



4-2-2009

April 2, 2009

University of North Dakota

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Minutes of the University Senate Meeting
April 2, 2009

1.

The April meeting of the University Senate was held at 4:05 p.m. on Thursday, April 2, 2009 in Room 7, Gamble Hall. Jon Jackson presided.

2.

The following members of the Senate were present:

| | | |
|-------------------|---------------------|--------------------|
| Anderson, Ernest | Fershee, Josh | Lim, Yeo |
| Anderson, Suzanne | Fincke, Adam | McClure, Johnathan |
| Baker, Mary | Gottschalk, Martin | McLennan, Kathleen |
| Bass, Gail | Gourneau, Bonni | Miller, Charles |
| Benoit, Joseph | Grandstrand, Tyrone | Munski, Doug |
| Boyd, Robert | Haskins, James | O'Keefe, Tim |
| Bradley, April | Healy, Margaret | Petros, Thomas |
| Brekke, Alice | Hoffarth, Janice | Rakow, Lana |
| Brevik, Harald | Hoffmann, Mark | Rice, Daniel |
| Bridewell, John | Hume, Wendelin | Riedy, Joshua |
| Broedel, Hans | Jackson, Jon | Schlosser, Isaac |
| Buhr, Jordan | Jerath, Sukhvarsh | Smart, Kathy |
| Burbach, Nathan | Kelley, Robert | Smith, Wesley |
| Crawford, Sean | Kenville, Kimberly | Stolt, Wilbur |
| DeMers, Judy | Khavanin, Mohammad | Stone, Chelsea |
| Dewar, Graeme | Knight, Barbara | Swingen, Nicholas |
| Doze, Van | Lawrence, David | Ullrich, Gary |
| Drechsel, Carol | LeBel, Paul | Wanner, Kyle |
| El-Rewini, Hesham | Lei, Saobo | Wirth, Nicole |
| Elsinga, Lillian | Lesch, Bill | Wu, Min |
| Erickson, Daniel | Liepold, Loren | |
| Ferraro, Richard | Light, Steven | |

3.

The following members of the Senate were absent:

| | | |
|--------------------|--------------------|-------------------------|
| Berwald, Olaf | McBride, Rosanne | Slater, Seinquis |
| Bowman, Frank | Melland, Helen | Smith, Bruce |
| Carlson, Christine | Milavetz, Barry | Sun, Jeffrey |
| Crenshaw, Michael | Onchwari, Grace | Tepper, Nadine |
| Dockter, Sally | Perkins, Dexter | Terras, Katherine |
| Elbert, Dennis | Poochigian, Donald | Traylor-Schaffzin, Kate |
| Goodwin, Janice | Potvin, Martha | Wilson, H. David |
| Houdek, Sherryl | Rand, Kathryn | |
| Hunter, Susan | Sens, Mary Ann | |

4.

The following announcements were made:

- a. Mr. Jackson called attention to the business calendar of the agenda. He requested the addition of two resolutions, one from Staff Senate and a second regarding the logo. Approval was moved by Mr. Munski. The motion was seconded by Ms. DeMers and approved with a vote of 51 for, 1 against and 1 abstention.

- b. Ms. Hoffarth explained how the State Organization for the Staff Senate was organized through the impetus of UND Staff Senate. The organization has met formally and they expect to have rules and bylaws passed by the end of April.
- c. Mr. Jackson described a request to review membership on the University Council. He agreed to chair a task force and requested volunteers to join him. After the task force completes its work, it will report back to Senate.
- d. Mr. Jackson indicated that the faculty seed money program has become inactive. An ad hoc committee will address the program in an attempt to rejuvenate it. The ad hoc committee will report back to Senate after completing its work.
- e. Ms. Brekke announced an open budget forum April 15 at 11:00 a.m. in the Memorial Union North Ballroom. Ms. Brekke and President Kelley will give an update and status report on the budget and process. There will also be an opportunity for questions and discussion.
- f. Mr. Jackson announced that on April 21 there will be a University Council meeting. There will be a report on University Senate by Ms. Hume and a presentation by President Kelley. Peter Johnson informed the Senate that the meeting was being rescheduled; however, it was later discovered that the meeting was not being rescheduled and will be held on April 21.
- g. Mr. Boyd, as chair of the Vice President for Finance and Operations Search Committee, made an announcement regarding the search. The top four candidates are being invited to campus to visit the last of April and first of May. There was a large pool and the committee was pleased with the quality of the applicants. The four candidates are Alice Brekke, Laura Block, Greg Garber and Scott Cole.

5.

Mr. Jackson asked for corrections or additions to the minutes of the March 5, 2009, meeting. Hearing none, the minutes were approved as distributed.

6.

The question period was opened at 4:26 p.m.

Mr. Jackson asked about any substantial changes for the appropriations bill at legislature. Ms. Brekke shared the various items that were intact at the crossover. There are now a number of changes and it looks questionable as to whether all the measures will survive. The bill must leave the senate appropriations committee and then be voted on the floor with resolution of the differences between the house and the senate. The bill may go as late as May 6 before we know the results.

Mr. Buhr asked about the NDUS logo commission. Mr. Jackson reported that the first meeting of the commission has occurred and they discussed how they would proceed. The timeline was, hopefully, to complete work by the end of the academic year. At the last SBHE meeting, no further action had been taken. Mr. Boyd shared a conversation with Grant Shaft, in which Mr. Boyd requested that the next meeting be held on the UND campus before the end of year. Mr. Shaft guaranteed it would be held in the next three weeks.

Mr. Grandstrand asked about the purpose of the logo meeting on campus. Mr. Jackson shared that it was to gather the feelings of various campus constituents regarding the logo.

The question period closed at 4:35 p.m.

7.

The annual report of the Conflict of Interest/Scientific Misconduct Committee was presented. It was moved by Mr. Buhr and seconded by Mr. Haskins to accept the report. There was no discussion and the report was approved.

8.

Ms. DeMers, representing the Senate Committee on Committees, moved to approve the results of the senate committee elections. There was a second by Ms. Kenville. Mr. Erickson asked about the term for the new ROTC members. Ms. Hofland indicated that she will look into the matter and get back to him. He then asked about the Student Policy election. Ms. DeMers withdrew her motion until the next meeting when ballot issues are resolved.

9.

The Curriculum Committee report was presented. Mr. Haskins moved approval of the corrected Curriculum report, Ms. Wirth seconded and the motion was approved unanimously.

10.

The proposed changes to the Code of Student Life were presented by Jeffrey Powell and Brady Pelton. Mr. Pelton, chair of the Student Policy Committee, explained the purpose of the committee and the four requested changes. Discussion ensued. Approval was moved by Mr. Munski and seconded by Mr. Boyd. There was a motion by Mr. Fincke and a second by Ms. Stone to restore the original language for the first suggested change, 2-1(3). After discussion regarding the language for the first change, Mr. Grandstrand moved to table the changes to the Code of Student Life. The motion was seconded by Ms. DeMers and approved with a vote of 40 for and 14 against.

11.

Ms. Hoffarth presented the Staff Senate resolution regarding campus storm closure procedures. The resolution requested a review of closure procedures. She explained that since the first closure for weather, the administration have done a good job of notification. The Staff Senate is asking that it continue but that the procedure be looked into. Ms. Hoffarth indicated that Staff Senate is asking for support of the resolution and that it be sent to administration. It was moved by Mr. Grandstrand and seconded by Ms. Rakow to approve the resolution. Discussion ensued. The motion was approved with a vote of 51 for and 1 abstention.

12.

Ms. Hume presented the resolution regarding the logo issues. She indicated that the request was to cease the use of the nickname and logo immediately. The resolution requested that the State Board of Higher Education move to retire the logo and give the authority to President Kelley for an orderly transition. It was moved by Ms. Hume and seconded by Mr. Broedel to approve the resolution. Discussion ensued. It was moved by Mr. Buhr and seconded by Mr. Brevik to strike the fourth whereas clause because it was not substantiated. Discussion occurred. The motion was defeated. A question was posed about the eleventh whereas clause and its substantiation. The names of the authors of the resolution were requested. Ms. Hume accepted authorship and responsibility in line with Senate rules. There was comment that the resolution could undermine the current State Board process for resolution of the logo issue. Mr. Grandstrand indicated he had met with students on all sides and that the resolution should be objective and that he did not believe the resolution was objective. He also stated that any action should be to bring people together and not be divisive. A vote was taken

on the motion to approve the resolution and was not conclusive. There was a request for a roll call vote by Mr. Buhr. The roll call vote was approved.

13.

Mr. Haskins made a motion to extend the meeting by five minutes. The motion was seconded by Ms. DeMers and approved.

14.

A roll call vote was taken. The resolution was approved with a vote of 25 yes votes, 19 no votes, and 14 abstentions.

15.

The meeting adjourned at 5:35 p.m.

Suzanne Anderson
Secretary to the Senate

University Council Membership

The University Council consists of the following who are employed primarily on the Grand Forks campus: The President, the Vice Presidents, 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. The quorum of the Council necessary for the transaction of business is 25 percent of the Council membership (or 161 of the current 642 members). Council meetings are normally co-chaired by the chairperson of the Senate and the President of the University. The Registrar is ex officio secretary. Council meetings are open to the public, and students, staff and the general public are invited to attend.

Paul V. J. Dreschel (Aviation)
 Julie A. Evans (General Counsel)
 Philip J. Garte (Geology & Geological Engineering)
 Corey M. Graves (Administration & Finance, School of Medicine and Health Sciences)
 Thomasine L. Heikamp (Social Work)
 Gene A. Hornanberg (Biochemistry & Molecular Biology)
 Kayla C. Holvord (Registrar's Office)
 Jon A. Jackson (Anatomy & Cell Biology)
 Arlinda F. Kristjanson (Neuroscience)
 Barry I. Milavetz (RD&C, ex officio)
 Bradley K. Myers (Law)
 Donald V. Poochigian (Philosophy & Religion)
 Lek Sasi (Family and Community Nursing)

Katherine Lambert (Accountancy)
 Paul V. J. Dreschel (Aviation)
 Julie A. Evans (General Counsel)
 F. Richard Fencato (Physics)
 Thomasine L. Heikamp (Social Work)
 Diane L. Heubrand (Center of People and the Environment)
 Jon A. Jackson (Anatomy & Cell Biology)
 David M. Keitri (Chemistry)
 Arlinda F. Kristjanson (Neuroscience)
 Glenda N. Lindveth (Nursing)
 Barry I. Milavetz (RD&C, ex officio)
 Bradley K. Myers (Law)
 Donald V. Poochigian (Philosophy & Religion)
 Lek Sasi (Family and Community Nursing)

FUNCTIONS AND RESPONSIBILITIES

The Constitution and By-Laws of the University Senate charge the Committee to develop, revise, and update the conflict of interest and misconduct in research and creative activity policies for the University, in accordance with federal and non-federal funding agency policies. Additionally, the Committee has the responsibility to consider referrals or complaints relative to conflict of interest or scientific misconduct.

MEETINGS

Bradley K. Myers (Law) was elected as chair in October, and Paul V. J. Dreschel (Aviation) was elected to serve as vice-chair.

RESEARCH DEVELOPMENT AND COMPLIANCE
 DIVISION OF RESEARCH
 264 CENTENNIAL DRIVE
 TWAMLEY HALL, ROOM 105
 GRAND FORKS, NORTH DAKOTA 58202-7134
 PHONE (701) 777-4278
 FAX (701) 777-6708
 www.research.und.edu

**Report of the
 SENATE CONFLICT OF INTEREST/SCIENTIFIC MISCONDUCT COMMITTEE: 2008-2009**

THE COMMITTEE MEMBERSHIP

2007-2008

Katherine Campbell (Accountancy)
 Paul V. J. Drechsel (Aviation)
 Julie A. Evans (General Counsel)
 Philip J. Gerla (Geology & Geological
 Engineering)
 Corey M. Graves (Administration & Finance,
 School of Medicine and Health
 Sciences)
 Thomasine L. Heitkamp (Social Work)
 Gene A. Homandberg (Biochemistry &
 Molecular Biology)
 Kayla C. Hotvedt (Registrar's Office)
 Jon A. Jackson (Anatomy & Cell Biology)
 Arlinda F. Kristjanson (Neuroscience)
 Barry I. Milavetz (RD&C, ex officio)
 Bradley K. Myers (Law)
 Donald V. Poochigian (Philosophy &
 Religion)
 Lek Seal (Family and Community
 Nursing)

2008-2009

Katherine Campbell (Accountancy)
 Paul V. J. Drechsel (Aviation)
 Julie A. Evans (General Counsel)
 F. Richard Ferraro (Psychology)
 Thomasine L. Heitkamp (Social Work)
 Diane L. Hillebrand (Center of People and
 the Environment)
 Jon A. Jackson (Anatomy & Cell Biology)
 David M. Knittel (Chemistry)
 Arlinda F. Kristjanson (Neuroscience)
 Glenda N. Lindseth (Nursing)
 Barry I. Milavetz (RD&C, ex officio)
 Bradley K. Myers (Law)
 Donald V. Poochigian (Philosophy &
 Religion)
 Lek Seal (Family and Community Nursing)

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Nominations for Senate Committees
 Chosen by Preference Vote of the Senate - March 2009
For Information only: Official ballot will be distributed at meeting

| COMMITTEE | CONTINUING MEMBERS | TERM EXPIRES (FALL) | NOMINEES | TERM EXPIRES | VOTE |
|--|-------------------------|---------------------|--|--------------|------|
| 1. Academic Policies and Admissions Committee | | | | | |
| | | | Elect 1 until 2012 | | |
| | D. Munki (A&S) | 2010 | Gary Ullrich (JDO) | 2012 | |
| | J. DeMers (MED) | 2010 | Marcellin Zahui (ENGR) | 2012 | X |
| | J. Bridewell (JDO) | 2011 | | 2012 | |
| | A. Novikov (A&S) | 2011 | | 2012 | |
| 2. Administrative Procedures | | | | | |
| | | | Elect 3 until 2011 | | |
| | T. Schroeder (EHD) | 2010 | James Haselton (MED) | 2011 | X |
| | J. Higgins (JDO) | 2010 | Kim Kenville (JDO) | 2011 | X |
| | | | Leslie Martin (JDO) | 2011 | X |
| | | | Boris Volkov (MED) | 2011 | |
| 3. Budget, Restructuring and Reallocation | | | | | |
| | | | Elect 2 until 2012 | | |
| | K. McLennen (A&S) | 2010 | Wayne Barkhouse (A&S) | 2012 | |
| | S. Dennis (BPA) | 2010 | Elizabeth Bjerke (JDO) | 2012 | X |
| | K. Kenville (JDO) | 2011 | David Pierce (A&S) | 2012 | X |
| | M. Wittgraf (A&S) | 2011 | Sukhvarsh Jerath (ENGR) | 2012 | |
| 4. Compensation | | | | | |
| | | | Elect 1 until 2012 (Tenure-Track) | | |
| | K. Marasinghe (A&S) (T) | 2010 | Jeffrey Sun (TT) | 2012 | X |
| | S. Dennis (BPA) (NT) | 2010 | | 2012 | |
| | W. Hume (A&S) (T) | 2011 | | 2012 | |
| | D. Marshall (JDO) (T) | 2011 | | 2012 | |
| | J. Vitton (BPA) (T) | 2011 | | | |
| 5. Conflict of Interest/Scientific Misconduct | | | | | |
| | | | Elect 3 until 2012 (1 BPA, 1 LAW & 1 NUR) | | |
| | T. Heitkamp (EHD) | 2010 | Brad Myers (LAW) | 2012 | X |
| | A. Kristjanson (MED) | 2010 | Ken Hansen (BPA) | 2012 | X |
| | B. Bandyopodhyay (SEM) | 2010 | Eleanor Yurkovich (NUR) | 2012 | X |
| | P. Drechsel (JDO) | 2010 | | 2012 | |
| | D. Poochigian (A&S) | 2011 | | 2012 | |
| | R. Ferraro (A&S) | 2011 | | 2012 | |
| | J. Jackson (MED) | 2011 | | 2012 | |
| 6. Continuing Education | | | | | |
| | | | Elect 2 until 2012 | | |
| | L. Rakow (A&S) | 2010 | Kari Chiasson (EHD) | 2012 | X |
| | S. Fleshman (A&S) | 2010 | Katherine Terras (EHD) | 2012 | |
| | R. Van Eck (EHD) | 2011 | Greg Vandeberg (A&S) | 2012 | X |
| | R. Paur (MED) | 2011 | | 2012 | |
| 7. Curriculum | | | | | |
| | | | Elect 2 until 2012 (1 A&S & 1 JDO) | | |
| | E. Tyree (NUR) | 2010 | Joel Iiams (A&S) | 2012 | |
| | B. Gourneau (EHD) | 2010 | Richard Millsbaugh (A&S) | 2012 | X |
| | M. Riske (MED) | 2010 | Paul Drechsel (JDO) | 2012 | X |
| | K. Campbell (BPA) | 2011 | Peter Schumacher (JDO) | 2012 | |
| | N. Kaabouch (SEM) | 2011 | | 2012 | |

| COMMITTEE | CONTINUING MEMBERS | TERM EXPIRES FALL OF | NOMINEES | TERM EXPIRES | VOTE |
|---|------------------------|----------------------|-------------------------|--------------|------|
| 8. Essential Studies | | | | | |
| Elect 3 until 2012 | | | | | |
| | G. Gagnon (A&S) | 2010 | Hans Broedel (A&S) | 2012 | |
| | D. Poochigian (A&S) | 2010 | Sherrie Fleshman (A&S) | 2012 | X |
| | C. Moretti (SEM) | 2010 | Judy Hall (NURS) | 2012 | X |
| | M. Coleman (MED) | 2011 | Paul Hardersen (JDO) | 2012 | X |
| | A. Kitzes (A&S) | 2011 | | 2012 | |
| | L. Robison (A&S) | 2011 | | 2012 | |
| 9. Faculty Instructional Development | | | | | |
| Elect 2 until 2012 | | | | | |
| | B. Goodwin (A&S) | 2010 | John Bridewell (JDO) | 2012 | X |
| | K. Smart (EHD) | 2010 | Matt Cavalli (ENGR) | 2012 | X |
| | K. Sukalski (MED) | 2011 | Dexter Perkins (ENGR) | 2012 | |
| | T. Steen (EHD) | 2011 | | 2012 | |
| 10. Honorary Degrees | | | | | |
| Elect 1 until 2014 (from JDO, MED, BPA or SEM) | | | | | |
| | B. Combs (EHD) | 2010 | Jane Berne (A&S) | 2014 | |
| | M. Moore Jackson (LAW) | 2011 | Jon Jackson (MED) | 2014 | X |
| | L. Heuer (NUR) | 2012 | | 2014 | |
| | E. Scharf (A&S) | 2013 | | 2014 | |
| 11. Honors | | | | | |
| Elect 3 until 2012 | | | | | |
| | K. Gershman (EHD) | 2010 | Heidi Czerwiec (A&S) | 2012 | X |
| | L. Helgeson (EHD) | 2010 | Richard Kahn (EHD) | 2012 | |
| | B. Rundquist (A&S) | 2010 | Kim Porter (A&S) | 2012 | X |
| | J. Vacek (JDO) | 2011 | Kathy Sukalski (MED) | 2012 | X |
| | A. Hultquist (BPA) | 2011 | | 2012 | |
| | V. McCleary (MED) | 2011 | | 2012 | |
| 12. Intellectual Property | | | | | |
| Elect 2 until 2012 | | | | | |
| | O. Berwald (A&S) | 2010 | Amanda Boyd (A&S) | 2012 | X |
| | C. Combs (MED) | 2011 | Matthew Gilmore (JDO) | 2012 | X |
| | CCF Representative | | Eric Murphy (MED) | 2012 | |
| | | | | 2012 | |
| 13. Intercollegiate Athletics | | | | | |
| Elect 3 until 2012 | | | | | |
| | G. Olsen (EHD) | 2010 | Ray Diez (BPA) | 2012 | X |
| | J. Jackson (MED) | 2010 | Sherryl Houdek (EHD) | 2012 | X |
| | S. Nelson (BPA) | 2010 | Bradley Rundquist (A&S) | 2012 | X |
| | J. DeMers (MED) | 2011 | Tim Schroeder (EHD) | 2012 | |
| | G. Ingwolson (EHD) | 2011 | Paul Todhunter (A&S) | 2012 | |
| | G. Gagnon (A&S) | 2011 | | 2012 | |
| 14. Legislative Affairs | | | | | |
| Elect 1 until 2012 | | | | | |
| | L. Rakow (A&S) | 2010 | Judy DeMers (MED) | 2012 | X |
| | A. Walker (EHD) | 2010 | | 2012 | |
| | J. Fershee (LAW) | 2011 | | 2012 | |
| | CCF Representative | | | 2012 | |

University Curriculum Committee Report

| COMMITTEE | CONTINUING MEMBERS | TERM EXPIRES FALL OF | NOMINEES | TERM EXPIRES | VOTE |
|--------------------------------|---------------------|----------------------|--|--------------|-----------|
| 15. Library | | | Elect 3 until 2012 (1 A&S, 1 LAW) | | |
| | C. Anderson (NUR) | 2010 | Graeme Dewar (A&S) | 2012 | X |
| | N. Hammami (MED) | 2010 | Jack Weinstein (A&S) | 2012 | X |
| | Z. Zeng (SEM) | 2010 | Rhonda Schwartz (LAW) | 2012 | X |
| | M. Baker (EHD) | 2011 | Charles Hosford (MED) | 2012 | |
| | X. Zhang (JDO) | 2011 | | 2012 | |
| | J. Vitton (BPA) | 2011 | | 2012 | |
| 16. ROTC | | | Elect 1 until 2010; 1 until 2011; 2 until 2012) | | |
| | S. Seddoh (A&S) | 2010 | Craig Carlson (JDO) | | 1 yr term |
| | A. Berger (A&S) | 2011 | Daniel Erickson (A&S) | | |
| | | | Donna Pearson (EHD) | | 2 yr term |
| | | | Thad Rosenberger (MED) | | 3 yr term |
| 17. Scholarly Activities | | | Elect 3 until 2012 (1 BPA, 1 EHD & 1 MED) | | |
| | D. Lawrence (A&S) | 2010 | Larry Pate (BPA) | 2012 | X |
| | F. Cuzzo (A&S) | 2010 | Marcus Weaver-Hightower (EHD) | 2012 | X |
| | B. Ide (NUR) | 2010 | Min Wu (MED) | 2012 | X |
| | M. Hill (JDO) | 2011 | | 2012 | |
| | G. Gordon (LAW) | 2011 | | 2012 | |
| | M. Cavalli (SEM) | 2011 | | 2012 | |
| 18. Student Academic Standards | | | Elect 2 until 2012 | | |
| | S. Zimmerman (MED) | 2010 | Victor Lieberman (LIBR) | 2012 | X |
| | B. DiCristina (A&S) | 2010 | Mary Riske (MED) | 2012 | X |
| | T. Anderson (JDO) | 2011 | Samuel Seddoh (A&S) | 2012 | |
| | M. Wittgraf (A&S) | 2011 | | 2012 | |
| 19. Student Policy | | | Elect 1 until 2011; 1 until 2012 | | |
| | P. Luber (A&S) | 2010 | Janet Jedlicka (MED) | | X |
| | J. Holen (EHD) | 2010 | Brenda Kallio (EHD) | | |
| | G. Ullrich (JDO) | 2011 | Gretchen Mullendore (JDO) | | |
| 20. Summer Session | | | Elect 2 until 2012 | | |
| | K. Anderson (EHD) | 2010 | Mark Johnson (JDO) | 2012 | X |
| | R. Romsdahl (JDO) | 2010 | Seong Hyun Nam (BPA) | 2012 | X |
| | A. Badahdah (A&S) | 2011 | | 2012 | |
| | S. LeMire (EHD) | 2011 | | 2012 | |
| 21. University Assessment | | | Elect 3 until 2012 (1 BPA, 1 EHD and 1 MED) | | |
| | D. Adams (NUR) | 2010 | Mary Askim-Lovseth (BPA) | 2012 | X |
| | K. Dauphinais (LAW) | 2010 | Barbara Combs (EHD) | 2012 | X |
| | G. Burgess (A&S) | 2010 | Jeanne McHugo (MED) | 2012 | |
| | N. Kaabouch (SEM) | 2011 | Ruth Paur (MED) | 2012 | X |
| | F. Remer (JDO) | 2011 | | 2012 | |

University Curriculum Committee Report
Spring Semester 2009
March 2009

New Academic Program

Ph.D. in Educational Foundations and Research

New Courses

| | | |
|----------|----------------------------------|-------|
| Econ 306 | Principles of Banking II | 3 crs |
| Fin 375 | Lending and Liquidity Management | 3 crs |
| T&L 521 | Differentiated Instruction | 3 crs |

Senate approval is not required for the following report items

Course Change Requests

| | |
|----------|---|
| Econ 305 | Principles of Banking – change title to Principles of Banking I |
| Fin 430 | International Financial Management – change frequency from F,S to S |
| I T 223 | Applied Synthetics – change frequency from S to F/2 |

Program Requirements Change requests

Information Systems – remove CSci 250 as an elective

II

**Proposed Code of Student Life
Changes, 2009-2010 AY**

20 March 2009

This document is a request for approval of four policy changes for the *Code of Student Life*. The *Code* was last reviewed by the University Senate in 2004. It is due for a five-year review. The changes recorded in this document were approved by the Student Policy Committee at its February 11, 2009 meeting.

Presenters

Brady Pelton, Chair, Student Policy Committee
Jeffrey Powell, Recorder, Student Policy Committee

Briefing for University Senate Members

The presenters were asked to prepare a briefing for University Senate Members related to the *Code of Student Life* and changes that are being placed before the Senate. There are four changes the Dean of Students Office is advancing, and those have been agreed to by the Student Policy Committee. The four requests call for

- a change in the disclosure of a name to a student accused of a violation of the *Code of Student Life*,
- the addition of sanctions available to a restrictions that may be imposed on an accused student(s) during an investigation and/or as the result of a hearing in which it is determined a student has violated a rule(s),
- a reframing of the definition and title of "Suspension" levels (both old and new are presented for comparative purposes), and
- a new section, which combines elements that are currently listed in the *Code of Student Life*, though in separate places. It presents multiple "Options" for the University to follow as information regarding a disturbed/disturbing student is received by the Dean of Students Office.

Proposed Changes

Number 1

(2-1)

Students have the following minimum rights:

- (1) to be notified of the charges and the possible consequences that may result;
- (2) to be heard by a fair and impartial decision maker;
- (3) to know the ~~identity of those who~~ source of the complaint;
- (4) to be notified in writing any sanctions or actions which have been assessed;
and
- (5) to be notified in writing of the appeal process.

Number 2**(2-4) UNIVERSITY DISCIPLINARY SANCTIONS/***(new)*Restrictions or Educational Activities Sanctions

D. Having the intent of effecting a safer campus environment and/or promoting the development of a student determined Responsible for Code violations, the SCA¹ or Judicial Body may impose additional sanctions. Such sanction may include but are not limited to:

Students

1. The VPSOS will direct a disciplinary withdrawal of a student who has been suspended by the Student Relations Committee.
2. No Contact Directive: A directive to refrain from any intentional contact, direct or indirect, physical or electronic, with one or more designated persons or group(s) through any means, including personal contact, e-mail, telephone, or through third parties.
6. Restitution to the University for cleaning, replacing, or restoring some specific area or object when loss or damage was a result of the student's disciplinary violation.

Student Organizations

3. Restitution to the University for cleaning, replacing, or restoring some specific area or object when loss or damage was a result of the organization's disciplinary violation.

Number 3*(2-4)*Suspension

Suspension will normally be for at least the remainder of the semester in which the penalty is imposed and will normally result in the cancellation of registration of the student.

Suspension *may* be recommended for violations involving assault, sexual assault, possession or trafficking in the sale of drugs or weapons, false emergency report, interference in University activities (classes, administration, research, fire, police, etc.), or other serious offenses, or knowingly violating the terms of any disciplinary sanctions imposed in accordance with the *Code*.

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¹ Student Conduct Administrator (SCA) is a generic title for purposes of the *Code of Student Life* granted to those persons who are authorized to receive complaints, conduct an investigation, conduct a hearing of rules violations, and assign responsibility and sanctions to students.

- A. **Suspension with Conditions**²—Suspension is a temporary withdrawal of enrollment privileges and a ban from campus property and university activities (student) or recognition (student organization) *for a specific period*. The suspension specifies a minimal time period. During the hearing phase, a Judicial Officer may recommend, and in its resulting sanctions the SRC may impose, certain conditions which accompany the suspension. Such conditions must be met before the student or student organization may request reinstatement.
- B. **Indefinite Suspension**—Indefinite Suspension is a suspension, as described, which involves no definite time constraints and does not anticipate the student or student organization being reinstated.
- III. **Emergency Suspension**—The VPSOS or designee may direct the Temporary, Immediate Removal of a student in accordance with Section 3, C.
- IV. **Recommendation and Authority to Impose Suspension**
- The Dean of Students has the final authority in the *recommendation* of Suspension.
 - The SRC has the sole authority to *impose* Suspension.

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² Replaces current "Suspension" and "Indefinite Suspension", which read, respectively:

- D. **Suspension** — Suspension is a temporary withdrawal of enrollment privileges and ban from campus property and university activities (student) or recognition (student organization) *for a specific period*. Suspension notification will include conditions of the suspension and terms for reinstatement. Suspension will normally be for at least the remainder of the semester in which the penalty is imposed and will normally result in the cancellation of registration for a student. In some cases, however, short term suspension may be imposed depending on the nature and severity of the offense.
- E. **Indefinite Suspension** — Indefinite Suspension is a suspension, as described above in Section 2-4-D, which involves *no definite time limit* and may carry conditions which must be met before the student or student organization may request reinstatement

Number 4 (with Tracked Changes)

Emergency Situations, University's Right to Suspend, and Emergency Suspension Hearings before the SRC.

The University of North Dakota is committed to providing services which create an optimal educational opportunity for all of its students.

When there is information that the continued presence of a student on the university campus poses a substantial threat to him/herself or others, to the stability and continuance of, or normal university functions or to the property of the University or others, the VPSOS or designee, may engage options listed in this section.

A. Reporting

Any person who has information that the continued presence of a student on the university campus poses a substantial threat, shall contact the Dean of Students or designee.

The Dean of Students shall conduct such investigations as he/she deems appropriate to determine if a Behavior Evaluation Committee should be convened and/or emergency action implemented.

C. Temporary, Immediate Removal

Option 1. Emergency Suspension, Pending a Hearing

Pending action on charges or in emergency situations, the VPSOS or designee may suspend the right of the student to be present on the campus; to attend classes (including on-campus or on-site instruction or practicum or on-line environments); and/or to otherwise alter the status of a student when behavior poses:

- a. A threat of danger and/or injury to self or others,
- b. A threat of disruption of the educational process for others,
- or
- c. A threat of destruction of the property of the University or others.

Emergency Suspension shall be interpreted as having the intent of terminating, on a temporary basis, the relationship between a student and the University.

Option 2. Right to Assert Temporary Conditions on Students, Pending a Hearing

Pending action on charges, an SSCA or designee may assert temporary conditions on an accused student. The student will be provided notice according to Section 2, Article V (Student Conduct Code Procedures).

Potential temporary conditions imposed upon a student include instructions that a student may not attend class or other privileges itemized in Section 2, Article VI (University Disciplinary Sanctions), H. Under these restrictions, accused students are denied permission to be physically on campus and/or to use university facilities or services. A student may negotiate with his/her faculty member(s) for consideration in course timelines or methods of teaching or testing; faculty member(s) are under no obligation to agree to such considerations.

Option 3. Other actions.

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The Dean of Students, or designee, may contact the named student for purposes of a conversation, referral to resources, and/or for further judicial action, without regard to the establishment of an emergency situation.

D. Jurisdiction

Responses to information received indicating the threat posed by a student may be addressed through the above procedures under the University's Code.

E. Review of Actions under Option(s) C-1 or C-2 by Student Relations Committee.

An emergency alteration, as noted in Item C-1 or C-2, in status or privileges or an emergency suspension is considered temporary in nature and subject to a Preliminary Hearing by the Student Relations Committee. The Hearing Panel size for such a Preliminary Hearing shall be determined by the VPSOS or designee. The Committee shall be convened within ten class days. The student has the option of scheduling an informal conference with the Dean of Students or designee before a Hearing takes place.

The purpose of a Preliminary Hearing is to affirm the reasonableness and the compliance with the student's rights of the Temporary, Immediate Removal. It is not anticipated that a full presentation of information related to any alleged offenses will be offered (such a presentation is to occur at a regular SRC hearing).

The SRC will determine whether a preponderance of information indicates the actions of the VPSOS and/or the Dean of Students were reasonable and respected the rights of the accused student, and whether the suspension should be terminated or continued concurrent to an investigation and full hearing.

See Appendix VII for information regarding the SRC.

Resources

"Navigating Past the 'Spirit of Insubordination': a Twenty-First Century Model Student Conduct Code with a Model Hearing Script" by E.N. Stoner and J.W. Lowery (2004), available at http://www.edstoner.com/uploads/stoner_lowery_JCUL_2004_cropped.pdf (this document is a national best-practices document advanced by the Association for Student Conduct Administration).

North Dakota Century Code (codified compendium of North Dakota law)

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University of North Dakota Staff Senate
Resolution to Request Review of the University Storm Closure Procedures
Dated this 12th Day of March, 2009

WHEREAS, the University is concerned with students, faculty, and staff and

WHEREAS, advanced notification of severe weather was available and accurate on March 10, 2009, and

WHEREAS, every school in the region, including higher education institutions, except the University of North Dakota announced closure/cease of activities for the aforementioned date, and

WHEREAS, it was announced to the media that a number of people make the decision to remain open or to close, but several of the offices mentioned stated that they were not involved, that only the Safety Officer makes the determination, and

WHEREAS, the University has the NotiFIND system already in place, and

WHEREAS, when classes are cancelled but the University remains open, faculty and students are allowed to leave, but staff are required to stay or use annual leave, and

WHEREAS, some staff and students did not receive notice of the closure prior to arrival on campus, and

THEREFORE BE IT RESOLVED, the Staff Senate requests that the University of North Dakota review its storm closure procedures, and

BE IT FURTHER RESOLVED, the NotiFIND system be used to notify the campus of weather-related closings, and

BE IT FURTHER RESOLVED, the University consider the safety of staff, faculty, and students equally, and

BE IT FURTHER RESOLVED, the safety of the students, faculty, and staff be considered paramount to financial concerns, and

BE IT FURTHER RESOLVED, the University consider announcing closings as early as possible, and

BE IT FURTHER RESOLVED, that this resolution be to President Robert Kelley; Vice President of Finance and Operations, Alice Brekke; Safety Officer, Jason Uhlir; Chief of Police, Duane Czapiewski; and Director of Human Resources, Diane Nelson.

Janice Hoffarth
Staff Senate President

University Senate Resolution

April 2009

Whereas, the University of North Dakota is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools (NCA); and

Whereas, following its 2004 reaccreditation visit to UND, the NCA issued a report explicitly linking UND's controversial use of its Indian nickname and Indianhead logo with negative impacts on the University's academic mission, and calling on the State Board of Higher Education and the campus to develop and implement an orderly plan for discontinuing the use of the Indian nickname and Indianhead logo; and

Whereas, the NCA's conclusions of the negative impacts of the name and logo on the University's academic mission are consistent with scholarly, scientific research conducted on the UND campus and research conducted and published elsewhere; and

Whereas, UND has suffered damage to its institutional reputation at a national level and has lost potential private foundation grant funding which would have resulted in institutional and program growth, as direct results of the continued use of the Indian nickname and Indianhead logo; and

Whereas, the ongoing controversy over the Indian nickname and Indianhead logo is disruptive and divisive to the UND campus community and the Greater Grand Forks community; and

Whereas, UND's continued use of the Indian nickname and Indianhead logo is contrary to UND's Mission, Community Value Statement, and Strategic Plan Goals and Action Plans, and violates UND's Equal Opportunity/Affirmative Action Policy Statement and Procedures for Complaints of Discrimination or Harassment (example: the display of the Indianhead logo can be perceived as intimidating and visual/graphic harassment which violates UND's Harassment Policy as stated in the *Code of Student Life*, and stymies UND's ability to insure a campus climate where "all individuals (will) be respected and treated with dignity and civility" (UND Community Values Statement); and

Whereas, the NCA's call for retirement of the name and logo is in accord with requests and formal resolutions from eight Sioux nations and several other area tribes, numerous educational organizations including the U.S. Civil Rights Commission, National Indian Education Association, National Congress of American Indians, the North Dakota Indian Education Association, the Minnesota Indian Education Association, the American Psychological Association (APA), the American Sociological Association (ASA), the American Anthropological Association, twenty of UND's Indian-related programs, and dozens of other national, regional and local organizations; and

Whereas, the Indian nickname and Indianhead logo controversy at UND has continued for more than 30 years and negatively impacts many of the American Indian students who attend UND and the UND American Indian related programs and staff due to its emotional toll and distractive nature, as documented in the American Indian Student Services Annual Reports over the past decade; and

Now, therefore, UND University Senate resolves that the use of the Indian nickname and Indianhead logo cease now in recognition of the central role of the University's academic mission, and that the authority for the development and implementation of an orderly plan for the transition to a new nickname and logo be restored to University President Robert Kelley by the State Board of Higher Education.

Mirrored of the University Senate Meeting
Nov 7, 2009

Whereas, the Indian nickname and Indianhead logo controversy has reached and involved the tribal communities of the states of North and South Dakota, and as a result has negatively impacted UND's ability to increase its enrollment and retention of American Indian students, as evidenced by the fact that American Indian student enrollment at UND has decreased over the past five years, with the current number just over 300, down from over 400); and

Whereas, the October 2007 settlement between the State of North Dakota, the North Dakota State Board of Higher Education, and the National Collegiate Athletic Association (NCAA) provided a period of time until November 30, 2010 to seek approval for the use of the "Fighting Sioux" nickname and logo from both the Spirit Lake Tribe and the Standing Rock Sioux Tribe, placing the responsibility for the decision on the state's Sioux Indian tribes and communities which has now resulted in disrupting and dividing the tribal communities and governments within the state; and

Whereas, this settlement has given rise to concerns regarding the questionable tactics being utilized by pro-logo advocates and supporters for garnishing tribal members' support for the nickname and logo; and

Whereas, this court case determined that unless this required tribal approval is secured, UND will remain under sanctions in NCAA sponsored post season games and hosting the games at UND would also be problematic; under NCAA guidelines regarding use of the Indian nickname and Indianhead logo, several regional teams have publicly refused to compete with UND based on the controversy and; entry into an athletic conference is being hindered by the continued use of the Indian nickname and Indianhead logo; and

Whereas, even if UND gains approval for use of the Indian nickname and Indianhead logo, this would provide no long-term solution as another tribal vote or a change in tribal leadership could reverse this action, resulting in continued conflict; and

Whereas, numerous online blogs and comment forums have revealed that the UND campus and Greater Grand Forks community climate has become increasingly negative towards American Indian students and American Indian related programs and staff on campus; and

Whereas, the UND University Senate approved a resolution on January 12, 2006 requesting that President Charles Kupchella promptly seek authority from the State Board of Higher Education to develop and implement an orderly plan for discontinuing use of the Indian nickname and Indianhead logo; and

Whereas, the NCA's explicit concerns, the academic research record, and the extent of tribal and organizational calls for retirement of the name and logo provide substantial reasons for the University Senate to remain concerned that accomplishing the academic mission of the University of North Dakota is hindered by the continued use of the name and logo; and

Whereas, the controversy continues to divert substantial time, energy, and resources of administration, faculty, staff, and students away from important work required to advance the University's academic mission; and

Now, therefore, UND University Senate resolves that the use of the Indian nickname and Indianhead logo cease now in recognition of the central role of the University's academic mission, and that the authority for the development and implementation of an orderly plan for the transition to a new nickname and logo be restored to University President Robert Kelley by the State Board of Higher Education.