

UNIVERSITY SENATE MINUTES  
MAY 14, 1998

The fourth meeting of the University Senate for 1997-98 was convened in 25 Law Building, Minneapolis campus, on Thursday, May 14, 1998, at 3:00 p.m. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 122 voting faculty/academic professional members, 35 voting student members, 1 ex officio member, and 5 nonmembers. President Mark Yudof presided.

**I. SENATE CONSULTATIVE COMMITTEE  
BUSINESS AND RULES SUBCOMMITTEE  
Amending Procedures  
Action****PREAMBLE**

Over the years the University Senate and Twin Cities Campus Assembly have experienced considerable difficulty in securing the required attendance at its meetings to adopt constitutional and bylaw amendments. Important legislation that oftentimes receives overwhelming support from those senators present and voting has been left unapproved due to the stringent voting requirements. The proposal to establish a Twin Cities Undergraduate Curriculum Committee last year serves as an example of this problem. It received overwhelming support at each of several meetings at which it was presented, but failed to receive the required number of votes for passage at any one meeting.

In view of this ongoing problem, the Business and Rules Subcommittee was asked by the Senate Consultative Committee to examine the voting practices of other institutions as well as *Robert's Rules of Order*, the parliamentary authority for the Senate and Assembly. The Subcommittee learned that the requirements for amending the Senate and Assembly constitutions and bylaws are not only inconsistent with other institutions but are strongly discouraged by *Robert's Rules of Order*. The above amendments reflect the more commonly used practice of other institutions and conform to the recommendations in *Robert's Rules of Order*.

The Senate Consultative Committee/Assembly Steering Committee endorses the recommendations of the Business and Rules Subcommittee, as outlined in the motion, and encourages the Senate and Assembly to adopt the proposed changes. Parallel amendments to the Assembly constitution appear on the Assembly agenda.

As a constitutional amendment, 136 affirmative votes are required at one meeting for approval, or 103 affirmative votes at each of two consecutive meetings.

**MOTION:**

To amend Articles VIII. and IX. of the Senate Constitution 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~~ vote of the senators present and voting at a regular or special meeting of the University Senate, or by a majority of ~~all voting members of the Senate~~ those senators present and voting 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 by ~~majority vote of the total membership of the Senate~~ a two-thirds vote of the senators present and voting at a regular or special meeting of the University Senate, or by a majority of ~~those senators present and voting at each of two meetings, the second of which shall be the next regular meeting~~, and 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.

VICTOR BLOOMFIELD, Chair  
SENATE CONSULTATIVE COMMITTEE

RUSSELL HOBBIE, Chair  
BUSINESS AND RULES SUBCOMMITTEE

## DISCUSSION:

Professor Victor Bloomfield presented the motion to amend the Senate Constitution. He drew senators attention to the rationale behind the motion outlined in the preamble, adding that the stringent rules the Senate and Assembly have imposed upon themselves have often resulted in ineffective or inappropriate outcomes. For example, in the case of the Curriculum Committee, the Educational Policy Committee (SCEP) ended up forming a Curriculum Subcommittee. In an area as important as the curriculum, SCEP believed it ought to be a function of the general governance structure, appointed in accordance with Senate/Assembly rules, and not a product of a single committee.

One person inquired why the Senate and Assembly have such strict amending procedures; however, an answer was not forthcoming since the procedures were put in place so many years ago.

Another person thought the focus should be on filling vacant seats, not making it easier to pass legislation.

It was reported that earlier in the day student senators expressed the opinion that since they hold the minority position in the Senate/Assembly, their voice will be marginalized if this motion is approved.

Professor Bloomfield reminded senators that safeguards have been retained in the amending procedures to ensure that all senators receive advance notice of pending legislation. If a senator cannot attend the meeting, s/he would have ample time to find an alternate to attend in his/her place.

A senator then said that this should not be a faculty/student issue. Approval of the motion would bring the Senate and Assembly amending procedures into alignment with other higher education institutions and with *Robert's Rules of Order*. Moreover, all would benefit in that important legislation that receives overwhelming support, but in the past has been left unapproved, such as the establishment of a Curriculum Committee, would pass under the revised proposal.

Professor Bloomfield was asked whether the Subcommittee had discussed the inclusion of a requirement that a certain number of students be in attendance at the time of voting, and he said there had not.

The vote was then taken and 97 voted in favor of the motion (the negative votes were not counted). The motion required 103 affirmative votes at each of two meetings to pass or 136 affirmative votes at one meeting.

**NOT APPROVED**

## **II. ELECTION OF VICE CHAIR FOR 1998-99 Action**

M. Janice Hogan was elected the 1998-99 vice chair of the University Senate.

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## **CONSENT AGENDA 1 Action**

Agenda Items III. through VI. are considered to be noncontroversial or “housekeeping” in nature and are offered as a “Consent Agenda” to be taken up as a single item with one vote. Any item will be taken up separately at the request of a senator. As bylaw amendments, 103 votes are required for approval.

## **III. SENATE CONSULTATIVE COMMITTEE Student Senate Consultative Committee Membership**

### **MOTION:**

To amend the Senate Bylaws, Article III., Section 3, Senate Consultative Committee, as follows: (new language is underlined; language to be deleted is ~~struck out~~)

## **ARTICLE III. SENATE COMMITTEES**

### **3. CONSULTATIVE COMMITTEES**

#### **Student Consultative Committee**

#### **Membership**

The Student Consultative Committee shall be composed of:

- one student from the Crookston campus
- one student from the Duluth campus
- one student from the Morris campus
- five students from the Twin Cities campus, as follows:

<del>1993-94</del>	<del>4 undergraduates, 1 graduate/professional</del>
<del>1994-95</del>	<del>3 undergraduates, 2 graduate/professionals</del>
<del>1995-96</del>	<del>4 undergraduates, 1 graduate/professional</del>
1996-97	3 undergraduates, 2 graduate/professionals
1997-98	4 undergraduates, 1 graduate/professional
<u>1998-99</u>	<u>3 undergraduates, 2 graduate/professionals</u>
<u>1999-00</u>	<u>4 undergraduates, 1 graduate/professional</u>
<u>2000-01</u>	<u>3 undergraduates, 2 graduate/professionals</u>

- the chair and vice chair of the Student Senate

**COMMENT:**

The amendment extends the present pattern of Twin Cities representation on the Student Senate Consultative Committee through 2001.

VICTOR BLOOMFIELD, Chair  
SENATE CONSULTATIVE COMMITTEE

**IV. COMMITTEE ON COMMITTEES  
Disabilities Issues Committee**

**MOTION:**

To amend the Senate Bylaws, Article III, Section 4, Committee on Committees, as follows: (new language is underlined; language to be deleted is ~~struck out~~)

**ARTICLE III. SENATE COMMITTEES**

**4. DISABILITIES ISSUES COMMITTEE**

The Disabilities Issues Committee ~~oversees~~ recommends University policies, procedures, and services concerning faculty/academic professionals, students, and staff with disabilities.

**Membership**

The Disabilities Issues Committee shall be composed of at least 7 faculty/academic professional members, 2 students (at least one graduate and one undergraduate), 2 civil service staff members, 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 with the approval of the Senate. Civil service members shall be appointed by the president in consultation with the Civil Service Committee.

**Duties and Responsibilities**

- ~~a. To advise the president and administrative offices, on University-wide issues relating to physical access, access to academic programs, and the structure of and provision for student services for the disabled.~~
- a. To advise the president and administrative offices, including the Disability Services Office and the University ADA Coordinator, on policies, programs, and services for students and employees.
- b. To promote compliance with laws relating to students and staff with disabilities.
- ~~b~~ c. To review policies and practices in light of legal compliance aspects, deployment of resources, and effectiveness in meeting ~~student needs~~ the needs of the University community, and to recommend changes.
- e d. To ~~educate~~ inform the University community to the special concerns of its ~~disabled~~ members with disabilities and of the available resources.
- d. ~~To consult with the administrative committees providing coordination of programs, and services.~~
- e. To bring concerns to the Senate, as appropriate.
- f. To recommend to the Senate Consultative Committee such actions or policies as it deems appropriate.
- g. To submit an annual report to the Senate.

**COMMENT:**

In consultation with the Disability Issues Committee and appropriate administrative officers, the Committee on Committees proposes the above amendments to clarify the duties and responsibilities of the Disabilities Issues Committee and its relationship with the Disability Services Office and University ADA Coordinator.

EMILY HOOVER, Chair  
COMMITTEE ON COMMITTEES

**V. SENATE CONSULTATIVE COMMITTEE  
COMMITTEE ON COMMITTEES  
Restructuring the Committee on Committees**

**MOTION:**

To amend the Senate Bylaws, Article III, Section 2, Committee on Committees, as follows: [new language is underlined; language to be deleted is ~~struck out~~]

**ARTICLE III. SENATE COMMITTEES**

**2. COMMITTEE ON COMMITTEES**

**SENATE COMMITTEE ON COMMITTEES**

The Senate Committee on Committees appoints members of certain committees of the Senate and advises the Senate Consultative Committee on the committee structure of the Senate. The faculty/academic professional representatives shall serve as the Faculty Senate Committee on committees and the student representatives shall serve as the Student Senate Committee on Committees.

## **Membership**

The Senate Committee on Committees shall be composed of 9 elected faculty/academic professional members, 6 elected undergraduate students, and one elected graduate/professional student.

Of the faculty/academic professional members, 6 shall be from the Twin Cities campus, and one member each from the Crookston, Duluth, and Morris campuses, all elected for three-year terms by the faculty/academic professional members of the Senate from these respective campuses. Faculty/academic professional members must have served as senators within the last ~~five~~ ten years.

Of the undergraduate student members, 3 shall be elected from the Twin Cities campus, and one each from the Crookston, Duluth, and Morris campuses, all elected by the undergraduate Student Senate members from ~~these campuses~~ the respective campuses from among their number. The graduate/professional student shall be elected by the graduate and professional Student Senate members from among their number. ~~of the Graduate and Professional Student Assembly.~~ Elections shall be held during the spring quarter. Terms of membership shall be for one-year terms. Any ~~undergraduate~~ student committee position that cannot be filled by October 31 will become a Student Senate at-large positions and ~~can be filled by an undergraduate student from any campus~~ may be filled by the Student Senate Consultative Committee on an interim basis until the next general election. ~~Any graduate/professional student committee positions that cannot be filled by October 31 will become at large positions and can be filled by any graduate or professional student.~~

~~The chair shall be elected by committee members from among their number for a one year term of office. The chair is eligible for re-election to that position.~~ The chair of the Faculty Senate Committee on Committees shall serve as the chair of the Senate Committee on Committees.

## **Duties and Responsibilities**

- a. To forward annually to the Senate for approval names of faculty members, academic professionals, undergraduate students, graduate/professional students, and chairs it recommends for appointment to those committees of the Senate specified in the Bylaws of the Senate. The committee shall give consideration to 1) representation from the various campuses and units when appropriate; 2) the number of committees on which the faculty/academic professional, undergraduate student or graduate/professional student member currently is serving; 3) the principle of rotation of committee assignments; 4) the recommendations of the respective committee chairs, faculty, academic professional, undergraduate student and graduate/professional student members; and 5) expressions of interest in committee service offered by faculty, academic professionals, undergraduate students and graduate/professional students. In addition, the committee shall select senators for committee membership when appropriate to encourage communication between the Senate and its committees. The committee also shall strive to assure full and adequate representation by race, sex, and academic rank in constituting committees.

- b. To review annually the committees of the Senate and recommend to the Senate Consultative Committee any changes in committee structure, charge, or membership which it deems appropriate.
- c. To submit an annual report to the Senate.

### **FACULTY SENATE COMMITTEE ON COMMITTEES**

The Faculty Senate Committee on Committees shall elect its chair from amongst its members for a one-year term of office. The chair is eligible for re-election to that position. The chair shall also serve as the chair of the Senate Committee on Committees.

#### **Duties and Responsibilities**

- a. ~~Faculty/academic professional members shall~~ To furnish the full committee a slate of faculty/academic professional committee nominees, ~~and student members shall furnish the full committee a slate of student nominees,~~ for review and recommendations.
- b. To solicit annually from each newly elected faculty/academic professional member of the Senate a list of Senate committees on which the senator is serving or has an interest in serving.
- c. To conduct a survey, at least every three years, of faculty/academic professional interest in serving on committees of the Senate and make a summary of this study available to the Senate.
- d. To request annually from deans, directors, and department heads a list of faculty/academic professional members who they believe have the requisite interest and experience to serve on specific committees.
- e. To select an additional voting representative from a non-eligible constituency of the University for placement on the appropriate committee for a term of one year, if the Senate Consultative Committee determines that a committee of the Senate will benefit from such representation.
- g. To recommend to the Student Senate Committee on Committees and the Senate Consultative Committee such actions or policies as it deems appropriate.

### **STUDENT SENATE COMMITTEE ON COMMITTEES**

The Student Senate Committee on Committees shall elect its chair from amongst its members for a one-year term of office. The chair shall be eligible for re-election to that position.

#### **Duties and Responsibilities**

- a. To furnish the full committee a slate of student committee nominees for review and recommendations. Consideration shall be given to 1) representation from the various campuses and units when appropriate; 2) the number of committees on which the undergraduate student or graduate/professional student member currently is serving; 3) the recommendations of the respective committee chairs, faculty, academic professional, undergraduate student and graduate/professional student members, and the presidents of the respective student associations;

and 4) expressions of interest in committee service offered by undergraduate students and graduate/professional students. In addition, the committee shall select student senators for committee membership when appropriate to encourage communication between the Student Senate and the committees and shall strive to assure full and adequate representation by race, gender, and class rank in constituting committees.

- b. To solicit annually from each newly elected member of the Student Senate a list of Senate committees on which the senator is serving or has an interest in serving.
- c. To request annually from student association presidents a list of students whom they believe have the requisite interest and experience to serve on specific committees.
- d. To recommend to the Faculty Senate Committee on Committees and the Senate Consultative Committee such actions or policies as it deems appropriate.
- e. To submit to the Clerk of the Senate an annual budget request for the Student Committee on Committees.

**COMMENT:**

The above amendments reflect revisions requested by the Student Committee on Committees to more clearly identify the duties and responsibilities of the Student Committee on Committees and to clarify the selection process for the student members.

VICTOR BLOOMFIELD, Chair  
SENATE CONSULTATIVE COMMITTEE

EMILY HOOVER, Chair  
COMMITTEE ON COMMITTEES

**VI. COMMITTEE ON COMMITTEES  
STUDENT AFFAIRS COMMITTEE**

**MOTION:**

To amend the Senate Bylaws, Article III., Section 14, Student Affairs Committee, as follows: [new language is underlined, language to be deleted is ~~struck-out~~]

**ARTICLE III. SENATE COMMITTEES**

**14. STUDENT AFFAIRS COMMITTEE**

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**Duties and Responsibilities**

- a. To formulate and recommend to the Senate policies pertaining to all student affairs and all University-registered student organizations that are not within the control or supervision of any other committee of the Senate.



- b. ~~To provide supervision over the financial affairs and regular publications of all University-registered student organizations, and to require all registered student organizations to provide an annual report and, upon request, a report within 30 days of notice.~~
- b. To provide a comprehensive link between the University and all University student organizations in accordance with the defined relationship between the student organization and the University as described in the Policy on Registration and Classification of Student Groups for the Twin Cities campus and as defined by coordinate campuses.
- c. To be concerned with the general welfare of international students and the services and affairs that pertain to them.
- d. To provide a link between Health Service staffs and the University community and to address problems in providing effective and efficient health care.
- e. To recommend to the Senate Consultative Committee such actions or policies as it deems appropriate.
- f. To submit an annual report to the Senate.

**COMMENT:**

The Student Affairs Committee charged an ad hoc committee to review the defined relationship between student organizations on the Twin Cities campus and the University. The ad hoc committee developed a student organization relationship proposal that was unanimously approved by the Senate Committee on Student Affairs on June 11, 1996.

The relationship as described in the Senate Bylaws, Article III, 14.b., is no longer consistent with the relationship descriptions passed by the Student Affairs Committee in 1996. The proposed change still fosters a link between the Committee and student organizations but remains flexible enough to respond to the different relationships that might exist on each campus and/or category for registration on the Twin Cities campus.

EMILY HOOVER, chair  
COMMITTEE ON COMMITTEES

KATHLEEN PETERSON, Chair  
STUDENT AFFAIRS COMMITTEE

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[End of Consent Agenda 1]

**DISCUSSION:**

The following friendly amendments were proposed and accepted to the items in the Consent Agenda:

1. **Item IV.**--The first sentence was amended to read: "The Disabilities Issues Committee recommends University policies, procedures, and services concerning faculty/academic professionals, students, and staff with disabilities.

2. **Item V.**--The words “Twin Cities” were deleted from the first paragraph, and the second sentence, under the membership clause, in the third paragraph.

With no further comments, a vote was taken and the Consent Agenda, as amended, was approved with 118 affirmative votes.

**APPROVED**

**[The amendments are reflected in the above motions.]**

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**CONSENT AGENDA 2**  
**Action**

Agenda Items VII. and VIII. are considered to be noncontroversial or “housekeeping” in nature and are offered as a “Consent Agenda” to be taken up as a single item with one vote. Any item will be taken up separately at the request of a senator. As amendments to the Senate Rules, a majority of members present and voting is required for approval.

**VII. COMMITTEE ON COMMITTEES**  
**Disabilities Issues Committee**

**MOTION:**

To amend the Senate Rules, Article III, Section 2, Ex Officio Members of Senate Committees, as follows: (new language is underlined, language to be deleted is ~~struck out~~)

**2. Ex Officio Members of Senate Committees**

Ex officio members shall be appointed from each of the offices listed below and are non-voting positions unless otherwise noted.

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- ~~DISABILITIES ISSUES COMMITTEE--Office of the Executive Vice President, Academic Affairs (one from the Disability Services Office and the University ADA Coordinator); Office of the Senior Vice President, Finance and Operations~~

EMILY HOOVER, Chair  
COMMITTEE ON COMMITTEES

**VIII. SENATE CONSULTATIVE COMMITTEE**  
**Ex Officio Representation**

**MOTION:**

To amend the Senate Rules, Article III., Section 2, Ex Officio Members of Senate Committees, as follows: (new language is underlined, language to be deleted is ~~struck out~~)

**2. Ex Officio Members of Senate committees**

Ex officio members shall be appointed from each of the offices listed below and are non-voting positions unless otherwise noted.

. . . . .

- FACULTY CONSULTATIVE--Vice chair of the Faculty Senate (voting), Chairs of the Educational Policy, Faculty Affairs, ~~and~~ Finance and Planning, and Research Committee (if a non-faculty member is appointed as chair as one of the ~~three~~ four committees, then the faculty members of that committee shall elect from among themselves a representative); elected representatives from the Duluth faculty eligible to vote in Senate elections.
- FINANCE AND PLANNING--Office of the Senior Vice President, Finance and Operations (two representatives); Office of the Executive Vice President, Academic Affairs (two representatives, including one from the Office of Planning and Analysis); ~~chair (or his/her designee) of the Research Committee~~

**COMMENT:**

The Faculty Consultative Committee (FCC) invited the chair of the Senate Research Committee to join its meetings during 1997-98, on an informal basis, and has found that having that person at its meetings was useful for coordination of governance activities as well as informative for FCC members. Inasmuch as this is a research university, FCC believes it would be wise to have the Research Committee chair made an ex officio nonvoting member of FCC on a permanent basis, and recommends to the Senate that this change in the rules be approved.

VICTOR BLOOMFIELD, Chair  
SENATE CONSULTATIVE COMMITTEE

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[End of Consent Agenda 2]

**DISCUSSION:**

With no discussion, Consent Agenda 2 was approved.

**APPROVED**

**IX. SENATE CONSULTATIVE COMMITTEE  
FACULTY AFFAIRS COMMITTEE  
Conflict of Interest Policy  
Discussion and Action**

**MOTION:**

To amend the Conflict of Interest Policy, as follows: [additions are underlined; deletions are ~~struck out~~]

**FINANCIAL OR BUSINESS CONFLICT OF INTEREST POLICY**

***ARTICLE I  
GENERAL PROVISIONS***

**SECTION I. STATEMENT OF PHILOSOPHY.**

**Subd. 1. Purpose of Policy.** ~~At the same time,~~ The University and its employees are committed to conducting themselves and University activities in accordance with the highest standards of integrity and ethics and in compliance with applicable state and federal laws related to conflict of interest and objectivity in research as listed in section III. ~~This includes the identification of the potential for conflicts of interest and the assurance that they do not improperly affect University activities.~~ It is the purpose of this policy to set forth the principles for identifying ~~such the~~ potential for conflicts and the procedures for reviewing and addressing ~~the those~~ potential ~~for~~ conflicts that occur to assure that they do not improperly affect University research and other activities.

**Subd. 2. Professional Interactions Encouraged.** The University of Minnesota actively encourages and participates in interaction with both the public and private sectors as an important component of its research, education, and public service activities. The University encourages the recruitment, retention, and recognition of individuals with creative abilities who can contribute to technology transfer and interactions with business and public entities consistent with their primary commitment to the University. ~~Academic~~ Employees involved in such interactions may receive personal financial compensation in accordance with the principles and guidelines provided in this policy. Research activities supported by grants, contracts, or ~~gifts~~ contributions from public and private entities, as well as individuals, provide a valuable source of funds, equipment, and topics for University research. Professional interactions, including consulting arrangements, between ~~academic~~ employees and public entities and private businesses advance the University's ability to provide a high-quality research and educational experience for students and enhance employment opportunities for students. University licensing of technology, ~~academic~~ employee's consulting, assisting in new business start-ups, and other forms of technology transfer to both public and private entities are critical to meeting society's needs. The University is committed to fostering the welfare of the state of Minnesota through interaction by the University with other public entities and the private sector.

**SECTION II. APPLICATION.**

This policy applies to employees when, on behalf of the University, they are:

(1) responsible for or in a position to influence, the design, conduct or reporting of research or other scholarly activity;

(2) teaching or advising; or

(3) performing outreach or other public service activities.

This policy applies only when the specified combinations of activities and financial or business interests occur.

Article 6 also applies to employees in direct contact with suppliers or potential suppliers to the University, or who have direct or indirect influence over purchasing decisions or contracts, or otherwise have official involvement in the purchasing or contracting process.

### **SECTION III. COMPLIANCE WITH OTHER POLICIES AND LAWS.**

**Subd. 1. Applicable State and Federal Laws.** Employees must comply with all applicable state and federal laws and regulations, including those related to conflict of interest and objectivity in research. These laws include, but are not limited to, Federal Public Health Service regulations 42 CFR, part 50, subpart F; and 45 CFR part 94; National Science Foundation Grant Policy Manual 510, as amended by 60 FR 35820 (1995); and Minnesota State Statute § 15.43.

**Subd. 2. Applicable University Policies.** ~~The statement of principles contained in~~ This policy complements the provisions of other applicable policies, regulations, and laws. These include Board of Regents policies, “Patent and Technology Transfer;” “Outside Consulting, Service Activities, and Other Work;” and “Grievance Procedure.” Other relevant guidelines include the Board of Regents policy, “Faculty Tenure;” ~~purchase of services and~~ policies and procedures related to purchase of services; ~~and applicable state and federal law.~~ This policy is intended to help implement and expand upon these other related requirements. ~~This policy supersedes all others with respect to matters covered herein.~~

### **SECTION IV. DEFINITIONS.**

**Subd. 1. Associated Entity.** “Associated entity” ~~of an academic employee~~ means any trust, organization, or enterprise over which the employee, alone or together with an immediate family member, exercises a controlling interest.

**Subd. 2. Business.** “Business” means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other nongovernmental legal entity organized for profit, ~~not for profit~~ nonprofit, or charitable purposes.

**Subd. 3. Business Interest.** “Business interest” means holding any executive position or membership on a board regardless of compensation.

**Subd. 4. Department Head.** “Department head” ~~is used as a generic term for~~ means the immediate administrator, ~~which is normally~~ typically the department head, department chair, or director.

**Subd. 5. Academic Employee.** “Academic Employee” means;

~~(1) any person possessing either a full-time (any employee holding an appointment of more than 66 percent time) or part-time academic or staff appointment at the University and includes all persons with the following class numbers: academic administrative 93xx; faculty 94xx; minnesota extension service 96xx; and academic professional 97xx; and~~

~~(2) Also included in this category are those employees, students, and other individuals, whether salaried or not salaried, who on behalf of the University are responsible for writing and submitting grants, or in a position to influence, the design, conduct, or reporting of the research or other scholarly activity.~~

**Subd. 6. Contribution.** ~~“Gift Contribution” means an unrestricted~~ a donation of assets to the University or any portion of the University or its foundations. ~~The donor may specify the general purpose for which the gift may be used, but there may be no other terms and conditions concerning the use of such assets. Assets may be in the form of cash, securities, tangible personal property, partnership interests, or pledges for acceptable assets that are assigned to the University. For the purposes of this policy, disclosure is required when:~~

~~(1) a gift is from a business in which an academic employee has a financial interest; or~~

~~(2) the value of the gift exceeds \$1,000 in a given year.~~

**Subd. 7. Executive Position.** ~~“Executive position” refers to~~ means any position that includes responsibilities for a significant segment of the operation or management of a business.

**Subd. 7. Extended Family.** ~~“Extended family” of an academic employee includes children who do not qualify as dependents for tax purpose, parents, and siblings.~~

**Subd. 8. Family.** ~~“Family” of an academic employee includes both immediate family and extended family.~~

**Subd. 8. Financial Interest.** ~~“Financial interest” is an interest in a business consisting of~~ means anything of monetary value as defined in clauses (1) and (2):

~~(1) an interest in a business consisting of~~ any stock, stock option, or similar ownership interest in such business, but excluding any interest arising solely by reason of investment in such business by a mutual, pension, or other institutional investment fund over which the academic employee does not exercise control; or

~~(2) receipt of, or the right or expectation to receive, any income from such business whether in the form of~~ in one or more of the following forms: a consulting fee, honoraria (e.g., consulting), salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of technology or other processes or products, rent, capital gain, real or personal property, or any other form of compensation, or any combination thereof.

~~For the purposes of this policy, disclosure is required when the interest in a business by an academic employee or by an immediate family member exceeds \$5,000 in annual income of all types, equity or ownership interest valued at 1 percent or more, or commitment for any future royalties. Disclosure is also required when an extended family member holds an executive position in a business, or holds equity or ownership interest valued at 10 percent or more in a business.~~

**Subd. 9. Immediate Family.** “Immediate family” ~~includes~~ means the academic employee’s spouse or domestic partner, and dependent children ~~who qualify as dependents for tax purposes.~~

**Subd. 10. Participate.** “Participate” means to be part of the described activity in any capacity, including, but not limited to, serving as the principal investigator, co-investigator, research collaborator, or provider of direct services or patient care. The term ~~is~~ does not intended to apply to individuals who provide primarily technical or advisory support ~~or who are purely advisory, with and have~~ no direct access to the data ~~(e.g. or control over its collection, or analysis) or, in the case of research with human subjects,~~. The term also does not apply to the study participants, unless they are in a position to influence the study’s results or have privileged information as to the outcome.

**Subd. 11. Senior Officer.** “Senior officer” means the executive vice president and provost, the senior vice president for academic health, or the academic vice chancellor as indicated by context.

**Subd. 12. Sponsored Research.** “Sponsored research” means research, training, and instructional projects involving funds, materials, or other compensation from outside sources under agreements that contain any of the following: The agreement binds the University or an affiliated institution to a line of scholarly or scientific inquiry specified to a substantial level of detail; a line-item budget is involved; financial reports are required; the award is subject to external audit; unexpended funds must be returned to the sponsor at the conclusion of the project; or the agreement provides for the disposition of either tangible or intangible properties that may result from the activity.

## **ARTICLE 2 IMPLEMENTATION**

### **SECTION I. STATEMENT OF PHILOSOPHY.**

Successful implementation of this policy assumes a shared responsibility by all academic employees and the administration of the University. ~~Academic~~ Employees are expected to comply with all the disclosure requirements described below. Once proposed activities have been administratively reviewed with a plan of action completed and approved, University administration has the responsibility to vigorously defend the activity so long as the ~~academic~~ employee complies with the plan of action, the disclosure requirements, other University policies, and the law.

### **SECTION II. DISCLOSURE REQUIREMENTS.**

**Subd. 1. Disclosure of Financial or Business Interests.** Any time an academic employee plans to initiate an activity that may be classified under category II in article 5 of this policy, the academic employee must ~~obtain approval of the proposed activity~~ disclose relevant financial or business interests before commencing the activity. ~~For the purposes of this policy, Disclosure is required when the interest in a business by an academic employee or by an immediate family members exceeds \$5,000 in annual income of all types, equity or ownership interest valued at 1 percent or more, or commitment for any future royalties;~~

(1) an employee and immediate family members, or associated entity have an aggregated equity interest in a business representing ownership of 5 percent or more or a value of \$10,000 or more, as determined through reference to public prices or other reasonable measures of fair market value;

(2) an employee and immediate family members, or associated entity are expected to receive an aggregated annual income of all types from a business equal to or exceeding \$10,000 over the next 12 months;

(3) an employee and immediate family members, or associated entity have a commitment for future royalties from a business beyond the next 12 months that are expected to equal or exceed \$10,000 in aggregated annual income; or

(4) Disclosure is also required when an extended family member holds an executive position in a business, or holds equity or ownership interest valued at 10 percent or more in a business An employee or immediate family member has a business interest.

**Subd. 2. Disclosure When Submitting a Proposal for Sponsored Research.**

~~All academic~~ An employee must disclose relevant financial or business interests to ~~their~~ the department head at the time of ~~their~~ application for research support (from internal or external funding sources) or technology transfer, ~~or upon receipt of a gift~~ if the proposal falls under the provisions of this policy. Funding for the project will not be accessible to the ~~academic~~ employee until the disclosure of financial or business interest is reviewed and approval is given, and other appropriate measures have been implemented in accord with this policy.

**Subd. 3. Disclosure When Receiving a Contribution.** An employee must provide disclosure when a contribution is given from a business in which an employee has a financial or business interest if:

(1) the contribution exceeds a value of \$1,000 in a given year; and

(2) the employee knows or reasonably should know that any portion of the contribution will be used to benefit the employee's teaching, research, outreach, or public service activities.

**Subd. 4. Disclosure When Involved in Review or Advisory Activities.**

~~All academic~~ An employee must temporarily excuse ~~themselves~~ oneself from any University committee or review process that is considering an activity in which ~~they have~~ he or she has a financial or business interest.

~~In addition, academic~~ An employee must ~~also~~ disclose to committee chairs or the appropriate administrator any financial or business interest (~~business, financial, or family~~) that might compromise the employee's judgment while serving as a committee member or making administrative decisions. An example is serving in an executive position for any organization that does business with the University or sets policies or rules that affect the University's activities.

**Subd. 5. Disclosure When Involved With Technology Transfer.**

~~When academic~~ An employee ~~are~~ involved with transferring technology through patents or licensing to a business in which the employee has a financial or business interest, ~~the employee~~ must disclose the financial or business interest to the ~~associate vice president, Office of Research and Technology Transfer~~ for research.

**Subd. 6. Annual Disclosure.**

~~All academic~~ Employees are required annually to complete and submit to their department heads the disclosure form reporting all financial



or business interests related to research activities and consulting activities. Whenever substantial changes occur that the ~~academic~~ employee believes may alter the financial or business interests previously disclosed, an updated form must be submitted within 30 days.

**Subd. 7. Disclosure to External Entities.** ~~Academic~~ Employees must disclose relevant financial or business interests to sponsors of research and in reporting by either written or oral communication research results. When submitting a paper for publication, an ~~academic~~ employee must disclose to the editor any financial or business interest that may be affected by publication. This provision also applies to release of information to news media.

Disclosure of a relevant financial or business interest must also be made by any employee who makes an appearance, either in person or by way of a written communication, before any public body, commission, group, or individual, to present facts or to give an opinion respecting any issue or matter up for consideration, discussion, or action. ~~This is taken from the former Board of Regents policy, "Presenting Testimony—Identification of Affiliations." The intention is to replace that policy by including its basic provisions in the Board of Regents policy, "Conflict of Interest" and also in the future Board of Regents policy, "Conflict of Commitment."~~

**Subd. 8. Additional Information.** When considering approval of ~~category II~~ activities or monitoring category ~~III~~ II activities as defined in article 5, the department head, dean, or appropriate ~~academic vice president/vice chancellor~~ senior officer may require the ~~academic~~ employee to submit additional clarifying information pertinent to the activity under review. This supplemental information will be treated as nonpublic information to the extent allowed by law.

**Subd. 9. Waiving Disclosure Requirement.** ~~In special situations, academic~~ Employees may request be granted a waiver of the requirement to file a financial disclosure to participate in a specific activity if they can document that ~~they are not in a position to influence the accuracy of the outcome of the research or the timely and accurate dissemination of the results of the research :~~

- (1) they are not the principal investigator or a co-investigator on the project; and,
- (2) regardless of title, they are not responsible for, or in a position to influence, the design, conduct, or reporting of the research or other activity.

A request for a waiver must be submitted to the ~~academic~~ employee's department head. The administrative review process should follow the procedure described ~~below for category II, section II activities~~ in section III, subdivision 2 of this article. If the request for the waiver is denied, then the ~~academic~~ employee must either comply with the disclosure requirements or not participate in the proposed activity.

**Subd. 10. Research Collaborations.** When employees participate in sponsored research involving sub-grantees, contractors, or collaborators outside the University, the University, to the extent required by the sponsor, will take reasonable steps to ensure that investigators working for these outside entities comply with appropriate conflict of interest disclosure and review requirements. These steps may include requiring the investigators to comply with the University's policy or obtaining written assurances from the outside entity that it complies with applicable federal regulations or sponsor policies on conflict of interest.

### **SECTION III. REVIEW OF APPLICATIONS FOR EXTERNAL SUPPORT OR RECEIPT OF CONTRIBUTIONS**

**Subd. 1. Review Process.** The general purpose of reviews is to assist employees and the University in avoiding or controlling risks to integrity and reputation engendered by such relationships, while at the same time protecting and furthering the interests of employees, the University, and society in the activities supported by sponsored research and gifts (~~see contributions as described in article 7 for general guidelines for the review process~~).

**Subd. 2. Category II, Section II.** The department head is the responsible administrator for this section. Upon receipt of the disclosure form, the department head will consider the appropriateness of the activity and will determine a course of action that will be reported in writing to the dean to whom the department head reports. The dean will either approve the department head's action or submit the disclosure for review following the category II, section III procedure. In those instances when the dean does not concur, the activity may not proceed until approval is obtained by the category II, section III review procedure. Review and decisions on proposed activities for this section must be completed within 20 working days after the department head receives the written disclosure.

**Subd. 3. Category II, Section III.** The dean is the responsible administrator for this section. Upon receipt of the disclosure form, the department head will consider the appropriateness of the activity and will recommend a course of action that will be submitted to the dean to whom the department head reports. The dean will refer the proposed activity to the appropriate Conflict Review Committee (CRC — described below) with or without specific recommendation. The CRC will either endorse the dean's recommendation or suggest to the dean a course of action. The dean will then determine the course of action for the proposed activity and submit the decision to the ~~academic vice president or vice chancellor~~ senior officer to whom the dean reports. The ~~vice president/vice chancellor~~ senior officer will either concur or return the plan of action to the dean for revision. For those proposed activities that would benefit from an additional perspective, the ~~vice president/vice chancellor~~ senior officer will forward a request to the vice president for research to refer the activity to the Public-Private Partnership Committee (PPPC). The advice from the PPPC will be submitted to the dean, who will determine the course of action and submit the decision to the ~~vice president and vice chancellor~~ senior officer to whom the dean reports. The ~~vice president/vice chancellor~~ senior officer will either concur or return the plan of action to the dean for revision. Review and decisions on proposed activities for this section must be completed within 30 working days after the department head receives the written disclosure except for those activities referred to the PPPC. The proposed activities that are reviewed by the PPPC must be completed within an additional 30 working days.

**Subd. 4. Conflict Review Committees (CRCs).** Each ~~academic vice president or vice chancellor~~ senior officer will determine whether the review committees should be organized at the collegiate level or by area (multiple colleges) and, in consultation with appropriate deans, will be responsible for appointing review committee members (~~see as described in article 7~~). ~~Academic~~ Employees will have the opportunity to meet with the CRC to discuss the situation and possible actions.

**Subd. 5. Appeal/Reconsideration Process.** If an ~~academic~~ employee believes the determined course of action is inappropriate, the employee may appeal or ask for the decision to be reconsidered by the dean. The dean will then refer the appeal to the CRC to have the activity reconsidered. Upon completion of the review, the dean will act on the recommendation.

**Subd. 6. Record Retention.** Each dean will maintain records of all ~~financial~~ disclosure statements filed and all actions taken by the institution, on an award-by-award basis, for at least three years beyond the termination of the award or until resolution of any action by the University or governmental agencies involving the records. All records will be maintained in a manner to protect confidentiality but will be accessible to sponsoring agencies as required by federal regulations or sponsor policies.

**Subd. 7. Reporting Requirements to Sponsoring Agencies.** Prior to the expenditure of sponsored research funds, the University to the extent required by the sponsor will notify it of the existence of any potential conflict of interest and provide assurance that the interest has been managed, reduced, or eliminated. To fulfill this requirement, the dean of the unit in which the potential conflict of interest has been identified will inform the vice president for research of the potential conflict and how it will be managed, reduced, or eliminated. The vice president for research will provide notice and assurance to the sponsor as required.

#### **SECTION IV. REPORTING OF PREVIOUSLY APPROVED RELATIONSHIPS.**

Each dean annually will submit a written report to the appropriate ~~academic vice president/vice chancellor~~ senior officer summarizing all requests and actions regarding category II external relationships. In addition, the dean must report on ongoing category II relationships to ensure that management and oversight activities are being carried out as required. These reports will be forwarded by the ~~vice president or vice chancellor~~ senior officers to the vice president for research for transmission to the PPPC, which will review activities for consistency and make suggestions for modification of operating principles and procedures. On behalf of the committee, the vice president for research will communicate its recommendations in writing to the ~~vice presidents and vice chancellors~~ senior officers, who in turn will communicate in writing with their deans. The vice president for research also will consult with appropriate faculty governance committees regarding proposed changes in the operating principles and procedures.

#### **SECTION V. ENFORCEMENT.**

**Subd. 1. Disciplinary Actions.** ~~The University expects academic employees to comply fully and promptly with all the requirements of this policy.~~ Breaches of this policy include, but are not limited to, failure to file, intentionally filing an incomplete, erroneous, or misleading disclosure form, or failing to provide additional information as required by the approving authority. A violation of this policy may be the basis for discipline of an ~~academic~~ employee. If sanctions are necessary, they will be imposed in accordance with other applicable Board of Regents and Administrative policies and procedures. The potential sanctions may include, but are not limited to, the following:

- (1) letter of admonition;
- (2) ineligibility of the ~~academic~~ employee for grant applications, Institutional Review Board (IRB) approval, or supervision of graduate students;

- (3) suspension;
- (4) nonrenewal of appointment; or
- (5) dismissal.

**Subd. 2.** **Notification of Failure to Comply.** If an employee who is involved with sponsored research fails to comply with this policy, then the dean of the unit must promptly inform the vice president for research of the violation and whether it has biased the design, conduct, or report of research. To the extent required by the sponsoring agency, the vice president for research will then notify the agency of the violation and any corrective action taken or to be taken.

### **ARTICLE 3** **CONFLICT OF INTEREST AND EXTERNAL RELATIONSHIPS**

#### **SECTION I. IN GENERAL.**

**Subd. 1. Conflict of Interest.** A conflict of interest occurs when an ~~academic~~ employee compromises professional judgment in carrying out University teaching, research, outreach, or public service activities because of an external relationship that directly or indirectly affects the financial or business interest of the ~~academic~~ employee, ~~any~~ an immediate family member, or ~~any~~ an associated entity.

**Subd. 2. Disclosure of Potential Conflicts.** The potential for conflicts arises because of the nature and scope of activities engaged in by the University and its employees. The University assumes that potential for conflicts will occur regularly in the normal conduct of activities. However, it is essential that the significant potential for conflicts be disclosed and reviewed by the University. After disclosure the University can then make an informed judgment about a particular case and require appropriate oversight, limitations, or prohibitions on the activity in accordance with this policy. ~~Academic~~ Employees may not engage in activities in which an actual conflict of interest occurs.

**Subd. 3. Implications of External Relationships.** ~~Academic~~ Employees are encouraged to participate in technology transfer activities and interactions with other public entities and with business. Such activities, referred to in this document as external relationships, may have the potential for conflicts of interest. However, no wrongdoing is implied by the existence of external relationships.

#### **SECTION II. SIGNIFICANT COMBINATIONS OF ACTIVITIES AND EXTERNAL RELATIONSHIPS.**

**Subd. 1. Categories of Relationships.** The potential for a conflict of interest arises when certain behaviors on the part of the ~~academic~~ employee occur and are coupled to the existence of certain external relationships. Some combinations (category I below) are assumed to not represent a conflict of interest. Other combinations represent sufficient potential for conflict of interest (category II below) that they require review and prior approval by the University before the ~~academic~~ employee can engage in the activity. Category III below addresses an activity combined with an external relationship that is presumed to be a conflict of interest and is therefore not allowed.

**Subd. 2. Application of Policy.** The following is a representative, though not inclusive, list of activities and external relationships covered by this policy. The categories are general guidelines, and application of appropriate review and oversight will always be in accordance with maintaining the full integrity or reputation of the University and its employees within the context of academic freedom.

**Subd. 3. Relationships Not Specified in Policy.** Any combination of activity and external relationship not specifically represented in categories I—III that an ~~academic~~ employee reasonably believes constitutes a potential conflict of interest must be reported in writing to the ~~academic~~ employee's department head. The department head will determine whether the relationship represents an activity requiring further review.

#### **ARTICLE 4**

##### ***CATEGORY I: ACTIVITIES EXEMPT FROM DISCLOSURE***

The following are not considered conflicts of interest and do not require disclosure. They are allowable if they are consistent with other policies of the University ~~including the consulting and patent and technology transfer policies. This policy does not supersede the Board of Regents policy, "Patent and Technology Transfer" or any future policies on intellectual property.~~

(a) An ~~academic~~ employee receiving ~~royalties and honoraria for published scholarly works, occasional lectures, and other writings or creative works~~ income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities. ~~Products produced for a specific University job assignment are excluded and remain the property of the University. Consistent with the Board of Regents policy, "Educational Materials," The approval of the appropriate department head or dean is required when an academic employee selects materials for assignment to University students the sale of which will provide personal income to the employee.~~

(b) An employee receiving income from a business of less than \$10,000 annually for educational materials. If the employee assigns the materials to University of Minnesota students, there must be prior written consent of the department head or dean.

(c) An ~~academic~~ employee receiving ~~honoraria for~~ income serving as a special reviewer or ~~servng on a review panel for a academic, governmental, or not for profit public or nonprofit entity.~~

(d) An ~~academic~~ employee receiving royalties under the University's ~~or another academic institution's~~ royalty-sharing policies ~~policy~~ but ~~the employee does not have~~ not having any other relationship with the royalty-granting entity as specified in category II.

(e) An ~~academic~~ employee participating in a private practice plan pursuant to policies adopted by the Board of Regents.

#### **ARTICLE 5**

##### ***CATEGORY II: ACTIVITIES AND EXTERNAL RELATIONSHIPS THAT HAVE THE POTENTIAL FOR CONFLICT OF INTEREST***

##### **SECTION I. CATEGORIES IN GENERAL.**

The following combinations range from those that are considered to have minimal to moderate potential for conflict of interest (section II) to those that have a moderate to high

potential for conflict of interest (section III). The activities in section II are ordinarily allowable following disclosure and, where necessary, the implementation of oversight or other management procedures. The activities and external relationships listed in section III require case-by-case review and only some of the specific relationships may be approved. Special oversight or management procedures are likely to be required. (~~see Disclosure and approval procedures are described in article 2 for disclosure and approval procedures~~).

## **SECTION II. MINIMAL TO MODERATE POTENTIAL FOR CONFLICT.**

### **Subd. 1. Research Activities.**

(a) An ~~academic~~ employee participating in research on a technology, process, or product developed in whole or in part by that ~~academic~~ employee in which the employee, an immediate family member, or an associated entity is entitled to receive royalties from an existing agreement with a business under ~~the University's or another academic institution's~~ royalty-sharing policies, but has no other financial or business interests in the project.

(b) An ~~academic~~ employee assigning students, postdoctoral fellows, or other trainees to research projects in which the ~~academic~~ employee, an immediate family member, or an associated entity is entitled to receive royalties from an existing agreement with a business under the University's or another academic institution's royalty-sharing policies, but has no other financial or business interests in the project.

**Subd. 2. Instructional Activities.** An ~~academic~~ employee assigning students or other trainees to instructional projects, for example, design projects, in which the ~~academic~~ employee, an immediate family member, or an associated entity has a financial or business interest.

## **SECTION III. MODERATE TO HIGH POTENTIAL FOR CONFLICT.**

### **Subd. 1. Research Activities.**

(a) An ~~academic~~ employee participating in clinical trials or evaluation or development of a technology, process, or product owned or controlled by a business in which the employee, an immediate family member, or an associated entity has a financial or business interest.

(b) An ~~academic~~ employee assigning students, postdoctoral fellows, or other trainees to projects supported by a business (through sponsored research or a gift contribution) in which the ~~academic~~ employee, an immediate family member, or an associated entity has a financial or business interest, other than royalty income or the entitlement to future royalty income under University royalty-sharing policies.

(c) An ~~academic~~ employee receiving University-supervised sponsored research support or gifts contributions (whether in dollars or in kind) for research from a business in which the employee, an immediate family member, or an associated entity has a financial or business interest, other than royalty income or the entitlement to future royalty income under University royalty-sharing policies.

### **Subd. 2. Business Interests.**

(a) An ~~academic~~ employee receiving research support (sponsored research or a gift contribution) from a business in which the employee or an immediate family member serves on the board of directors or advisory board.

(b) An ~~academic~~ employee or immediate family member holding an executive position in a business engaged in commercial or research activities directly related to the employee's University responsibilities.

**Subd. 3. Administrative Responsibilities.**

(a) An ~~academic~~ employee taking administrative action on behalf of the University with respect to the University or any University-affiliated organization that is beneficial to a business in which the employee, an immediate family member, or an associated entity has a financial or business interest.

(b) An ~~academic~~ employee taking administrative action on behalf of the University with respect to any supported research activity (sponsored research or a ~~gift~~ contribution) in which the ~~academic~~ employee, an immediate family member, or an associated entity has a financial or business interest in the sponsor or donor.

**Subd. 4. Professional Referrals.** With the exclusion of consulting activities that conform to the consulting policy, an ~~academic~~ employee while acting in the context of the employee's University duties making professional referrals to a business in which the employee, an immediate family member, or an associated entity has a financial or business interest of which the ~~academic~~ employee is aware or reasonably should be aware. Only in special situations should full-time ~~academic~~ employees be permitted to engage in this type of activity, for example, when the function is not generally available from other sources and the employee fully discloses relevant financial or business interest to prospective clients.

**ARTICLE 6**

**CATEGORY III: PURCHASING GOODS AND SERVICES**

~~This activity creates a conflict of interest and is not allowed for academic employees. Academic Employees involved with or who may influence purchasing decisions or contracting on behalf of the University must comply with Minn. Stat. § 15.43, Acceptance of Advantage by State Employee (see article 10). Except as allowed in article 4, no employee in direct contact with suppliers or potential suppliers to the University, or who has direct or indirect influence over purchasing decisions or contracts, or otherwise has official involvement in the purchasing or contracting process may:~~

~~(1) have any financial, business, or personal interest directly or indirectly in contracts or purchases of goods or services used by the University; or~~

~~(2) accept, directly or indirectly from a person or business to which a contract or purchase of goods or services has been or may be awarded, any gift as defined in Board of Regents policy "Gifts Received and Given by Regents and University Officials." No employee may further accept any promise, obligation, or contract for future award.~~

**ARTICLE 7**

**CONFLICT REVIEW COMMITTEES**

**SECTION I. CONFLICT REVIEW COMMITTEES.**

**Subd. 1. Formation and Membership.** ~~Academic vice presidents and vice chancellors~~ Senior officers will form one or more Conflict Review Committees (CRCs) for

their areas to review the potential for conflicts of interest respecting sponsored research, funding and ~~gifts~~ contributions. Committees may be organized by area (multiple colleges) or for particular colleges where the number of such cases or their nature justify a separate committee. Three-quarters of the voting membership of each CRC will be faculty members from the area or colleges to be served. The remaining one-quarter of the voting members will include faculty from outside the colleges and representatives from outside the University. Some of the members should be individuals who have participated in approved external relationships. Each CRC will also include nonvoting staff representation from the Office of Research and Technology Transfer. The ~~academic vice president/vice chancellor~~ senior officers will decide on the composition of each CRC and select its members in consultation with the appropriate deans.

**Subd. 2. Principal Objective.** The principal objective for the review committees and responsible administrators is to help guard ~~academic~~ employees and the University from engaging in activities where the risk to integrity and reputation as a result of an external relationship outweighs the value of the activity to academic and societal goals. Relevant factors for the review committees and responsible administrators to consider are the size of the financial or business interest, when the relationship commenced, whether the conditions of the relationship have changed during the past year, the likelihood of actual conflict (will the results of the activity likely be affected by or affect the financial or business interest), mechanisms to ensure integrity (peer review, other independent research sites, and independent monitors or controls), the importance of the proposed activity, and the availability of alternatives to avoid the conflict or apparent conflict.

**Subd. 3. Possible Recommendations.** One possible recommendation as a result of the review is approval of the activity as proposed if it is concluded that the potential for conflict is so remote or inconsequential that there is minimal probability for biasing the objectivity of the activity. Other possible recommendations are to require periodic peer review of the activity (oversight) by individuals independent of the ~~academic~~ employee, outside monitors for the activity, divestiture of the financial or business interest, modification of the plan of work, or assignment of different ~~academic~~ employees without a financial or business interest to control the activity. To the extent possible and reasonable under the circumstances, and in light of the importance of the activity, the review committees and responsible administrators will work with ~~academic~~ employees to develop means for the activity to take place while protecting the integrity and the reputation of the ~~academic~~ employees and the University. In special circumstances, upon receiving advice from the PPPC, the ~~academic vice president/vice chancellor~~ senior officer may approve the activity for a limited period of time due to the potentially great benefit from the activity even though there is a high potential for conflict of interest.

## **SECTION II. PUBLIC-PRIVATE PARTNERSHIP COMMITTEE.**

**Subd. 1. Formation and Membership.** The vice president for research will form a Public-Private Partnership Committee (PPPC) to advise the University administration on complex ethical issues that cannot be resolved by direct application of existing policies. Although some members of this committee will be drawn from within the University to provide relevant information and guidance, the majority will represent a broad spectrum of constituencies outside the University.



**Subd. 2. Responsibilities.** The PPPC will provide advice on how to handle proposed activities that require an additional perspective beside that provided by the CRC. The PPPC will also annually perform a retrospective review of all decisions involving category II relationships and provide advice on how policies and procedures might be modified to maintain the integrity of the institution. The vice president for research will serve as the liaison between the PPPC and the ~~other academic vice president/vice chancellors~~ senior officers. The vice president for research also will confer with appropriate faculty governance committees regarding proposed changes in the operating principles and procedures.

**ARTICLE 8**  
**EXISTING FINANCIAL OR BUSINESS RELATIONSHIPS**

**SECTION I. IN GENERAL.**

This policy takes a broader view of the potential for conflict of interest and contains more stringent guidelines than the policy it replaces. As a result, it is expected that certain existing relationships of ~~academic~~ employees will have to be modified. In order to implement the policy, ~~academic~~ employees must disclose all existing external financial or business relationships to department heads for review as specified in article 2. This provision also applies to all new ~~academic~~ employees hired after this policy is adopted. The following section sets forth transitional rules for removing identified conflicts. They apply to activities department heads and deans have determined to be unallowable.

**SECTION II. MECHANISMS FOR REMEDIATION.**

If a department head or dean decides an existing combination of an activity and external relationship is unallowable, the ~~academic~~ employee can do any of the following to remove the potential for conflict of interest.

(a) Divestiture of financial or business interests in publicly traded businesses: Within three months following the administrative decision, the ~~academic~~ employee must divest at least 75 percent of relevant stock holdings; 100 percent of the stock must be divested by the end of the sixth month.

(b) Divestiture of financial or business interests in privately held businesses: The ~~academic~~ employee will be required to divest from financial or business interest at the earliest reasonable time in the judgment of the department head or dean. The University must be assured that the ~~academic~~ employee will not be obligated to future activities or responsibilities for the business.

(c) Retaining financial or business interests but withdrawing from University activity: In lieu of divestment of a financial or business interest, an ~~academic~~ employee may retain the interest and instead discontinue the University activity in question. In such circumstances the ~~academic~~ employee may continue to participate in the research for a period not to exceed six months following notification that the combination of activities and external relationships is not approved. Under such circumstances, the implementation of appropriate monitoring procedures may be warranted during such period.

(d) Resigning or taking a leave from an executive position in business related to an ~~academic~~ employee's University activity: A full-time ~~academic~~ employee with an executive position in a business that is deemed unallowable must resign or take a leave of absence from the position within a period determined to be reasonable under the

circumstances. In no case will this period exceed six months from the determination that the relationship is not acceptable. In making these arrangements, efforts will be made to minimize the disruption the change might create for the parties involved.

#### ***ARTICLE 9***

#### ***MINN. STAT. 15.43: ACCEPTANCE OF ADVANTAGE BY STATE EMPLOYEE***

VICTOR BLOOMFIELD, Chair  
SENATE CONSULTATIVE COMMITTEE

KENT BALES, Chair  
FACULTY AFFAIRS COMMITTEE

#### **DISCUSSION:**

Professor Kent Bales, chair of the Faculty Affairs Committee (SCFA), introduced the motion to amend the Conflict of Interest Policy to bring it into compliance with National Institute of Health (NIH) regulations. Most of the modifications, he said, were completed by Vice President Frances Lawrenz of the Graduate School and reviewed by Amos Deinard, the University Compliance Officer. The policy, as it now stands, has been approved by the President's Executive Council, the Research Committee, SCFA, and the Senate Consultative Committee (SCC).

The majority of the policy remains the same, said Professor Bales. Minor changes include reordering the material, re-titling sections, changing the term 'academic employee' to 'employee', and students are now defined as 'employees' even if they are not paid a salary. More substantive changes include a new title, 'family' has been changed to 'immediate family', and the disclosure requirement of financial or business interests has been raised from \$5000 to \$10,000. The floor for reportable contributions remains at \$1000. The policy also now extends to non-University collaborators involved in sponsored research. Professor Bales reviewed the activities exempt from disclosure and then opened the floor for discussion.

"Would a person who is invited to lecture at a college for eight hours a week be exempt from this policy?" asked a senator. Professor Bales replied that that would be covered by the Professional Consulting Policy.

"Have the changes been reviewed by ORTTA and the deans?" queried another. ORTTA participated in the development of the changes and they were discussed at a meeting of the associate deans of research at which there was no dissension.

"What would happen if a person has all of his/her retirement money in a single mutual fund and it crosses the \$10,000 threshold?" The policy is intended to regulate money that a person controls. Therefore a mutual fund, which is closer to a blind trust, would be exempt. If a person is handling his/her own investments, it would need to be reported. As long as someone else is handling your money, you would be exempt.

With no further questions, the motion was approved, as presented, by a majority of those members present and voting.

**APPROVED**

**X. EDUCATIONAL POLICY COMMITTEE**  
**Degrees with Distinction and Degrees with Honors Policy**  
**Action**

**MOTION:**

To approve the following policy:

**DEGREES WITH DISTINCTION AND DEGREES WITH HONORS POLICY**

**PREAMBLE**

The overall performance of degree candidates in each undergraduate collegiate unit shall be judged in relationship to the performance of their peers, and not in relationship to other University students. While many students may be outstanding when they are admitted to a program, the recognition of achievement shall be reserved to those who have excelled in the program itself, relative to their peers.

**I. Degrees with Distinction**

1. a) The initiative in establishing degrees with distinction shall lie with the colleges and campuses concerned and must be approved by the chief academic officer on the campus.
- b) To graduate "with distinction," a student must have a cumulative grade point average of 3.75 or higher at the time the student graduates. To graduate "with high distinction," a student must have a cumulative grade point average of 3.90 or higher.
2. The grade point average alone shall be used in determining the granting of degrees "with distinction" or "with high distinction." Colleges or campuses may choose to offer only degrees "with distinction" or only degrees "with high distinction," but in either case they would be subject to section I(1)(b) of this policy.

**II. Degrees with Honors**

1. a) The initiative for establishing degrees with honors (that is, cum laude, magna cum laude, and summa cum laude) shall lie with the departments, colleges, or campuses and must be approved by the appropriate dean and the senior academic officer on the campus. Qualifications for degrees with honors must meet the requirements of sections II(2), II(3), and II(4) of this policy.
- b) Descriptions of existing honors programs, as of the date this policy is adopted by the Senate, shall be provided to the Committee on Educational Policy. Establishment of new honors programs, or major modifications to existing honors programs, shall be reported for information to the Committee on Educational Policy.
2. The requirements for a degree with honors shall not consist of only the accomplishment of a designated amount of course work or achievement of a stipulated grade point average, but shall also include a definite standard of excellence in scholarship with specific evidence of ability to

accomplish independent or original work. This requires that the student participate in a fully developed honors program in a unit.

3. A unit desiring to grant degrees with honors must propose an honors program, specifying how honors students are to be selected, the nature, depth, and breadth of the honors requirements, and the general requirements for obtaining a degree cum laude, magna cum laude, and summa cum laude.
4. The minimum grade point average in upper division (i.e., after the completion of 60 semester credits) required for achievement of a degree "cum laude" shall be 3.5, that for a degree "magna cum laude" shall be 3.66, and that for a degree "summa cum laude" shall be 3.75.
5. Colleges shall attempt to ensure that there is reasonable consistency across departments in the amount of work required of its students to obtain degrees with honors.

### **III. General Provisions**

1. Any college or campus may offer both degrees with honors and degrees with distinction, only one, or neither.
2. A student may obtain both a degree with honors and a degree with distinction.
3. To qualify for either a degree with distinction or a degree with honors, a student must have completed 60 or more semester credits at the University. For the purposes of meeting the grade point average standards set forth in this policy, only University course work shall be counted.
4. It is the expectation of the Senate that in general, a college will not award degrees with honors and with distinction, in total, to more than approximately 10 - 15% of any graduating class.
5. The University transcript will contain a brief explanation of the difference between a degree with distinction and a degree with honors.
6. The Office of the Registrar shall annually report to the Committee on Educational Policy data on the number and percentage of students in each college and campus who receive degrees with distinction and degrees with honors.
7. From time to time, the Committee on Educational Policy may review honors programs and criteria for degrees with distinction in the various colleges, and may make recommendations to the Senate concerning them.

#### **Implementation Notes (to be approved by the Senate, but not officially part of the policy):**

Students who have achieved the required grade point average shall be permitted to graduate "with distinction" or "with high distinction" as soon as it is practicable to implement this policy. If a student is already in a program offering a degree "with distinction" or using similar language, the student shall be bound by those rules. All students entering the University after this policy has been adopted by the Senate shall meet the requirements of this policy.

Students enrolled in an existing honors program shall be bound by those rules. The provisions of this policy covering honors degrees will apply only to students entering honors programs Fall Semester, 1999, and after.

**COMMENT:**

This policy, for all campuses of the University, is essentially adapted from three earlier policies adopted by the University Senate and Twin Cities Campus Assembly. This proposal differentiates between degrees with distinction and degrees with honors. It requires campuses, colleges, and departments to conform to general guidelines in awarding these degrees.

One new element of this policy is the specific grade point average standards, which are set as part of the larger effort to bring consistency to University policies. In the case of degrees with honors, departments and colleges are expected to set additional requirements (e.g., an honors thesis, completion of honors seminars, etc.). A degree is awarded by the University, not by a college or department or campus, so it seems to the Senate Committee on Educational Policy (SCEP) appropriate that there be University-wide standards with respect to degrees with honors and with distinction.

SCEP does NOT propose a fixed percentage limit of students who may obtain a degree with distinction or with honors. To set a percentage would mean that students would not know, at the time of graduation, whether or what level of honors or distinction they had received, because those calculations could not be made until after all grades were turned in. Use of a percentage would also mean that there would be a floating target for students seeking to obtain a degree with honors or with distinction. For these reasons, SCEP concluded after considerable debate that stipulation of grade points averages was the most reasonable course. degrees.

SCEP may periodically review all existing honors programs for appropriate consistency throughout the University, and will report the results of those reviews to the Senate. If it were to find, for example, that 10% of the graduates in one college but 25% of the graduates in another college were receiving degrees with honors or with distinction, SCEP might be prepared to consider further revisions to this policy.

LAURA COFFIN KOCH, Chair  
EDUCATIONAL POLICY COMMITTEE

**DISCUSSION:**

Professor Laura Koch, chair of the Educational Policy Committee (SCEP), introduced the motion to approve the Degrees with Distinction and Degrees with Honors Policy and reviewed the changes that had been made following the previous Senate meeting. Implementation notes were also included, although they are not part of the policy, to specify which students are affected, what happens to them, and when the policy takes affect.

An issue addressed at the last meeting involved the qualification for degrees with honors and distinction. That is, upper division versus total credits. After careful consideration, SCEP voted to include all University coursework, arguing that while it is commendable for a student to achieve a higher level of performance during his/her upper division work, it does not warrant being awarded a degree signifying outstanding academic performance if s/he did poorly the first two years. Moreover, SCEP concurred with the view expressed by some students that those who improve their performance should not be placed in

the same category as those who consistently perform well academically throughout their undergraduate years.

At this time, Professor Koch opened the floor for discussion.

**A motion calling for suspension of the rules to consider an amendment to the policy was made, seconded, and approved.**

**The following amendment was then moved:**

**To amend Section II. Degree with Honors, as follows: (new language is underlined)**

**4. The minimum grade point average in upper division (i.e., after the completion of 60 semester credits) required for achievement of a degree "cum laude" shall be 3.5, that for a degree "magna cum laude" shall be 3.66, and that for a degree "summa cum laude" shall be 3.75.**

**And, delete the following language from the "Comment" section:**

**SCEP considered the proposal that qualification for degrees with distinction or with honors should be based only on upper division credits, or the last 60 semester/90 quarter credits. Some believe that a student who gets off to a bad start as an undergraduate should nonetheless be able to qualify for these degrees if they mature as a student and significantly improve their academic performance during the junior and senior years. Others believe that the degrees with honors and with distinction should reflect performance that is of uniformly high quality throughout the student's undergraduate career. SCEP came down on the side of the latter view, believing that the degrees with honors and distinction should reflect uniformly excellent academic performance by students beginning with nearly their first enrollment at the University. A student who has achieved a 2.0 or only slightly better during the first year or so of college may in fact turn behavior and performance around, and later achieve at a much higher level, but SCEP does not believe that such change, while commendable, warrants being awarded a degree signifying outstanding academic performance. SCEP also concurs with the view expressed by some students that those who improve their performance should not be placed in the same category as those who consistently perform well academically throughout their undergraduate years.**

The senator presenting the amendment said it originated out of a request from those working with upper division honors programs. They felt that the original language proposed in the policy would penalize students at the University and would reward transfer students whose past grades would not be included.

The motion to amend generated considerable debate both for and against, and raised questions concerning the number of students who would be affected if approved. Senators were told that it would affect a large percentage of students; however, honors programs would be encouraged to set a variety of requirements for graduation.

At this time, the vote on the amendment was taken and it was approved with 54 in favor and 48 opposed.

The vote on the main motion, as amended, was then approved with 70 voting in favor and 34 against.

**APPROVED**

**[The amended language has been incorporated into the policy as presented above.]**

**XI. SOCIAL CONCERNS COMMITTEE  
Resolution Regarding Future Investments in Burma (Myanmar)  
Action**

**MOTION:**

To approve the following Resolution:

**RESOLUTION**

**WHEREAS** the University of Minnesota has established a strong tradition of concern for social issues in its investment policies, and

**WHEREAS** the most controversial country for U.S. investors concerned about human rights at present is Burma, and

**WHEREAS** the military government of Burma has systematically abused human rights, tortured and imprisoned citizens who dissent from its policies, and has failed to yield control to the legally elected party in the national elections of 1990, and

**WHEREAS** Total Oil Company's (Total S.A.) investment in the construction and operation of the Yadana offshore oil pipeline represents about one-third of the current foreign investments in Burma, and

**WHEREAS** Total Oil Company has been complicit with the Burmese government in the use of forced labor for the building of this pipeline and its supporting infrastructure,

**THEREFORE, BE IT RESOLVED THAT:**

The University of Minnesota should not invest in Total Oil Company (Total S.A.) stock until the reestablishment of a democratic government and redress of human rights abuses in that nation, or until Total Oil Company suspends its operations in Burma, and;

The University carefully consider the social impact of future investments in companies which operate in Burma, until the reestablishment of a democratic government and redress of human rights abuses in that nation.

**COMMENT:**

A military government, Slorc, was established in 1988 amidst violent suppression of a wide-spread democratic movement. The pro-democracy party (National League for Democracy) won the election of 1990 by a large margin, but the Slorc ignored the results, and instead continued to quash dissent. Slorc

imprisoned Aung San Suu Kyi (Nobel Peace Prize winner) for six years, during which time her party won the national elections. After her release in 1995, she remains confined to her home. In 1996, student protests and arrests escalated. In response, the Slorc closed Burma's 30-odd colleges and universities; they remain closed to this day. International agencies and human rights groups continue to criticize the SPDC (name for the all-military government since 1997) for using forced labor on infrastructure projects and for military purposes.

Total Oil Company (Total, S.A.), Burma's largest investor bringing in about one-third of foreign capital, has been charged with using forced labor in building its oil pipeline and in construction of the Ye-Tavoy railroad which supports the pipeline project. Forced labor is used by the SPDC as well, under particularly onerous conditions, for military portering.

In May 1997, the Clinton administration determined that the conditions under which the United States can impose economic sanctions on Burma had been met, and declared a ban on new U.S. investment in Burma. Eighteen cities, Alameda Co. (California), and the Commonwealth of Massachusetts have passed selective purchasing legislation, targeting companies that do business in Burma. Companies that have ceased operations in Burma include Amoco, Apple Computer, Eastman Kodak, Hewlett-Packard, IBM, J.C. Penney, Kmart, Liz Claiborne, PepsiCo, and Walt Disney. The University of Wisconsin divested its portfolio of Texaco stock in April 1997, and Texaco sold its stake in Burma's Yetagun oil fields in December 1997.

The University of Minnesota divested its Total Oil shares valued at \$1.2 million in March 1998.

ERIC BAUER, Chair  
SOCIAL CONCERNS COMMITTEE

#### **DISCUSSION:**

Professor Eric Bauer, chair of the Social Concerns Committee, reviewed the Resolution and responded to questions.

A senator asked how it was determined that Burma is the most controversial country for U.S. investors, and Professor Bauer responded that it was taken from the Investors Responsibility in Research Corporation (IRRC) Statement. It includes a list of the most abusive countries, of which Burma is one, he said.

As a point of information, another senator reported that MSA passed a similar resolution earlier Spring Quarter.

With no further discussion, the resolution was approved.

**APPROVED**

## **XII. LIBRARY COMMITTEE REPORT**

### **Information**



As we conclude the academic year 1997-98, the Senate Library Committee is pleased to report several positive developments, but also needs to inform the members of the Senate of a number of critical issues facing the University of Minnesota Libraries. On the positive side, users of Wilson Library can be assured that the lengthy and bothersome internal construction (asbestos removal and sprinkler installation) was completed on April 1 of this year, making all parts of the collection accessible again. Full funding for the renovation of Walter Library to become a Digital Technology Center has been obtained, and the construction of the Minnesota Library Access/Archives Center is progressing on schedule. We view with concern, however, the steady erosion of the Library's purchasing power, which has reached a crisis point in the acquisition of serials. In this area, costs have increased more than 147% during the last ten years. Some journal subscriptions now cost the library over \$15,000 per title! Even with recent slight increases in the library budget, these expenditures have caused a reduction in title acquisitions by about 7%. At the same time, new journals appear on the market and need to be acquired to meet research needs of our faculty. While the library has canceled some subscriptions to less urgently needed journals (after consultation with appropriate faculty), this double-digit inflation has led to a serious reduction in the ability to purchase non-serial titles. In 1985, approximately one-half of the acquisitions budget was used to purchase books. At present, this sum has fallen to less than 25%.

In addition to its acquisitions problems, the library also needs more qualified staff to properly serve rapidly expanding new areas of knowledge.

The Senate Library Committee believes that the University Community should be aware of these issues confronting our Library. We must preserve and strengthen this central resource of our University, and for this we need everybody's support.

GERHARD WEISS, Chair  
LIBRARY COMMITTEE

#### **DISCUSSION:**

Professor Gerhard Weiss, chair of the Library Committee, stressed the urgency of this report because of the tremendous financial implications with the purchase of journals. Their price has surpassed anything imaginable and erodes the budget of the library, he said. The library must remain the center of the University and be remembered in future University fund drives. He reported the recent established of a task force to examine the situation and said it is scheduled to present its report in September. Professor Weiss also urged those on journal editorial boards to talk to their editors about setting more sensible rates.

### **XIII. PRESIDENT'S REPORT**

President Yudof provided a brief report given the lateness of the hour. He said he believes it has been a constructive year, especially between the Faculty Consultative Committee (FCC) and other groups on campus. In general, it was a good year for the University with a strong show of support from the Legislature. He thanked the Senate leadership and senators for their work this year and for the resolution that was awarded to him in April.

### **XIV. QUESTIONS TO THE PRESIDENT**

**NONE**

#### **XV. SENATE CONSULTATIVE COMMITTEE REPORT**

Professor Victor Bloomfield, chair of the Senate Consultative Committee (SCC), announced that Sara Evans will be the 1998-99 SCC chair and Fred Morrison will be the Vice Chair. Jesse Berglund was also elected to a second term as Student Senate chair and Deanne Nordberg will be the Vice Chair. He reiterated that it has been a year of healing and shared governance at the University. He extended thanks to President Yudof; Parliamentarian Fred Morrison; SCC Vice Chair Matthew Tirrell, the FCC; Kevin Nicholson, Student Senate Consultative Committee (SSCC) Chair; Heather Aagesen, SSCC and Student Senate Vice Chair; the SSCC; M. Janice Hogan, University Senate Vice Chair; Jesse Berglund, Student Senate Chair and Vice Chair of the Assembly; and Legislative Liaisons Marvin Marshak and Cheryl Jorgensen. He also thanked the Senate committee member and chairs for their service this year, as well as the Senate Office staff. Lastly, he recognized Hy Berman at this, his final Senate meeting of his University career.

#### **XVI. OLD BUSINESS**

Professor Hy Berman asked for permission to address the Senate. He said that he has served 25 years in the Senate during his 37-year career at the University. Throughout these years he has seen the evolution of the governance structure of the University from an autocratic system into a democratic process. In the 1960s, he said, students were brought into the process bringing a breath of fresh air. In the years that students have been in the Senate, there has never been a sharp faculty-student split on any issue. He said that it has been a pleasure to serve the University in this capacity and expressed thanks to senators and President Yudof.

Senators gave Hy a warm round of applause and standing ovation for his long tenure of service to the University and the Senate.

#### **XVII. NEW BUSINESS**

Professor Kent Bales distributed an interim report from the Joint Subcommittee on Academic Appointments. He asked that senators read the material and address any comments or questions to himself or another member of the subcommittee.

## **XVIII. TRIBUTE TO DECEASED MEMBERS OF THE UNIVERSITY COMMUNITY**

### **FACULTY**

#### **Catherine Brown 1950-1998**

The University of Minnesota mourns the passing of Catherine Brown, Senior Fellow at the Design Center for American Urban Landscape. Catherine's qualities reflected the American landscape that she so loved, qualities that the many people who knew her around the country will sorely miss.

Like a Minnesota lake, Catherine could gather diverse streams of thought into a soluble whole, evident in her work on the University's Master Plan, carrying it to completion amidst a cascade of competing interests.

Like a Mississippi bridge, Catherine could bring opposite sides together on issues that seem endlessly divided, such as her joining of tenants and the city of Minneapolis in solving some perennial public housing problems.

Like a Louisiana bayou, Catherine could spread nutritive ideas to ground that most people overlook, as in her efforts to help Minneapolis and St. Paul neighborhoods see the potential in the ordinary places around them.

Catherine is now a part of the landscape that nourished her. And we are the beneficiaries of her work, from which we will draw sustenance for years to come.

#### **James Hanson 1920-1998**

On April 10, family and friends gathered in ravaged St. Peter, MN, for a funeral of former University professor of veterinary medicine Dr. James Hanson.

He died Sunday at Abbott Northwestern Hospital in Minneapolis, at age 77.

Hanson developed the College of Veterinary Medicine's extension and continuing education programs.

As a professor, Hanson's unique for calling class to order following coffee breaks and lunch hour became his trademark. Standing in the hall among milling students, Hanson would ring a large cow bell he and his wife picked up on a trip to Switzerland.

"It became synonymous with Jim," said co-worker Dr. Michael Pullen, a College of Veterinary Medicine professor. "I could never ring it as loud. He will be missed."

Pullen traveled with Hanson across Minnesota working for the veterinary college's extension program.

He particularly enjoyed these visits to farming communities, said his wife, Carol Hanson. He often joked perhaps he should pay the University and not vice versa, she said.

Colleagues remember him for his dedication to the University and his love for his field, Pullen said.

Graduating from the University with a degree in veterinary medicine, Hanson, along with his wife, opened a general practice in St. Peter in 1953.

“I was his unpaid, untrained secretary,” she said, laughing. “It was a real mom-and-pop.”

Hanson enjoyed working among farmers and family, his wife said, often bringing his four children along for calls to local farms. The cows and holding horses’ reins for their father are among the family’s fond memories, she said.

Hanson was offered the position of continuing education director at the University’s College of Veterinary Medicine in 1967, and remaining at the post until his retirement in June 1991.

He is survived by his wife, sons Brent, Todd and Craig and daughter Gayle Olson.

#### **XIX. ADJOURNMENT**

The meeting was adjourned at 4:18 p.m.

**Martha Kvanbeck  
Clerk of the Senate**

**MAY 14, 1998**

The fourth meeting of the Student Senate for 1997-98 was convened in 25 Law Building, Minneapolis campus, on Thursday, May 14, 1998, at 11:40 a.m. Coordinate campuses were linked by telephone. Checking or signing the roll as present were 32 voting student members and 1 ex officio member. Mr. Jesse Berglund, Student Senate Chair, presided.

### **I. APPROVAL OF AGENDA**

#### **Action**

**APPROVED**

### **II. ANNOUNCEMENTS**

Jesse Berglund welcomed the newly-elected senators to the meeting and encouraged them to stay for the Senate and Assembly meetings in the afternoon. The Twin Cities Campus Assembly meeting will convene at 2 p.m. followed by the University Senate meeting at approximately 3 p.m.

### **III. ELECTION OF STUDENT SENATE CHAIR AND VICE CHAIR**

Heather Aagesen, Vice Chair of the Student Senate, accepted nominations for the position of Student Senate Chair. Jesse Berglund and Brandon Lacy were nominated. Each candidate was given an opportunity to speak and answer questions, after which a vote was taken and Jesse Berglund was elected.

Nominations were then taken for the vice chair position. Deanne Nordberg was nominated and approved by acclamation.

### **IV. STANDING RULES OF THE STUDENT SENATE**

#### **Action**

#### **MOTION:**

To adopt the following as a standing rule of the Student Senate:

If all but two of the Student Senate coordinate campus "voting members" (as defined in Robert's Rules of Order Newly Revised) vote against a motion at a meeting of the Student Senate, the motion will be postponed until the next regular meeting of the Student Senate, at which time an amended version may be presented to the Student Senate.

**COMMENT:**

The rationale behind this amendment is that even if all the coordinate campus senators vote against a motion in the Student Senate, the number of votes on the Twin Cities outweighs the votes from the coordinate campuses. If the Student Senate is going to represent the views of all students, then the voices from the coordinate campuses should be able to make a difference in voting.

This amendment does not attempt to veto a motion on the floor. As it reads, it simply asks that the motion be postponed for one meeting so that revisions, proposed by the coordinate campuses, can be considered.

HEATHER AAGESEN, Vice Chair  
STUDENT SENATE AND  
STUDENT SENATE CONSULTATIVE COMMITTEE

**DISCUSSION:**

With no discussion, the motion was overwhelmingly approved by a majority of members present and voting.

**APPROVED**

**V. STUDENT SENATE ELIGIBILITY REQUIREMENTS**

**Action**

**MOTION:**

To amend the University Senate Constitution, Article III, Section 4b, as follows: (language to be deleted is ~~struck out~~; new language is underlined).

**ARTICLE III. UNIVERSITY SENATE**

**4. Election of University Senate Members**

...

b. The elected representatives of the students to the University Senate shall be chosen by secret ballot by the student constituency enrolled in the several institutes, colleges, or schools as specified in the bylaws. Only full-time students in each institute, college, or school shall be eligible to vote. Each institute, college, or school shall establish its own procedures to determine qualification ~~as a full-time student.~~ of those students eligible to vote.

There shall be one student member for each initial 1,000 full-time students or fraction thereof in each student constituency plus one additional student senator for each additional 1,000 full-time students or major fraction thereof in such constituency. At Morris and Crookston there shall be two student senators for each initial 1,000 full-time students or fraction thereof in each student constituency plus one

additional student senator for each additional 1,000 full-time students or major fraction thereof in such constituency.

~~Any student who has twenty-four credits in residence at the University and at the time of voting is carrying at least nine credits in his or her institute, college, or school shall be eligible for election as a student representative to the University Senate. Graduate School students shall be eligible for election if they have nine credits in residence at the University and are full-time students at the time of voting or are certified as the equivalent of full-time students by the Graduate School. Continuing Education and Extension students shall be eligible for election if they have earned twelve credits in residence during the previous five years and are carrying three credits at the time of voting. Full-time students in each institute, college, or school shall be eligible to vote. Each institute, college, or school shall establish its own procedures to determine qualification as a full-time student.~~

To be eligible for election to the University Senate, a student must have earned the required number of credits in residence at the University, as described below:

- University College students shall be eligible for election if they have earned at least twelve credits in residence during the previous five years and are carrying at least three credits at the time of voting.
- All other students shall be eligible for election if they have earned within the past year and are currently carrying at least two-thirds the number of credits required for full-time student status as defined by the Office of the Registrar for their college of enrollment. Graduate School students carrying one credit ABD (all but dissertation) at the time of voting or who are certified as the equivalent of full-time students by the Graduate School shall be eligible for election.

#### **COMMENTS:**

The Student Senate Consultative Committee feels that distinct credit limits should be established for each group represented in the University Senate. Furthermore, by reducing the total number of credits required to begin serving in the University Senate, it allows students in their second term at the University to be elected as a senator from their respective collegiate unit.

Following comments made at the April 16 Student Senate meeting, the motion was revised to reduce credit totals for all colleges and schools to two-thirds the number required by the Office of the Registrar.

KEVIN NICHOLSON, Chair  
STUDENT SENATE CONSULTATIVE COMMITTEE

#### **DISCUSSION:**

Mr. Kevin Nicholson, chair of the Student Senate Consultative Committee (SSCC), reviewed the proposed motion and reminded senators that the issue had been discussed at the April Student Senate meeting and also at several SSCC meetings. The motion would lower the Senate eligibility requirements allowing students to be eligible to serve as senators earlier in their college careers. It is hoped, he said, that this will result in the filling of seats that normally remain vacant. He then opened the floor for discussion.

Q. Why are the eligibility rules on “serving” and “voting” different?

A: The rules have always been different. This does not represent a change in Senate practice. Senate “seats” and voting eligibility are based on full-time enrollment while service eligibility is based on credits earned.

A friendly amendment was then made and accepted to change the last line of the first paragraph to “Each institute, college, or school shall establish its own procedures to determine qualification of students eligible to vote.”

With no further discussion the motion as amended was approved.

### **APPROVED**

**[The above motion is the final approved version.]**

## **VI. CAMPUS REPORTS**

Abby Flottemesch, the Duluth Student Assembly President, reported that Dan Bart was elected as the new student assembly president and that UMD students are still working on faculty evaluations with the unions.

Deanne Nordberg, newly-elected Student Senate Vice Chair, reported that Sean Lazenby was re-elected as student body president at Morris and that students are actively involved in the chancellor search. She announced a celebration for the funding of the Morris Science Center and an upcoming retirement party for Chancellor Johnson.

J.P. Maier, GAPSA President, said that officer elections have been completed and he has been re-elected President. Cheryl Jorgensen will also be continuing as the Legislative Liaison. This summer GAPSA will be dealing with the tax issue from last year and he asked MSA for its support on this matter.

Brandon Lacy, SSCC member, also reported that Twin Cities undergraduate student elections have been completed and Nikki Kubista was elected president and Erin Ferguson vice president. Last week, the Assembly voted to support the current system for fees and took the stance that if it is changed, MSA would be integral in developing a new system.

## **VII. STUDENT SENATE CHAIR REPORT**

Jesse Berglund congratulated newly-elected senators and student assembly officers. He said that the campus visits and orientation were both successful and would be continued in the future. He thanked Kevin Nicholson, Heather Aagesen, and the rest of SSCC for their work and support during the past year.

## **VIII. STUDENT SENATE CONSULTATIVE COMMITTEE REPORT**



Kevin Nicholson reported that the last coordinate campus visit (to Crookston) was recently completed and everyone had a good time. He believes that the visits to the three outstate campuses this year by the Student Senate Consultative Committee strengthened the bond and communication among the campuses. He hopes that this practice continues in the future. In closing, he thanked Jesse Berglund for his leadership and work this year on behalf of all University of Minnesota students.

## **IX. OLD BUSINESS**

**NONE**

## **X. NEW BUSINESS**

Kevin Nicholson and Jesse Berglund recognized Becky Hippert, Student Senate Liaison and staff for SSCC, for her help and support throughout the year.

## **XI. CONSTITUTIONAL REVIEW COMMITTEE UPDATE**

The Constitutional Review Committee is off to a slow start, reported J.P. Maier, chair of the committee, due to busy schedules and the amount of required reading. He hopes students will be available over the summer.

Q: Do you have a timeline for a report to the Senate?

A: If there is sufficient work over the summer, then by the first Senate meeting in the Fall.

A senator suggested that meetings be held at more reasonable times to allow for coordinate campus participation.

## **XII. TUITION DISCUSSION WITH VICE PROVOST CRAIG SWAN**

### **Discussion**

Vice Provost Craig Swan discussed the proposed tuition increases for undergraduate students. He reported that while the Legislature was very supportive of the University this year, overall it received \$80 million less than requested. Moreover, there was a last minute change to move more funds from recurring to one-time. This translated into a budget shortfall. The administration addressed this shortfall partly through administrative cuts and a tuition increase (on average 3%). Because of the Regents commitment to equalize lower and upper division tuition across colleges, juniors and seniors will see an increase of less than 3%, while freshmen and sophomores will see an increase of more than 3%.

Coordinate campus increases will be slightly higher than 3% and graduate student tuition will rise by 3%. Professional student tuition will vary by program. The Carlson MBA program will increase more this year and then will be held stable for the next two years. The Regents are holding an open forum on May 28 to discussion the entire budget proposal and Vice Provost Swan encouraged students to attend. He then opened the floor for discussion.

Q: What about tuition in the Medical School?

A: Vice Provost Swan did not have the information readily available and asked interested students to speak with him after the meeting. On a broader scale, he is asking deans to talk with their students about tuition. For undergraduate tuition, there is a basic increase that is applied across colleges, so these deans have less discretion.

Q: If this increase is approved, is the administration considering lowering other costs to students such as food and books?

A: These concerns will be handled jointly by the Office of the Provost and the Office of Student Development and Athletics.

Q: What is the difference between current lower and upper division tuition rates? Have the Regents decided how they will arrive at a uniform rate? Will it be one of the current figures or somewhere in the middle?

A: The hope is to be at a uniform tuition within 2-3 years. The current differential is \$80 to \$88.

Q: How has IMG affected tuition decisions?

A: It has impacts on course access. If more students want a course, the dean now has the resources to offer it. Previously, the dean would need to ask the provost for funds. Also, deans of professional schools have more discretion when setting their tuition rates, which determines the revenue for the college.

Q: Professional school tuition rates usually include the phrase ‘what the market will bear.’ This led to increases last year of 10-30% which forced many students to leave school. How can this problem be solved?

A: IMG has forced professional schools to use a market comparison focus for tuition rates. This is an important issue for students to discuss with the deans. Traditionally, market comparison would be what other comparable universities are charging, with most being out-of-state universities.

Q: Why would professional schools have comparable rates if they want to attract students to their programs?

A: Some private universities will channel resources back to financial aid to attract more students.

**XIII. DISCUSSION WITH PROFESSOR FRED MORRISON REGARDING  
CONSTITUTIONAL AND BYLAW AMENDING PROCEDURES  
Discussion**

Professor Fred Morrison, University Parliamentarian, discussed with student senators items on the Senate and Assembly dockets regarding constitutional and bylaw amending procedures. Over the years, he explained, the Senate and Assembly have experienced difficulty in securing the required attendance to adopt constitutional and bylaw amendments. Oftentimes, important legislation that receives overwhelming support has been left unapproved due to the Senate's and Assembly's stringent voting requirements. In view of this ongoing problem, the Business and Rules Subcommittee, which includes student representation, was asked to examine the voting practices of other institutions as well as *Robert's Rules of Order*, the parliamentary authority for the Senate and Assembly. The Subcommittee learned that the requirements for amending the constitutions and bylaws are not only inconsistent with other institutions but are strongly discouraged by *Robert's Rules of Order*.

As a result of the Subcommittee's findings, proposed language was developed that more closely matches other higher education institutions and is consistent with *Robert's Rules of Order*. At the same time, the Subcommittee preserved the rules on advance notice to ensure that changes cannot be made without full notification to all senators of pending legislation.

Professor Morrison encouraged students to review the proposals before the Senate and Assembly meetings and said it is the Consultative Committee's hope that students will support these changes.

Q: There have been amendments passed that had little to no student consultation before they were brought to the Senate. This proposal seems to increase the marginalization of student input since students do not have the luxury to miss class to attend a Senate meeting where an issue of interest is being discussed. Under the current proposal, was there any discussion regarding the marginalization of student input?

A: The issue of marginalization was not raised. Student participation in favor of a motion would still be vital to its approval.

A senator stated that under current conditions students do not comprise one-third of the Senate and, therefore, would not be able to successfully block a motion.

#### **XIV. STUDENT LEGISLATIVE COALITION REPORT**

Laura Taken reported that the Student Legislative Coalition (SLC) is readying for next year's biennial request and board transition. Interested students should contact the SLC office.

#### **XV. ADJOURNMENT**

The meeting was adjourned at 1:00 p.m.

**Martha Kvanbeck  
Clerk of the Senate**

**APPENDIX A  
ATTENDANCE OF MEMBERS, 1997-98**

The University Senate met 4 times during 1997-98.

(fm=forfeiture of membership for nonattendance)

	<b>Attended</b>	<b>Notified Clerk of Nonattendance or Alternate Attended</b>
<b>FACULTY</b>		
Abrams, Jerome (resigned 2/98)	0	1
Abul-Hajj, Yusuf	4	0
Altholz, Josef	4	0
Anderson, Dorothy	4	0
Anderson, James	3	0
Archibald, Sandra (apptd 11/97)	1	2
Bantle, John	0	3
Berman, Hyman	3	0
Berry, Susan	3	1
Berscheid, Ellen	3	0
Bitterman, Peter	3	1
Boedicker, James	3	1
Bomash, William	3	1
Bouchard, Thomas	2	1
Bowie, Norman	1	2
Butler, Richard	4	0
Campbell, Charles	3	1
Cardozo, Richard	2	1
Chomsky, Carol	3	1
Christenson, Richard	4	0
Clayton, Thomas	4	0
Collins, W. Andrew	1	2
Conklin, Kathleen	2	1
Cook, R. Dennis	2	1
Copa, George	2	2
Cushing, Ed	4	0
Dusenbery, Kathryn	1	1
Dworkin, Martin	4	0
Ebner, Timothy	3	1
Elliott, Barbara	4	0
Erdman, Arthur	2	2
Erlandsen, Stanley	4	0
Espin, Christine	2	2
Fallon, Ann	4	0
Faras, Anthony	1	3
Feeney, Daniel	4	0
Feldman, Bernie	4	0
Forster, Jean	2	1

Garner, Shirley	2	2
Garrard, William	2	0
Gengenbach, Burle	4	0
Ghere, David	4	0

	<b>Attended</b>	<b>Notified Clerk of Nonattendance or Alternate Attended</b>
Goetz, Ed	2	0
Goldman, Jay	4	0
Goldstein, Richard	2	2
Gonzales, Marti	3	0
Good, David	3	1
Grotevant, Harold	1	3
Guyotte, Roland	3	1
Herther, Nancy	3	1
Hertz, Marshall	3	0
Hirsch, Gordon	4	0
Hoffman, Marci	3	1
Hostetter, Margaret	0	4
Humphreys, Roberta	4	0
Hunter, David	1	3
Ibele, Warren	2	1
Ingbar, David	3	1
Johnson, Kim	2	1
Johnson, Thomas	3	0
Jones, Terry	3	0
Kaas, Duane	3	0
King, Jean	2	2
Kinney, Larry	4	0
Klink, Katherine	2	1
Kohlstedt, Sally	4	0
Kralewski, John	3	1
Krosch, Penny	4	0
Krueger, Richard	4	0
Kruttschnitt, Candace	3	1
Kuchenreuther, Margaret	3	1
Kudrle, Robert (apptd 11/97)	3	1
Lanyon, Scott	3	1
Leitner, Helga	1	2
Leo, Perry	2	0
Linck, Richard	3	1
Livingston, Dennis	3	1
Lopez, Dian	4	0
Luby, James	4	0
Lukasewycz, Omelan	3	0
Magee, Paul	2	2
Maitland, Ian	3	0

Markhart, Bud	3	0
Marshak, Marvin	3	1
Martin, Judith	4	0
Massey, Joseph	3	0
McClaskey, Marilyn	4	0
McConnell, Scott	1	0
McCormick, Alon	3	1
McGehee, Richard	3	1

	<b>Attended</b>	<b>Notified Clerk of Nonattendance or Alternate Attended</b>
McKeever, Patrick (resigned 4/98)	1	0
McMurry, Peter	4	0
Mescher, Matthew (apptd 2/98)	3	0
Miller, Wilmer	4	0
Montgomery, Jean	4	0
Mortimer, Jeylan	2	2
Murray, David	3	1
Murthy, V.R.	3	1
Myers, Ken	4	0
Nagaraja, Kakambi	2	1
Narvaez, Darcia	2	2
Neckar, Lance	2	1
Oegema, Theodore	3	1
Orf, James	4	0
Orr, Harry	3	1
Parente, James	2	2
Polla, Dennis	2	1
Porter, Mary	1	1
Pour-El, Marion	3	1
Purdy, Dwight	2	1
Purple, Richard	4	0
Quie, Paul	3	1
Rabinowotz, Paula	3	0
Ramsay, Norma	3	0
Ranum, Laura	2	1
Reicks, Marla	3	0
Robinson, Peter	2	1
Romano, John	4	0
Rosen, Carl	4	0
Sarles, Harvey	4	0
Savage, Wade	2	2
Savelsberg, Joachim	3	1
Senauer, Ben	1	2
Sheldon, Gary	3	0
Shocker, Allan	3	1
Smith, Suzanne Bates	3	1

Snustad, D. Peter	4	0
Speidel, T. Michael (appted 1/98)	2	0
Stelson, Kim	4	0
Storvick, David	2	1
Strefeler, Mark (resigned 2/98)	0	0
Stromberg, Bert	3	1
Thomas, Gary	2	2
Tomlinson, Patricia	3	1
Towle, Howard	3	1
Tracy, James	3	0
Urness, Carol	4	0
Van Essendelft, William	2	1

**Notified Clerk of  
Nonattendance or  
Alternate Attended**

	<b>Attended</b>	
Wagenaar, Alexander	1	2
Wahlstrom, Billie	3	0
Wells, Carol	3	0
Wiedmann, Timothy	4	0
Wylie, Christopher	1	1
Yahnke, Robert	3	1
Young, Nevin	3	1
Yudof, Mark	4	0
Zipes, Jack	3	0

**FACULTY CONSULTATIVE COMMITTEE**

Bland, Carol	3	0
Bloomfield, Victor	4	0
Dempsey, Mary	3	0
Gardner, Gary	4	0
Gray, Virginia	4	0
Hamilton, David	3	0
Hobbie, Russell	2	0
Korth, Michael	4	0
Peterson, Harvey	3	0
Tirrell, Matthew	0	0

**STUDENTS**

Altaf, Sabeen	2	2
Anderson, Jason (appted 2/98)	3	0
Anderson, Matt	2	0
Armstrong, Michael	4	0
Baker, Robert (appted 1/98)	0	0
Berger, Dustin	3	0
Brown, Myles (resigned 2/98)	0	0

Cochrane, Kyle (fm 4/98)	0	0
Daniels, Susan	4	0
Davey, Mike	3	1
Dudley, Katie	1	0
Ebba, Yohannes	4	0
Elverum, Kristian	0	2
Erickson, Mark	3	0
Garland, Kandis(resigned 2/98)	0	0
Huberty, Bridget	1	0
Ipsen, Jed	0	0
Jorgensen, Cheryl	3	0
Kelley, Christopher	3	0
Kess, John	4	0
Kimlinger, Todd	1	2
Kjonaas, Stephanie	1	0
Korpi, Judith (appted 11/97)	0	0

	<b>Attended</b>	<b>Notified Clerk of Nonattendance or Alternate Attended</b>
Lacy, Brandon (appted 1/98, moved to SSCC 4/98)	1	1
Lensing, Steve	1	2
Lowing, Craig	2	2
Maier, J.P.	3	0
Maliwat, Maryanne	0	2
McIntosh, Katie (resigned 12/97)	1	0
Mastrud, Jay (appted 1/98)	2	0
Miller, Mike	0	0
Nakano, Albert	3	1
Nevile, Sameer	4	0
Nordberg, Deanne (moved to SSCC 12/97)	1	0
O’Hely, Martin (moved to SSCC 12/97)	1	0
Olson, Sara	2	0
Papin, Luke	1	1
Parshall, Tim	1	2
Rauschendorfer, Rachel	4	0
Roos, Jessie Jo	3	1
Rotering, Andy	4	0
Sebastian, Joby (resigned 1/98)	0	0
Simpson, Shenoa	3	0
Skupniewitz, Joe (fm 2/98)	1	0
Stefaniak, Amy	1	3
Stone, Christopher (resigned 2/98)	1	0
Taken, Laura (moved to SSCC 11/97)	1	0
Tillotson, Adam (appted 2/98)	3	0
Van Drasek, Barbara	4	0
Vander Logt, Jeffrey (resigned 1/98)	1	0
Vollmer, Michael (appted 12/97)	3	0



Wunderlin, Kerri	1	2
Ylikopsa, Britta	3	0

**STUDENT SENATE CONSULTATIVE COMMITTEE**

Aagesen, Heather	3	0
Bergland, Jesse	4	0
Falk, Ryan	3	0
Giovengo, Susan (resigned 12/97)	1	0
Kalombo, Eddie	1	0
Lacy, Brandon (appted 4/98)	1	0
Mattson, Jason	3	0
Mertl, Amy (resigned 4/98)	2	0
Nicholson, Kevin	4	0
Nordberg, Deanne (appted 12/97)	3	0
O'Hely, Martin (appted 12/97)	3	0
Taken, Laura (appted 11/97)	2	0