The September meeting of the University Senate was held at 4:05 p.m. on Thursday, September 6, 2012 in Room 7, Gamble Hall. Curt Stofferahn called the meeting to order and passed the gavel to Jim Mochoruk as the new chair of Senate.

The following members of the Senate were present:

- Adams, Darla
- Ames, Forrest
- Anderson, Suzanne
- Andersson, Julie A.
- Bass, Gail
- Bateman, Connie
- Beck, Pamela
- Berg, Kate
- Brekke, Alice
- Bridewell, John
- Carson, Sharon
- Casler, James
- Cherry, Emily
- Combs, Barbara
- Dewar, Graeme
- Doze, Van
- Drewes, Mary
- Dunlevy, Jane
- Eckmann, Lindsey
- Elbert, Dennis
- El-Rewini, Hesham
- Evanson, Tracy
- Fletcher, Logan
- Gapp, Jacob
- Goodwin, Janice
- Gorney, Kjista
- Haigren, Cara
- Hildebrand, Diane
- Holland, Dixie
- Hommerding, Aaron
- Joniertz, Joel
- Keengwe, Sagini
- Kelley, Robert
- Kitzes, Adam
- Korniewicz, Denise
- Korom, Scott
- Kurtz, Sharley
- LeBel, Paul
- Liang, Lewis
- Luber, Patrick
- Malott, Daniel
- McBride, Rosanne
- McHenry, Laurie
- Mikulak, Marcia
- Mitzell, John
- Mochoruk, James
- Steven Morrison
- Mosher, Sarah
- Murphy, Eric
- Nelson, Christopher
- Oommen, Abraham
- Ozaki, Casey
- Petros, Thomas
- Poochigian, Donald
- Ray, Linda
- Reesor, Lori
- Shanta, Linda
- Stofferahn, Curt
- Stolt, Wilbur
- Stone, Jan
- Sturges, Denyse
- Sum, Paul
- Sun, Jeffrey
- Tiemann, Kathleen
- Towne, Gary
- Vetter, Jennifer
- Walker, Anne
- Walton, Susan
- Wang, Enru
- Watne, Eric
- Worley, Paul
- Young, Patricia
- Zerr, Ryan

The following members of the Senate were absent:

- Caine, Dennis
- Ernst, Julia
- Fazel-Rezai, Reza
- Harsell, Dana
- Johnson, Phyllis
- Koepke-Nelson, Yvette
- Noghanian, Sima
- Rand, Kathryn
- Schlosser, Isaac
- Schultz, Kasey
- Smith, Bruce
- Swisher, Wayne
- Wynne, Joshua

The following announcements were made:

a. Alice Brekke read a brief statement that will be sent to the campus regarding the emergency sirens mistakenly being triggered.

b. Mr. Mochoruk introduced Paul Sum and explained that he was engaged during the past summer in a project to bring the Faculty Handbook up-to-date. Mr. Sum reported on the project. He indicated that the Handbook is woefully out-of-date. He envisions the task as three-fold: 1) updating out-of-date information and minor errors and typos; 2) reviewing the places where the State Board of Higher Education (SBHE) policy is in the UND document and is sometimes confusing and needing elimination; and 3) identifying places where policy needs to be created. He stated that there
are many changes that can be easily passed. The other things need deliberation and discussion. Mr. Sum recommends a subcommittee be established to review the changes and present them to Senate in parts; first, would be to update the easy things and then move on to the second step where policy needs to be created or adjusted.

c. Tim Pasch and Lori Swinney presented on the NDUS efficiencies document, Learning Management System (LMS). Mr. Pasch reported that there are three main LMS recommendations in use for NDUS. The original recommendation was to move to one LMS. This was a controversial issue due to campus ties to their LMS. As work was being done, there were delays to the original due date and, finally, the Chancellor made the decision to delay a decision on the LMS and to first address the large proposals he has made. Ms. Swinney reported on the three issues that the LMS group recommended needing action. The first is to tie the LMS into the NDUS identity management for authentication. UND has already done this. The second is better real-time integration with the student information system. At UND we will test tools that will assist in that process with the hope to implement the tools in spring 2013. The third is a single robust hosting site. What is meant is to have the LMS in the cloud. UND is currently investigating this item. There are additional subcommittees working, e.g., mobile applications and analytics. Ms. Swinney reported that along with work on the efficiencies item, UND will upgrade Black Board in December.

d. Mr. Mochoruk announced that this summer several policy changes were denied by the President. Some are easily fixed and others are more significant. The Senate Executive Committee would like to find ways to prevent this from happening in the future and is working with the President to that end.

e. Mr. Mochoruk reported that last year’s Senate created the ad hoc committee on shared governance. He indicated that the actual committee members have been established. Mr. Stofferahn will shepherd the process.

f. Mr. Mochoruk announced that the ombuds office proposal was approved by all three UND senates. This initiative is moving forward. The President is helping to get this appointed. There is an ad hoc committee composed of representatives from all three Senates and the Office of General Counsel that is meeting to work on the implementation.

g. The new Senate attendance procedure was shared with the senators. The procedure asks senators to provide notification of absence to the vice chair and to notify him/her if schedule conflicts make it impossible for them to serve. A copy of this procedure will be sent out to the Senators.

h. The Office of General Counsel is looking at the 612 procedure and assisting to make the procedure more easily understood. There is a guidebook being written by General Counsel. The guidebook will be brought to Senate but it will not happen until after the 612 process changes are approved by Senate.

i. The Senate Executive Committee received a request to add an additional member to the Data Management Committee, Export Control Officer, John Miller. SEC approved that request.

j. The Conflict of Interest policy was approved on an interim basis by the President. The policy is being taken back to the committee for formal review and will be brought to Senate for approval.

k. Mr. Munski reported on the Council of College Faculties (CCF) and State Board of Higher Education (SBHE) meeting. The SBHE is reorganizing itself and changes being made. There were several matters approved including the response to the fees audit. The three-tier plan from the Chancellor was discussed. Mr. Kelley is organizing the UND response. There are several areas of contention. The CCF is meeting on September 11 and the agenda was shared. Mr. Murphy and Mr. Poochigian are the other UND representatives.

l. Mr. Mochoruk asked for a motion to add the Senate Special Review Committee Pool document to the business calendar. Mr. Stofferahn moved approval. There was a second by Mr. Murphy. The motion was approved to add the item to the agenda.

m. Mr. Mochoruk called attention to the appointed committee members that the Committee on Committees had made since the May committee election.
5. Mr. Stofferahn called attention to the minutes of the May 3, 2012 meeting. He asked if there were any corrections. Hearing none, Mr. Stofferahn moved approval of the minutes and Mr. Murphy seconded the motion. The minutes were approved as distributed.

6. The question period opened at 4:40 p.m.

a. Mr. Poochigian asked about the many new policies proposed by the Chancellor in a short time. He asked the President to speak to the questions. The President first thanked Mr. Stofferahn and Mr. Mochoruk for their work this past year. He then introduced the new Vice President for University and Public Affairs, Susan Walton. The President then spoke to the question of Mr. Poochigian. He indicated that the Chancellor is moving on two levels. Structural changes were proposed to establish three new committees: 1) an Executive committee, which deals with budget, capital construction, compensations and contracts, finance and planning; 2) an Academic Affairs committee, which deals with academic and student affairs; and 3) an Audit Committee, which deals with audits and recommendations. These committees were reviewed by the SBHE and approved yesterday. Mr. Poochigian asked a question regarding the relationship of the chancellor and presidents. Mr. Kelley indicated Policy 303 was passed. Anything going to the Board must go through the Chancellor or a board member first. The Presidents must go through the Chancellor. The organization of the system office is still a work in progress and there is nothing yet to report. The presidential relationships with the chancellor have changed. The Chancellor is now entirely responsible for appointing the presidents, evaluation, and all matters relating to the presidents. The SBHE is solely responsible for the evaluation of the Chancellor.

b. Mr. Petros asked Mr. Kelley how long the institution had to make comments on the Chancellor’s 3-tier proposal. It was reported that the SBHE reviewed the proposal and he was concerned. Mr. Kelley reported that the provosts will meet on September 18 to discuss campus responses. October 2 is the final date for the UND response. Mr. Petros asked about the financial impact. Mr. Kelley indicated that all issues, including financial, enrollment, etc., will be reviewed. Mr. Munski reported again on what occurred at the SBHE meeting in more detail. His summary was that he would recommend that CCF also hear from the faculty on any concerns.

c. Mr. Kitzes indicated that he received complaints from faculty regarding the military drills on the quad last year and they are again occurring this year. For the mock exercises, the issue is the use of assault weapons within the academic community. Mr. Kelley indicated that he would work with the administration to address the concerns. Mr. Murphy recommended working with the Senate ROTC committee.

d. Mr. Murphy indicated that there was concern by faculty this summer that they not contact the legislative offices on NIH concerns. Faculty need guidance from the President on what the guidelines are and why. The President indicated that he would provide the information on how UND coordinates requests for funds for the legislative delegation.

The question period closed at 5:00 p.m.

7. Mr. Mochoruk called attention to the Senate Honorary Degrees Committee annual report and the Senate Budget, Restructuring and Reallocation Committee annual report. Mr. Stofferahn moved approval to receive and file the reports. Mr. Stolt seconded the motion. The motion was approved.
8. Mr. Mochoruk indicated that the Senate orientation was sent out electronically to all members. He requested that each Senator review that orientation.

9. Mr. Mochoruk then called on Linda Ray, Chair of Committee on Committees, to lead the Senate elections for vice chair/Chair elect, faculty member on Senate Executive Committee, Committee on Committee members, and student representative on Senate Executive Committee.

There was a call for nominees from the floor. Mr. Poochigian was nominated for vice chair/Chair elect by Mr. Murphy. There were no further nominations. Mr. Poochigian and the other nominees accepted the nominations. The ballot for vice chair/Chair elect was cast.

Mr. Stofferahn moved approval of a unanimous ballot for the remaining three ballots. Ms. Vetter seconded the motion. The motion was approved and all candidates for the three ballots were approved.

10. Mr. Murphy spoke to the Intellectual Property Policy. He indicated that after notice that the policy was disapproved, he spoke with President Kelley, General Counsel Evans and Associate General Counsel Jensen. The area of concern is section 3.4 in the policy. Mr. Murphy explained the language change proposed. The Intellectual Property Committee voted on the change through email. Six of seven voted to approve the new wording. The Senators discussed the recommendation. There was a motion to approve the submission of the change from the committee.

11. Mr. Stofferahn moved to extend the meeting and the motion was seconded. Question of point of order was called. Mr. Stofferahn withdrew his motion. There was a motion by Mr. Mitzell to suspend the rules and extend the meeting by 15 minutes. There was a second by Ms. Vetter. The Senate approved the motion to extend the meeting by 15 minutes. Discussion of the Intellectual Property policy continued.

12. Mr. Gapp moved and Mr. Towne seconded a motion to postpone the vote until the next meeting. There was discussion on the move to postpone. Question was called. Motion failed.

13. Mr. Mitzell moved to send the policy back to the Committee. There was a second by Ms. Vetter. The motion failed.

14. Mr. Mitzell moved to table the policy. The motion was called out of order by parliamentarian Mr. Bridewell.
15.
There was a motion to extend the meeting by Mr. Murphy. There was a second by Mr. Stofferahm. Discussion occurred. Time expired and the meeting ended.

16.
It was announced that Ryan Zerr was elected as vice chair/chair elect of Senate.

17.
The meeting adjourned at 5:45 p.m.

Suzanne Anderson
Secretary to the Senate