

Minutes of the University Senate Meeting
December 3, 2015

1.

The December meeting of the University Senate was held at 4:05 p.m. on Thursday, December 3, 2015 in Room 113, Education. Chair Rebecca Weaver-Hightower presided.

2.

The following members of the Senate were present:

Basile, Eric	Jorgenson, Terra	Pupino, Kaaren
Beck, Pamela	Keengwe, Jared	Quinn, Andrew
Bradley, April	Kelley, Robert	Rakow, Lana
Bridewell, John	Kitzes, Adam	Rand, Kathryn
Burgess, Gaye	Kopp, Matthew	Ray, Linda
Campbell, Katherine	Kurtz, Sharley	Reissig, Brad
Christopherson, Anne	Laguetta, Soizik	Richards, Thomas
DiCristina, Bruce	Lawrence, David	Schindler, Gary
Doze, Van	Lawrence, Wesley	Semke, William
Fazel-Rezai, Reza	Liang, Lewis	Sens, Donald
Ferraro, Richard	Lim, Howe	Sens, Mary Ann
Flint, Jamie	Lindseth, Glenda	Sheridan, William
Gedafa, Daba	Mack, Marci	Staples, Cliff
Gjellstad, Melissa	Martin, Will	Stofferahn, Curt
Halgren, Cara	McGinniss, Mike	Takahashi, Shuzo
Hanson, Collin	Mosher, Sarah	VanLooy, Jeffrey
Harsell, Dana	Munski, Doug	Walker, Anne
Henderson, Pam	Murphy, Eric	Walton, Susan
Hunter, Cheryl	Nelson, Taylor	Weaver-Hightower, Rebecca
Jendrysik, Mark	Noghanian, Sima	Williams, Margaret
Johnson, Chase	Pettinato, Tammy	Wood, Robert

3.

The following members of the Senate were absent:

Blanchard, Paige	Lerma, Sam	Smith, Bruce
Brekke, Alice	McGimpsey, Grant	Stone, Lucian
Brown, Ryan	Peshut, Conner	Storrs, Debbie
DiLorenzo, Thomas	Porter, Kimberly	Sutton, James
El-Rewini, Hesham	Reesor, Lori	Swisher, Wayne
Flynn, Amber	Ring, Tanner	Tanaka, Tomohiro
Ho, I-Hsuan	Roux, Gayle	Walker, Stephanie
Kenville, Kim	Sage, Melanie	Wynne, Joshua
Lange, Jacob	Schroeder, Nate	

4.

Ms. Weaver-Hightower welcomed Ed and Nancy Schafer. Mr. Schafer stated how happy they were to be here on the UND campus.

The following announcements were made:

- a. Director of EEO, Affirmative Action, Donna Smith, and Associate Vice President for Public Safety, Eric Plummer, gave an update on Title IX and Clery Training. Ms. Smith explained that Title IX is part of the Clery requirements and all CSA's must take the Title IX portion. She stated that there is a shorter version of the Title IX training specific to UND, and all employees will need to take this training, not just faculty.

Mr. Plummer spoke about the Clery Act, explaining how and why it was founded. He encouraged everyone to read the documents regarding this act. CSA's are given this information as it is needed to do their job and provided the policies and procedures for adhering to the act. He asked for a show of hands as to who has taken the training and discussed how important the training is to protect not only the student but the institution. Mr. Plummer wants to make sure that this training is of high quality and that information going out to our faculty and others involved is accurate so that if there is a trial and UND is involved, we can be assured that our staff has the knowledge they need. If you have feedback regarding the training program, please let Mr. Plummer know so that the training can be improved. It was stated that there is a need for discussion on the content of the training to ensure that it complies with the letter of the law, but at the same time it is relevant to rules that an advisor must adhere to.

- b. An update from Council of College Faculties (CCF) representatives, Anne Christopherson and Tom Petros, was given. Ms. Christopherson reported that CCF is currently working on two issues: 1) fine tuning motor pool procedures; and 2) a J-Term. Ms. Christopherson defined a J-Term as a three-week semester at the beginning of January with regular courses starting later in January. Documents regarding this will be posted with the Senate minutes. Ms. Christopherson also stated that CCF was working on getting their minutes updated online.
- c. MIRA Updates: The Space Management Committee members are: Mary Askim-Lovseth, Chair, Department of Marketing; and Bruce Dearden, Professor, Department of Mathematics.

The Support Unit Allocation Committee members are: Carenlee Barkdull, Chair, Department of Social Work; and Graeme Dewar, Professor, Department of Physics and Astrophysics.

MIRA training has been ongoing. Another Budget 101 session was held and Budget 102 sessions are upcoming. If you have not taken Budget 101, please take a few minutes to go to the website and check it out. There is also a new website for MIRA that is available for further information.

- d. Future University Senate meetings: a potential special meeting on December 9 at 2:30 p.m. in the Lecture Bowl. The next regular University Senate Meeting is scheduled for January 14, 2016 in the Education Building, Room 113. Interim President Ed Schafer has been invited.
- e. Updates on Senate Initiatives: There is work being done on a charge for an ad hoc committee to develop a policy for minimum qualifications. This is mandated by the Higher Education Learning Commissions. If you are interested in being on the committee, please see Ms. Weaver-Hightower.

Staff Senate and Human Resources are working to institute an employee engagement survey to be administered in March, 2016.

Staff Senate and Student Government are collaborating on a Freedom of Expression Statement.

- f. Future Events: The Provost's final update on priorities of the semester will be held on December 16 from 3:30-4:30 p.m. in the Lecture Bowl. Vice President for Research & Economic Development, Grant McGimpsey, and Associate Vice President for Diversity & Inclusion, Sandra Mitchell, will also be presenting.
- g. The Chester Fritz Library Master Planning Stakeholder Town Hall Meetings will be on Wednesday, December 9 from 1:00-2:30 p.m. and Thursday, December 10 from 10:30-noon in the Memorial Union Lecture Bowl.

5.

Ms. Weaver-Hightower called attention to the minutes of the November 5, 2015 meeting. There were no additions or corrections. There was a motion of approval by Mr. Munski and a second by Mr. Gedafa. The minutes were approved as distributed.

6.

The question period was opened at 4:35 p.m.

Mr. Murphy asked about the wide reach of the University Police Department and their first priorities. This question was raised because of the NDSU police and city police issue that was brought up earlier this year. Mr. Murphy asked if the UPD is compliant with what the Attorney General's office wants. Mr. Plummer clarified that a memo defines the UPD jurisdiction and the areas that they are responsible to cover, which includes not just campus, but various other locations in the city. The UPD police also has special training from members of SWAT, the bomb squad, water rescue, the drug task force and various other agencies. Mr. Plummer stated that our UPD has an obligation to protect students that not only live on campus, but off campus wherever that may be. We do provide this coverage with the memo from the Attorney General's office in mind.

The question period closed at 4:42 p.m.

7.

Ms. Weaver-Hightower called attention to the 2013-2014 and 2014-2015 annual reports of the Senate Intellectual Property Committee. There was a motion by Ms. Christopherson to approve and file the reports. A second was made by Ms. Laguette, and the motion was approved.

8.

The candidates for degrees in December, 2015 were presented by Marci Mack, Co-Interim Register. There was a motion to approve by Mr. Munski, a second by Mr. Sheridan, and the motion was approved.

9.

Ms. Weaver-Hightower called attention to the University Curriculum Committee report. There was a motion by Ms. Sens to approve and a second by Mr. Doze. The motion was approved.

10.

Ms. Weaver-Hightower discussed the proposed changes to the Online & Distance Education Committee. There was a motion by Ms. Christopherson to approve and a second by Ms. Kurtz. The motion was approved.

11.

Ms. Weaver-Hightower invoked the chair's prerogative to speak regarding the Faculty Senate documents and UND Constitution. She thanked several members of the Senate for their input regarding issues that affect the Senate.

A motion was brought to the floor by the University Senate Revision Committee and the Faculty Senate Development Committee to consider the revised University Constitution, the Faculty Senate Constitution, and the Faculty Senate Bylaws as one package and vote yes or no on adopting all three versus voting on each one separately.

Mr. Sheridan asked for an explanation of the motion, if it was to vote on the whole document or each section of the document individually. He expressed the feeling that he is opposed to adopting the documents as a whole.

Mr. Murphy stated that it is difficult to adopt all three documents at once versus one at a time. He suggested that a vote be taken for each document separately, not as a group.

The Committees' motion to vote on the documents as a package failed.

Mr. Sheridan moved and Mr. Murphy seconded to vote on the documents separately. The motion was approved.

Questions, Discussion, Amendments to the Preamble followed:

Mr. Sheridan stated that the preamble was weak. Mr. Murphy asked if we were a commonwealth and said there needs to be a great deal of wordsmithing to make the document acceptable. Mr. Murphy also asked if the NDUS system has a commissioner or a chancellor. President Kelly explained that the terms are interchangeable.

Ms. Mikulak asked Mr. Sheridan how he would like to strengthen the preamble. Mr. VanLooy asked if the document is approved, how much could the words be changed, and if it was changed, would it then change the Constitution as a whole and need to be voted on again. Mr. Perkins stated that if any changes were made to the Constitution, then it would have to be voted on again.

Ms. Rakow stated that in the old Constitution the first paragraph says "the President in consultation with the faculty." She said that in the new Constitution, this statement alters where the faculty stands in regards to priorities.

Mr. Murphy stated that the authority of the president of UND is not clear in this new preamble. Mr. Light explained that the intent of the preamble is for guidance.

Questions, Discussion, Amendments to the Preface, Section I, Section 2, and Section 3 followed:

Mr. Sheridan said that the Preface would be a good place to put a strong statement that we are a research university and that explains the strengths are of a research university.

Questions, Discussion/Comments, Amendments to Article I - Legislation followed:

Mr. Sheridan stated the word "collaborative" should not be in the document.

Ms. Rakow made a motion to remove the word "shall" and replace it with "should" in the following sentence: "All Standing Committees shall invite university administrators and others as necessary to participate in their meetings." Mr. Sheridan seconded the motion. After discussion, Ms. Rakow changed the motion to remove the word "shall" and add the word "may" in the sentence, "All Standing Committees may invite university administrators and others as necessary to participate in their meeting." Mr. Sheridan seconded the motion. Discussion followed.

Mr. Munski moved to extend the meeting time by one hour to 6:30 p.m. if needed. Ms. Henderson seconded, and the motion was approved.

Mr. Hanson made a motion to call the question. Mr. Harsell seconded the motion. The motion carried.

The motion to change the word "shall" to "may" carried.

Mr. Ferraro made a motion to strike the sentence "All Standing Committees may invite university administrators and others as necessary to participate in their meeting." Ms. Rakow seconded the motion. Discussion followed. Mr. Holm asked why this statement should be removed. Mr. Murphy stated that the sentence was critical in that all members should be invited to attend as their input is invaluable. The motion failed.

Ms. Rakow made a motion to remove the word "collaborate" from Article I - Section D.: "This Committee will ensure that the three Senates communicate and collaborate with each other." Mr. Sheridan seconded the motion.

Mr. Light discussed the importance of collaboration between the three groups. He explained that there was no hidden agenda in this statement, just the need for the groups to work together for the good of the institution. The groups working together does not mean that each must vote the same. Mr. McGinnis stated that collaboration does not mean there is a hierarchy, but that they are working together. Ms. Bradley stated this new constitution would not work without collaboration.

Mr. Hanson moved to end debate. Ms. Kurtz seconded, and the motion to remove the word "collaborate" failed.

Mr. Ferraro made the motion to change the statement, "the committee will include the president or vice president and two additional elected representatives from each senate" to "the committee will include three elected members." Mr. Bridewell seconded the motion. The motion failed.

Mr. Sens made a motion to approve the revised University Constitution as it now stands. Ms. Sens seconded the motion.

Mr. Murphy stated that the document is flawed. Mr. Harsell responded to Mr. Murphy by saying that the constitution is a living document and is receptive to changes.

Ms. Rakow stated that more time was needed, as a group, to work on the document. She said she would be voting "no" on this process.

Mr. Jendrysik stated that it is a framework to go forward with.

Mr. Basile stated that the vote should be "no." He said it is being pushed forward.

Mr. Munski thanked the committee for their hard work, but said the committee had not consulted this group enough to get their approval.

Ms. Bradley moved to end discussion on the motion. Ms. Henderson seconded and the motion to end the discussion was approved.

Mr. Sens made a motion to proceed to the vote on the updated University Constitution as it stands. Ms. Sens seconded the motion. The motion failed.

12.

The meeting adjourned at 6:21 p.m.

Marci Mack, Secretary
University Senate