Gamble Hall. Sue Jeno presided.

2.  
The following members of the Senate were present:

Anderson, Cindy  
Benoit, Virgil  
Berne, Jane  
Bradley, April  
Campbell, Katherine  
Christopherson, Joel  
Cripe, Haylee  
DeMers, Judy  
Dewar, Graeme  
Doze, Van  
Drewes, Mary  
Elsinga, Lillian  
Fivizzani, Al  
Flom-Meland, Cynthia  
Flynn, Aaron  
Goodwin, Janice  
Grant, Emmanuel  
Hans, Birgit  
Haskins, Robert  
Herrick, Ryan  
Jeno, Sue  
Jerath, Sukhvarsh  
Kupchella, Charles  
Lane, Jason  
Mahar, Patricia  
Mayzer, Roni  
McBride, Rosanne  
Mochoruk, James  
Moen, Janet  
Perry, David  
Picklo, Matthew  
Remfert, Matt  
Rex, Janet  
Rice, Daniel  
Robertson, Charles  
Rosenberger, Thad  
Sadeh, Eligar  
Schwartz, Rhonda  
Semke, William  
Smart, Kathy  
Stolt, Wilbur  
Streibel, Kent  
Watson, John  
Weisenstein, Greg  
Wettersten, Kara  
Widmer, Donovan  
Williams, Carmen  
Williams, Jim  
Wu, Min  
Yurkovich, Eleanor

3.  
The following members of the Senate were absent:

Alfonso, Peter  
Anderson, Christopher  
Benoit, Joseph  
Blackburn, Royce  
Boyd, Robert  
Braden, Chris  
Covington, Chandice  
Elbert, Dennis  
Ellis, Rick  
Gallager, Robert  
Goenner, Cullen  
Gosnold, Will  
Jackson, Jon  
Jackson, Margaret  
La Duke, John  
LaVenture, Andrew  
LeBel, Paul  
Lovelace, Kent  
Mamaghani, Iraj  
Martindale, Nathan  
Mullegama, Saman
4.

The following announcements were made:

A. The chair announced that there will be a Senate meeting on January 12, 2006. Agenda items need to be submitted to the Senate Executive Committee by December 14.

B. The chair announced that the University Senate committee members were sent letters asking that each committee review, and correct as appropriate, their membership list and committee charge.

C. The chair announced that a letter went out to the new faculty members, as a welcome from University Senate.

D. Ms. DeMers moved to add two items to the business calendar: 1) a motion regarding the governance and oversight of the Institutional Review Board (to be added as agenda item number 12); and 2) a resolution addressing the logo/nickname issue (agenda item number 13). This was approved unanimously.

5.

The Chair asked for corrections or additions to the November 3, 2005 minutes. Hearing none, the minutes were approved as distributed.

6.

The question period was opened at 4:10 p.m.

A question was asked about the process of bringing the resolution forward. The chair announced that this may be on the January 12, 2006, agenda, and that it was shared today as a courtesy discussion.

Mr. Picklo asked about the indirect cost returns to colleges/departments and when they should expect them. The chair will research this question and post the information to the listserv.

Ms. Jeno asked about the statement on institutional diversity and pluralism, and whether anyone knew why it has been removed from the academic catalog. Ms. Jeno will investigate and bring it back to the Senate for a vote to return the statement to the next catalog.

The question period closed at 4:18 p.m.

7.

The annual reports of the Senate Library Committee, the Senate Student Policy Committee, the Senate University Assessment Committee, and the Senate Honors Committee were approved unanimously.

8.

Ms. Williams moved to accept the candidates for degrees in December, 2005. The motion was passed unanimously.

9.

Mr. Robertson moved to accept the report from the Curriculum Committee. The
report was approved unanimously.

10.

Mr. Petros, on behalf of the Standing Committee on Faculty Rights, gave an overview of the revised “Guidelines for Faculty Engaged in Employment Controversies with the University.” He reported that the revisions were based on suggestions from UND’s general counsel. He then explained the difference between the NDUS policies 605.3 and 612 regarding faculty grievance issues.

11.

After discussion, Mr. Sadeh moved to amend “XI. Faculty Grievances SBHE Policy 612, What May be Grieved,” by including the Conflict of Interest policy as an example listed under discretionary items that could be grieved; or, if it is not included, to delete the other examples, i.e., salary adjustments and performance evaluations. The motion was dropped due to the lack of a second.

12.

Ms. Moen moved to amend “III. Termination/Non-Renewal of Non-Tenured Tenure Track Faculty” by changing the third line of the first paragraph to read “is encouraged to incorporate” instead of “may incorporate.” After discussion, the motion did not pass with a vote of 6 in favor, 41 against, and 5 abstentions.

13.

Mr. Robertson moved to accept the revised “Guidelines for Faculty Engaged in Employment Controversies with the University” as originally presented. The motion passed with a vote of 51 in favor and 1 abstention.

14.

Ms. Wettersten, chair of the UND Institutional Review Board (IRB), made the following motion regarding governance and oversight of the IRB:

I motion that the University Senate no longer have governance or oversight of the Institutional Review Board (IRB), in order that the IRB might function independently and be in good standing with federal rules governing the IRB’s policies and procedures.

After discussion, the motion passed with a vote of 46 in favor, 5 against, and 1 abstention.

15.

Ms. Hans, representing a group of faculty on campus, presented a resolution requesting that the University Senate address the logo/nickname issue at the January 12, 2006 Senate meeting in order to forward recommendations to the President and State Board of Higher Education. After discussion, Ms. Hans revised the second line of the last paragraph to add “academic issues concerning the Indian logo and Indian head” to clarify the resolution.

Ms. DeMers moved to amend the resolution by adding the words, “if
appropriate,” following the “and” in the second line of the final paragraph. The motion passed with a vote of 45 in favor, 1 against, and 1 abstention.

16.

Mr. Haskins moved to delete the fourth and fifth “whereas” clauses. Discussion continued.

17.

Ms. Goodwin moved to extend the meeting until 5:45 p.m. The motion passed with a vote of 41 in favor and 4 against.

18.

Mr. Haskins rescinded his motion for removal of the clauses.

19.

Discussion continued on the resolution. Ms. Hans moved to accept the resolution as amended. The motion passed with a vote of 38 in favor, 3 against, and 3 abstentions.

20.

Ms. Hans moved to publish the resolution in its entirety in the University Senate minutes. The motion passed with a vote of 37 in favor, 1 against, and 3 abstentions (attachment 1).

21.

The meeting was adjourned at 5:40 p.m.

Carmen Williams,
Secretary to the Senate