

University Senate Meeting Minutes February 12, 2007

The University Senate met at 3:30 p.m. in Century Theatre, Memorial Union, with Dr. E. Berry presiding and the following senators present: D. Andersen, D. Anderson, E. Ash, B. Bahrami, S. Beck, S. Bergeson, M. Boetel, U. Burghaus, J. Chapman, M. Christoffers, V. Clark Johnson, D. Comez, G. Cook, J. Coykendall, B. Duncan, T. Esslinger, B. Fier, J. Garden-Robinson, J. Glower, R. Gordon, C. Gross, M. Harvey, H. Hatterman-Valenti, A. Hirani, R. Johnson, K. Katti, D. Klenow, T. Knoepfle, K. Koch, L. Langley, M. Mallett, J. Martin, K. McCaul, M. Meister, F. Michael, D. Miller, E.J. Miller, A. Montgomery, S. Neate, R. O'Connor, V. Olson, S. Panigrahi, C. Peterson, L. Peterson, R. Pieri, B. Randall, R. Rathge, D. Redmer, D. Rider, T. Riley, R.C. Schnell, D. Scott, C. Skaue, D. Sperl, and D. Terbizan, and D. Wittrock.

Substitutions: D. Herman for W. Dai, R. Harrold for K. Grafton, M. Scott for S. Mallik, C. Urness for R. Pinkston, and A. Grazul-Bilska for S. Mallik

Approval of Minutes

The minutes of the January 22, 2007, meeting were APPROVED WITH UNANIMOUS CONSENT.

Consent Agenda

- A. Academic Affairs ([Attachment 1](#))
C. Hawley, chair, requested that the Course Change: SAFE/MICR 464/664 to SAFE 460/660 course, and the Course Deletion: MICR 464/664 be removed from the consent agenda.

The consent agenda was APPROVED, AS AMENDED, WITH UNANIMOUS CONSENT.

General Announcements

A. *President Chapman:*

President Chapman provided the following legislative updates:

- HB 1003, the NDUS Appropriation Bill, has been modified with some added amendments. Funding for special projects has been added, which may impact the base budget for the University System. The proposed 5% + 5% faculty and staff salary increases are being reconsidered at the 4% + 4% levels as a result of state general fund reductions.
- HB 1020, the NDSU Extension and Research Appropriation Bill, also was amended by the House Appropriations Committee with some additional special projects. The original bill calls for an increase in base funding for ongoing projects and needs, and the added projects involve increases in one-time funding.

- The cross-over from the House to the Senate happens on February 16th, at which time bills will be shared and conference committees will convene. Final budget determinations likely won't be known until April.
- The Senate Appropriations Committee also heard testimony on SB 2347, the 'North Dakota Promise' bill. This bill proposes that the state pay, in incrementally increased amounts beginning in 2012, the tuition for North Dakota residents who meet minimum residency, curriculum and GPA criteria. This bill was created in a proactive response to potential legislation in MN, which could negatively impact the number of MN students enrolling at ND institutions, especially border schools like NDSU. Retaining more ND students in the state could offset a potential drop in MN enrollments should Governor Pawlenty's plan be approved. Similar programs nationwide have had successful outcomes, and are being studied. Issues like residency and curriculum/discipline interests are being further discussed.

B. *Provost Schnell:*

Provost Schnell reported that an article written by a former ND faculty member, John Calvert, was published in Sunday's edition of the Forum. In his article, Calvert cited a high number of non-tenured faculty members teaching at ND colleges and universities. However, his data on NDSU was incorrect. At NDSU, 66% of the faculty is tenured or tenured-track, and 55% of students are taught by regular employees (not teaching assistants, adjuncts, etc.). However, as a growing research institution which is seeing an increase in graduate programs, NDSU appropriately hires lecturers and teaching assistants as well. The national average for regular, tenured or tenured-track faculty teaching students is below 50%.

C. *E. Berry, President of University Senate:*

- The system of using PRS units seems to be failing from a technical and maintenance perspective. The ongoing use of PRS units in the Senate will be determined in the near future.
- Additional Race and the Criminal Justice System town hall meetings have been scheduled for spring semester. The approximately 5-person panel on March 27 will focus on issues dealing with race, the criminal justice system and the media. The April 5 panel will look at social justice issues. Both panel discussions will be held at 3 p.m. in the Century Theatre.

D. *NCAA Certification Process:*

L. Dorn reported on the progress of the NCAA certification process. The various subgroups—Academic Integrity, Diversity, Student-Athlete Welfare, Gender Issues, and Governance and Compliance--have developed draft reports. Athletics currently is reviewing the subreports, and plans to send them to University Writer David Wahlberg by February 15. Wahlberg will edit and format these drafts, and put them into a template for the NCAA final report. Information updates will continue to be made to the various senates, Team Makers, the President's cabinet, etc. Modifications based on feedback will be made to report, which should be in its final state by March 15. Open

forums for feedback from the NDSU and greater communities will be held between March 15 and April 4. After all final edits are incorporated, the report will be forwarded to President Chapman for signing by April 21, and then will be sent to the NCAA.

Committee Reports

A. *Academic Affairs – Selective Admission Programs and Restricted Courses* ([Attachment 2](#))

C. Hawley, chair, led a discussion related to Selective Admission Programs and Restricted Courses. This issue has been discussed extensively, both from pragmatic and philosophical standpoints, within the Academic Affairs committee. Feedback was sought by the Senate on a proposal presented by Academic Affairs. Provost Schnell discussed efforts of departments and programs to meet accreditation mandates as well as student needs. He also reported that the deans discuss such proposals in an effort to minimize any negative impacts on students and other programs. Brief discussion ensued on program fees, course restrictions, options for non-majors, limited resources, FTEs, the need to educate students broadly, and impacts on future admission standards.

B. *Policy Coordinating Committee –*

D. Terbizan presented the following policy:

Policy 101 – Personnel Definitions ([Attachment 3](#))

MOTION (Glower/McCaul): to amend 2.3 to read, “Students are not considered to be employees of the university unless they are employed as a regular employee or temporary employee.” Concerns with intellectual property, NCAA regulations, cooperative education experiences, and research credit registrations were cited. Provost Schnell recommended that the Policy 190: Intellectual Property: Employee Responsibility and Activities be looked at more closely in regard to student researchers.

Berry reported that the PCC is working on a policy that deals with graduate and undergraduate students as employees. MOTION (Schnell/Rathge): to postpone this issue and vote definitely until more clarification is obtained on the definition(s) of student employees. MOTION TO POSTPONE DEFINITELY PASSED WITH UNANIMOUS CONSENT.

C. *Council of College Faculties –*

T. Barnhart shared the following recommendations by the CCF to the legislature:

- Provide for a full 5% salary increase for each year of the biennium for all faculty members in the ND University System. Currently, North Dakota is ranked last in terms of faculty salaries. The compensation report was distributed via the faculty e-mail list.

- A committee be formed to look at the allocation of salary increases based on academic promotions.
- The NDUS increase the contribution to TIAA-CREF by 2.5% for employees with 15 or more years of service.
- Full funding in NDPERS Health Insurance Benefits be maintained with no decrease in coverage or increase in co-payments or deductibles.

Barnhart also reported that President Chapman and students have been very effective in their testimonies to the legislature. He also encouraged NDSU senators and employees to lobby their state senators using their own resources (ie: letterhead, e-mail).

Unfinished Business

A. *Smoking Policy:*

The Ad Hoc Committee is still meeting and working on a smoking policy draft.

B. *Policy 352: Promotion, Tenure, and Evaluation:*

J. Council, chair of the ad hoc committee studying possible revisions to the PTE policy, reported that the committee is determining its agenda and plans to provide any recommendations to Senate EC by the end of spring semester. Any revisions also will be forwarded to the PCC and back to the Senate for possible action by fall. A Blackboard organization has been established so guests may access revisions and other supporting materials. Every college is represented on the committee, and input from all faculty to their respective committee liaison is encouraged.

New Business

A. *No Record Drop Deadline (Attachment 4):*

K. Wold-McCormick presented a proposal to move the No Record Drop deadline to the same deadline as the 100% refund for course drops/withdrawals (7th class day of the regular semester). Reasons cited include state policies, academic record concerns, financial aid/refund issues, best practices in the profession, and providing more time for students to add vacated seats. This proposal will be brought back to the Senate for a vote at a subsequent meeting. Discussion ensued on rationale, impacts on variable length courses, and the last day to add.

Adjournment

Meeting adjourned at 4:40 p.m.

Academic Affairs Committee

Approved Curricular Recommendations

Program Title Change							
From: Human Performance and Fitness				To: <i>Exercise Science</i>			
New Courses							
Dept.	No.	Title					Crs.
GEOL	310	Planetary Geology					3
PPTH	758	Bacterial, Nematode, and Viral Diseases of Plants					4
Course Deletions							
MATH	327	Applied Linear Algebra					3
PPTH	750	Plant Virology					2
PPTH	752	Plant Nematology					2
PPTH	753	Bacterial Diseases of Plants					2
Changes in Course Prefix, Number, Title, and Credits							
Dept.	No.	From	Crs.	Dept.	No.	To	Crs.
CDFS	780	Ethics and Professional Issues in Marital and Family Therapy	3	CDFS	780	<i>Ethics and Professional Issues in Couple and Family Therapy</i>	3
ECON	410/ 610	Introduction to Econometrics	3	ECON	410/ 610	<i>Econometrics</i>	3
HNES	487/ 687	Administration of Athletic Training Programs	3	HNES	487/ 687	Athletic Training Organization and Administration	3
MUSC	332	Choral Arranging	2	MUSC	332	<i>Survey of Choral Literature</i>	2

SELECTIVE ADMISSION PROGRAMS & RESTRICTED COURSES:

Summary:

- Currently 47 out of 101 undergraduate academic programs at NDSU are selective in admission. Selective programs have a secondary admission process for advancement into the professional-level plan of a program.
- More programs on campus are seeking selectivity for reasons that include, 1) accreditation; 2) image/ recruitment; 3) a way to collect program fees; 4) limited faculty resources; and 5) and to increase the caliber of students enrolled in a program.
- Philosophical and pragmatic issues related to selectivity include:
 - options available to students who don't meet requirements, but who are meeting minimum academic requirements of the university (land-grant philosophy);
 - academic departments impacted by another department's move to selectivity (minors, advising, second majors, etc.);
 - early notification to Admission so publications and recruiting materials can be developed;
 - collaboration with Registration and Records to move students into professional plans, update curriculum guides and bulletins, and establish a plan for working with currently enrolled students
- As a result of program selectivity, more departments are requesting that professional-level courses be set up to restrict registration of non-professional students. Impacts on other program requirements, elective courses, etc.
- GOALS:
 - Consider long-term impacts on NDSU programs and students
 - Develop a protocol for review and communication of new restrictions and program selectivity
 - Protects departmental autonomy

Proposal:

Selective Program Review Process:

- ✓ Academic programs that were selective in nature at the time of conversion to PeopleSoft were set up with both pre- and professional (degree)- level academic plans in the new student information system. All other programs were set up with only degree plans (ie: B.S., B.A...)
- ✓ New and current programs becoming selective will be reviewed/approved by the College Curriculum Committees and Academic Affairs. Program restrictions will be presented as part of the Academic Affairs report to University Senate for informational only.
- ✓ Restricted program plans should include the following information:
 - pre-professional and professional plan requirements
 - effective date/term for effective change
 - process for transitioning or grand-fathering currently enrolled students
 - application process, including selection criteria
 - program enrollment limits
 - changes in course restrictions as a result

- ✓ Notification should be made to Office of Admission and Business Office (if program fees will apply), as well as any impacted academic departments (i.e.: those whose students minor, double major or take courses as part of their program requirements).

Restricted Courses:

- ✓ Courses with program restrictions in the 2006 Bulletin description have been set up to limit enrollment upon departmental request.
- ✓ Requests for selectivity in new and existing courses may be submitted either in a Course Proposal & Change form or in a Memo with the detailed request and rationale to the College Curriculum and Academic Affairs Committees for review/approval.
 - Academic Affairs will consider other programs that require or recommend these courses to students.
 - Course restriction requests and other pre-requisite changes/requests will be placed on the Academic Affairs report to the University Senate for information only.
- ✓ Students who are not in the professional-level plan of the program may only register for restricted courses with department consent (permission).

Student Status and Plan Changes:

- ✓ New and currently enrolled students who declare programs that have professional-level (selective admission) components are placed into the “pre-xxx” plan of the program by either Registration and Records (major changes) or the Offices of Admission or International Programs (new admits).
- ✓ After selective admission decisions are made, departments notify Registration and Records of students to move into the professional plan of the program. Student lists must include: name, ID number, professional plan, effective term, and advisor name (if change is applicable).
- ✓ Ideally, professional admission decisions will be made prior to the start of registration for a future term. This is especially true if courses are to be restricted to students in the professional plan of the program.
- ✓ Students who do not advance into a professional plan of a program, or who are demoted from professional plan status, may remain in the pre-professional plan until they either 1) reapply and achieve professional status, or 2) declare a new program of study. It is expected that advising play a key role in these students’ decision making and academic planning.
- ✓ Advisor changes for new plans will be made in the effective term upon request of the academic department.

Program Fees:

- ✓ Students will be assessed professional program fees (if applicable) beginning in the effective term indicated by the department. If a late admission decision is made and a program fee is to take effect for a current term, the change must be made within the first three weeks of the regular semester (by third week census date). Most programs do not assess fees during the summer.
- ✓ Program fees assessed in a given term will be refunded to students only if they request a major change to a new program prior to the third week census date. After this date, fees collected will be retained by the original department. They may neither be refunded to students nor transferred to students’ new academic departments. Requests for special circumstances and appeals should be directed to the Business Office.

POLICY CHANGE COVER SHEET

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

Section 101 – Personnel Definitions

Language changes made in section 2.2 to make it more clear when to use the seventeen and one-half rule and when to use twenty-week rule regarding temporary status.

Additionally, changes were made repealing section 2.2.2, based on NDUS Human Resource policy, subsection 2.4. The board felt that the policy is confusing because it does not include guidelines concerning how prior credit is determined, or whether it should be tied to number of hours worked, in addition to number of years and months of temporary employment. This resulted in different interpretations among the campus. Further, because temporary employees are not entitled to leave accrual, some HR officers question whether a provision granting entitlement to service credit made sense. HRC Council voted to recommend repeal of section 2.4. Chancellor's cabinet considered and concurred.

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

Policy Coordination Committee – 6/27/06
President's Council -
University Senate -
Staff Senate -

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

Office of Human Resources

SECTION 101: PERSONNEL DEFINITIONS

SOURCE: SBHE Policy Manual, Sections 605.1 and 606.1
NDUS Human Resource Policy Manual
NDSU President

CLASSIFICATION STATUS

1.1

Staff Employee

A person in a position covered by the North Dakota University System Broadbanding System.

1.2

Non-Banded Employee

1.2.1

Academic Staff

Faculty (instructors, assistant, associate or full professors), lecturers, and graduate assistants.

1.2.2

Other Non-Banded

Staff excluded from broadbanding by Board rule: president, executive deans, vice presidents and officers of the institution or staff holding positions the institution president has excluded by designation, including coaches, extension and experiment station professionals, and others in 2000 job categories not included in 1.2.1 above.

EMPLOYMENT STATUS

2.1

Regular Employee

A staff employee, who satisfactorily completes a probationary period, or a non-banded employee, who is employed at least seventeen and one-half hours per week if hired before August 1, 2003 or twenty hours per week if hired on or after August 1, 2003, and at least twenty weeks each year.

2.1.1

Full-Time Employee

A person employed on a regular basis for a minimum of 40 hours per week.

2.1.2

Part-time Employee

A person employed on a regular basis for less than 40 hours per week.

A part-time lecturer is generally considered to be a regular employee if she/he teaches 6 or more credits for two or more consecutive semesters in the same department. Credits taught through Continuing Education are not applicable for purposes of this definition.

2.2

Temporary Employee

A person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week, or less than five months per year, if hired before August 1, 2003, or twenty hours per week or less than five months per year or less than 20 weeks per year if hired on or after August 1, 2003 (this includes graduate assistants and student employees whose employment is incidental to their student status).

2.2.1

A seasonal position is one in which a person works less than eight months per year during an institutionally designated "season", such as the agricultural growing season. A seasonal employee must be terminated at the end of the institutionally recognized season, but may be rehired for a future season although there is no guarantee of re-employment.

~~2.2.2~~

~~When a temporary employee (excluding graduate assistants and student employees) is changed to regular status, credit will be given for the employee's prior length of service for the purpose of determining annual leave accrual rates.~~

OVERTIME ELIGIBILITY STATUS

3.1

Nonexempt Employee

Those employees serving in positions covered by the Fair Labor Standards Act who are eligible for overtime pay or compensatory time off. Generally those employees in bands 4000 through 7999 are included in this group.

3.2

Exempt Employee

Those employees serving in positions exempt from the overtime pay and compensatory time off provisions of the Fair Labor Standards Act because their administrative, professional or managerial responsibilities meet the exemption requirements of the Act. Generally this includes employees in bands 1000 through 3999.

HISTORY: July 1990; Amended April 1996; August 1997; August 1998; July 1999; December 1999; December 2000; February 2001, October 2001, April 2005.

PROPOSAL:**Move No Record Drop Deadline to 100% Refund Deadline (7th day of regular semester)*****History:**

The No Record Drop deadline for the regular (16 week) semester currently falls on the 15th class day (census date). It is aligned with the last day to add, and last day for the audit and pass/fail option.*

NDSU has the second most liberal policy in the state for the last day to drop courses with record. In the regular semester, students have up to the 14th week of classes to drop a class with a W (no refund).

SBHE policy states that classes dropped before 9% of the completion of the class shall be subject to a 100% refund of tuition and fees for the credit hours attributable.

*Deadlines/dates are prorated accordingly for variable length courses.

Rationale for Change:

- Students who have no record of a course on their transcript are confused when they are still billed for this course. They expect that they are not required to pay because there is no record of the course on their transcript. Currently, there is a nine-day window after which students are no longer granted a refund, but for which there is no record of a course dropped.
- It is a standard practice at institutions nationwide to align the last day for no record drops with the last day for 100% refunds for course drops.
- Effective dating in our student information system is challenging when a course is approved to be dropped no record at 100% refund.
- Financial aid is calculated for all attempted credits after the seventh class day* of the regular semester. All attempted credits regardless of whether they appear on a record or not are used in calculations as determined by federal regulations. Attempted credits include courses in which a student was registered at a given point in a term and on which aid awards are based. Attempted credits also are used in determining satisfactory academic progress (SAP) for financial aid eligibility. SAP includes grades/marks of F, W, I and U in eligibility determinations. Students with a high degree of unsatisfactorily completed attempts risk loss of aid eligibility. With no record of dropped courses during that nine day window on an official transcript, students can argue that these credits should not be used in SAP calculations.

Dates/Deadlines for Spring 2007 (example):**This is based on regular, 16-week semester courses**

Wednesday, January 17:	Last day to drop classes (11:59 p.m.) Last day to withdraw at 100% Last day to add classes online, 11:59 p.m.
Thursday, January 18:	Attempted credits calculated for financial aid, 12 a.m. Eligibility Pell Grants based on enrolled at 12 a.m.
Tuesday, January 30:	Last day for No Record Drop of classes, 11:59 p.m. Last day to add classes (with permit) Last day to change to audit, pass/fail option
Friday, April 20:	Last day to drop classes with record (W) Last day to withdraw to zero credits (no refund)

(Note: withdrawals between the last day for 100% and 0% are prorated at intervals of 75% and 50%).