Faculty Senate Minutes - FINAL


Absent: Steve Shirley, Carlen Gilseth, Dan Conn, Bethany Andreasen, Aaron Richard, Cassie Stauffers, Kelsey Buchholz

Guests: David Rolandson, Ernst Pijning, Jeremy Mochamel, Jharna Khyer, Teresa Loftesnes

Meeting called to order @ 3:33pm by Faculty Senate President Linda Cresap

Procedural and Discussion meeting

1. Opening / Attendance / Seating of Alternate Delegates
   - Tim Morris for Stephen Hayton  Motion to seat proxy Olson/ Fisk; motion approved
2. Approval of Minutes from December 10, 2015 (attached)
   - Motion to approve minutes Willoughby/ Fischer; motion approved
3. Agenda Updates
   - Remove #11 from New Business
4. Announcements / Comments from the Faculty Senate President
   - Concern brought forward about the MSU Bookstore not having enough course materials on hand for students to purchase.
   - Gerri from book store stated that book orders are received from faculty by email and thru Enlight. The bookstore would prefer faculty to use Enlight to place book orders rather than emailing the orders. Bookstore staff are willing to help faculty if they are having difficulty placing orders thru Enlight.
   - Once book orders are received from the faculty; the bookstore then looks at how many books were purchased from the bookstore (for that course) in the previous 2 years and then purchase based on that number
   - When books run out, they wait for student demand, and will overnight the books (at no cost to the student); this is not always the case but in general is the
protocol followed

- The bookstore will accept returned books when students receive their ordered books from other vendors
- This semester they are piloting a price matching program. This is cumbersome but they hope to have the process streamlined for Fall 2016
- Gerri will be invited to the February or March FS meeting to come and discuss bookstore policies and book order issues

- Ron Fischer volunteered to fulfill vacancy on the Academic Policies Committee. Thank you Ron.

- Submissions are due for the Distinguished Lifetime Educator Award by Friday, March 11, 2016. Nominations should be sent to Linda Cresap. Please consider nominating someone for this honor.

- Information on Service Dog Laws was handed out and has been posted in Public Announcements.

5. Administrative Reports
   a. President’s Report - Dr. Steve Shirley
      - Allotment process is moving forward.
      - Expecting 2.5% ($1.2M) in budgetary reductions
      - Need a plan to the Chancellor by early February; looking for any possible ideas and suggestions faculty may have
      - Planning for another Enrollment Summit and will share some data at the next FS meeting
      - Tuition collections are down because enrollment is down and we are heading into the 2017 legislative session with a downward trend in ND’s economy
      - Enrollment services are hosting Ice Cream nights the next couple of weeks. The schedule is in Public Announcements; needing some volunteers if you can help out that would be great.
      - Interview 6 finalists by phone last week for the VPAA position. The committee will meet early next week to finalize selections for on-campus interviews.
      - MSU may get part of the $74M HUD Resiliency competition dollars awarded to the City of Minot; we do not yet know if our projects were selected.
      - VPAF Brent Winiger started on Tuesday.

   b. VPAA’s Report - Dr. Gary Rabe
      - Looking for ways to meet the $1.2M budget reduction
      - Fringe benefits may be different
      - Prioritize searches and freeze one or two what are the recommendations from the Deans
• Decrease in operating funds 3%-5%
• Utility savings due to mild winter
• Salary increase of next fiscal year 3%? perhaps 2%?
• Enrollment lapses pose significant fiscal issues
• Grow ND important program to keep and to sell to legislatures on how this program impacts our state

• Academic affairs approved stage one for: an honors minor, and a masters in sports management. Now to move to stage two.

6. Report by SGA Representative - Chelsey Buchholz and Aaron Richard
   • No report

7. Report by Staff Senate Representative - Rebecca Ringham
   • Still have cookbooks for sale.
   • SS scholarships are funded by the cookbook sales
   • Contemplating getting a plaque to display to raise awareness about the scholarship program
   • Working on silent auction and trying to decide which organization to donate proceeds to this year. This will be an April event so watch for upcoming announcements.

8. Report by CCF - Dr. Ernst Pijning
   • CCF adopted the following motions concerning spouse/dependent tuition waivers:
   • Motion to vote on endorsing these two motions together Sower/ Jastrzemski; Discussion; Motion to amend motion on the table and vote on endorsing these two motions separately Ngugi/ Sower; motion carried.

   • Motion 1:
   “The CCF urges that the definition of a spouse in the Dependent Tuition Waiver policy as contained in proposed changes to NDUS policy 820 reflect Federal law on the definition of a spouse.”
   This relates to the definition of “spouse” according to North Dakota state law, which is different from the last year’s Supreme Court decision.

   Motion to endorse; motion carried.

   • Motion 2:
   “The CCF encourages the chancellor to adopt a system wide policy that concerns with the financial and administrative issues related to spouse/dependent tuition waivers.”
   This relates that spouses and dependents can also take classes at other NDUS institutions, and that financial means should therefore be created on the state level.
   Request: reaction from Minot State Faculty senate.
• At this time each university funds their own waivers. CCF is suggesting that NDUS develop a waiver policy that is statewide rather than university specific.
• FS suggested obtaining data on tuition waiver use which would be helpful information

Motion to endorse; motion rejected

Motion to recommend language change in second motion from adopt to consider Draza/Fischer; motion carried

• HLC/Faculty Standards Issue
• Different campuses take different actions
• Teaching assistants will not be affected by this policy but dual credit teachers will be
• We have a 7 year time frame to be in compliance with this mandate.
• This should be a consideration when hiring new faculty
• This is not a FS issue but an HLC accreditation issue
• AAC has been working on this

• The draft of the Motor pool proposal has been accepted by CCF and CCF has taken the following proposal to the Chancellor’s office:

NDUS guidelines for the usages of state vehicles and the allocation of state insurance. This document is meant for staff, faculty and other members of the NDUS system who are using state vehicles. Reasons for these guidelines:
To clarify uncertainties regarding the use of a state vehicle: who is allowed to use it and what are the directions for its use. This is important to protect the users and authorizers from legal ramifications. If the activity follows the ND state rules, this activity will also be covered by ND state insurance. Use common sense: by whom and for what purpose can state vehicles be used?
1. The driver must be a state employee (or designated)
2. The purpose must be for state/NDUS business
3. No activities beyond state business must be conducted while using the state vehicle
4. All passengers in the state vehicle must be on ND state business.

How does this work in practice?
1. The driver must be a state employee. Even though “being a state employee” seems clear-cut, this can be broader than anticipated. According to the state of North Dakota a state employee can also be a volunteer employee, uncompensated and on a temporary basis. In practice, this means that students can drive state vehicles, as long as the scope and purpose is for state business only. (See below, point 2).
For example, a volunteer employee within higher education can be a student who is driving for a field trip, or a student who picks up supplies for a class. In order to protect the instructor and the student this always needs to be confirmed by the supervisor in writing before the activity takes place. This is requested by the campus state vehicle providers.
Frequent users of state vehicles need to take a defensive driving seminar, and users of large vans need to take a special driving test. Please contact your campus state vehicle provider for more details.

2. The purpose must be for state business. The problem is: what is state business? This is any activity that falls within the scope of employment of the state employee. This can **be** a field trip for a class, a conference, or a competition. Authorization for this needs to come from a “competent authority,” which is NOT the state vehicle provider, but your supervisor (e.g. a dean, VPAA/Provost., or an administrative supervisor). For your protection, NDUS campuses have forms available that are especially made to put this consent in writing.

What is state business for faculty? For faculty state business usually involves instruction for the students. The easiest way to convince a supervisor is to add any trips to a course syllabus. However, field trips and competitions are sometimes not anticipated; that does not mean that they cannot be used. Again, a competent authority must approve their use. Faculty and staff can also use state vehicles for research and service purposes as long as they are in the scope of their employment.

What is not state business? Athletics and student clubs are the tricky parts. State vehicles can only be used if they are for official state business, hence faculty and educational driven. For athletics this means that state vehicles can be used for competitions of collegiate athletic teams (they are officially part of the academic institutions.) Club sports are usually excluded, unless they are in a recognized competition and if their coach salary is paid by the academic institution. To play things safe, we recommend that prior to authorization for athletic clubs the attorney of the NDUS system be contacted.

Student groups (e.g. fraternities/sororities, professional and political clubs) can only use state vehicles if their activity is part of an academic program. If their activity has a faculty member’s support and is (co-) organized by a faculty member, and it falls within the scope of a course or part of the educational experience of an academic program, then state vehicles may be used. In order to protect the faculty/staff member and the authorizer (“competent authority”), it is important that this is approved in writing before the authorization of the state vehicle. It is best if the state vehicle is driven by the organizing faculty or staff member her or himself. For activities organized by student clubs themselves, state vehicles cannot be used.

3. No activities beyond state business can be conducted with state vehicles. The use of a state vehicle and its insurance coverage is only valid for the state business that the driver and passengers are conducting. Hence one cannot go visit friends/family members or go shopping on state vehicles, unless this is part of the activity itself. For instance, one can buy groceries for immediate usage or go to a restaurant for a longer field trip. If the user of a state vehicle wants to do personal business, just temporarily station the state vehicle, and use an alternate form of transportation.
In the case of (foreign) delegations, they may be transported in state vehicles if they are in attendance at the invitation of the academic institution and part of a program. However, as in previous examples, state vehicles can be used for state business only, not for recreational purposes.

4. All passengers in the state vehicle must be on North Dakota state business. As this is a North Dakota state vehicle protected with insurance from the state of North Dakota, no passengers are allowed inside the car who are not part of the specific activity on behalf of the State of North Dakota.

Final considerations:
1. In order to protect the users of state vehicles, state law requires a competent authority for approval. This authorization cannot come from the state vehicle provider themselves, but must come from academic or administrative supervisors.
2. The usage of state vehicles and insurance coverage is a privilege, if abused this not only puts the user in jeopardy, but also the authorizing party. It is therefore always important to follow the rules, including traffic regulations.
3. The NDUS is different from all state institutions in that it has an educational purpose. All usage of state vehicles therefore needs to be geared to improve the education of our students.

Optional: examples.

Motion to endorse the motor pool proposal: Sowers/ Collette; motion carried

- NDGEC will make a concerted effort to bring the essential of the proposal to the faculty senates
- The proposal may be submitted once the process has been completed
- NDGEC is meeting with Vice Chancellor Rothaus about this proposal
- Andrea will be coming to the next FS meeting to provide information and to discuss this proposal

- CCF made the following motions concerning the faculty oath:

  Motion 1:

  We move and urge that the Provost of the University of North Dakota and the Council of College Faculties review the proposal that any oath or affirmation to support the North Dakota Constitution (required as a condition of employment) include a statement that the individual employee or potential employee has the right to make a "conscientious objection" to that oath specifically related to the separation of church and state and equal protection under the law, and space for an individual to do so as part of the contract or separate oath/affirmation paperwork.

  Motion 2:

  We move and urge that the Provost and VPSMHS consider that all advertisements for open faculty or academic positions at the University of North Dakota contain the following specific language: "As a condition of employment, the University of North Dakota requires
United States citizens to make an oath or affirmation of support of the Constitution of the United States of America and to the Constitution of the State of North Dakota. The following link is provided for you to review the Constitution of the State of North Dakota:

http://www.legis.nd.gov/constitution.”

- Linda Cresap will follow up with Wes concerning FS recommendation to include a line about the required oath in position announcements

9. New Business--Procedural
   Curriculum approvals – Jynette Larshus

- Motion to waive 10 day rule Seymour/ Geller; motion carried

Recommended curriculum changes approved by Curriculum Committee January 11, 2016

Proposed ADDED program:
Master of Music Education

Proposed ADDED Courses:
MUSC 524: Private Lessons-Percussion

Proposed EDITED Courses:
BIT 236 Update course description
BIT 299 Update title, change credits and completions
BIT 311 Update course description (Note: remove last sentence referring to Gen Ed)
BIT 318 Update course description, remove pre- and co-requisites (Note)
BIT 342 Update course description, move pre-requisite BIT 236 to co-requisite
BIT 391 Update course description for course delivery
BIT 399 Update title, change credits and completions
BIT 421 Update course description for course delivery
BIT 423 Update course description for course delivery
BIT 444 Update course description for course delivery
BIT 445 Update course description for course delivery
BIT 452 Update course description for course delivery
BIT 499 Change credits and completions

MUSC 501 Change prefix, title, credits, and description
MUSC 502R Change prefix, course number, title, and description
MUSC 510 Change prefix, title
MUSC 515 Change prefix, title
MUSC 520 Change prefix, title
MUSC 523S Change prefix, course number, title, and description
MUSC 525, 526, 527, 528, 529, 535, 540, 597 Change prefix
MUSC 532S Change prefix, course number, title, credits, and description
MUSC 592 Change prefix, title, credits, and description
MUSC 599 Change prefix, title, credits, and description

- Curriculum to make recommendations to FS on catalog and/or course description changes that do not need to be brought to Curriculum and FS

Motion carried

10. Unfinished Business--Discussion
   a. “Requirement for Peer Review” wording in Faculty Evaluation section of Bylaws
   b. Request for Committee for Peer Review to be disbanded – Carla Cabarle
   c. Parking Waiver committee/policy update
      Difficulties getting faculty, students, and staff to serve on the committee. Committee was dissolved. Suggestion was made to establish a committee with policies and procedures.
   d. CCF NDGEC Proposal (hold)

- Item #10 tabled until next FS meeting

Motion to adjourn (Fischer); meeting adjourned at 5:05 pm

Respectfully submitted,

Connie Geyer, MSN, RN
Faculty Senate Secretary