

# MEETING OF THE STUDENT SENATE THURSDAY, MAY 20, 1999

1:30 p.m.

25 Law Building—Twin Cities Campus  
305 Selvig Hall—Crookston Campus  
Kirby Student Center Garden Room—Duluth Campus  
Behmler Hall Conference Room—Morris Campus

### III. ELECTION OF STUDENT SENATE CHAIR Action (10 minutes)

### IV. ELECTION OF STUDENT SENATE/STUDENT SENATE CONSULTATIVE COMMITTEE VICE CHAIR Action (5 minutes)

### V. CAMPUS REPORTS (5 minutes)

### VI. STUDENT LEGISLATIVE COALITION UPDATE (5 minutes)

### VII. OLD BUSINESS

### VIII. NEW BUSINESS

### IX. ADJOURNMENT

The Senate Constitution provides that any student eligible to vote for senators may be admitted to Student Senate meetings and shall be entitled to speak at the discretion of the Student Senate. Only elected student members (or their designated alternates) shall be entitled to vote. For a quorum, a majority of the voting membership (23) must be present. Amendments to motions in the printed agenda must be submitted to the Clerk of the Senate at least 48 hours in advance of the meeting to allow for appropriate distribution. Consideration of amendments not received at least 48 hours in advance requires suspension of the rules by a majority of those members present and voting.

### I. ADMINISTRATIVE RESPONSE TO STUDENT SENATE ACTIONS Information

- A. Resolution Regarding Tuition  
(<http://www1.umn.edu/usenate/resolutions/stu-tuit-res.html>)  
Approved by the: Student Senate December 3, 1998  
Administration March 12, 1999  
Board of Regents - no action required

### II. MINUTES FOR APRIL 22, 1999 Action (2 minutes)

The Student Senate minutes are available on the Web at the following URL:

[http://www1.umn.edu/usenate/student\\_senate/990422stu.html](http://www1.umn.edu/usenate/student_senate/990422stu.html)

# MEETING OF THE UNIVERSITY SENATE THURSDAY, MAY 20, 1999

Immediately following the Twin Cities Campus Assembly Meeting - approx. 2:35 p.m.

25 Law Center—Twin Cities Campus  
305 Selvig Hall—Crookston Campus  
Kirby Student Center Garden Room—Duluth Campus  
Behmler Hall Conference Room—Morris Campus

The voting membership of the University Senate totals 199, including the President, 154 members of the faculty (including the Faculty Consultative Committee), and 44 students (including the Student Consultative Committee). For a quorum, a majority of the voting membership (101) must be present. Advance notice is required for amendments to the constitution and 133 affirmative votes at one meeting or 101 affirmative votes at each of two meetings, the second of which shall be the next regular meeting. Advance notice is required for amendments to the bylaws and 101 affirmative votes. Other actions require only a simple majority of the members present and voting. Amendments to motions in the printed agenda must be submitted to the Clerk of the Senate at least 48 hours in advance of the meeting to allow for appropriate distribution. Consideration of amendments not received at least 48 hours in advance requires suspension of the rules by a majority of those members present and voting.

Any member of the faculty and any academic professional and student eligible to vote for senators shall be entitled to speak at the discretion of the Senate. Only elected members or alternates, the Senate Consultative Committee and, in case of a tie, the chair, shall be entitled to vote.

Representatives may designate any eligible alternates from their colleges, schools, or student constituencies as the alternates to serve in their places by written notice to the Senate Office prior to the commencement of any meeting of the Senate.

### ATTENDANCE RECORD

A roll of elected and ex officio members will be available at each door of the meeting room, and members are asked to sign in. A summary of attendance for the year will be included in the minutes of the last meeting of the year.

### RULES

Rules will be available at the door.

### I. ADMINISTRATIVE RESPONSE TO SENATE ACTIONS Information

- A. Amendment to the Uniform Grading and Transcript Policy  
(<http://www1.umn.edu/usenate/policies/gradingpolicy.html>)  
Approved by the: University Senate November 5, 1998  
Administration April 22, 1999  
Board of Regents - no action required
- B. Nepotism and Consensual Relationships Policy  
(<http://www1.umn.edu/usenate/policies/consensualcp.html>)  
Approved by the: University Senate November 5, 1998  
Administration November 20, 1998  
Board of Regents December 11, 1998
- C. Sexual Harassment Policy  
(<http://www1.umn.edu/usenate/policies/sexualharassmentcp.html>)  
Approved by the: University Senate November 5, 1998  
Administration November 20, 1998  
Board of Regents December 11, 1998
- D. Amendment to the University Senate Constitution  
Approved by the: University Senate November 5, 1998  
Administration PENDING  
Board of Regents PENDING

- E. Amendment to the Semester Conversion Standards  
(<http://www1.umn.edu/usenate/policies/semestercon.html>)  
Approved by the: University Senate February 18, 1999  
Administration April 15, 1999  
Board of Regents - no action required
- F. Resolution Regarding Paratransit Services  
Approved by the: University Senate February 18, 1999  
Administration PENDING  
Board of Regents - no action required
- G. Resolution Regarding Research Data  
Approved by the: University Senate February 18, 1999  
Administration PENDING  
Board of Regents - no action required
- H. Animal Care and Usage Policy  
(<http://www1.umn.edu/usenate/policies/animalcarecp.html>)  
Approved by the: University Senate February 18, 1999  
Administration March 30, 1999  
Board of Regents April 8, 1999
- I. Amendments to the Protocol for Senate Committee Involvement in Central Administrator Searches  
(<http://www1.umn.edu/usenate/policies/adminsearchprotocol.html>)  
Approved by the: University Senate February 18, 1999  
Administration April 15, 1999  
Board of Regents - no action required
- J. Policies on Syllabi and Collection of Grading Data  
Approved by the: University Senate February 18, 1999  
Administration PENDING  
Board of Regents - no action required
- K. Education in the Responsible Conduct of Sponsored Research and Grants Management Policy  
Approved by the: University Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING
- L. Principal Investigator Eligibility on Sponsored Projects Policy  
Approved by the: University Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING
- M. Amendment to the Semester Conversion Standards  
Approved by the: University Senate April 22, 1999  
Administration PENDING  
Board of Regents - no action required
- N. Amendments to the University Senate Constitution  
Approved by the: University Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING

## II. INTRODUCTIONS (5 minutes)

### III. MINUTES FOR APRIL 22, 1999 Action (2 minutes)

The Senate minutes are available on the Web at the following URL:  
[http://www1.umn.edu/usenate/u\\_senate/990422sen.html](http://www1.umn.edu/usenate/u_senate/990422sen.html)

### IV. ELECTION OF VICE CHAIR FOR 1999-00 Action (2 minutes)

### V. SENATE EDUCATIONAL POLICY COMMITTEE Policy on Reorganization Action (10 minutes)

#### MOTION:

To approve the following policy:

#### Policy on Reorganization

#### Senate Committee on Educational Policy

##### Preamble

Because the structure and organization of the University's academic units can have a profound effect on the financing and delivery of educational programs, the Senate adopts the following policy with respect to reorganization of academic units. In general, both the Senate and its committees should be involved in any organizational or structural decision affecting an academic unit made at the level of the campus or college or across colleges. The provisions of this policy calling for reporting information are also intended to provide the Senate a broad overview of the changes in academic programs that are occurring in the various colleges and campuses.

It is the position of the Senate that program changes within colleges should be subject to appropriate consultation with faculty and students from the beginning of planning for such changes. The primary focus of consultation should be the impact that the changes will have on the delivery of education to students. If actions leading to change are conducted in a reasonable manner, with consultation, the Senate has no interest in second-guessing academic decisions made by the colleges.

For the purposes of this policy, "academic unit" is defined as any unit which offers programs leading to a degree.

##### I. Reorganization of Campuses and Collegiate Units

1. The establishment of new collegiate units, the merger or elimination of existing collegiate units, or the addition to an existing campus of a major new mission with institutional, campus-wide, or intercollegiate impact or ramifications, shall be subject to review and discussion by the Senate through its appropriate committee.
2. The campus assembly of an affected campus shall review, and may make recommendations on, any proposal that is covered by section I (1) of this policy. Recommendations from a campus assembly shall be forwarded to the Committee on Educational Policy, which shall conduct its own review, taking into account the recommendations, if any, from the campus assembly, and shall make recommendations to the administration and the Senate.
3. To ensure that this procedure does not delay significantly the implementation of proposed changes, it is understood that any such item received by the campus assembly and Senate committees no less than 60 days prior to a regularly scheduled meeting of the Senate will be referred to the Senate at that meeting.

##### II. Reorganization Within and Across Colleges and Campuses

1. Proposals to establish, eliminate, split, or merge collegiate academic departments shall be reported by colleges and campuses to the Committee on Educational Policy for information when they are formally reported to the appropriate senior campus academic officer. The Committee shall be provided no less than three weeks to consider the change before action is taken by the administration. With respect to these proposals, the Committee is intended to serve as a sounding board on behalf of the Senate, and may offer advice to the administration on intra-campus and intra-college reorganization proposals.
2. Changes within colleges shall be reviewed by the appropriate internal faculty governance process and reported to the Committee on Educational Policy for information.
3. Intercollegiate transfer of departments shall be reviewed by the Committee on Educational Policy before any decision is made by the administration or Board of Regents in order that the Committee may offer a recommendation to the administration about the proposed transfer. The Committee shall report its recommendations to the Senate.
4. All proposals for the addition or deletion of undergraduate majors or degree programs shall be reported for information to the Committee on Educational Policy as part of decisions made by the administration or Board of Regents. Such proposals must incorporate an analysis of policy and budget implications. Changes within colleges and campuses shall be reviewed by the appropriate internal faculty governance process.
5. The Committee on Educational Policy shall report annually to the Senate, at the first meeting of the academic year, on the changes it reviewed under Section II (1) of this policy.
6. For each campus, it is expected that discussion of curricular issues (including conflict and duplication of courses) will be carried out in the appropriate campus governance committee(s), and that recommendations made to campus academic officers will also be reported to the Committee on Educational Policy.
7. Addition and deletion of programs in the Graduate School will be reported annually for information to the Committee on Educational Policy.

##### III. Administrative Reorganization

1. The organization and selection of officers is appropriately at the discretion of the appointing authority. The president should have considerable discretion in setting the structure of the central administration of the University and to select and direct the officers who report to him or her; other senior academic officers (e.g., vice presidents, provosts, chancellors, deans) should have similar discretion.
2. When the president contemplates (a) the establishment or elimination of senior administrative position(s) of high rank (e.g., vice president, provost, chancellor), or (b) a major reorganization of the central administration, he or she shall present a proposal to the Senate Consultative Committee (or separately to the Faculty Consultative Committee and Student Consultative Committee) for information and discussion. Approval of the committee(s) for such proposals is not required.

When a campus executive officer (chancellor or provost) contemplates the establishment or elimination of senior administrative positions for a campus, the provost or chancellor shall present a proposal to the appropriate consultative body (assembly executive committee or its faculty-student equivalent) for information and discussion. Approval of that consultative body for the proposals is not required.

#### COMMENT:

The Senate Committee on Educational Policy has been reviewing existing policies for the last several years; this proposal represents one more presentation of a consolidated and clarified policy, this one relating to the reorganization of the University at various levels. This particular policy has been under review for almost two years, has been circulated to the deans for their comment, and has also been endorsed by the Senate Committee on Finance and Planning. It replaces all existing policies.

The following are EXISTING policies on reorganization (with dates of adoption in parentheses):

- 1) That SCEP will study proposals for transfer of programs from one unit to another, and report its findings to the Senate for recommendations to be made. (1956)
- 2) That the Senate may specify the educational impact of inter-college transfers in recommendations to the President; that the administration (and college administrations) will scrutinize proposed course or staff additions in light of total University functions. (1956)
- 3) Proposals for new college units must be made to SCEP, and if approved, also approved by the Senate, by the State Higher Ed Board, and by the Regents. (1970)
- 4) All matters of collegiate reorganization, including addition/deletion of majors, must be reported to SCEP for discussion; SCEP will forward its recommendation to the Senate; then on to the Regents (this was repealing the existing procedure of reporting such things through the Senior VP to the HECC prior to the Regents). Proposals would now go to SCEP and HECC simultaneously.

Creation of new colleges, and the addition/deletion of missions on existing campuses, must be recommended by the affected campus Assembly, and reported for information/discussion to the Senate through SCEP and SCRIP.

SCC should be consulted about proposals for new campuses, and direct issues to appropriate other committees for discussion. (1971)

JUDITH MARTIN, Chair  
EDUCATIONAL POLICY COMMITTEE

### VI. SENATE EDUCATIONAL POLICY COMMITTEE International Activities and Exchanges Information and Discussion (10 minutes)

#### FOR INFORMATION:

#### INTERNATIONAL ACTIVITIES AND EXCHANGES

##### INTRODUCTION

International activities and academic mobility occur without formal linkages and exchanges, and they are encouraged wherever those relationships fulfill the University's mission of teaching, research and service. In most instances, such activities are undertaken as a regular part of University activity, and individuals participating in them are guided by the normal standards of academic behavior.

There are many ways in which cooperation between individuals and units of the University of Minnesota and foreign academic institutions can take place. One form of cooperation is the exchange agreement, under which both formal, university-to-university agreements comprising faculty, student and research collaboration as well as less formal departmental or collegiate activities are proposed.

A universitywide exchange agreement is an enabling document providing for mutual benefits and reciprocal obligations, but it is not tied to specification of the involvement of particular numbers of persons or resources. Individual members of the University community and units of the University are free to enter into exchange agreements, provided that the individuals or units involved explicitly indicate that they are not representing a wider university community. No agreement precludes a similar arrangement with any other institution.

Most successful faculty exchanges are driven by common academic interests between one department or college and a counterpart at a foreign university. Universitywide exchanges entail an institutionwide commitment and should not be undertaken without assessment of the need, scope and funding for such an agreement. The Office of International Programs (OIP) acts as a clearinghouse and registry for exchange agreements, and can advise regarding existing agreements and strategies for developing relationships.

International activities also occur in ways that do not involve exchange agreements. Such activities could include contracts with agencies or universities or contracts or agreements that sponsor foreign students to study at the University of Minnesota. These activities are not considered to be exchange agreements although they promote international exchange at large.

##### PRINCIPLES GOVERNING EXCHANGE AGREEMENTS

General University policies and rules of conduct apply to all students, faculty, and staff while participating in a University exchange program. Both institutions involved should subscribe to the principle of academic freedom.

While all exchanges are begun with the expectation that there will be continuing interest on the part of both institutions, all agreements should include a provision for review, for continuation or closure, every three to five years.

Many exchanges operate under a principle of reciprocity. For faculty exchanges, this means that small, informal exchanges need not require external funding. Although there may be no cash outlay other than travel support, the in-kind contributions of five space and administrative support should be considered. For some student exchanges, the reciprocity principle involves each student paying the tuition of the home university. This tuition is "banked" to pay the tuition of the incoming international student. Because of the financial implications of an imbalance created by lack of student demand, there should be a clear and continuing need for any bilateral exchange program.

##### TYPES AND DEFINITIONS OF EXCHANGES

There are many kinds of projects, linkages and relationships that define the international character of the University. Although the term "exchange" is used to define a variety of international connections, the University of Minnesota identifies three types of exchanges: comprehensive universitywide exchanges, faculty exchanges, and student exchanges. (Student exchanges are a subset of a larger study abroad program at the University of Minnesota. Most students going abroad select an organized program rather than a reciprocal exchange.)

##### PROCEDURES

###### Comprehensive All-University Exchanges

All-University exchange agreements should be proposed only when the purposes of the agreement cannot be satisfactorily carried out under the purview of a particular college or unit. Several historical relationships are currently maintained, and from time to time, new agreements are signed to meet larger institutional goals. For example, the president may sign a general, comprehensive agreement that includes faculty, students, research and information exchange. Such agreements allow for individuals and departments to connect with counterparts abroad, but do not force participation of an individual, department or college. These types of agreements are usually drafted as general establishing documents that permit interested units to develop detailed academic collaborations and projects.

### Faculty Exchanges (not part of All-University agreements)

Faculty exchanges should be made at the level of the responsible University unit. There should be a legitimate area of common academic and scholarly concern, and the agreement should be demonstrated to be mutually beneficial. The agreement cannot obligate individual participation, and University resources committed under the agreement should be limited to those approved by the units involved in the agreement. At the department level, exchanges may include participation of faculty, research collaboration or information exchange. In addition, they may include informal participation of both undergraduate and graduate students.

Initially it is important to address academic benefits to the University of Minnesota and identify the home and partner institution's strengths relative to the proposed exchange. The linkage should fit within the mission of the University and offer a comparative advantage in relationship to any existing exchange programs.

Planning and matching interests with the foreign institution, or unit of such an institution, is the most important step in establishing a relationship. Exchanges should match at the appropriate institutional level; that is, departments and colleges should assess participant expectations in both institutions to ensure that the University of Minnesota's interest in a particular academic department or unit, is matched appropriately by the foreign institution.

Developing and maintaining an institutional relationship beyond individual academic interests and connections requires planning and commitment by the department or college initiating the exchange. Meeting the expectations of both exchange institutions requires an ongoing commitment of financial and human resources. If the proposed exchange is intended at the department or college level, the chair or dean should be the final approving authority for any resources committed or agreements made on behalf of the department or college. The Office of International Programs can provide sample agreements to serve as guides. OIP Staff is also available to review draft agreements.

In some cases, to meet legal requirements or leverage funds, the foreign institution may request a presidential signature from University of Minnesota, even though the exchange is based within a department or college. This is an appropriate request and OIP can facilitate a presidential signature.

Once finalized or signed, all agreements should be registered with OIP for inclusion in the University's international exchange database. Small ad hoc agreements and exchanges need not be elaborately documented on paper. However, the use of tested guidelines for planning exchanges are useful for even the smallest continuing collaboration.

### Reciprocal Student Exchanges

**All-University student exchanges.** Although each campus of the University of Minnesota may establish its own exchange agreements, student exchanges open to all University students are administered by The Global Campus, a unit of OIP. The Global Campus negotiates agreements, organizes programs, and provides advising and academic services for students who wish to earn credit on an exchange program. Because of the large number of sites already available for reciprocal student exchanges and other study abroad opportunities, The Global Campus is not actively seeking to establish new university-wide student exchange agreements.

**Unitspecific student exchanges.** The Global Campus can offer guidelines, services and cost comparisons to departments and colleges that want to encourage study abroad experiences by promoting participation in international programs. Many existing opportunities can be tailored to the specific academic interests of departments. Developing a new exchange program should only be considered after reviewing currently available options, including other sorts of study abroad programs, with The Global Campus.

**Graduate student exchanges.** Graduate student exchanges have no central administrative home, but may be organized by individual departments or colleges. The Office of International Programs can assist departments in developing such relationships.

### THE OFFICE OF INTERNATIONAL PROGRAMS

The Office of International Programs acts as a registry and clearinghouse for exchange agreements and provides assistance to faculty, departments and colleges in developing exchange relationships and agreements.

On an annual basis, the Office of International Programs will report to the Senate Committee on Educational Policy regarding international activities of the University. The report will include information on new exchange agreements, study abroad participation, as well as international priorities and strategies of the University. The report will be used to surface issues of concern and policy matters relevant to faculty involvement in the University's international programs. The Office of International Programs will also respond to specific SCEP requests for information.

### COMMENT:

The Committee on Educational Policy solicits the comments of the members of the Senate about this statement, which would replace existing Senate policy concerning international education and exchanges. (Current policy requires that the Senate approve all institutional exchange agreements. The Committee does not believe this is necessary.)

JUDITH MARTIN, Chair  
EDUCATIONAL POLICY COMMITTEE

### VII. SENATE EDUCATIONAL POLICY COMMITTEE Awards for Outstanding Contributions to Education Policy Action (5 minutes)

### MOTION:

To approve the following policy:

### Awards for Outstanding Contributions to Education Policy

#### I. Horace T. Morse-Minnesota Alumni Association Award for Outstanding Contributions to Undergraduate Education

The Horace T. Morse-Minnesota Alumni Association Awards for Outstanding Contributions to Undergraduate Education are granted annually to faculty members nominated by the colleges. The honor is awarded to exceptional candidates and reflects the University's emphasis on the importance of high quality undergraduate education. It also contributes to the improvement of undergraduate education at the University by publicizing the work of the award-winners to serve as a resource for the whole faculty.

#### II. Award for Outstanding Contributions to Graduate and Professional Education

The Award for Outstanding Contributions to Post-Baccalaureate Graduate and Professional Education are granted annually to faculty members nominated by the colleges. This award recognizes faculty who engage post-baccalaureate, graduate, and professional students in a community of intellectual inquiry, who are significant mentors and role models for graduate and professional students, and who develop and promote activities which help students understand the larger context of their intended professions. The honor is awarded to exceptional candidates in recognition of outstanding performance in post-baccalaureate, graduate, and professional education in the following areas: excellence in instruction; involvement of students in research, scholarship and professional development; development of graduate or professional instructional programs; and advising and mentoring.

### III. Policy

1. The Committee on Educational Policy shall annually appoint two nominating committees: one shall review nominees for the Morse-Alumni award and recommend to the Committee on Educational Policy those individuals whom should receive the award, and the other shall review nominees for the Graduate/Professional award and recommend to the Committee on Educational Policy those individuals who should receive the award. In both instances, the number of recipients will be dependent on the funding available.
2. No individual may receive the Graduate/Professional award and the Horace T. Morse-Alumni Association award in the same year.
3. Each recipient of each award shall receive a continuous augmentation in their salary, the amount to be recommended by the Committee on Educational Policy and approved by the President.
4. The department of each recipient of either award shall be provided funding for three years for the use of the award recipient for the development of teaching materials and training in order to promote excellence in teaching among all of the faculty.
5. The winners of each award shall, for a period of five years beginning the academic year after they received the award, serve as members of the Academy of Distinguished Teachers.
6. The Committee on Educational Policy shall have the authority to establish operational details associated with the granting of the Morse-Alumni awards and shall report annually on those details to the Senate for information.

### FOR INFORMATION:

#### Operational Guidelines

1. The salary of each award winner shall be increased by a continuous augmentation of \$3,000.
2. The annual award ceremony shall be a large public event to which the students and colleagues of the winners will be invited. This event would be in addition to a smaller event with the President and the Alumni.
3. Each award shall include, for each winner, an appropriate, well-publicized lecture, seminar, or exhibition in the individual's specialty.
4. All faculty who have been awarded Morse-Amoco or Morse-Alumni, or the Graduate/Professional, teaching awards shall be designated throughout their careers at the University of Minnesota as "Morse-Alumni Distinguished Teaching Professor of [field]" or "Graduate/Professional Distinguished Teaching Professor of [field]," as appropriate. This title can be used in correspondence, on business cards, and wherever else appropriate.
5. Any faculty member who has received either award shall be designated by an asterisk and accompanying footnote in the appropriate college catalogues and bulletins for the duration of the recipient's academic career at the University of Minnesota.

### COMMENT:

This proposal is intended to consolidate the existing policies concerning all-University awards for contributions to education. There is no substantive change in the policies, except that reference to an advisory group of Morse-Alumni winners (which has never been convened) has been deleted, and notice of appointment to the Academy of Distinguished Teachers substituted. It is expected that the Academy, or subsets of its members, will serve in whatever advisory capacities may be sought by the faculty, the administration, or the Regents.

JUDITH MARTIN, Chair  
EDUCATIONAL POLICY COMMITTEE

### VIII. CONSTITUTIONAL AMENDMENTS Bylaws Amendment Requirements Action (5 minutes)

### [This Item will be considered concurrently with the parallel Item IV of the Twin Cities Campus Assembly docket.]

(As a constitutional amendment 133 affirmative votes are required at one meeting or 101 at each of two consecutive meetings. The motion received 125 affirmative votes at the April 22, 1999, meeting. 101 affirmative votes are required for approval at this meeting.)

### MOTION:

To amend the University Senate Constitution, Article IX, as follows (additions are underlined, deletions are ~~struck out~~):

### ARTICLE VIII. AMENDING PROCEDURE

An amendment to this Constitution shall be approved either by a two-thirds majority of all voting members of the University Senate at a regular or special meeting, or by a majority of all voting members of the Senate at each of two meetings, the second of which shall be the next regular meeting; and provided the proposed amendment has been distributed, in writing, to the persons and in the manner provided in Article III, Section 7, for distribution of the Senate agenda, at least ten days prior to the date of the vote on the approval of the proposed amendment. An Amendment shall be effective following approval by the University Senate and by the Board of Regents.

### ARTICLE IX. BYLAWS

The University Senate may enact or amend its Bylaws either by a majority vote of the total membership of all voting members of the University Senate at a regular or special meeting, or by a majority of all members of the Senate present and voting at each of two meetings, the second of which shall be the next regular meeting, majority vote of the total membership of the Senate provided the proposed change has been submitted, in writing, to each member of the Senate at least ten days prior to the date of the vote on the approval of the proposed change.

### COMMENT:

[The Senate Parliamentarian ruled, in March 1999, that in ARTICLES VIII AND IX, "all voting members" shall mean Senate seats filled and does not include vacant seats.]

At present, it can be more difficult to amend the bylaws of the Senate than it is to amend the constitution, which is the opposite of what most deliberative bodies require. As the language now reads, constitutional amendments require EITHER a two-thirds vote at one meeting or a majority vote at two consecutive meetings, the vote totals based on the number of filled seats in the body. Bylaw amendments require a majority vote, with the vote total based on the total possible number of seats in the body, irrespective of whether or not they are filled. It is frequently difficult to achieve the majority vote needed simply because there are not enough of the members of the body present. (It appears, however, that the practice—contrary to what seems to be the meaning of the language—has been to count only filled seats when calculating the majorities required for bylaw amendments. Even with that practice, it has often been impossible to adopt bylaw amendments that the overwhelming majority of the body approves.)

This amendment changes the rules so that bylaws may also be amended by EITHER a majority vote (of seats filled) at one meeting or a majority vote (of those present and voting) at two meetings.

It is common practice in virtually all deliberative bodies to have bylaw changes made by a majority vote of those present and voting. The Senate requirements now in place run contrary to both widespread practice as well as the recommendation of Robert's Rules of Order; the result is that in order to accomplish its business, the Consultative Committees and other Senate committees must resort to extra-constitutional or perverse methods to achieve what everyone agrees is desirable.

In order to retain a safeguard to protect the interests of any who believe their interests might be ignored, however, the Consultative Committee recommends that for bylaw changes, a majority vote of all filled seats be required for one vote (as is now the requirement) or that a majority of those present and voting be required at two consecutive meetings. This would allow the Senate to accomplish what it needed to do, but provides that if there were less than absolute majorities of the full membership, it would take two meetings to approve the changes.

SARA EVANS, Chair  
SENATE CONSULTATIVE COMMITTEE

#### IX. COMMITTEE ON COMMITTEES

##### Bylaws Amendment Action (2 minutes)

(As a bylaw amendment, this motion requires 101 affirmative votes for approval.)

#### MOTION:

To amend the University Senate Bylaws, Article III, Section 1, as follows (additions are in CAPS; deletions are ~~struck out~~):

#### 1. ALL-UNIVERSITY HONORS COMMITTEE

The All-University Honors Committee solicits and reviews nominations for all-University honors.

#### Membership

The All-University Honors Committee shall be composed of no more than 68 faculty/academic professional members (INCLUDING ONE FROM EACH COORDINATE CAMPUS), 3 students, 5 alumni, and ex officio representation as specified by vote of the Senate. Faculty/academic professional and student members shall be nominated by the Committee on Committees and approved by the president. Alumni members shall be appointed by the president in consultation with the director of alumni relations.

#### Duties and Responsibilities

- To solicit campuses, institutes, schools, and colleges for nominations for various University honors, naming of buildings, and nominations for outstanding achievement awards.
- To screen such material and make recommendations to the president, who will refer such matters to the Board of Regents for final selection.
- To keep all deliberations and votes confidential except where publication is necessary for official purposes.
- To recommend to the Senate Consultative Committee such actions or policies as it deems appropriate.
- To submit an annual report to the Senate.

#### COMMENT:

The rationale for expanding the number of faculty/academic professional representatives on the All-University Honors Committee to include coordinate campus members is that in recent years, Chancellor Kathryn Martin, Duluth, has requested that a process separate from that which relied on the All-University Honors Committee be established for designating University honors on the Duluth Campus. This request was denied in 1997. Since that time, Chancellor Martin has been invited to send a Duluth representative to the meeting, but has declined. The All-University Honors Committee believes that is important to have representation from Duluth as well as the other campuses during discussion and deliberations regarding the regular nomination process.

SALLY GREGORY KOHLSTEDT, Chair  
COMMITTEE ON COMMITTEES

#### X. UNIVERSITY BUDGET Discussion (10 minutes)

#### XI. PRESIDENT'S REPORT

#### XII. QUESTIONS TO THE PRESIDENT

Questions to the President should be submitted to the University Senate Office no later than Tuesday, May 18, 1999.

#### XIII. SENATE CONSULTATIVE COMMITTEE REPORT

#### XIV. TRIBUTE TO DECEASED MEMBERS OF THE UNIVERSITY COMMUNITY

#### FACULTY

George Haidet  
Associate Professor  
Medicine and Radiology  
1951-1999

Gordon T. Heistad  
Professor  
Psychiatry  
1925-1999

Sun M. Kahng  
Professor  
Economics & Management - Morris  
1926-1999

Keith C. Kajander  
Associate Professor  
School of Dentistry  
1954-1999

William P. Martin  
Professor  
Soil Science  
1912-1999

Henrietta Saloshin  
Professor  
School of Social Work  
1906-1999

Miriam Seltzer  
Coordinator  
Home Economics  
1923-1999

Hugh Turritin  
Professor  
Mathematics  
1906-1999

#### XV. OLD BUSINESS

#### XVI. NEW BUSINESS

#### XVII. ADJOURNMENT

## MEETING OF THE FACULTY SENATE THURSDAY, MAY 20, 1999

Immediately following the University Senate Meeting - approx. 3:00 p.m.

25 Law Center—Twin Cities Campus  
305 Selvig Hall—Crookston Campus  
Kirby Student Center Garden Room—Duluth Campus  
Behmler Hall Conference Room—Morris Campus

The Senate constitution provides that eligible academic professionals and all members of the faculty who hold regular appointments as defined in *Faculty Tenure* may be present at Faculty Senate meetings and shall be entitled to speak and to offer motions for Faculty Senate action. Only elected faculty members and academic professionals (or their designated alternates) shall be entitled to vote. For a quorum, a majority of the voting membership (79) must be present. Actions require a simple majority of the members present and voting. Amendments to motions in the printed agenda must be submitted to the Clerk of the Senate at least 48 hours in advance of the meeting to allow for appropriate distribution. Consideration of amendments not received at least 48 hours in advance requires suspension of the rules by a majority of those members present and voting.

#### I. ADMINISTRATIVE RESPONSE TO FACULTY SENATE ACTIONS Information

- Interim Policy on Faculty Development Leaves  
(<http://www1.umn.edu/usenate/policies/facdevleavecp.html>)  
Approved by the: Faculty Senate October 15, 1998  
Administration November 25, 1998  
Board of Regents December 11, 1998
- Administrative Procedures for the Interim Policy on Faculty Development Leaves  
(<http://www1.umn.edu/usenate/policies/facdevleaveadmin.html>)  
Approved by the: Faculty Senate November 5, 1998  
Administration April 22, 1999  
Board of Regents - no action required

- Amendments to Faculty Tenure  
Approved by the: Faculty Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING
- Interpretation of Faculty Tenure  
Approved by the: Faculty Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING
- Amendment to the Judicial Committee Rules of Procedure  
Approved by the: Faculty Senate April 22, 1999  
Administration PENDING  
Board of Regents PENDING

#### II. MINUTES FOR APRIL 22, 1999 Action (2 minutes)

The Faculty Senate minutes are available on the Web at the following URL:  
[http://www1.umn.edu/usenate/faculty\\_senate/990422fac.html](http://www1.umn.edu/usenate/faculty_senate/990422fac.html)

#### III. JUDICIAL COMMITTEE Findings of a Termination Case Information (10 minutes)



## FOR INFORMATION:

According to Section 14.4 of the Tenure Code, "If the Judicial Committee decides that the President has imposed an action that is less favorable to the faculty member than it had recommended, it shall inform the faculty by publication of the President's action in the docket of the Faculty Senate. If the faculty member waives rights to confidentiality, the full text of the statement will be published. Otherwise a summary of the statement will be published without identification of the faculty member or information that may indirectly identify the faculty member." A background and summary of the President's decision in a termination-for-cause case heard by the Senate Judicial Committee follows:

The Complainant was hired as an assistant professor in 1966 and was promoted to an associate professor and awarded indefinite tenure in 1967. In 1994, the Dean initiated steps to terminate the Complainant's status under the Tenure Code because, "there had been no progress on any front with the Complainant, that he was not contributing usefully to the campus, and that every effort to find a successful solution up to that point had not worked, and therefore we should proceed to a review of his tenure status." In 1995, the Dean asked the Chair of the unit to convene the senior faculty to consider termination of the Complainant's tenure; the faculty recommended that the Complainant be terminated by a 10-6 vote. The Dean recommended termination to the Senior Vice President for Academic Affairs who concurred with the recommendation.

The Complainant notified the Senate Judicial Committee (SJC) of his intent to file a complaint in March, 1996 regarding his notice of termination and alleged that it was prompted by "personal dislike and prejudice" and thus violated the Tenure Code. The SJC Chair appointed a Panel of 5 members and 1 alternate to hear the complaint. Prehearing conferences were held in January and May 1997, and evidentiary hearings began in October 1997 and concluded in January 1998.

The SJC Panel submitted 60+ pages of Proposed Findings and Recommendations to the President. A plurality of the Panel found serious failures in the Complainant's research and service, but concluded that the Respondent did not, by clear and convincing evidence, prove that he failed to perform reasonably adequately. In addition, a majority of the Panel concluded that the Respondent failed to demonstrate that the termination of Complainant was appropriate as opposed to some lesser action.

According to the Tenure Code, the President may impose action less favorable to the faculty member only for important substantive reasons. The President observed that ten senior faculty members in the Complainant's unit — a solid majority — concluded that he failed to perform reasonably assigned duties adequately and that his tenured employment should be terminated. He also noted that administrators initiated termination proceedings only after years of unsuccessful efforts at remediation. Overall, the President found that the Complainant did not perform his research, teaching, or service duties adequately. He cited lack of significant research or scholarly publications since 1970, inadequate class preparation, unapproachable manner, and lack of concern for safety, and little or no service to the campus, community, or professional field. In addition, he noted the fact that the Complainant received numerous warnings over the years that he was not fulfilling his duties as a tenured faculty member and was given many opportunities to improve his performance.

On February 18, 1999, the President rendered the following decision:

- 1) there exists clear and convincing evidence that the Complainant's tenure should be terminated for sustained failure to perform reasonably assigned duties adequately;
- 2) termination of the Complainant's tenure, rather than some lesser measure, is the appropriate action in light of his sustained failure to perform reasonably assigned duties adequately; and
- 3) the Complainant's employment as a tenured faculty member at the University of Minnesota shall be terminated in June, 1999.

**EDWIN FOGELMAN, Chair  
JUDICIAL COMMITTEE**

## IV. JUDICIAL COMMITTEE TENURE SUBCOMMITTEE Judicial Committee Rules of Procedure Information (2 minutes)

### FOR INFORMATION:

At the request of the Judicial Committee, the Tenure Subcommittee and Executive Vice President and Provost Bruininks approved the following revision to the Judicial Committee Rules of Procedure:

*Revision to Rule 6, Representation and Attendance at Hearings, as follows (deletions are in [brackets]; additions are in CAPS):*

*6(b) Attorneys. [Either party may be represented by an attorney.]  
THE UNIVERSITY ADMINISTRATION WILL BE REPRESENTED  
AT JUDICIAL COMMITTEE PROCEEDINGS BY AN ATTORNEY  
ONLY WHEN THE FACULTY MEMBER IS REPRESENTED BY  
AN ATTORNEY. If an attorney notes an appearance in any case,  
subsequent communication with the party shall be directed to the  
attorney, unless the party requests that copies of correspondence  
and other writings be directed in addition to the party.*

### COMMENT:

In the past, the Senate Judicial Committee Rules of Procedure had a statement in the preamble that said the University administration could not be represented by an attorney if the Complainant was not represented by an attorney. This concept was strongly supported by the committee, but they soon realized that the statement could not prevent University administrators from consulting with the General Counsel's Office about Senate Judicial Committee cases, so the statement was stricken. However, in an effort to ensure fairness, the committee now proposes the above amendment which defines "representation" as attendance at the actual proceedings (prehearing conferences and evidentiary hearings) rather than consultation throughout the hearing process.

### REQUIRED ACTION:

As required by Sections 13.2 and 16.3 of *Faculty Tenure*, this amendment to the Judicial Committee Rules of Procedure proposed by the Judicial Committee has been approved by the Tenure Subcommittee and the senior academic administrator. The change must be reported to the Faculty Senate and the Board of Regents before it takes effect.

**EDWIN FOGELMAN, Chair  
JUDICIAL COMMITTEE  
CAROL CHOMSKY, Chair  
TENURE SUBCOMMITTEE**

## V. FACULTY AFFAIRS COMMITTEE RESEARCH COMMITTEE Intellectual Property Policy Action (20 minutes)

### MOTION:

To approve the following policy:

### Intellectual Property Policy

#### SECTION I. PREAMBLE

The Intellectual Property Policy exists to encourage research and innovation, clarify ownership of intellectual property rights, create opportunities for public use of University innovations, and provide for the equitable distribution of monetary and other benefits derived from intellectual property.

#### SECTION II. APPLICATION

**Subd. 1.** This policy applies to all faculty, staff, students, and any other persons employed by the University; to all persons receiving funding administered by the University or receiving other compensation from the University; and to all University-enrolled graduate students and post-doctoral fellows regardless of funding or employment status.

**Subd. 2.** This policy applies to intellectual property disclosed to the University after the effective date of the policy.

**Subd. 3.** The president, in consultation with the vice president for research and the Faculty Senate, shall adopt procedures to implement this policy.

#### SECTION III. DEFINITIONS

**Subd. 1.** "Creator" means the individual or group of individuals who invented, authored, or were otherwise responsible for the intellectual creation of the intellectual property, as defined in the applicable intellectual property statutes.

**Subd. 2.** "Intellectual Property" means any invention, discovery, improvement, copy-rightable work, integrated circuit mask work, trademark, trade secret, and licensable know-how and related rights. Intellectual property includes, but is not limited to, individual or multimedia works of art or music, records of confidential information generated or maintained by the University, data, texts, instructional materials, tests, bibliographies, research findings, organisms, cells, viruses, DNA sequences, other biological materials, probes, crystallographic coordinates, plant lines, chemical compounds, and theses. Intellectual property may exist in a written or electronic form, may be raw or derived, and may be in the form of text, multimedia, computer programs, spreadsheets, formatted fields in records or forms within files, databases, graphics, digital images, video and audio recordings, live video or audio broadcasts, performances, two or three-dimensional works of art, musical compositions, executions of processes, film, film strips, slides, charts, transparencies, other visual/aural aids or CD-ROMS.

**Subd. 3.** "Net Income" means the gross monetary payments the University receives as a result of transferring rights in the intellectual property less the University's out-of-pocket expenditures (including legal fees) directly attributable to protecting, developing, and transferring that intellectual property.

**Subd. 4.** "Regular Academic Work Product" means any copyrightable work product which is an artistic creation or which constitutes, or is intended to disseminate the results of, academic research or scholarly study. Regular academic work product includes, but is not limited to, books, class notes, theses and dissertations, course materials designed for the web, distance education and other technology-oriented educational materials, articles, poems, musical works, dramatic works, pantomimes and choreographic works, pictorial, graphic and sculptural works, or other works of artistic imagination. Software specifically needed to support a regular academic work product or which is designed to disseminate the results of academic research and scholarly study is also considered a regular academic work product.

**Subd. 5.** "Employee" means a person employed or otherwise compensated by the University, including faculty members, staff members, and students.

**Subd. 6.** "Specially Commissioned Work" means a work specially ordered or commissioned and which the University and the creator expressly agree in a written instrument signed by them shall be considered as such.

#### SECTION IV. OWNERSHIP

**Subd. 1.** University Ownership. Subject to the exceptions identified in subd. 2, the University shall be the sole owner of all intellectual property created through the use of University resources or facilities, supported directly or indirectly by funds administered by the University, developed within the scope of employment by employees, agreed in writing to be a specially commissioned work, or assigned in writing to the University.

**Subd. 2.** Exceptions to University Ownership.

a) The University shall have no ownership rights in the following intellectual property, which shall be owned by its creator:

i) Regular academic work products, provided that the regular academic work product was not assigned in writing to the University or specifically ordered or commissioned and designated in writing by the creator and University as a specially commissioned work.

ii) Intellectual property created by a student solely for the purpose of satisfying course requirements, unless the student assigns ownership rights in the intellectual property to the University in writing or assignment of such ownership rights to the University is made a condition for participation in a course.

Provided, however, that if the intellectual property referred to in (i) or (ii) is a derivative of or otherwise uses pre-existing University-owned intellectual property, this provision shall not prevent the University from asserting its pre-existing rights.

b) For intellectual property created in the course of or pursuant to sponsored research, external sales, industrial affiliates programs, or other contractual arrangements with external (non-University) parties, ownership will be determined in accordance with the terms of the University's agreement with the external party and applicable law.

c) For intellectual property created in the course of or pursuant to activities that fall within and comply with the regents' policy on Outside Consulting, Service Activities, and Other Work, ownership will be determined in accordance with the terms of any agreement governing intellectual property developed pursuant to such activities.

**Subd. 3.** Rights to Publish. Nothing in this policy shall be construed as affecting the rights of a creator to publish, except that the creator must agree to observe a brief period of delay in publication or external dissemination if the University so requests and such a delay is necessary to permit the University to secure protections for intellectual property disclosed to it by the creator.

**Subd. 4.** Use of Teaching Materials. In order to facilitate joint work on teaching materials, and notwithstanding the ownership rights otherwise granted by this policy, individuals who contribute to jointly produced teaching materials thereby grant a nonexclusive, nontransferable license to the University to continue to use such jointly produced teaching materials in University courses.

## SECTION V. DISTRIBUTION OF INCOME

### Subd. 1. Intellectual Property Derived From Academic Research or Scholarly Study.

a) Unless otherwise agreed in writing by the University and creator, in the event that the University receives income from intellectual property that is derived from academic research or scholarly study, that is disclosed to and licensed or otherwise transferred by the University's technology transfer unit, and that is not agreed in writing to be a specially commissioned work, any net income will be divided as follows:

- i) 33-1/3% to the creator;
- ii) 33-1/3% to the Office of the Vice President for Research to support the University's technology and transfer unit and to support research and scholarly activity at the University;
- iii) 8% to the creator's college(s)/school(s) that supported the creation of the intellectual property; and
- iv) 25-1/3% to the department(s)/division(s)/center(s) that supported the creation of the intellectual property to be spent in support of the creator's research or other directly related University work.

b) Changes to the distribution of income under (iii) and (iv) above may be appropriate if the income to a department/division/center becomes disproportionate compared to the unit's budget or if there are administrative organizational changes, including movement of the creator among units. Decisions about redistribution of income under such circumstances shall be made by the vice president for research in consultation with the Senate Committee on Research and the dean(s) of the appropriate college(s) or school(s).

**Subd. 2. Other Intellectual Property.** If the University receives income from intellectual property disclosed to and licensed or otherwise transferred by the University's technology transfer unit and not covered by subd. 1, it may be appropriate to share some portion of the net income with the creator in the form of a bonus or other temporary salary supplement. Any such distribution will be made in the discretion of the vice president for research in consultation with the creator's supervisor.

## SECTION VI. UNIVERSITY RESPONSIBILITIES

The University shall have the responsibility to:

- (1) provide oversight of intellectual property management and technology transfer,
- (2) establish effective procedures for licensing and patenting intellectual property,
- (3) promote effective distribution and marketing of intellectual property,
- (4) protect the University's intellectual property, and
- (5) inform individuals covered by the Intellectual Property Policy about its provisions.

## SECTION VII. RESPONSIBILITIES OF EMPLOYEES AND OTHER COVERED INDIVIDUALS

Employees, all persons receiving funding administered by the University or receiving other compensation from the University, and all graduate students and post-doctoral fellows regardless of funding or employment status, have a responsibility to:

- (1) adhere to the principles embodied in this policy;
- (2) sign, when so requested by the University, the University's Intellectual Property Policy Acknowledgment;
- (3) create, retain, and use intellectual property according to the applicable local, state, federal, and international laws and University policies;
- (4) disclose promptly in writing intellectual property owned by the University pursuant to this policy or created pursuant to sponsored research or other contractual arrangements with external parties that are governed by section IV, subd. 2(b), and assign title to such intellectual property to the University or its designee to enable the University to satisfy the terms of any applicable funding or contractual arrangement; and
- (5) cooperate with the University in securing and protecting the University's intellectual property, including cooperation in obtaining patent, copyright, or other suitable protection for such intellectual property and in legal actions taken in response to infringement.

## SECTION VIII. COMPLIANCE

Failure to comply with the provisions of this policy is a violation and may result in discipline of an employee in accordance with applicable University policies and procedures.

### Intellectual Property Policy Acknowledgment

I have read and understand the attached Board of Regents "Intellectual Property Policy." I understand that the provisions of that policy apply to all faculty members, staff members, students, and any other persons employed by the University, to all persons receiving funding administered by the University or receiving other compensation from the University, and to all graduate students and post-doctoral fellows at the University. I agree to abide by its provisions.

Name (Please print or type) \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

University ID Number \_\_\_\_\_

Prepared to comply with 17 CFR 401.14

**KENT BALES, Chair  
FACULTY AFFAIRS COMMITTEE  
LEONARD KUHI, Chair  
RESEARCH COMMITTEE**

## VI. FACULTY AFFAIRS COMMITTEE Report of the Joint Committee on Academic Appointments Further Discussion (10 minutes)

The Report of the Joint Committee on Academic Appointments can be found in the April 22, 1999, Faculty Senate minutes ([http://www1.umn.edu/usenate/faculty\\_senate/990422fac.html](http://www1.umn.edu/usenate/faculty_senate/990422fac.html)). A revised version will also be made available at the meeting.

**KENT BALES, Chair  
JOINT COMMITTEE ON  
ACADEMIC APPOINTMENTS**

## VII. FACULTY CONSULTATIVE COMMITTEE REPORT (5 minutes)

### VIII. OLD BUSINESS

### IX. NEW BUSINESS

### X. ADJOURNMENT

# MEETING OF THE TWIN CITIES CAMPUS ASSEMBLY

## THURSDAY, MAY 20, 1999

2:30 p.m.

25 Law Building

The voting membership of the Twin Cities Campus Assembly totals 175, including the President, 142 members of the faculty (including the Faculty Steering Committee), and 32 students (including the Student Steering Committee). For a quorum, a majority of the voting membership (89) must be present. Advance notice is required for amendments to the constitution and 117 affirmative votes at one meeting or 89 affirmative votes at each of two meetings, the second of which shall be the next regular meeting. Advance notice is required for amendments to the bylaws and 89 affirmative votes. Other actions require only a simple majority of the members present and voting. Amendments to motions in the printed agenda must be submitted to the Clerk of the Assembly at least 48 hours in advance of the meeting to allow for appropriate distribution. Consideration of amendments not received at least 48 hours in advance requires suspension of the rules by a majority of those members present and voting.

Any member of the faculty and any academic professional and student eligible to vote for members of the Assembly shall be entitled to speak at the discretion of the Assembly. Only elected members or alternates, the Steering Committee, and, in case of a tie, the Chair, shall be entitled to vote.

Representatives may designate any eligible alternates from their colleges, schools, and student constituencies as the alternates to serve in their places by written notice to the Senate Office prior to the commencement of any meeting of the Assembly.

### ATTENDANCE RECORD

A roll of elected and ex officio members will be available at each door of the meeting room, and members are asked to sign in. A summary of attendance for the year will be included in the minutes of the last meeting of the year.

### RULES

Rules will be available at the door.

### I. ADMINISTRATIVE RESPONSE TO TWIN CITIES CAMPUS ASSEMBLY ACTIONS

#### Information

- A. Resolution Regarding Food Services  
Approved by the: Assembly February 18, 1999  
Administration PENDING  
Board of Regents - no action required
- B. Amendment to the Standard Undergraduate Academic Policies and Practices for the Twin Cities Campus  
(<http://www1.umn.edu/userenate/policies/undergradpolicies.html>)  
Approved by the: Assembly February 18, 1999  
Administration April 15, 1999  
Board of Regents - no action required
- C. Amendments to the Twin Cities Campus Assembly Constitution  
Approved by the: Assembly April 22, 1999  
Administration PENDING  
Board of Regents PENDING
- D. Academic Progress Policy  
Approved by the: Assembly April 22, 1999  
Administration PENDING  
Board of Regents - no action required

### II. ELECTION OF VICE CHAIR FOR 1999-00

#### Action (2 minutes)

### III. MINUTES FOR APRIL 22, 1999

#### Action (2 minutes)

The Twin Cities Campus Assembly minutes are available on the Web at the following URL:

<http://www1.umn.edu/userenate/tcca/990422tcca.html>

### IV. CONSTITUTIONAL AMENDMENTS

#### Bylaws Amendment Requirements

[This Item will be considered concurrently with the parallel Item VIII of the University Senate docket.]

(As a constitutional amendment 117 affirmative votes are required at one meeting or 89 at each of two consecutive meetings. The motion received 105 affirmative votes at the April 22, 1999, meeting. 89 affirmative votes are required for approval at this meeting.)

#### MOTION:

To amend the Twin Cities Campus Assembly Constitution, Article VII, as follows (additions are underlined, deletions are ~~struck-out~~):

....

#### ARTICLE VII. BYLAWS

The Assembly may enact or amend its Bylaws either by a majority vote of the ~~total membership of all voting members~~ of the Assembly at a regular or special meeting, or by a majority of all members of the Assembly present and voting at each of two meetings, the second of which shall be the next regular meeting, majority vote of the total membership of the Assembly provided the proposed change has been submitted, in writing, to each member of the Assembly at least ten days prior to the date of the vote on the approval of the proposed change.

....

#### COMMENT:

[The Assembly Parliamentarian ruled, in March 1999, that in ARTICLES VI AND VII, "all voting members" shall mean Assembly seats filled and does not include vacant seats.]

See the comments under the parallel motion to amend the process for amending the Senate bylaws. The rationale is the same.

SARA EVANS, Chair  
ASSEMBLY STEERING COMMITTEE

### V. OLD BUSINESS

### VI. NEW BUSINESS

### VII. RECESS

Item IV will be taken up concurrently with Item VIII of the University Senate docket.

### VIII. ADJOURNMENT

## Information for Item VI on the Faculty Senate Agenda

Planning for the reform of academic appointments has moved from the joint committee appointed by the Consultative Committee, Educational Policy Committee, Faculty Affairs Committee, and Academic Staff Advisory Committee. A "working group" appointed by the Executive Vice President and the leadership of the Faculty Consultative Committee will attempt to develop recommendations acceptable to the faculty, professional and academic staffs, deans, and central administrators. A report to its constituents will be due by 1 November, a date that should make possible Senate action later in fall semester. At that time the joint committee will present the recommendations after their review and approval by the parent committees. In the interim, the joint committee will continue to be available to consult with colleges concerned about the details of its recommendations.

The working group is chaired by John Brandl, Dean of the Humphrey Institute, and consists of the following vice presidents, deans and directors, faculty, academic professionals, and administrative professionals.

- Kent Bales, Professor, CLA (Chair of the joint committee)
- Lucyann Carlone, Teaching Specialist, CLA (member, joint committee)
- Carol Carrier, Vice President, Human Resources
- Carol Chomsky, Associate Professor, Law School (Chair, Tenure Committee)
- Vernon Eidman, Professor and Department Head, COAFES
- Marilyn Grave, Associate professor, Crookston
- Mary Heltsley, Associate Vice President, Outreach
- Mary Hess, Associate to the Dean, Pharmacy
- Vincent Magnuson, Vice Chancellor, Duluth
- Al Michael, Dean, Medical School
- James Parente, Professor and Department Chair, CLA
- Tom Shaughnessy, University Librarian
- Kyla Wahlstrom, Research Associate, CEHD (member, joint committee; member, Executive Committee, ASAC)



**V. SENATE EDUCATIONAL POLICY COMMITTEE**

**Policy on Reorganization**

**Action (10 minutes)**

**MOTION:**

To approve the following policy:

**Policy on Reorganization  
Senate Committee on Educational Policy**

**Preamble**

Because the structure and organization of the University's academic units can have a profound effect on the financing and delivery of educational programs, the Senate adopts the following policy with respect to reorganization of academic units. In general, both the Senate and its committees should be involved in any organizational or structural decision affecting an academic unit made at the level of the campus or college or across colleges. The provisions of this policy calling for reporting information are also intended to provide the Senate a broad overview of the changes in academic programs that are occurring in the various colleges and campuses.

It is the position of the Senate that program changes within colleges should be subject to appropriate consultation with faculty and students from the beginning of planning for such changes. The primary focus of consultation should be the impact that the changes will have on the delivery of education to students. If actions leading to change are conducted in a reasonable manner, with consultation, the Senate has no interest in second-guessing academic decisions made by the colleges.

For the purposes of this policy, "academic unit" is defined as any unit which offers programs leading to a degree.

**I. Reorganization of Campuses and Collegiate Units**

1. The campus assembly (or analogous body) of an affected campus or college unit shall review and make recommendations on the establishment of new collegiate units, the merger or elimination of existing collegiate units, or the addition to an existing campus/college of a major new mission with college- or campus-wide impact or ramification.
2. The Executive Vice President shall consult with the Senate Consultative Committee as to whether additional consultation with University Senate committee(s) is appropriate, and the timetable for such consultation.
3. These reorganizations shall be reported to the University Senate for information.

## **II. Reorganization Within and Across Colleges and Campuses**

1. Proposals to establish, eliminate, split, or merge collegiate academic departments as well as intercollegiate transfers of departments shall be reviewed by appropriate college governance committees and reported to the Committee on Educational Policy for information
2. All proposals for the addition or deletion of undergraduate majors or degree programs shall be reported for information to the Committee on Educational Policy as part of decisions made by the administration or Board of Regents. Such proposals must incorporate an analysis of policy and budget implications. Changes within colleges and campuses shall be reviewed by the appropriate internal faculty governance process.
3. The Committee on Educational Policy shall report annually to the Senate, at the first meeting of the academic year, on the changes it reviewed under Section II(1) of this policy.
4. For each campus, it is expected that discussion of curricular issues (including conflict and duplication of courses) will be carried out in the appropriate campus governance committee(s), and that recommendations made to campus academic officers will also be reported to the Committee on Educational Policy.
5. Addition and deletion of programs in the Graduate School will be reported annually for information to the Committee on Educational Policy.

## **III. Administrative Reorganization**

1. The organization and selection of officers is appropriately at the discretion of the appointing authority. The president should have considerable discretion in setting the structure of the central administration of the University and to select and direct the officers who report to him or her; other senior academic officers (e.g., vice presidents, provosts, chancellors, deans) should have similar discretion.
2. When the president contemplates (a) the establishment or elimination of senior administrative position(s) of high rank (e.g., vice president, provost, chancellor), or (b) a major reorganization of the central administration, he or she shall present a proposal to the Senate Consultative Committee (or separately to the Faculty Consultative Committee and Student Consultative Committee) for information and discussion. Approval of the committee(s) for such proposals is not required.

When a campus executive officer (chancellor or provost) contemplates the establishment or elimination of senior administrative positions for a campus, the provost or chancellor shall present a proposal to the appropriate consultative body (assembly executive committee or its faculty-student equivalent) for information and discussion. Approval of that consultative body for the proposals is not required.

\* \* \* \*

**COMMENT:**

The Senate Committee on Educational Policy has been reviewing existing policies for the last several years; this proposal represents one more presentation of a consolidated and clarified policy, this one relating to the reorganization of the University at various levels. This particular policy has been under review for almost two years, has been circulated to the deans for their comment, and has also been endorsed by the Senate Committee on Finance and Planning. It replaces all existing policies.

The following are EXISTING policies on reorganization (with dates of adoption in parentheses):

- 1) That SCEP will study proposals for transfer of programs from one unit to another, and report its findings to the Senate for recommendations to be made. (1956)
- 2) That the Senate may specify the educational impact of inter-college transfers in recommendations to the President; that the administration (and college administrations) will scrutinize proposed course or staff additions in light of total University functions. (1956)
- 3) Proposals for new college units must be made to SCEP, and if approved, also approved by the Senate, by the State Higher Ed Board, and by the Regents. (1970)
- 4) All matters of collegiate reorganization, including addition/deletion of majors, must be reported to SCEP for discussion; SCEP will forward its recommendation to the Senate; then on to the Regents (this was repealing the existing procedure of reporting such things through the Senior VP to the HECC prior to the Regents). Proposals would now go to SCEP and HECC simultaneously.

Creation of new colleges, and the addition/deletion of missions on existing campuses, must be recommended by the affected campus Assembly, and reported for information/discussion to the Senate through SCEP and SCRP.

SCC should be consulted about proposals for new campuses, and direct issues to appropriate other committees for discussion. (1971)

**JUDITH MARTIN, Chair  
EDUCATIONAL POLICY COMMITTEE**

## Information for Item IV on the Faculty Senate Agenda

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The Senate Judicial Committee proposed the following language to be added to the comment section of the Rules of Procedure under Rule 6(b) *Attorneys*. The change was approved by the Tenure Subcommittee and is now being presented to the Faculty Senate for information.

**Comment:** Sometimes questions arise about an individual's status as an attorney within the meaning of the above rule. In general, "attorney" refers to someone who is paid to represent a party at Judicial Committee proceedings. On the other hand, a faculty advisor who is a regular or emeritus faculty member is not considered an "attorney" for purposes of the rule even if s/he has had formal legal training.