

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

## University Senate Meeting Minutes December 12, 2005

The University Senate met at 4:00 p.m. in the Prairie Rose Room of the Memorial Union with Dr. J. Council presiding and the following senators present: D. Andersen, B. Bahrami, S. Balaz, S. Beck, E. Berry, K. Brooks, J. Chapman, V. Clark Johnson, D. Comez, J. Cook, J. Coykendall, W. Dai, D. Danbom, B. Duncan, Z. Duval, J. Garden-Robinson, J. Glower, C. Gustafson, J. Hageman, R. Hall, W. Hannon, H. Hatterman-Valenti, D. Hopkins, T. Knoepfle, L. Manikowske, D. Miller, C. Peterson, R. Pinkston, B. Randall, J. Ransom, S. Rasmussen, D. Redmer, J. Reimnitz, D. Rider, T. Riley, M. Robinson, N. Rogers, R.C. Schnell, D. Schwert, D. Scott, G. Smith, D. Sperl, D. Steele, K. Teigen, D. Terbizan, J. Trowbridge, and D. Wittrock.

Substitutions: R. Harrold for M. Christoffers, E. DeVuyst for C. DeVuyst, J. Venette for K. Grafton, R. Haugen for D. Hauck, D. Herman for H. Hatterman-Valenti, D. Meyer for K. Howatt, J. Klein for M. Mallett, and M. Ostlie for C. Presser.

*Reminder: Current senators may not serve as substitute for other senators.*

### **Previous Minutes**

Minutes of the November 14, 2005, were approved by unanimous consent.

### **General Announcements**

1. *President Chapman:*

- Progress is being made on the equity issue.
- The capital campaign has raised more than \$65 million, with over \$30 million earmarked for scholarships and faculty support. The campaign is nearing its goal for the new Business building, which will allow us to better utilize space on campus. It is anticipated that the campaign will exceed its \$75 million goal.

2. *Provost Schnell:*

- NDSU is slated to receive \$900,000 out of the \$2 million earmarked for equity. The Chancellor's Cabinet decided to put all the funds into equity instead of dividing it with utilities, which are expected to increase considerably this year. MGT Consulting will report to the legislative committee its recommended options and process for distribution of the equity funds. The consultants will be at NDSU January 9<sup>th</sup> and will meet with the University Senate Executive Committee, Staff Senate and Student Senate.
- The Transfer Assurance Guarantee proposed by the NDUS has been revised to only include NDUS institutions.

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

- The reaccreditation site visit is scheduled for February. A draft of the final report is being reviewed. NCA will receive a printed report along with extensive supporting documentation, as well as flash drives with information and reports for each of the consultant evaluators.

3. *J. Council, President of University Senate:*

- Presented the concept of consent agendas to the Senate as a means to move business forward in a more efficient manner. He shared the consent agenda of a recent State Board of Higher Education meeting.

4. *D. Cooley, Parliamentarian*

Briefed the Senate on consent agendas.

## **Committee Reports**

1. *Academic Affairs (Attachment 1):*

D. Meyer, chair, presented two organizational name changes, along with several courses.

MOTION (Meyer/Venette): to approve the Academic Affairs report as presented. No discussion. MOTION PASSED WITH UNANIMOUS CONSENT.

2. *General Education (Attachment 2):*

R. Harrold presented several Physics classes for five year renewal. MOTION (Harrold/Coykendahl): to approve the General Education report as presented. No discussion. MOTION PASSED WITH UNANIMOUS CONSENT.

3. *Policy Coordinating Committee:*

J. Council presented the following policies for information only (available in PDF format on the University Senate web site):

1. [Policy 137 – Holidays](#)
2. [Policy 231 - Appeal Procedures for Disciplinary and Reduction in Force Actions](#)
3. [Policy 304 - Academic Staff and Executive/Administrative Positions - Procedures for Filling](#)
4. [Policy 600 - Family Education Rights and Privacy Act of 1974 \(FERPA\)](#)

The following policies were presented for input:

1. Policy 112 - Pre and Post-Employment Criminal Record ([Attachment 3](#))  
MOTION (Hall/Teigen) to approve policy revisions. MOTION PASSED WITH UNANIMOUS CONSENT.
2. Policy 407 - Auxiliary Exclusives Services ([Attachment 4](#))  
MOTION (Schnell/Peterson): to approve the policy changes. Provost Schnell explained the rationale behind the proposed policy changes as a self-investment in

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

the University. Discussion ensued on impacts of exclusive rights on events and student organizations.

MOTION TO AMEND (Hannon/Danbom): to add the following parenthetical statement to section 2.0, “(provided that these are not contracted out).”

MOTION TO AMEND PASSED WITH A VOTE OF 29-21-3. The following senators or their substitutes voted aye: Andersen, Askelson, Bahrami, Balaz, Brooks, Chapman, Clark Johnson, Comez, Cook, Danbom, Garden-Robinson, Grafton, Hageman, Hannon, Harvey, Hauck, Hopkins, Howatt, Knoepfle, Manikowske, Peterson, Rasmussen, Redmer, Robinson, Schnell, Scott, Steele, Terbizan, and Trowbridge. The following senators or their substitutes voted no: Boetel, Coykendall, DeVuyst, Duncan, Duval, Glower, Gross, Hatterman-Valenti, Mallett, Miller, Presser, Randall, Ransom, Reimnitz, Rider, Riley, Rogers, Schwert, Sperrl, Wenhao, and Wittrock. The following senators or their substitutes abstained: Beck, Hall, and Teigen.

Concern was raised over whether there is an appeal process if a request is declined by the appropriate auxiliary unit.

MOTION (Rogers/Reimnitz): to accept the following language added as section 2.5, “Student organizations are considered related entities when receiving services in the Memorial Union or for any function larger than 20 people when not in the Union.” Discussion was held on the policy language that allows exception with the approval of the appropriate auxiliary unit or by special contract with the University.

MOTION TO AMEND PASSED WITH A VOTE OF 37-8-3. The following senators or their substitutes voted aye: Andersen, Askelson, Balaz, Beck, Boetel, Brooks, Chapman, Clark Johnson, Cook, Grafton, Hageman, Hall, Hannon, Harvey, Hatterman-Valenti, Hauck, Howatt, Knoepfle, Mallett, Manikowske, D. Miller, Peterson, Presser, Randall, Ransom, Redmer, Reimnitz, Rider, Robinson, Rogers, Schnell, Schwert, Sperrl, Teigen, Terbizan, Trowbridge, and Wenhao. The following senators or their substitutes voted no: Coykendall, Danbom, Duncan, Hopkins, Rasmussen, Riley, Scott, and Wittrock. The following senators or their substitutes abstained: Comez, Duval, and Steele.

MOTION TO AMEND (Rogers/Beck): to add to 2.5, “Student organizations may seek outside sources if services cannot be provided by the University.”

MOTION (Schnell/Rogers) to refer the policy back to the Policy Coordinating Committee (PCC) for consideration of the recommendations made by the Senate.

MOTION TO REFER THE POLICY BACK TO THE PCC PASSED WITH UNANIMOUS CONSENT.

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

## 4. *Council of College Faculties (CCF):*

T. Barnhart announced a meeting scheduled for December 13, 4 p.m., to discuss the upcoming Arts and Humanities Summit, system-wide faculty grievances, the pre-school to college (P-16) planning task force, and the compensation committee's annual report.

CCF minutes and agendas are posted on the NDUS web site ([www.ndus.nodak.edu](http://www.ndus.nodak.edu)).

Nearly 60 faculty have indicated they will participate in NDSU's Fall commencement exercises at the FargoDome.

## **New Business**

### 1. *Academic Standards:*

MOTION (Schnell/Teigen): to add the following language/clarification to the Undergraduate Bulletin, "If a course taken at NDSU is repeated at another accredited institution, the course/credit will not be accepted in transfer." MOTION PASSED WITH UNANIMOUS CONSENT.

### 2. *By-laws Changes*

Council presented recommendations for changes to the University Senate bylaws to allow for the posting of consent agendas for future Senate meetings.

The proposed changes would be incorporated in the bylaws under Section VII.10 Agenda:

1. The consent agenda will be a line on the regular agenda.
2. Location of line on the agenda must be before unfinished business
3. Possible wording: "The consent agenda shall consist of any routine or noncontroversial matters the Executive Committee or Senate President adds to the consent agenda. When matters on the consent agenda are called up, they may be considered in gross or without debate or amendment. If one senator objects to any item in the consent agenda, then it will be removed from the consent agenda to be restored to the ordinary process by which it is placed in line for consideration on the regular agenda."

MOTION (Reimnitz/Danbom): to approve the proposed bylaws changes for a vote at the January, 2006, meeting.

## **Adjournment**

The meeting adjourned at 5:17 p.m.

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

Attachment 1

## Academic Affairs Committee

### Approved Curricular Recommendations

<b>College/Organizational Name Change</b>							
From: College of Business Administration				To: <i>College of Business</i>			
From: Graduate School				To: <i>College of Graduate and Interdisciplinary Studies</i>			
<b>New Courses</b>							
Dept.	No.	Title				Crs.	
CJ	226	Criminal Investigation				2	
LANG	105	English for Non-Native Speakers: Intermediate Grammar/Writing II				1-5	
LANG	109	Language Use in Writing for ESL II				1-5	
PSYC	280	Introduction to Health Psychology				3	
<b>Course Deletions</b>							
CDFS	483/ 683	Family Wellness				3	
ENGL	215	Writing for Work				3	
ENGL	342	19 <sup>th</sup> Century American Short Story				3	
ENGL	343	20 <sup>th</sup> Century American Short Story				3	
ENGL	344	American Drama				3	
<b>Changes in Course Prefix, Number, Title, and Credits</b>							
Dept.	No.	From	Crs.	Dept.	No.	To	Crs.
CDFS	462/ 662	Family Crisis	3	CDFS	462/ 662	<i>Risk, Resilience, &amp; Competence in Families</i>	3
ENGL	103	English for Non-Native Speakers: Grammar/Writing	R-5	<i>LANG</i>	103	<i>English for Non-Native Speakers: Intermediate Grammar &amp; Writing I</i>	<i>1-5</i>
ENGL	107	English for Non-Native Speakers: Advanced Skills	R-5	<i>LANG</i>	107	<i>Language Use in Writing for ESL I</i>	<i>1-5</i>
ENGL	340	19 <sup>th</sup> Century American Novel	3	ENGL	340	<i>19<sup>th</sup> Century American Fiction</i>	3
ENGL	341	20 <sup>th</sup> Century American Novel	3	ENGL	341	<i>20<sup>th</sup> Century American Fiction</i>	3

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005  
Attachment 2

## Review of General Education Courses

Approved General Education Recommendations.

**Outcomes Key:**

1. Communicate effectively in a variety of contexts and formats.
2. Locate and use information for making appropriate personal and professional decisions.
3. Comprehend the concepts and perspectives needed to function in national and international societies.
4. Comprehend intrapersonal and interpersonal dynamics.
5. Comprehend concepts and methods of inquiry in science and technology, and their applications for society.
6. Integrate knowledge and ideas in a coherent and meaningful manner.
7. Comprehend the need for lifelong learning.

**Continued Approval (5-Year Renewal) for General Education with No Changes in Outcomes**

Course No.	Course Title	Categories	Outcomes
PHYS 110L	Introductory Astronomy Lab	Sp	5,6
PHYS 120	Fundamentals of Physics	Sp	5,6
PHYS 120L	Fundamental of Physics Lab	Sp	5,6
PHYS 211	College Physics I	Sp	5,6
PHYS 211L	College Physics I Lab	Sp	5,6
PHYS 212	College Physics II	Sp	5,6
PHYS 212L	College Physics II Lab	Sp	5,6

# University Senate Minutes

Fargo, ND 5810

North Dakota State University

December 12, 2005

Attachment 3

## POLICY CHANGE COVER SHEET

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

### Section

112: Pre and Post-Employment Criminal Record

Amend policy to add duty of current University employees to report criminal convictions (all felonies and misdemeanors involving violence or theft) to supervisor.

2. This policy has been reviewed/passed by the following (include dates of official action):

Policy Coordination Committee - 6/15/05, 11/17/05

Staff Senate -

University Senate –

President's Council -

3. This policy revision was originated by (individual, office or committee/organization):

General Counsel

---

## SECTION 112: PRE AND POST-EMPLOYMENT CRIMINAL RECORD DISCLOSURE

### SOURCE: NDSU President

1. All applicants for employment at NDSU, whether full-time or part-time, including student employment, must sign the [criminal record disclosure form](#) prior to being hired. Any offer is contingent on return and review of the signed form and verification. The hiring unit is responsible for obtaining the signed form prior to the final offer.
2. A positive response (that is, the potential offeree answers that they have a criminal record) does not preclude employment. A determination will be made based on the type of conviction, how recent the conviction is, and the relevance of any conviction to the position for which the person has applied. An offer may be withdrawn as a result of these considerations. Disclosure by an applicant for

# University Senate Minutes

Fargo, ND 5810

North Dakota State University

December 12, 2005

Attachment 3

- employment under this policy does not prevent the University from enforcing any other policy or requirement with regards to pre-employment criminal record disclosure.
3. The form shall be kept in the employee's official personnel file (<http://www.ndsu.nodak.edu/policy/718.htm>) (or, for individuals not hired, with the applicant's file).
  4. Supervisors who have a situation under this policy should consult, prior to making a final hiring determination, with appropriate personnel, for example, Equal Opportunity Director (for non broadbanded positions), Human Resources Director (for broadbanded positions), General Counsel, or their Department Chair or Dean.
  5. Current employees have a duty to immediately report a criminal conviction covered under this policy (all felonies and misdemeanors involving violence or theft) to their supervisor. See Policy 155 for arrests and convictions involving drugs and alcohol in the workplace. Additional evidence of the conviction (example, the judgment of conviction) may be placed in the employee's official personnel file. The employee can add a statement pertaining to the conviction. Whether the conviction has an effect on employment status will be determined by the supervisor after consultation with appropriate personnel. The employee can request that the conviction information be removed from the employee's official personnel file after misdemeanors are over 5 years old and 10 years for felonies. Information regarding this subsection shall be provided to employees as part of the NDSU Annual Notice of Policies Covered under the ND Risk Management Program.

Effective Date: July 1, 2002

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

Attachment 4

## **POLICY CHANGE COVER SHEET**

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy):

### **Section 407: Auxiliary Exclusive Services**

New policy establishing auxiliary functions' exclusive rights on campus as sole providers of their service on campus. Auxiliary services has become a significant source of revenue for University operations and it is in the University's interest to support these services.

Thus, the policy advances a policy of requiring use of those services by University Departments. It is not intended to interfere with NDSU employees spending their personal funds for personal purchases or services.

2. This policy has been reviewed/passed by the following (include dates of official action):

Policy Coordination Committee - July 21, 2005

Staff Senate -

University Senate -

3. This policy revision was originated by (individual, office or committee/organization):

VP for Student Affairs

---

## **SECTION 407: Auxiliary Exclusive Services**

SOURCE: NDSU President

- 1.0. Purpose: NDSU auxiliary functions (Dining Services, Wellness Center, Day Care, Student Health Center, Residence Life, Telecom and the Varsity Mart) have all invested heavily in infrastructure in order to serve NDSU. These entities also provide important local dollars to help support the University overall. It is in NDSU's Interest to support their functions.
- 2.0. Therefore, this policy establishes "exclusive rights to operate" for those identified auxiliary functions to be the sole providers of their services on campus. NDSU departments and NDSU related entities receiving services on NDSU property must follow this policy.

# University Senate Minutes

Fargo, ND 58105

North Dakota State University

December 12, 2005

Attachment 4

- 2.1. The Technology Park and Alumni Association/Development Foundation are entities which are exempt when receiving services on their property as they are separate from the University. However, the functions of the Vice President for Research, Creative Activities, and Technology Transfer are not exempt at the Research & Technology Park.
- 2.2. This policy does not apply to individual's purchasing products or services for personal use.
- 2.3. Departments are encouraged to order their office supplies and equipment from the Varsity Mart.
- 3.0. Exceptions to this policy may be made with the approval of the affected auxiliary unit.