

**MEETING OF:**  
**THE FACULTY SENATE**  
**THURSDAY, DECEMBER 5, 2013**  
**2:00 – 3:45 P.M.**

**25 Mondale Hall--Twin Cities Campus**  
**105 Kiehle Hall--Crookston Campus**  
**173 Kirby Plaza--Duluth Campus**  
**7 Humanities/Fine Arts Building--Morris Campus**  
**Room 419--Rochester Campus**

This is a meeting of the Faculty Senate. There are 167 voting members of the Faculty Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

**1. ADMINISTRATIVE RESPONSES TO SENATE ACTIONS**  
**Information**

**FACULTY SENATE**

Amendment to the Regents Policy: Code of Conduct  
Approved by the: Faculty Senate December 2, 2010  
Approved by the: Administration **PENDING**  
Approved by the: Board of Regents **PENDING**

Recommended Guidelines for Evaluating Competitive Faculty Applications for University  
Funded Sabbatical Supplements  
Approved by the: Faculty Senate October 3, 2013  
Approved by the: Administration **PENDING**  
Approved by the: Board of Regents - no response required

**2. FACULTY CONSULTATIVE COMMITTEE**  
**Amendments to three Graduate Education Policies:**  
**Master's Degree: Performance Standards and Progress**  
**Doctoral Degree: Performance Standards and Progress**  
**Post-Baccalaureate Certificate Plans Approved by the Board of Regents**  
**Information for the Faculty Senate**

**FOR INFORMATION:**

The Faculty Consultative Committee acted on behalf of the Faculty Senate to unanimously approve these three policies because they are primarily technical changes to restore to current policy elements of earlier policies that were inadvertently omitted when the policies were reorganized and moved to the University's policy library. The one small change of substance, substituting "should" for "must" in the Ph.D. policy, was suggested by the Graduate School so that departments/programs were not forced to terminate a student's graduate work because of an inflexible GPA rule, even though the department might have good reasons for not doing so. It was also brought to our attention that the policies allow departments and graduate programs to establish higher minima than the ones established by these policies.

The Senate Committee on Educational Policy also approved these policies unanimously.

## ***POLICY 1***

### **MASTER'S DEGREE: PERFORMANCE STANDARDS AND PROGRESS – 10.31.2013**

#### **POLICY STATEMENT**

Students are responsible for knowing all program requirements of their master's program when they matriculate. If program requirements change, students may elect to continue under the requirements in effect when they matriculated, provided they have remained in good standing.

The advisor and the Director of Graduate Studies (DGS) for the program are jointly responsible for helping each student plan and appropriately complete the requirements in a timely fashion. The DGS is also responsible for ensuring that each student receives training appropriate to the discipline in the responsible conduct of research and ethical teaching and scholarship.

Programs and collegiate units may have additional and/or more stringent requirements.

#### **I. Pre-Matriculation Requirements for Programs**

Programs must, before students begin their first term of study:

- Provide each student a current graduate program handbook, specifying the program's requirements and policies governing successful degree completion
- Assign each student a temporary advisor

#### **II. Progress Review**

- a. **Annual Review** Programs must review the progress of each master's student annually. Students deemed not to be in good standing must be informed of the results of the review in writing, with a copy to the student's advisor.
- b. **Degree Plan** Master's degree students must have an approved degree plan on file in the collegiate unit in order to defend and/or apply for degree clearance. It is recommended that the degree plan be filed at least one term (fall or spring semester) before the intended term of the defense and/or application for degree clearance. The degree plan must be archived in the system of record. For students intending to pursue a minor:
  - i. In master's programs that include a final examination/defense, students must declare the minor prior to the examination/defense.
  - ii. In master's programs that do not include a final examination/defense, students must declare the minor prior to filing for degree conferral.

#### **III. Performance Standards**

- a. **Continuous Enrollment** Students are required to enroll every semester (fall and spring) from the time of matriculation until degree conferral.
- b. **Time Limit for Earning the Master's Degree** All requirements for the master's degree must be completed and the degree awarded within the shorter of five calendar years after initial enrollment in the graduate program or the more restrictive time frame specified by the program.

Students who are unable to complete the degree within the time limits described above due to extraordinary circumstances may petition the program and collegiate unit for an

extension of up to 12 months. Students must obtain the approval of their advisor/s and program DGS and submit the petition by the deadline.

- If a petition is approved, the student is notified in writing of the expectations for progress and for the month/year of degree conferral.
- If the petition is denied, the student is notified in writing that he or she will be terminated from the graduate program upon expiration of the limit.

Students who have been terminated under such circumstances may apply for readmission to the program; however, readmission is not guaranteed.

- c. **Minimum Grade Requirements** To remain in good academic standing students should meet the minimum GPA requirement specified by the graduate program or 2.800 (on a 4.000 scale), whichever is higher. Students who have filed a master's degree plan should maintain a 2.800 GPA for courses included on the degree plan. Only courses with grades of A, B, C (including C-) and S may be counted toward the degree. Students who have not yet filed a degree plan ~~must~~ should maintain an overall GPA of 2.800. ~~Graduate programs may require a higher GPA for individual major fields and may apply the requirement to the overall GPA instead of only to degree plan coursework.~~ Students who fall below the program's minimum GPA requirement may be terminated from the program.

Note: Students must have at least a 2.800 GPA for courses included on the degree plan at the time of degree clearance.

- d. **S/N grades for courses** A minimum of 2/3 of the course credits included on a degree plan must be taken A/F.

### **Exception**

Programs with a distinctive student population or approved joint-degree programs may request a program-wide exception to the five-year time limit for earning the master's degree.

### **Effective Date**

This policy applies to all students admitted after January 1, 2013. Students who matriculated before January 1, 2013 may choose to continue under the policies in effect when they initially matriculated in their graduate program.

This policy does not apply to first professional degrees. (The first professional degrees are the J.D., M.D., Pharm.D, D.V.M., D.D.S, and L.L.M. degrees.)

### **REASON FOR POLICY**

This policy creates the framework for communications to students about degree requirements and the student's progress; sets minimum standards for satisfactory progress in doctoral programs; establishes clear standards and procedures for administering and grading doctoral written and oral preliminary examinations. This policy establishes uniform and procedures for doctoral preliminary examinations.

The policy also assists the student and advisor in planning for timely completion of program requirements, provides timely evaluations to students as they proceed through program; alerts student and advisors to problems, and provides opportunity to develop best approach for

addressing those problems; and creates a clear record in cases where program decides to terminate student.

## ***POLICY 2***

### **DOCTORAL DEGREE: PERFORMANCE STANDARDS AND PROGRESS – 10.31.2013**

#### **POLICY STATEMENT**

Students are responsible for knowing all program requirements of their doctoral program when they matriculate. If program requirements change, students may elect to continue under the requirements in effect when they matriculated, provided they have remained in good standing.

The advisor and the Director of Graduate Studies (DGS) for the program are jointly responsible for helping each student plan and appropriately complete the requirements in a timely fashion. The DGS is also responsible for ensuring that each student receives training appropriate to the discipline in the responsible conduct of research and ethical teaching and scholarship.

Programs and collegiate units may have additional and/or more stringent requirements.

#### **I. Pre-Matriculation Requirements for Programs**

Programs must, before students begin their first term of study:

- Provide each student a current graduate program handbook, specifying the program's requirements and policies governing successful degree completion
- Assign each student a temporary advisor.

#### **II. Progress Review**

- a. Annual Review Programs must review the progress of each doctoral student at least once a year and must provide the results to the student in writing.
- b. Degree Plan Doctoral students must have an approved degree plan on file with their collegiate unit prior to taking the preliminary oral exam.
  - i. If a student intends to complete a minor, the minor must be declared on the degree plan prior to taking this exam. The degree plan must be centrally archived in the system of record.
  - ii. It is recommended that the degree plan be filed, at minimum, three months prior to the exam date.

#### **III. Performance Standards**

- a. Continuous Enrollment Students are required to enroll every semester (fall and spring) from the time of matriculation until degree conferral.
- b. Time Limit for Earning the Doctoral Degree All requirements for the doctoral degree must be completed and the degree awarded within the shorter of eight calendar years after initial enrollment to the graduate program or the more restrictive time frame specified by the program.

Students who are unable to complete the degree within the time limits described above may petition the program and collegiate unit for one extension of up to 24 months. Students must obtain the approval of their advisor/s and program DGS and submit the petition for an extension at least six months prior to the end of the time limit.

- a. If a petition is approved, the student is notified in writing of the expectations for progress and of the month/year of degree conferral.
- b. If the petition is denied, the student is notified in writing that he or she will be terminated from doctoral candidacy and from the graduate program upon expiration of the time limit.
- c. Under extraordinary circumstances, students may file a second petition for an additional 24 month extension after the first 24 months have expired; however such petitions after the initial extension must be reviewed and approved by the advisor/s, program DGS, and Vice Provost and Dean of Graduate Education.
- d. Students who have been terminated under such circumstances may apply for readmission to the program; however, readmission is not guaranteed.
- e. **Minimum Grade Requirements** To remain in good academic standing students should meet the minimum GPA requirement specified by the graduate program or 3.000 (on a 4.000 scale), whichever is higher. Students who have filed a doctoral degree plan should maintain a 3.000 GPA for courses included on the degree plan. Only courses with grades of A, B, C (including C-) and S may be counted toward the degree. Students who have not yet filed a degree plan ~~must~~ should maintain an overall GPA of 3.000. ~~Graduate programs may require a higher GPA for individual major fields and may apply the requirement to the overall GPA instead of only to degree plan coursework.~~ Students who fall below the program's minimum GPA requirement may be terminated from the program.
- f. S/N grades for courses A minimum of 2/3 of the course credits included on a degree plan must be taken A/F.

#### **IV. Doctoral Preliminary Written and Oral Examinations**

- a. Each doctoral candidate must pass a written examination in the major field.
  - I. The doctoral preliminary written examination will be graded either pass, pass with reservations, or fail in accordance with program standards.
  - II. For students who pass with reservations, conditions to be met must be given in writing to the student within ten working days, including a timeline for completion.
- b. Every doctoral student must pass a preliminary oral examination in the major field in programs where such an examination is a degree requirement. The preliminary oral examination is conducted as a closed examination, attended by only the student and the examining committee.
  - i. The oral examination may not take place before examiners have certified that the candidate received a passing grade on the preliminary written examination and that any reservations have been removed.
  - ii. The doctoral preliminary oral examination will be graded either pass, pass with reservations, or fail.
  - iii. If a student fails the exam, he or she may retake the examination once. All committee members, or all committee members save one must approve this option.

- iv. The second attempt to pass the preliminary oral examination must use the same committee members unless an emergency situation necessitates a substitution.
  - v. If the committee does not approve a retake, or if the student fails the second attempt, the student will be terminated from the program.
- c. The doctoral preliminary oral committee must consist of at least four members, including the advisor/s. All members of the committee and the candidate must participate in the preliminary oral examination. Committee members and/or the student may participate remotely as long as all conditions for remote participation in the examination are met.
- I. At least three members (including the advisor) must be from the student's major field.
  - II. At least one member must represent a field outside the major. (If the student has declared a minor, the outside member, or one of the outside members, must represent the minor field.)
  - III. Members cannot satisfy the requirement with respect to more than one field.

### **Exceptions**

Programs with a distinctive student population or approved joint-degree programs may request a program-wide exception to the eight-year time limit for earning the doctoral degree.

Doctoral programs with approved degree performance standards and progress requirements that do not require preliminary written and oral examinations are exempt from IV.

### **Effective Date**

This policy applies to all students admitted after January 1, 2013. Students who matriculated before January 1, 2013 may choose to continue under the policies in effect when they initially matriculated in their graduate program.

This policy does not apply to first professional degrees. (The first professional degrees are the J.D., M.D., Pharm.D., D.V.M., D.D.S, and L.L.M. degrees.)

### **REASON FOR POLICY**

This policy creates the framework for communications to students about degree requirements and the student's progress; sets minimum standards for satisfactory progress in doctoral programs; establishes clear standards and procedures for administering and grading doctoral written and oral preliminary examinations. This policy establishes uniform and procedures for doctoral preliminary examinations.

The policy also assists the student and advisor in planning for timely completion of program requirements, provides timely evaluations to students as they proceed through program; alerts student and advisors to problems, and provides opportunity to develop best approach for addressing those problems; and creates a clear record in cases where program decides to terminate student.

### ***POLICY 3***

### **POST-BACCALAUREATE CERTIFICATE PLANS APPROVED BY THE BOARD OF REGENTS – 10.31.2013**

## POLICY STATEMENT

This policy governs post-baccalaureate certificates approved by the Board of Regents. Such certificates may be offered by collegiate units to individuals who wish to enhance their knowledge, skills, and professional training.

### **I. Admission**

Minimum admission requirements for post-baccalaureate certificates are the same as for master's and doctoral degrees. Admission is governed by the Administrative policy: *Admission for Master's and Doctoral Degrees*.

### **II. Program Requirements**

Programs offering post-baccalaureate certificate plans must assure students receive graduate-level training. The minimal criteria are:

- a. Plans must consist of at least 12 semester course credits.
- b. All courses must be at the 4000 level or above. At least 50% of the certificate course credits must be at the 5000 level or above.
- c. Students must maintain at least a 2.800 GPA (on a 4.000 scale) for satisfactory progress.
- ed. Only courses with grades of A, B, C (including C-) and S may be counted toward the degree.

Colleges and programs may specify additional or more stringent requirements. Colleges and graduate programs must publish these requirements and provide them to students upon matriculation.

Note: Students must have at least a 2.800 GPA for courses included on the degree plan at the time of degree clearance.

### **III. Transfer of Credits**

- a. Graduate course credits earned at other institutions may be transferred to University post-baccalaureate certificate plans subject to approval by the University graduate program. Such credits must have been earned at an accredited institution in the United States or at a non-U.S. institution judged by the graduate program to be comparable to a regionally accredited graduate program in the United States.
- b. At least 60% of the graduate course credits required for the certificate must be taken at the University.

### **IV. Credits in Common**

A maximum of three graduate course credits may be counted in common between two University post-baccalaureate certificate plans.

### **V. Certificate Completion Timeline**

All requirements for the certificate must be completed and the certificate awarded within five calendar years after initial enrollment. Colleges and programs may set more stringent time requirements and may allow students to petition for exceptions to the time limit.

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REASON FOR POLICY

This policy provides a framework for offering post-baccalaureate education that is oriented primarily toward professional and skills development and that culminates in the award of a certificate.

**WILLIAM DURFEE  
CHAIR, FACULTY CONSULTATIVE COMMITTEE**

**3. PRESIDENT'S REPORT  
(5 minutes)**

**4. QUESTIONS TO THE PRESIDENT  
(5 minutes)**

Questions to the President should be submitted in writing to the University Senate office no later than Tuesday, December 3, 2013. The President may also choose to take questions from the floor.

**5. PROVOST'S REPORT  
(5 minutes)**

**6. QUESTIONS TO THE PROVOST  
(5 minutes)**

Questions to the Provost should be submitted in writing to the University Senate office no later than Tuesday, December 3, 2013. The Provost may also choose to take questions from the floor.

**7. FACULTY CONSULTATIVE COMMITTEE  
Amendments to the Board of Regents Policy: Commercialization of Intellectual Property  
Action by the Faculty Senate  
(5 minutes)**

**MOTION:**

To amend the Board of Regents Policy: Commercialization of Intellectual Property as follows (new language is underlined; language to be deleted is ~~struck-out~~):

**COMMERCIALIZATION OF INTELLECTUAL PROPERTY RIGHTS**

**SECTION I. SCOPE.**

This policy governs patents and the ownership, commercialization, and dissemination of intellectual property rights in technology created at the University of Minnesota (University).

**SECTION II. EXCLUSIONS.**



**Subd. 1. Copyright.** With the exception of the commercialization of intellectual property rights in software owned by the University, this policy shall not apply to the ownership or use of copyrighted works that are governed by other Board of Regents (Board) or administrative policies.

**Subd. 2. Trademarks.** With the exception of intellectual property rights in University trademarks that identify University--owned plant varieties or that are commercialized in conjunction with other technology covered by this policy, this policy shall not apply to the use of University--owned or licensed names, trademarks, or service marks.

**Subd. 3. Equity Interests.** This policy shall not apply (a) to the University's acquisition of equity securities in a publicly held company or appointment of a voting member to the governing body of a publicly held company or (b) to the acquisition of equity securities of a publicly held company by a University employee.

**Subd. 4. Student--Created Technology.** This policy shall not apply to technology created or reduced to practice by University students to fulfill a University course requirement unless (i) the development of the technology was funded, in whole or in part, by an external sponsor; (ii) the technology was an improvement of an invention in which the University holds the intellectual property rights; (iii) a University faculty member or other University employee was a co--inventor of the technology; or (iv) substantial University resources were used to develop or reduce the technology to practice. This policy does not prohibit the University from conditioning participation in a University course or other University--sponsored activity on an individual's assigning to or licensing to the University the rights in technology created or reduced to practice in the course or activity.

...

## SECTION V. OWNERSHIP OF TECHNOLOGY.

**Subd. 1. Ownership.** The University shall be the sole owner of all rights, titles, and interests (including intellectual property rights) in and to technology:

(a) created by University employees in the course of their employment;

~~(b) created by students or post-doctoral or other fellows in the course of their academic duties or appointments; or~~

(e)(b) created by individuals, including employees, students, or post--doctoral or other fellows, using substantial University resources.

**Subd. 2. Assignment of Intellectual Property Rights.** Inventors assign to the University all rights, titles, and interests, if any, in and to technology owned by the University.

**Subd. 3. Ownership Under Third Party Agreements.** Ownership of and rights in technology are subject to the terms of written agreements between the University and third parties under which the University, solely or in collaboration, conducts research or other activities. Under these agreements, the University may claim, disclaim, or otherwise grant or accept rights in technology as appropriate and desirable.

**Subd. 4. Waiver of University Rights.** Consistent with administrative policies and procedures, the president or delegate is authorized to waive or otherwise assign to an

inventor all or part of the University's rights, titles, or interests in or to a technology created by the inventor.

**Subd. 5. Rights to Publish.** At the University's request, inventors shall delay the publication or public disclosure of any descriptions of technology for a brief period of time to permit the registration, application for, and protection of the intellectual property rights in the technology

**Subd. 6. Rights to Third Parties.** The president or delegate may assign, license, or otherwise grant a third party the right to use technology royalty---free or in exchange for cash, stock or other securities, or other tangible or intangible property.

...

**COMMENT:**

This change addresses an issue faced by students doing course-related projects not related to university research, for example students in capstone design courses in engineering departments. Under current policy, inventions created by students while working on such projects belongs to the University. Because students are receiving an education, for which they pay tuition, it is appropriate that the results of that education, including inventions, should belong to the student. Further, University ownership of inventions created by students in courses is a barrier for companies who wish to sponsor projects in engineering capstone courses. The policy change fixes this problem by allowing students to retain ownership of inventions created in courses, so long as those inventions are not connected to existing University intellectual property or to a University sponsored research project. The Senate Research Committee and the Faculty Consultative Committee approved this change unanimously.

**WILLIAM DURFEE  
CHAIR, FACULTY CONSULTATIVE COMMITTEE**

**8. FACULTY CONSULTATIVE COMMITTEE  
Update from the Special Committee on Graduate Education  
Discussion by the Faculty Senate  
(20 minutes)**

**9. FACULTY CONSULTATIVE COMMITTEE  
Changes to the Student Rating of Teaching Form  
Discussion by the Faculty Senate  
(30 minutes)**

**Recommended Changes to the Student Rating of Teaching Form  
As of November 21, 2013**

**Goals of revision:**

- Respond to increased student demand for releasing information that may aid in course selection by releasing course related information from the SRT that does not violate Minnesota state data privacy law.
- Revise the SRT by eliminating items that have been problematic, adding new items, and incorporating items from the current student release survey.

**Overview proposed revision (see detailed description on pages 2-3):**

- Eliminate the student release survey in its current form. Few instructors opt-in to release the results of the survey and survey questions overlapped with similar questions on the SRT.
- Retain six core items from the current SRT that are frequently used in personnel reviews and for promotion and tenure files.
- Revise the SRT to incorporate selected items from the Student Release survey.
- Identify a subset of SRT items (#7-11) that will be released to student without violating the Minnesota Data Practices Act.
- Include a new question regarding the use of instructional technology (if applicable to the course).
- Eliminate the open-ended question “what could you have done to be a better learner” and replace with the question “what suggestions do you have to improve this course” (see pages 2-3 for rationale).

### Revised SRT questions

1. The instructor was well prepared for class.
2. The instructor presented the subject matter clearly.
3. The instructor provided feedback intended to improve my course performance.
4. The instructor treated me with respect.
5. The instructor set high expectations for learning the content.
6. I would recommend this instructor to other students.

*Course related items 7-11 will be released to students*

7. I have a deeper understanding of the subject matter as a result of this course.
8. My interest in the subject matter was stimulated by this course.
9. Instructional technology employed in this course was used effectively (1 2 3 4 5 6 N/A).
10. The grading standards for this course were clear.
11. I would recommend this course to other students.

### WRITTEN COMMENTS SECTION

- What did the instructor do that most helped your learning?
- What suggestions do you have for improving this course?

### Detailed Description of Proposed Changes

Variable	Suggested Action
Written Comments	<p>. <b>Eliminate</b> item 2: <u>What could you have done to be a better learner?</u></p> <p><b>Proposed New Item:</b> <u>What suggestions do you have to improve this course?</u></p> <p><b>Rationale:</b> Item 2 has been problematic for many instructors since its inception. The proposed new item is used in many evaluation forms and balances the current item #1 that focuses on “what the instructor did that most helped your learning”.</p> <p>. <b>Eliminate</b> item 3: <u>Additional Comments</u></p> <p><b>No revisions or new items proposed</b></p> <p><b>Rationale:</b> While item #3 allows students to speak broadly about issues unrelated to items 1 and 2, this item can serve as a catalyst for statements about</p>

	<p>the instructor that are derogatory and personal. Suggestions on improving the course—a primary and reasonable focus of student feedback—are handled by a revised item 2 (above) and should be sufficient.</p>
<p><b>Student Release Survey Questions</b></p>	<p><b>Eliminate this section as a stand-alone area and incorporate revised or new items into the front page of the SRT after the core items</b></p> <p><b>Maintain items:</b>  #6 I would recommend this instructor to other students.  #11 I would recommend this course to other students.</p> <p><b>Item for Revision:</b> Has a reasonable grading system  <b>Proposed Revised Item:</b> The grading standards for this course were clear.</p> <p><b>Item for Revision:</b> Compared to other courses at this level, the difficulty of this course is...</p> <p><b>Proposed Revised Item:</b> The instructor set high expectations for learning the content.</p> <p>Rationale: The Student Release Questions are not meeting the goals for which they were intended (help students choose appropriate coursework) given the low percentage of faculty who release these items. The items also have varying scales and replicate to some extent certain core items.</p> <p>Keeping items on “recommending this instructor to other students” and “recommending this course to other students” seems reasonable as they connect well with what students ultimately want to know.</p>
<p><b>Additional Items for the SRT</b></p>	<p><b>Proposed New items</b>  #9. <b>Instructional technology employed in this course was used effectively</b> (needs to have a Not Applicable option at the end)</p> <p><b>Revised student release items</b>  10. <u>The grading standards for this course were clear.</u>  11. <u>The instructor set high standards for learning the content.</u></p> <p><b>Rationale for Proposed New Item:</b>  <u>Technology:</u>  The current and regular attention given to eLearning on campus warrants its acknowledgement in the SRT. Unless “technology” is understood in a very broad sense, however, this item will elicit concerns from students and faculty in many courses in which overt technology is not a key component of instructional delivery. This fact suggests that a “<b>not applicable</b>” box be made available for students to check.</p> <p>Other items dealing with specific aspects of technology—online discussions, websites, software availability, etc—are too narrow to be included in an all university form.</p>

**WILLIAM DURFEE  
CHAIR, FACULTY CONSULTATIVE COMMITTEE**

**10. FACULTY CONSULTATIVE COMMITTEE  
Issues Arising from the CAFE Study and the Suicide of Dan Markingson  
Action by the Faculty Senate  
(30 minutes)**

**PREAMBLE:**

In May 2004, Dan Markingson, while enrolled in a clinical trial of an antipsychotic drug (the CAFE study) at the University of Minnesota, committed suicide. Since then individuals and groups within and outside the University have raised questions about the study, how Markingson was recruited into it, his treatment during the study, and the circumstances of his suicide.

On October 21, 2013, a letter co-authored by six bioethicists from outside the University, with 175 co-signatories, was addressed to President Eric Kaler and Professor Eva von Dassow, as chair and vice-chair (respectively) of the Faculty Senate, and to members of the University of Minnesota Senate. The letter asked the Senate to endorse and request an independent investigation of the issues arising from the Markingson case and the CAFE study. That letter is available at: [http://www1.umn.edu/usenate/fsenate/docs/131205toronto\\_letter.pdf](http://www1.umn.edu/usenate/fsenate/docs/131205toronto_letter.pdf). The list of additional co-signatories is available at: [http://www1.umn.edu/usenate/fsenate/docs/131205toronoto\\_signatures.pdf](http://www1.umn.edu/usenate/fsenate/docs/131205toronoto_signatures.pdf).

On November 20, 2013, fourteen faculty senators co-signed a request to the Faculty Consultative Committee to place this matter on the agenda of the December 5 Faculty Senate meeting for discussion, and further requesting that a resolution calling for an independent investigation be presented for discussion and action. That letter is available at: [http://www1.umn.edu/usenate/fsenate/docs/131205letter\\_to\\_fcc.pdf](http://www1.umn.edu/usenate/fsenate/docs/131205letter_to_fcc.pdf).

The FCC discussed the letter and the issues it raises at its meetings on Oct. 24, Nov. 14, and Nov. 21. While these discussions have not reached a conclusion, and members of the FCC have varying views, a consensus emerged that it is appropriate to bring the matter before the Faculty Senate at this time. The FCC wishes to emphasize the following points.

First, it is important that those participating in decisions about this matter familiarize themselves, with the history of the case and investigations conducted to date.

Second, as the FCC studied this issue, two things became clear: that the Markingson tragedy specifically had been investigated several times from different perspectives, and that those investigations did not address the broader question of whether the University's current policies, procedures and practices, some of them changed since the Markingson case, reflect both best practices in clinical research on human subjects and the faculty's high ambitions for ethical behavior. Members of the FCC also recognize that external evaluations can have the advantage of fresh perspectives not biased by familiarity with current practice, and are a way for the public to have the utmost confidence in the integrity of the research conducted at the University of Minnesota.

For this reason, the FCC feels that the way forward is to recommend that an independent and transparent examination be undertaken to evaluate the University's procedures, practices, and policies governing clinical research on human subjects, and in particular clinical research involving adult participants with diminished functional abilities. While the specific charge for such an examination requires further work, FCC believes issues to address may include

investigator conflict of interest, institutional conflict of interest, consent policies and procedures, case management of enrolled participants, mechanisms for overseeing such research and mechanisms for addressing adverse events.

Therefore, the FCC suggests to the Faculty Senate the following resolution:

**Resolution on the matter of the Markingson case**

WHEREAS the faculty of the University of Minnesota are committed to upholding high ethical standards in the conduct of research;

WHEREAS questions continue to be raised about the policies and procedures followed in the Markingson case;

WHEREAS the University has suffered reputational harm in consequence of this tragic case and its aftermath;

WHEREAS the faculty seek to ensure through independent evaluation that the University's ethical standards for clinical research on human subjects meet or surpass the norm,

BE IT RESOLVED that an investigative panel external to and independent from the University of Minnesota be constituted for the purpose of conducting an inquiry examining current policies, practices, and oversight of clinical research on human subjects at the University, in particular clinical research involving adult participants with diminished functional abilities. The administration, in collaboration with appropriate faculty governance committees, shall initiate the constitution of such an independent panel and shall support its inquiry. The panel shall have authority to obtain any records it deems necessary for a thorough inquiry, to the extent consistent with applicable law. At the conclusion of the inquiry, the panel shall issue a report that will be made publicly available, within the limitations of regulations governing the protection and privacy of individuals, including research participants.

**WILLIAM DURFEE  
CHAIR, FACULTY CONSULTATIVE COMMITTEE**

**11. FACULTY SENATE OLD BUSINESS**

**12. FACULTY SENATE NEW BUSINESS**

**13. FACULTY SENATE ADJOURNMENT**

## **MEETING OF THE STUDENT SENATE**

**THURSDAY, DECEMBER 5, 2013**

**11:30 A.M. - 1:30 P.M.**

**25 Mondale Hall--Twin Cities Campus  
105 Kiehle Hall--Crookston Campus  
173 Kirby Plaza--Duluth Campus  
7 Humanities and Fine Arts--Morris Campus  
Room 419—Rochester Campus**

This is a meeting of the Student Senate. There are 54 voting members of the Student Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

### **1. DISCUSSION WITH PRESIDENT KALER 45 minutes (11:30 am-12:15 pm)**

### **2. P&A SENATE UPDATE (5 minutes)**

#### **For Information:**

The P&A Senate represents the academic professional and administrators (P&A) class of 5400 non-unionized employees at the University. This class was started in 1980 and the governance body was formed as an advisory committee to the President. P&A have skills between civil service employees and faculty in jobs such as teachers, researchers, advisors, counselors, and extension service workers. Most people stay in this classification or move to a faculty position. P&A employee have some of the same benefits as faculty, but work on annually renewable contracts.

The P&A Senate meets from 9:30-11:30 am the first Friday of most months and meetings are open to the public. The P&A Senate consists of 40 representatives from campus units and colleges and has four subcommittees: Benefits and Compensation, Communications, Outreach, and Professional Development and Recognition.

### **3. STUDENT SENATE/ STUDENT SENATE CONSULTATIVE COMMITTEE CHAIR REPORT (5 minutes)**

### **4. ASSEMBLY/ASSOCIATION UPDATES (5 minutes)**

### **5. MINUTES FOR OCTOBER 3, 2013 Action (2 minutes)**

**MOTION:**

To approve the Student Senate minutes, which are available on the Web at the following URL:

<http://www1.umn.edu/usenate/ssenate/minutes/131003stu.pdf>

**BECKY YUST, CLERK  
UNIVERSITY SENATE**

**6. RESOLUTION IN SUPPORT OPERATIONAL EXCELLENCE**

**Action  
(10 minutes)**

**MOTION:**

To approve the following resolution:

**Resolution in Support Operational Excellence**

On September 13th, 2013, President Kaler announced that the University of Minnesota will achieve \$90 million in administrative cost savings between fiscal years 2014 and 2019<sup>1</sup>. The University of Minnesota has conducted multiple studies to examine organizational effectiveness and costs, including an administrative cost benchmarking to pinpoint strategies for an impactful reorganization of spending. The announcement included intentions to direct the savings to activities related to the University of Minnesota's mission and used to curb growth in the net cost of attendance<sup>2</sup>.

Administrative costs are an increasingly important factor that affects costs to students and quality of services. In the past two years, the University of Minnesota has introduced an increased focus on operational excellence and administrative cost savings, with \$34 million in administrative cost savings in the last two years<sup>3</sup>.

The increased financial burden placed on students is negatively impacting lives of students. The University should be focused on providing the best student experience, which includes limiting financial stresses and improving quality of services to students.

The Student Senate supports President Kaler's plan to implement these administrative cuts if they are targeted to these two areas: curbing growth in the net cost of attendance for all students and to improve the effectiveness of student services.

<sup>1</sup>. [http://www1.umn.edu/news/news-releases/2013/UR\\_CONTENT\\_456150.html](http://www1.umn.edu/news/news-releases/2013/UR_CONTENT_456150.html)

<sup>2</sup>. Ibid.

<sup>3</sup>. Ibid.

**RYAN OLSON, MEMBER  
STUDENT SENATE CONSULTATIVE COMMITTEE**

**7. RESOLUTION ON AFFORDABLE EDUCATION**

**Action  
(10 minutes)**

**MOTION:**



To approve the following resolution:

### **Resolution on Affordable Education**

In the last 11 years, tuition for in-state undergraduate students has increased over 110%, and tuition for non-resident has increased 12.4%.<sup>1</sup> This increase in the cost of tuition burdens students with high levels of debt and diminishes the student experience. According to the Student Experience in the Research University<sup>2</sup> survey, over 40% of University of Minnesota undergraduates believe that the cost of attendance, including grants and scholarships, is not manageable<sup>3</sup>.

The relationship with the State of Minnesota is crucial for University funding, which in turn affects tuition rates and cost of attendance for all students. State divestment in higher education has been a major contributing factor in the increases in cost of attendance experienced by University of Minnesota students.

In July of 2013, the Board of Regents approved a two year undergraduate resident tuition freeze, along with a commitment by the State to fund the University for the current biennium<sup>4</sup> at a level that allows for a tuition freeze for the 2013-2014 and 2014-2015 academic years<sup>5,6</sup>.

The Student Senate recognizes this commitment made by both the State and the University to keep undergraduate resident tuition rates low.

Additionally, the Student Senate supports further efforts by the University and State to limit the cost of attendance for all students, not just undergraduate residents.

The Student Senate is willing to take further action to assist in the University's efforts to limit these costs.

<sup>1</sup><http://www.oir.umn.edu/static/tuition/TuitionUMNTC.pdf>. Note that these rates do not include other elements of the cost of attendance, such as collegiate fees, other fees (e.g. student services fee, stadium fee), textbooks and supplies, and the cost of living.

<sup>2</sup> Survey results and further details available at: <http://www.seru.umn.edu/>

<sup>3</sup> [https://www.oir.umn.edu/surveys/seru/public/university\\_cost](https://www.oir.umn.edu/surveys/seru/public/university_cost)

<sup>4</sup> The 2014-2015 biennial budget request can be viewed here: <http://govrelations.umn.edu/biennial-budget.html>

<sup>5</sup> [http://www1.umn.edu/news/news-releases/2013/UR\\_CONTENT\\_446543.html](http://www1.umn.edu/news/news-releases/2013/UR_CONTENT_446543.html)

<sup>6</sup> [http://www1.umn.edu/news/news-releases/2013/UR\\_CONTENT\\_443992.html](http://www1.umn.edu/news/news-releases/2013/UR_CONTENT_443992.html)

**RYAN OLSON, MEMBER  
STUDENT SENATE CONSULTATIVE COMMITTEE**

### **8. RESOLUTION ON PROFESSIONAL SCHOOL STUDENT TUITION STRUCTURE Action (10 minutes)**

#### **MOTION:**

To approve the following resolution:

### **Resolution on Professional School Student Tuition Structure**

WHEREAS, ten years ago, the medical school implemented a program called the guaranteed tuition program. They were the first medical school to implement this program.

WHEREAS, this program was adopted was to satisfy the non-traditional student. It helped incentivize students that took time off from the program to complete the program in under 6 years.

WHEREAS, this program was also implemented to prevent the University of Minnesota medical program from becoming one of the most expensive programs in the nation.

WHEREAS, we believe that both graduate and professional programs should adopt guaranteed tuition programs similar to the program implemented by the medical school.

WHEREAS, each program has very different financial needs and requirements, guaranteed tuition programs would increase the appeal of the university.

WHEREAS, of 28 veterinary schools in the country, the University of Minnesota college of veterinary medicine program is one of the most expensive programs to attend. Residents are charged \$32,456 per year and non-residents \$56,210.

WHEREAS, many students who moved to and live in Minnesota face difficulties in meeting the residency requirements.

WHEREAS, each year that a professional student is enrolled in the program, tuition increases a certain percentage.

WHEREAS, the Board of Regents approved a fiscal year 2014 tuition freeze for resident undergraduate tuition.

BE IT RESOLVED that professional programs consider modeling the tuition structure implemented by the medical school in 2003.

BE IT RESOLVED that professional programs review their model for gaining residency status in Minnesota.

BE IT RESOLVED that professional programs consider freezing tuition for all, but particularly out of state students.

**ASHLEY HALL, MEMBER  
STUDENT SENATE CONSULTATIVE COMMITTEE**

**9. RESOLUTION ON PROVIDING GENDER-NEUTRAL HOUSING AT EACH  
CAMPUS  
Action  
(10 minutes)**

**MOTION:**

To approve the following resolution:

**Resolution on Providing Gender-neutral Housing at Each Campus**

**WHEREAS**, The University of Minnesota’s Office for Equity and Diversity has a commitment to social justice that drives the desire to create an environment in which all students are given equal opportunities to succeed, and

**WHEREAS**, The University of Minnesota earned the top rating from Campus Pride for being an LGBT-friendly university, and

**WHEREAS**, The College Equality Index lists 39 colleges as providing gender-neutral housing, and

**WHEREAS**, Trans-identifying individuals are not necessarily able to feel comfortable within the current on-campus housing arrangements that limit their housing options, and

**WHEREAS**, The current system of on-campus housing arrangements are based upon an outdated, gendered system that often puts these individuals in uncomfortable living situations, and

**WHEREAS**, A roommate can be essential to first-year experience, and

**WHEREAS**, Promoting students to live in on-campus housing beyond a student’s first year of attendance has become a goal of the University of Minnesota system, and

**RESOLVED**, That the University of Minnesota Student Senate urges that all the University’s campuses provide this accommodation in its residence halls by the 2016-2017 academic calendar, making any necessary preparations in the interim; and, be it further

**RESOLVED**, That all campuses provide and advertise this accommodation to incoming first-year students; and, be it further

**RESOLVED**, That the accommodation is implemented by allowing two or more people to live together regardless of gender, rather than allowing a set number of men and/or women to live in one unit.

**BEN BAGLIO, MEMBER  
STUDENT SENATE CONSULTATIVE COMMITTEE**

**10. RESOLUTION ON CONFLICT MINERALS: BUYING AND SELLING OF  
CONFLICT-FREE ELECTRONICS**

**Action  
(10 minutes)**

**MOTION:**

To approve the following resolution:

**Resolution on Conflict Minerals: Buying and Selling of Conflict-Free Electronics**

**Whereas**, University of Minnesota has declared its commitment to human rights and social justice in its governance documents and policies and has taken affirmative steps throughout its history to promote these values; and

**Whereas**, the United States Senate and the House of Representatives have found that armed groups bear responsibility for massive atrocities in the eastern Congo; and

**Whereas**, legislation signed into law (Section 1502 of the Dodd-Frank Wall Street Reform Act of 2010) requires that companies submit an annual report to the Securities and Exchange Commission disclosing whether their products contain gold, tin, tantalum, or tungsten from the Congo or nearby areas; and

**Whereas**, the International Rescue Committee has found approximately 6 million civilians have been killed and countless more remain at risk as a consequence of attacks conducted by armed groups in eastern Congo; and

**Whereas**, the U.N. has urged the international community to weaken the aforementioned armed groups, and to cooperate with a U.N. peacekeeping force authorized under U.N. Security Council Resolution 1291; and

**Whereas**, the armed groups generate hundreds of millions of dollars each year by trading in conflict minerals; and

**Whereas**, University of Minnesota spent \$49,355,671 in 2012 on electronic products and have significant investments in companies which use conflict minerals from Democratic Republic of Congo in their supply chains;

The Student Senate believes that the University of Minnesota should not indirectly perpetuate the cycle of violence in eastern Congo through University purchases.

**1. Decided** that the University of Minnesota supports electronic companies and other industries implementing the necessary steps to thoroughly trace and audit their supply chains to ensure that their products are not financing atrocities in eastern Congo;

**2. Decided** that the University of Minnesota supports purchases from electronics companies that are moving towards conflict-free sources of raw materials when feasibly possible.

**PRAHITH CHAKKA, CHAIR  
STUDENT SENATE CONSULTATIVE COMMITTEE**

**11. OLD BUSINESS**

**12. NEW BUSINESS**

**13. ADJOURNMENT**