

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 Jenó presided.

2.

The following members of the Senate were present:

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

3.

The following members of the Senate were absent:

Alfonso, Peter	Munski, Doug
Anderson, Christopher	Myers, Bradley
Benoit, Joseph	Nies, Gerry
Blackburn, Royce	Nowacki, Michael
Boyd, Robert	Obma, Robert
Braden, Chris	Potvin, Martha
Covington, Chandice	Routon, Claudia
Elbert, Dennis	Schnellert, Gary
Ellis, Rick	Schumacher, Peter
Gallager, Robert	Skramstad, Allan
Goenner, Cullen	Smith, Bruce
Gosnold, Will	Strand, Robin
Jackson, Jon	Vande Brake, Katie
Jackson, Margaret	Wilson, H. David
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. Jenó asked about the statement on institutional diversity and pluralism, and whether anyone knew why it has been removed from the academic catalog. Ms. Jenó 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