



10-24-2002

**October 24, 2002**

University of North Dakota

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Minutes of the University Senate Meeting  
October 24, 2002

## 1.

A special meeting of the University Senate was held at 4:05 p.m. on Thursday, October 24, 2002 in Room 7, Gamble Hall. Jan Goodwin presided.

## 2.

The following members of the Senate were present:

Alleva, Patti	Hikins, James	Okunishi, Takeshi
Anderson, Angie	Hoffmann, Mark	Perry, David
Baker, Adam	Hume, Wendelin	Petros, Thomas
Bartsch, Brent	Jenniges, Sharleen	Porter, James
Blackburn, Royce	Jerath, Sukhvarsh	Rakow, Lana
Bridewell, John	Jose, Matt	Romanick, Mark
DeMers, Judy	Kenville, Kimberly	Ruff, Nick
Drewes, Mary	Knight, Barbara	Ryan, Steffen
Ettling, John	Krogh, Nancy	Sheridan, William
Fivizzani, Albert	Lee, Randy	Stanlake, Lowell
Gerber, Anne	Levang, Chris	Stofferahn, Curtis
Goodwin, Janice	Lovseth, Jon	Thompson, Myra
Hanhan, Sara	Marshall, David	Tiffany, Mark
Hansen, Kenneth	Murphy, Eric	Zidon, Margaret
Heitkamp, Thomasine	Norman, Katherine	

## 3.

The following members of the Senate were absent:

Bagheri, Fathollah	Jeno, Susan	Shaeffer, Margaret
Benoit, Joseph	Kupchella, Charles	Skramstad, Allan
Boyd, Robert	McBride, Rosanne	Smith, Bruce
Davis, Jeremy	Nichols, Elizabeth	Stolt, Wilbur
Elbert, Dennis	Porter, Kimberly	Thureen, Faythe
Elsinga, Lillian	Potvin, Martha	Venhuizen, Brett
Gagnon, Gregory	Rice, Daniel	Watson, John
Gallager, Robert	Romero, Alan	Wilson, H. David
Goenner, Cullen	Shaeffer, James	
Jackson, Jon		

## 4.

The following announcements were made:

- A. The chair announced that she would ask Senate members to write motions on the forms found at the end of each row to allow members to more easily communicate motions or amendments to the Senate.

5.

The Chair asked for corrections or additions to the October 3, 2002 minutes. There being none, the minutes were approved.

6.

The Senate considered the proposed changes to the constitution. The chair asked the Senate to consider the document in sections, beginning with Section I, The Governing Board. The Senate began informal discussion. Mr. Perry moved to accept Section I changing the words "he/she" or "his/her" to "the President" wherever they appear in the document. The motion carried on a vote of 44 in favor, 1 opposed.

7.

The Senate considered Section II, The University Legislature. Mr. Petros moved to return the stricken sentence on line 17, part 1.a, that reads "The University Legislature shall consist of the Council and its Senate." After discussion the motion carried on a vote of 41 in favor, 4 opposed with 1 abstention. Mr. Murphy moved to strike the words "academic senate" and replace them with "University Senate" everywhere they appear in the document. After discussion, the motion carried on a vote of 29 in favor, 16 opposed. Ms. Demers moved to delete the comma and the words "who are employed primarily on the Grand Forks campus" from line 19, part 1.b. After discussion, the motion carried by a vote of 41 in favor, 2 opposed with 1 abstention. Mr. Perry moved to change on line 35, part 1.c(2) the words "two and one-half" to the word "three." After discussion, the motion carried 33 in favor, 11 opposed. Discussion continued on Section II. Mr. Hikins moved to add to the end of line 29, part 1.c(1) the words "and directors." The motion was not seconded and was not considered. Ms. Hanhan moved to include on line 23, part 1.b. the words "associate vice presidents who concurrently hold faculty rank" after the words "associate deans." Discussion ensued. Mr. Perry offered a friendly amendment to move the words "associate vice presidents who concurrently hold faculty rank" after the words "vice presidents" on line 20, part 1.b. Ms. Hanhan accepted the friendly amendment. The motion carried on a vote of 40 in favor, 4 opposed. The discussion on Section II continued. Mr. Stofferahn moved to change the words "the total numbers of elected Council members on the Senate" on line 34, part 1.c(2) to "the total number of faculty members without administrative appointment elected from the Council to the Senate." Mr. Petros offered a friendly amendment to change the wording to "the total number of faculty members without administrative appointments beyond that of chairperson." After continued discussion, the motion was defeated on a vote of 30 opposed, 13 in favor with 1 abstention. Mr. Petros moved to change lines 8 and 9, part 2.a by inserting "in consultation with the President" after the words "the chairperson of the Senate." The motion carried on a vote of 39 in favor, 4 opposed. Mr. Petros moved to insert a new section after part 2.a stating "the fall meeting shall include the opportunity for the President to present his annual state of the university address." Ms. Norman offered a friendly amendment to change the word "his" to "the." The friendly amendment was accepted. After discussion, the motion carried 38 in favor, 4 opposed. Informal discussion on Section II continued. Mr. Stofferahn moved to approve Section II as amended. The motion carried 32 in favor, 9 opposed and 1 abstention.

8.

The chair presented Section III, The President, for discussion. Ms. Rakow moved to approve Section III as presented. The motion carried on a vote of 40 in favor, 2 opposed.

9.

The chair presented Section IV, Administrative Officers, for discussion. Mr. Jerath moved to approve section IV as presented. The motion carried on a vote of 40 in favor, 2 opposed.

10.

The chair introduced section V, The Faculties, and stated the "he/she" references would be changed to the word "deans" where ever they appeared. Mr. Sheridan moved approval of Section V. Discussion ensued. Mr. Murphy moved to amend the motion by removing the words "and/or" from the beginning of line 30, part 2 and to replace the words "conducting research" with "scholarly activity." The Senate discussed the amendment.

11.

Mr. Petros moved to extend the meeting to 5:45 p.m. The motion carried.

12.

The discussion on the amendment continued. The motion was defeated on a vote of 37 opposed, 7 in favor. Discussion continued on the main motion. Mr. Murphy moved to amend the motion by adding the words "consistent with University and Board policy" at the end of line 7, part 3. The motion on the amendment failed on a vote of 28 opposed, 14 in favor. The Senate approved the main motion to approve Section V on a vote of 41 in favor, 1 opposed.

13.

The chair introduced Section VI, The Service of Faculty and Administrative Officers, for informal discussion. Mr. Perry moved to approve section VI as presented. The motion carried unanimously.

14.

At 5:45 p.m. Mr. Bridewell moved to extend the meeting time for 15 minutes. The motion carried.

15.

The chair introduced Section VII. Mr. Sheridan moved to delete the old section VII, University Property, and to approve the new section VII, Staff. The motion carried unanimously.

16.

Mr. Marshall moved to approve Section VIII, Communication and Cooperation. The motion carried unanimously.

THE UNIVERSITY OF MARYLAND CONSTITUTION

17.

Mr. Marshall moved to approve Section IX, Amendments. The motion carried unanimously.

18.

Mr. Murphy moved to reconsider Section VIII, Communication and Cooperation. The motion carried on a vote of 36 in favor, 6 opposed. Mr. Petros moved to delete section A. of Section VIII. Mr. Murphy offered a friendly amendment, that was accepted by Mr. Petros, to amend section b. for consistency. After Senate discussion, Mr. Petros withdrew the motion. Mr. Hansen moved to insert the words "consistent with this constitution" after the word "Board" on line 22, part 2.a. Discussion continued.

19.

At 6:00 p.m. Mr. Petros moved to extend the meeting five minutes. The motion was approved.

20.

After continued discussion on the amendment, the motion failed on a vote of 36 opposed, 5 in favor with 1 abstention. Mr. Sheridan moved to approve Section VIII, Communication and Cooperation. The motion carried on a vote of 37 in favor, 2 opposed.

21.

Mr. Sheridan moved to extend the meeting until 6:12 p.m. The motion carried.

22.

Ms. DeMers moved to approve the constitution as amended in its entirety. After discussion, the motion carried on a vote of 31 in favor, 6 opposed. (See attachment #1)

23.

The meeting was adjourned at 6:12 p.m.

Nancy Krogh  
Secretary to the Senate

(2) Council shall consist of the following members: the President, the Vice President, the Director of Administration, the Director of Finance, the Director of Library, and deans of each school and college.

# THE UNIVERSITY OF NORTH DAKOTA CONSTITUTION

## I. THE GOVERNING BOARD

The government of the University of North Dakota and the laboratories and stations associated with it by legislative act is vested by law in the Board of Higher Education, hereinafter referred to as the Board. The Board has final authority in all matters affecting the institution and exercises jurisdiction over its financial, educational, and other policies, and its relation with the state and federal governments. In accordance with the experience and practice of this and other institutions of similar character, the Board entrusts the execution of all its plans and policies, together with the internal government and administration of the institution, to the President ~~and~~ in consultation with the faculty and such other officers as ~~it he/she~~ the President may select. The President shall submit monthly for the information and approval of the Board a report showing what matters already approved by the Board have been put into execution, and all new matters, which, in ~~his/her~~ the President's judgment, demand attention, or for which ~~he/she~~ the President wishes the approval of the Board. Since the Board is responsible for the management of the institution, it desires full information upon all matters, financial and educational, from proper officials.

## II. THE UNIVERSITY LEGISLATURE

### 1. Legislative Bodies

- a. The University Legislature shall consist of the Council and its Senate. The faculty's legislative powers shall reside in the Council and its Academic University Senate.
- b. The Council consists of the following, ~~who are employed primarily on the Grand Forks campus:~~ The President; the Vice Presidents; Associate Vice Presidents who concurrently hold faculty rank; ~~the Director of Admissions and Records~~ the Registrar; the Director of Libraries; all deans; all department chairpersons; all of the full-time faculty of the rank of instructor, assistant professor, associate professor, and professor; program directors, coordinators, assistant and associate deans who concurrently hold faculty rank; ~~the Director of the Counseling Center;~~ professional librarians; and such other academic personnel and administrative officers as the Council may designate.
- c. The ~~Academic~~ University Senate shall consist of the following members:
  - (1) Ex-Officio Members: The President, ~~the Vice Presidents,~~ the Provost ~~the Director of Admissions and Records~~ the Registrar, the Director of Libraries, and deans of schools and colleges.
  - (2) Council Members: The Council shall provide by legislation for the election of Council members to the Senate, for such terms and in such manner as the Council shall determine, but subject to these limitations: (1) no one may be eligible for election to the Senate who shall not have been a member of the Council for one full academic year by August 16 of the next academic year; (2) the total number of elected Council members on the Senate shall be ~~two and one-half~~ three times the number of ex-officio members and student members; (3) the Council members of each professional school or college and the libraries shall have the right to elect to the Senate two of its members who are eligible for election to the Senate, with the exception of the College of Arts and Sciences, which shall have the

1 (4) Questions of scholarship and attendance, coordination of outside activities, ~~methods of~~  
2 ~~recording~~ class standing and credits, examination ~~and recitation~~ schedules, vacations, and  
3 the institution's catalog and calendar.

4 (5) Institutional prizes, honors, and honorary degrees.

5 (6) General relations and interests of students, including health, conditions of living,  
6 regulations of social life, intramural and intercollegiate athletics, student organizations and  
7 publications ~~musical and dramatic clubs, debate and oratory.~~

8 (7) The general policies of the Library and the Division of Continuing Education.

9 (8) The following matters in consultation with the President: planning; organization or  
10 reorganization of the schools, colleges, and departments; disputes arising between or  
11 among schools and/or colleges; matters of budget apportionment; and decisions regarding  
12 physical resources.

13 b. The Senate may exercise all of the powers of the Council, but subject to whatever limitations or  
14 instructions the Council may from time to time impose on the Senate in this regard. Any action  
15 of the Senate taken in the exercise of the Council's powers may be revoked and declared to be of  
16 no force and effect at any meeting of the Council. ~~except as to any action that may have been~~  
17 ~~completed pursuant to Senate action taken hereunder.~~ In the event of conflict between legislation  
18 of the Council and of the Senate, the legislation of the Council shall prevail.

19 c. The Council and the Senate shall make available to ~~all the~~ each Council members reports of all  
20 action taken at all meetings of the two bodies.

21 d. The Council and the Senate may form from the respective memberships permanent and ad hoc  
22 committees and delegate to such committees any powers or functions that are vested within the  
23 respective parent body. The Council and the Senate may also form or participate in, through  
24 designated members as representatives, committees composed partly of non-members of the  
25 Council ~~or of the State.~~

### 26 III. THE PRESIDENT

27 1. The President is the executive head of the University and the laboratories and stations associated with  
28 it ~~and ex-officio a member of all faculties and of all committees.~~ He/she is the official medium of  
29 communication between the Board on the one hand, and the University legislature, faculties,  
30 administrative officers, student organizations and students, on the other. He/she is responsible to the  
31 Board for ~~the educational and business policy of the institution~~ institutional policy and administration and  
32 accordingly has supervision over all of ~~its~~ the institution's officers and all of ~~its~~ the institution's interests,  
33 subject to the state laws and the rules and regulations of the Board.

34 2. It is the duty of the President, in consultation with the University legislature, to make  
35 recommendations covering the general policy of the institution and for securing and coordinating its  
36 parts. While it is the duty of the President to make such recommendations, no recommendations  
37 covering policy may be made to the Board without first consulting the University legislature except in  
38 emergencies requiring immediate action. Nor shall any recommendations be made affecting the policy of  
39 any school or college or department without first consulting through established channels the faculty of  
40 ~~the said~~ that school, college or department.

1 officers and professors shall have a hearing concerning the appointment of their subordinates, and as a  
2 general rule such appointment should not be made without their approval.

3 3. Chairpersons, and the departmental faculties involved will make recommendations to the dean of  
4 each school or college regarding all appointments, promotions, or removals of professors or of other  
5 teaching staff. Deans will make recommendations regarding those appointments, promotions, or  
6 removals to the Vice President for Academic Affairs and Provost. If the recommendation is different  
7 from that made by the chairperson, the dean must provide a written explanation to the chairperson and  
8 that explanation should accompany the recommendation made to the Vice President for Academic  
9 Affairs and Provost. The Vice President for Academic Affairs and Provost will make recommendations  
10 to the President regarding those appointments, promotions, or removals. If the recommendation differs  
11 from that made by either the chairperson or the dean, the Vice President for Academic Affairs and  
12 Provost must provide a written explanation to both the chairperson and the dean and that explanation  
13 must accompany the recommendation made by the Vice President to the President.

14 4. The deans have general oversight of the academic work in their divisions, and they make an annual  
15 report to the President on the condition of their units. They are charged together with the President and  
16 the vice presidents with responsibility for the well-being of the institution as a whole.

17 5. Before submitting their annual budget requests through established academic organizational channels,  
18 the deans shall first consult with their chairpersons concerning the needs of their departments and the  
19 college or school. The faculty should actively participate in the determination of policies and procedures  
20 governing salary increases.

21 6. ~~In addition to the President, the vice presidents, the deans, the chairpersons, the faculties, and such~~  
22 ~~other officers as are mentioned elsewhere in this Constitution, there may be established such other~~  
23 ~~academic and administrative posts as may be deemed advisable from time to time by the Board or by~~  
24 ~~subordinate authorities of the University to which the Board may appropriately delegate such power.~~  
25 ~~Similarly, Committees may be appointed at and by any level of University authority for the purpose of~~  
26 ~~effectively carrying on out the activities of the University.~~

## 27 V. THE FACULTIES

### 28 1. The University Faculty

29 The make-up and definition of the University faculty and its titles and ranks shall be established by  
30 the action of Senate within current Board guidelines. The University faculty may through the  
31 University legislature ~~formulate its attitude upon~~ express its position on any matter affecting the  
32 institution and may make recommendations to the Board and/or the President.

### 33 2. The Faculties of Schools and Colleges

34 The faculties of schools and colleges consist of those university faculty members giving instruction  
35 and/or conducting research in any of the schools or colleges of the University. Only the deans,  
36 professors, associate professors, assistant professors, and such other academic personnel as may be  
37 designated by the school or college faculty with the approval through established academic  
38 organizational channels of the President shall have the right to vote in matters affecting the general  
39 policy of any school or college. Each dean may call a meeting of the faculty of the dean's his/her  
40 school or college whenever the dean he/she deems it advisable, and must call such meeting when  
41 requested to do so by one-fourth of the dean's his/her faculty. The President shall be informed of such



1 other publications as appropriate. These are to be freely available to all faculty, staff, and other  
2 employees, and are to govern UND employment practices. The Faculty Handbook shall be edited,  
3 published and kept current and consistent with Board policy and this Constitution by the Executive  
4 Committee of the Senate.

5  
6 4. Tenure, Dismissal, and Academic Freedom

7 a. The University is a forum for ideas and it cannot fulfill its purpose of transmitting, evaluating,  
8 and extending knowledge if it requires conformity with any orthodoxy of content and method.  
9 Tenure, academic freedom, and faculty rights are the foundation of UND practice with respect to  
10 faculty retention and dismissal and are basic to the University's mission of teaching, research, and  
11 service.

12 Tenure for a faculty member is recognition of continuous appointment to the faculty at the rank of  
13 instructor, assistant professor, associate professor, or full professor. ~~The University shall, through~~  
14 ~~its faculty and administration, develop procedures by which faculty members are evaluated and~~  
15 ~~recommended for tenure.~~ The President shall make recommendations to the Chancellor  
16 concerning all requests for tenure.  
17

18 b. The services of a person with tenure shall be terminated only for adequate cause. Guidelines and  
19 procedures of due process for termination or dismissal for cause are established by the ~~Academic~~  
20 University Senate consistent with Board policy and are published in the Faculty Handbook.

21 The procedure for the notice of termination of services of faculty members, including those  
22 holding probationary appointments, shall be according to scheduling appropriate to paragraph a.  
23 above as established by Academic University Senate action, and published in the Faculty  
24 Handbook.

25 c. A person with tenure who has been recommended for dismissal may, if he/she desires, appeal the  
26 recommendation according to Board policies laid down in the Board's current statement on  
27 Academic Freedom, Tenure, and Due Process, and current UND guidelines for implementing the  
28 Board's statement policy. The statement and guidelines are established by Senate action and  
29 published in the Faculty Handbook.

30 d. The President shall approve all personnel actions, except the award or change in tenure status,  
31 involving all faculty members and other institution employees and. ~~The President shall notify in~~  
32 ~~writing all persons of their tenure status upon appointment or upon any change of status, and each~~  
33 ~~action shall be so certified to the North Dakota State Board of Higher Education.~~

34 5. Leaves: Faculty and Administrator Development

35 Faculty members and administrative officers may be granted developmental leaves of absence for  
36 purposes of professional renewal and development leaves of absence, normally not to exceed one  
37 academic year, with or without financial assistance from the University in accordance with  
38 regulations and policies formulated by the University ~~and approved by the Board~~. Leaves may also  
39 be granted by the President for other purposes as appropriate to the interests of the University.

1 In addition to the above, members of the faculty and administrative officers are urged to become  
 2 members and to attend meetings of national, regional, and state professional associations. The  
 3 University and its colleges, schools, and departments will develop policies appropriate to available  
 4 resources to provide assistance to faculty and administrative officers for participation in professional  
 5 meetings and travel for the benefit of the institution.

## 6 VII. UNIVERSITY PROPERTY

7 ~~No one shall use for his/her own personal pleasure or for other personal purposes, or remove from the~~  
 8 ~~buildings or grounds, any property of whatever description belonging to the institution, even though it~~  
 9 ~~may seem to be of no value, unless it be temporarily and pursuant to some well established regulation or~~  
 10 ~~usage, or with the distinct approval of the President.~~

## 11 VII. STAFF

- 12 1. The Staff Senate is comprised of elected representatives from each job category.
- 13 2. To ensure effective and broad-based cooperation and communication between faculty and staff, the  
 14 Academie University Senate shall select three non-voting delegates to the Staff Senate and the Staff  
 15 Senate shall select three non-voting delegates to the Academie University Senate.

## 16 VIII. COMMUNICATION AND COOPERATION

### 17 1. Order of Communication and Reports

- 18 a. Communications or reports pertaining to matters of business or appointments to be presented to  
 19 the Board shall be first presented to the President for his/her examination and recommendation;  
 20 but the Council and Senate may, if they deem it advisable, address the Board directly.
- 21 b. In the same way, communications and reports to ~~superior authorities~~ administrative officers shall,  
 22 in general, be transmitted through all intermediary officers, but the right of the President to call  
 23 for immediate reports from any members of the institutional and administrative staff, or the right  
 24 of any member of the faculty or of any employee of the University to address the President  
 25 directly, shall not be denied.

### 26 2. Spirit of Cooperation

- 27 a. It shall be the duty of all persons connected with the institution to cooperate with the Board in  
 28 carrying out the purposes and policies of the Board, and it shall also be the duty of all such  
 29 persons to cooperate with the President, who is the representative of the Board. Vice presidents,  
 30 deans, chairpersons of departments and divisions may reasonably expect the ~~loyal support~~  
 31 cooperation of faculty members and employees who work with them in carrying out the policies  
 32 approved by the President and faculty.
- 33 b. At the same time all ~~superior~~ administrative officers ~~are reasonably expected to give an~~ shall be  
 34 open mind to criticisms or suggestions made to them by faculty members and other persons  
 35 working under their direction. ~~The Board desires all~~ All persons connected with the University  
 36 are expected to deal with each other frankly openly and professionally kindly and to work  
 37 ~~harmoniously together~~ for advancement of the institution. ~~In the opinion of the Board, it is only~~

1 ~~under~~ Under such conditions ~~that a noble spirit of cooperation and helpfulness~~ may be created at  
2 the institution. Such spirit cannot be created by legislation or constitutional ~~amendments, but can~~  
3 be aided by principles and procedures fairly and conscientiously applied.

## 6 IX. AMENDMENTS

### 7 1. Power to Amend

8 This Constitution may be amended by the Board by approval ~~therefore by of~~ a majority of the Board at  
9 two regular meetings of the Board. However, this Constitution may be amended by a majority of the  
10 Board at only one regular meeting, when the proposed amendment shall have been recommended to the  
11 Board by the ~~Academic~~ University Senate and ~~and when~~ such recommendations shall have been approved at  
12 two regular meetings of the ~~Academic~~ University Senate by a majority of the members present at those  
13 meetings.

### 14 2. Notice Requirements

15 Prior to any meeting of the Board or of the ~~Academic~~ University Senate or Council where an amendment  
16 to the Constitution is to be considered for adoption or recommendation, at least two weeks notice of such  
17 consideration of amendment at such meeting shall be sent to all members of the Board and the ~~University~~  
18 Academic University Senate and Council respectively.

19 May 9, 1994; amended Feb. 5, 1998


21 Modified by the UND Constitution Review Committee – November 6, 2001

22 Final Revisions by the UND Constitution Review Committee – January 4, 2002

23 Final Revisions by the Senate Executive Committee and the Constitution Review Committee - February 12, 2002

UNIVERSITY OF UND NORTH DAKOTA

OFFICE OF THE PRESIDENT  
P.O. BOX 8193  
GRAND FORKS, NORTH DAKOTA 58202-8193  
(701) 777-2121  
FAX (701) 777-3866

TO: Randy Lee  
FROM: Charles E. Kupchella   
SUBJECT: University Constitution  
DATE: January 4, 2000

It appears to me that the University's Constitution needs, at least, some minor revision. It would be great if the pages were numbered; my copy doesn't have them numbered. There is some language concerning appointment of institutional officers on page 6 that is now out of date, and there may well be some other revision needed because of changes in Board policies approved over the last several months. There are also a number of typos in the Constitution; for example, page 6, line 1, paragraph 3, "make" should be "made." I wonder if either, or both, the Faculty Handbook and the University Constitution are documents that are available on-line, as they should be. I also wonder about some policies; for example, on page 6, line 6, paragraph 3, is says that standards are made by the University Senate for promotion and tenure; whereas, I thought these would be made at the department level, or at least the specifics would be.

I'd like to discuss this with you sometime soon.

CEK/pb

Registrar's Office

OCT 11 2002

## Issues of Concern for the Constitution Revision

## Points of contention

1. Keep or disband the University Council...The senate is elected from members of the University Council. Arguments to get rid of the council assert that the body is out dated and never does anything. Arguments in favor of keeping it say that the University Council Stands in Veto power of all senate actions and thus serves an important checks and balance. Another argument in favor of keeping the Council is that they could be more actively involved in decision making, if given the opportunity to develop agenda items for the University Council meetings.

The major questions seems to be what purpose should the University Counsel serve? Should it be chaired by the chair of the University Senate with an agenda generated by Council members (rather than primarily by the President)? Should the meeting be co-chaired by the President and the Senate chair and an agenda be jointly developed by these two parties. (seems to better fit the idea of shared governance).

2. Remove certain administrators from membership on the Senate. The argument in favor is to have a more faculty dominated senate, that faculty voice is not being heard and that the president regularly consults with other administrative bodies (Dean's council, cabinet) that have much more influence on the decision making process. The argument against this is that the faculty already have a majority of votes in the senate and that the discussion is better served with all parties (administrators and faculty) present.

Current Senate Composition

Ex-Officios:	President	Dean Nursing
	VP Oper/Finance	Dean SEM
	VPAA	Dean Grad School
	VPSOS	Director, Lib.
	Dean A&S	Dean of Students
	Dean, Med	WDSAS
	Dean Law	Registrar
	Dean BPA	Dean Outreach Programs
	Dean EHD	

17 Ex-officios x 2.5 = 43 elected senators

6 A & S  
 2 Med  
 2 NUR  
 2 Libraries  
 2 SEM  
 2 EHD  
 2 LAW  
 2 SAS  
 2 BPA

Total 22

21 senators are elected at large

14 Senators are students

Registrar's Office

OCT 11 2002

University Senate

UNIVERSITY OF NORTH DAKOTA

Total = 43 elected, 17 Ex-officios, 14 students = 74 senators  
(37 needed for a quorum)

Note: The current composition of the senate is that there are 2.5 as many elected faculty as there are Ex-Officios

The revised constitution proposed to change the ratio to 2.5 the number of Ex-Officios+Students or 2.5 x 31 or 78 elected senators for a total membership of the senate at 78+17+14 or 109 members

3. should a separate faculty senate be created to parallel the Staff Senate and Student Senate, with all three bodies represented on the University Senate? If so, what are the governance concerns of that body compared to the others? (For example, perhaps a Faculty Senate should approve the graduation list, curriculum matters, and make separate recommendations on budget matters.

4. We also need to discuss the issue of how Staff Senate will be represented in the revised Constitution. The President would like to see more of a presence from Staff on the University Senate; others see more of an academic focus which would be beyond the experience of most staff senators.

5. The newly proposed constitution suggests a name change from University Senate to Academic Senate. Some have questioned whether this change is needed.

Dear Professor [Name]

This is to request your review and updating of our University Constitution. We would like to consider (1) whether the University should have a Senate at all, and (2) how we would make it more representative by adding staff representatives to the Executive Committee and asked that they had already given it some thought.

Sincerely,

Charles E. Kuykendall  
President

CEK:rb

UNIVERSITY OF **UND** NORTH DAKOTA

*Univ Senate*

OFFICE OF THE PRESIDENT  
P.O. BOX 8193

GRAND FORKS, NORTH DAKOTA 58202-8193  
(701) 777-2121  
FAX (701) 777-3866

TO: David Perry, President, University Senate  
Doug Marshall, Chair, Ad Hoc Constitutional Review Committee  
FROM: Charles E. Kupchella  
SUBJECT: Senate Meeting on April 6, 2002

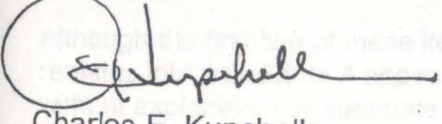
January 18, 2000

John Bridewell, Chair  
University Senate  
c/o Department of Aviation  
PO Box 9007

Dear Professor Bridewell:

This is to formally request that the University Senate undertake a review and updating of our University Constitution. As a part of that review, we might consider (1) whether the University Council has a significant place in the grand scheme at all, and (2) how we would make the University Senate a full "University" Senate by adding staff representation. I had discussions earlier this year with the Senate Executive Committee and asked that they look into this issue, and I understood that they had already given it some consideration.

Sincerely,



Charles E. Kupchella  
President

CEK/pb

Attachments


Registrar's Office

OCT 11 2002

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TO: ✓ David Perry, President, University Senate  
 Doug Marshall, Chair, Ad Hoc Constitutional Review Committee

FROM: Charles E. Kupchella 

SUBJECT: Senate Meeting on April 4, 2002

DATE: April 3, 2002

I regret that because of my involvement in the College of Business and Public Administration's capital campaign in Minneapolis on Thursday, I will miss the University Senate meeting set for that day.

Among the items of interest on the agenda are the changes proposed in the University's Constitution. In conversations with the Senate leadership, and in writing, I requested a review of the Constitution about two years ago asking that certain changes be considered, i.e.:

- (1) Modernization of language.
- (2) Alignment of the Constitution with current Board policies, e.g., showing that certain items formerly requiring Board approval have been shifted to the campuses.
- (3) Eliminating the University Council and shifting all of its responsibilities to the University Senate. The reasons for this being that the Council appears to have been designed for another time and for a much smaller University. By all accounts, it has not functioned except through delegation to the University Senate for decades.
- (4) Making the University Senate a true University Senate by providing for some additional staff representation.

Although the first two of these items appear to have been accomplished, the Council (item 3) remains intact and item 4 appears to have been taken in a completely different direction – without explanation or adequate justification.

While I suppose I could (I am certainly interested in hearing the arguments) live with the archaic Council structure, I cannot support the conversion of the University Senate into an Academic Senate. Such a move would leave us without a campus-wide governance structure. It would require that somebody, the Provost probably, work outside the proposed structure to connect all of the relevant, but missing, interests to issues of campus-wide importance.

Since the University Senate is appropriately faculty-dominated, it is not at all clear why there is a need for a faculty senate. If there is a perceived need for an isolated, "academic-only" consideration of some issues, why could this not be done in some kind of standing, sub-committee structure, retaining the broadly shared-governance ideal of a University Senate?

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