



1-11-2001

## January 11, 2001

University of North Dakota

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### Recommended Citation

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Minutes of the University Senate Meeting

January 11, 2001

1.

The January meeting of the University Senate was held at 4:10 p.m. on Thursday, January 11, 2001, in room 7, Gamble Hall. Randy Lee presided.

2.

The following members of the Senate were present:

Bagheri, Fathollah	Jackson, Jon	Norton, Theresa
Bass, Gerald	Jeno, Susan	Owens, Thomas
Berger, Kristy	Johnson, Arnold	Pederson, Randy
Boyd, Robert	Khavanin, Mohammad	Petros, Thomas
Cleveland, Mike	Kraidy, Marwan	Poochigian, Donald
Davis, W. Jeremy	Krogh, Nancy	Rice, Daniel
Drewes, Mary	Kupchella, Charles	Schletty, Chris
Elbert, Dennis	Kweit, Robert	Shaeffer, James
Elsinga, Lillian	Lang, Gretchen	Skramstad, Allan
Erickson, Daniel	Lee, Randy	Stevens, Wes
Ettling, John	Lindseth, Glenda	Stolt, Wilbur
Even, Brock	Lowe, D. Scott	Timmerman, Larry
Fivizzani, Albert	Mabey, Renee	Todhunter, Paul
Gallager, Robert	Mann, Michael	Towne, Gary
Greves, Cole	Munski, Douglas	Tschacher, Walter
Grijalva, James	Nelson, Berly	Undlin, Heather
Hoffmann, Mark	Nelson, Enrique	Wellcome, Dan
Holdman, Linda	Nelson, Theron	Zierdt, Candace
Hume, Wendelin	Nichols, Elizabeth	

3.

The following members of the Senate were absent:

Amjad, Sabrina	Hafner, Andrew	Smith, Bruce
DeMers, Judy	Moen, Janet	Stofferahn, Curtis
Fox, Carl	Olsen, Glenn	Wilson, H. David
Frost, Chris	Rankin, Elizabeth	Woehle, Ralph
Gabrynowicz, Joanne	Robertson, Charles	Yurkovich, Eleanor
Goodwin, Janice	Smart, Kathy	

4.

The following announcements were made:

- A. Mr. Lee announced that there are three fora upcoming on the current status of the President's strategic planning effort. The dates are Tuesday, January 30, 3:30 p.m. to 5:00 p.m., in the Burtness Theatre; Thursday, February 8, 11:30 a.m. to 1:00 p.m., in the old Bookstore area of the Memorial Union; and Tuesday, February 13, 8:30 a.m. to 10:00 a.m., in the Odegard Hall Atmospherium.
- B. Mr. Lee announced that the Board, at its December meeting, adopted on second and final reading a policy, effective 7/1/01, on sick leave. Under the policy, sick leave provisions as to all academic staff--nine month or twelve--are left entirely up to each campus's own policy. Mr. Lee described this policy as precisely what this Senate has been asking for since it adopted Senator Susan Jenos's report on behalf of the Senate's Compensation Committee last spring. Mr. Lee thanked President Kupchella and the Council of College Faculties, through its representative to the Board, Robert Kibler of Minot State, and its President Scot Stradley, for pushing against the draft policy that had been proposed at the November Board meeting. The Senate's attention will now turn to watching what Vice President Gallagher and other advisors recommend to President Kupchella as to what UND's policy should be.
- C. Mr. Lee asked Senator Berly Nelson, Student Body President, whether he had announcements on behalf of Student Government. Mr. Nelson announced that the students had held an election but there was no result yet.
- D. Mr. Lee invited other announcements for the good of the Senate. None were offered.

5.

Mr. Lowe was recognized, and he moved to add as item #1 on the Business Calendar the resolution distributed at the meeting to ask the Board of Higher Education to reconsider and retract its decision regarding the "Fighting Sioux" logo. Mr. Kraidy seconded the motion. Mr. Lee called for a voice vote on this procedural matter and the motion carried. The resolution was added as the first item on the Business Calendar.

6.

The Chairman asked if there were any additions or corrections to the minutes of the December 7, 2000 meeting. There being none, the minutes were approved as distributed.

7.

The Chairman introduced the Question Period at 4:13 p.m. No questions were asked.

8.

There being no items on the Consent Calendar, the Senate considered item #1 on the amended Business Calendar. Mr. Lowe moved to adopt the Senate resolution he had distributed asking the Board of Higher Education to reconsider and retract its decision regarding the "Fighting Sioux" logo (see attachments). Mr. Grijalva seconded the motion. Discussion followed. The motion was vote upon and the resolution was adopted on a vote of 40 for, 1 against, and 15 abstentions.

9.

Mr. Lee moved, on behalf of the Senate Executive Committee, to adopt the recommendation, presented to the Senate at the December 7, 2000 meeting, for a Senate Bylaws amendment adding the following language to the end of the present bylaw on Officers:

In the event of any vacancy in the office of Chair, the Vice Chair shall become the Chair. In the event of any vacancy in the office of Vice Chair, the Committee on Committees shall at the next regular meeting of the Senate nominate at least two elected members, the Chair must ask for nominations from the floor, and the Senate shall elect a new Vice Chair from all the nominees.

Mr. Petros seconded the motion. Mr. Lee clarified that, if passed, this amendment would be effective immediately. There being no further discussion, a vote was called and the motion passed unanimously.

10.

President Kupchella reported to the Senate on several issues.

- A. Mr. Kupchella noted that the Board had adopted a sick leave policy, and remarked that the policy was accepted partly as a result of the Senate input on this issue. This policy allows us to continue our current practice. The Cabinet will examine our policy and may recommend changes, but he suggested that the simpler the policy, the better. Mr. Kupchella urged the Senate to continue to provide input on issues, as it is truly helpful.
- B. There are a number of proposals currently under consideration in the State for different levels of tuition for out-of-state students. The proposals will affect NDUS institutions differently, and many of these proposals may be costly for UND. Mr. Kupchella said that his recommendation is to assure there is a floor on tuition, and to then allow each institution to adopt its own policy. He asked the Senate to consider and offer advice on this issue.

- C. Mr. Kupchella presented a tentative list of institutions to be used as peers for UND in benchmarking. Budget allocations will be based on parity among NDUS campuses as to each campus's equity within its peer list. The list was developed with assistance from the National Center for Higher Education Management Systems (NCHEMS) for each NDUS institution. The UND list was developed by selecting universities with a medical school, the appropriate mix of full-time/part-time students, similar programs offered, undergraduate/graduate ratios, and research dollar expenditures, along with other criteria. UND had proposed some aspirational peers for the list, but they were not included. The lists are still under consideration and the Board will receive a report from NCHEMS at their January meeting.
- D. Mr. Kupchella summarized the UND budget and the State appropriation process. He displayed several overhead charts detailing information about the UND budget and about requests for State appropriations. Mr. Kupchella stated that all information presented would be made available to anyone interested by his office.
- E. The nickname issue was reviewed. Mr. Kupchella commented that there are good people on both sides of the issue with sincere convictions, and this issue was one of cultural differences and about a symbol, which, by definition, can mean different things to different people. Mr. Kupchella stated that it was within the Board's authority to make this decision and that the Board had directed him to search for ways to better support Native American students. Mr. Kupchella said that the issue for us today is to decide what to do. He reported that since the Board's decision, he has received many suggestions. He thought they fell into three categories: activities to enhance cultural understanding; support for programs for Native Americans; and public service programs for Native American people. Mr. Kupchella offered to share the list of suggestions with anyone interested and invited further suggestions.

11.

Mr. Lee pointed out that the time was 5:30 p.m., and the meeting would automatically adjourn unless there was a motion to continue. Mr. Davis moved to extend the meeting until 5:45 p.m. The motion was seconded by Mr. Lowe and passed unanimously. Discussion continued about the nickname issue.

12.

The meeting adjourned at 5:45 p.m.

Nancy Krogh, Secretary

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January 12, 20001

William B. Isaacson, President  
State Board of Higher Education  
P.O. Box 580  
Stanley, North Dakota 58784 - 0580

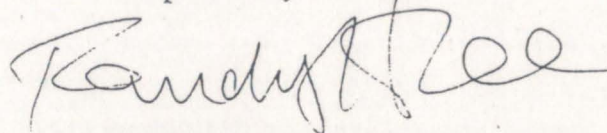
and

Larry A. Isaak, Chancellor  
North Dakota University System  
State Capitol  
600 East Boulevard Avenue, Dept. 215  
Bismarck, ND 58505-0230

Gentlemen:

On behalf of the University Senate of the University of North Dakota, I forward to you the text of a resolution adopted by the Senate at its meeting on January 11, 2001.

Respectfully submitted,



Randy H. Lee  
Bar Foundation Professor  
and Chair, University Senate

Whereas, the "Fighting Sioux" nickname and assorted logos have provided many causes for concern on the UND campus for thirty years;

Whereas, President Kupchella formed a commission of prominent citizens to study the issue, and after a year of study that commission had made its final report;

Whereas, Chancellor Isaac had publicly proclaimed his unqualified support for whatever conclusions President Kupchella might reach; and

Whereas, the State Board of Higher Education subsequently adopted a preemptive resolution to the nickname/logo issue;

NOW THEREFORE BE IT RESOLVED that the UND Senate concludes that the Board of Higher Education's intervention without prior notice or explanation was an unjustified interference with a pending deliberative campus process, and the Senate calls on the Board to reconsider and retract its decision.

Bergin, William  
 Boyd, Robert  
 Cleveland, David  
 DeWitt, Robert  
 Eibert, Robert  
 Eisinger, Lillian  
 Eskin, Daniel  
 Etting, John  
 Evans, Brock  
 Fox, Carl  
 Frost, Chris  
 Gebrynowicz, Joseph  
 Gallagher, Robert  
 Goodwin, Janice  
 Graves, Cole  
 Grijalva, James

Kragh, Nancy  
 Lewis, Robert  
 Long, Gretchen  
 Lee, Sandy  
 Litchfield, Glenda  
 Long, D. Scott  
 Mahay, Renee  
 Mann, Michael  
 Mankin, Douglas  
 Nelson, Barry  
 Nelson, Eugene  
 Nelson, Theron

Pochigian, Donald  
 Robertson, Charles  
 Shaeffer, James  
 Skramstad, Allan  
 Smith, Bruce  
 Timmerman, Larry  
 Todhunter, Paul  
 Trachacher, Walter  
 Yurkovich, Eleanor  
 Zierdt, Candace  
 Zupher, Christopher

The following members of the Senate were absent:

Ajjad, Sabrina  
 Bagheri, Fathollah  
 Bane, Gerald  
 Crowe, Mary  
 Fivizzano, Albert  
 Johnson, Arnold  
 Khavadin, Mohammad  
 Krainy, Marvan

Kupchella, Charles  
 Matthews, James  
 Noon, Robert  
 Parris, Thomas  
 Ruppel, Elizabeth  
 Rice, Daniel  
 Schaeffer, Chris  
 Scott, Jeffrey

Stofferahn, Curtis  
 Stolt, Wilbur  
 Touse, Gary  
 Ondra, Heather  
 Walling, Dan  
 Wilam, M. David  
 Yurkovich, Eleanor