

CONSECUTIVE MEETINGS OF:

**THE UNIVERSITY SENATE
THE FACULTY SENATE**

THURSDAY, MAY 4, 2017

2:30 - 5:00 P.M.

**Coffman Theater--Twin Cities Campus
105 Kiehle Hall--Crookston Campus
173 Kirby Plaza--Duluth Campus
7 Humanities/Fine Arts Building--Morris Campus
Room 398--Rochester Campus**

This is a consecutive meeting of the University Senate and Faculty Senate. There are 252 voting members of the University Senate and 158 voting members of the Faculty Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

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

UNIVERSITY SENATE

Resolution on Aramark Educational Services, LLC.

Approved by the University Senate: March 2, 2017

Administrative Response:

The University administration acknowledges the resolution on Aramark Educational Services, LLC, put forth by the Senate. The University administration appreciates that there are many values held regarding food service on campus, including: cost, quality, convenience, variety, special dietary needs, options for those with religious restrictions, business management, and more. We welcome continued discussion about how the University manages these many values.

As reflected in the resolution, University Services has met with and continues to work with student senators and others, including the Minnesota Student Association, in order to increase student input into food service. To date, University Services has agreed to: 1) re-create the Student Advisory Council and seek on-going participation from all student groups; 2) student representation on the University-Aramark Annual Business Review Committee; and 3) collaborate with student senators, MSA, the Professional Student Government and the Council of Graduate Students on future survey processes and questions.

In February 2017, U Services arranged for Student Senate Chair Trish Palermo to talk with an Aramark corporate representative about her concerns related to the

company's business ethics. Additionally, in new facilities improvement and future planning, U Services has expanded and committed to further expansion of food choices in dining services. U Services is also working to arrange a meeting with local faith community leaders to discuss increased dining options for kosher and halal eating students. Any follow-up from these meetings will be reported back to student governance.

The University administration would like to also acknowledge that any discussion on the expansion of service or meeting specific dietary or religious needs must also include a discussion of the resulting impacts on costs.

2. 2017-18 SENATE MEETING DATES Information

The University Senate and Faculty Senate meetings for 2017-18 will take place on the following dates, starting at 2:30 p.m.:

November 9, 2017
March 1, 2018
April 5, 2018
May 3, 2018

Additionally, Twin Cities Delegation meetings to discuss the liberal education curriculum will take place on the following dates, starting at 2:30 p.m.:

October 5, 2017
November 30, 2017

3. FACULTY CONSULTATIVE COMMITTEE Reaffirming our Values Statement Information

FCC Statement: Reaffirming our Values

Recent events on campus and around the nation have challenged many of the University of Minnesota's core principles. The University of Minnesota community includes many members who have expressed concerns about whether they are safe, valued, and free to express their opinions and values. Given these challenges, the Faculty Consultative Committee wants to take this opportunity to reaffirm our University's guiding principles.

The University of Minnesota was founded in the belief that all people are enriched by understanding: the University is dedicated to the advancement of learning and the search for truth, to the sharing of this knowledge, and to the application of this knowledge to benefit the people of the state, the nation, and the world.¹ Our guiding principles state that in all activities we strive to provide an atmosphere of mutual respect, free from racism, sexism, and other forms

¹ Board of Regents Policy: Mission Statement.

of prejudice and intolerance.² We also believe that the pursuit of knowledge should be driven by data, analyses, and critical thinking, not by prejudice or political opinion.

As faculty, we value the contributions of all of the University community. The University is enriched by bringing together, respecting, and valuing individuals from all countries. A diverse community of mutual respect helps us to accomplish our mission, advancement of learning, the search for truth, and the sharing of this knowledge.

Therefore, the Faculty Consultative Committee of the University of Minnesota:

- Reaffirms our core mission stating that the University of Minnesota, founded in the belief that all people are enriched by understanding, is dedicated to the advancement of learning and the search for truth; to the sharing of this knowledge through education for a diverse community; and to the application of this knowledge to benefit the people of the state, the nation, and the world.¹ Our guiding principles state that in all our activities we strive to provide an atmosphere of mutual respect, free from racism, sexism, and other forms of prejudice and intolerance.²
- Reaffirms our core values, including freedom of speech, expression, and inquiry; respect for all persons without regard to race, religion, national origin, political views, disability, family status or gender identity; and the belief that truth emerges most effectively from a diverse community engaging in a thoughtful, respectful, and spirited dialogue in pursuit of understanding.
- Reaffirms our belief that the pursuit of knowledge should be driven by data, analyses, and critical thinking, not by prejudice or political opinion.
- Reaffirms our commitment to the mission of advancing learning and applying knowledge to the benefit of people worldwide, and, in turn, to engaging the world through travel, collaboration, and educational exchange.
- Reaffirms that we value the contributions of all the University's students, staff, and faculty and remain committed to bringing together talented individuals from all countries and backgrounds to allow us to most effectively fulfill our mission of research, teaching, and service.
- Acknowledges that with diversity comes challenges and that individuals may legitimately feel threatened, attacked, or devalued. We, therefore, reaffirm our commitment to strive for inclusion, respect, and understanding in all our affairs.

Approved unanimously 3/23/17

**COLIN CAMPBELL, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

4. TRIBUTE TO DECEASED MEMBERS OF THE UNIVERSITY COMMUNITY

FACULTY/ACADEMIC PROFESSIONALS/STAFF

Mary Ann Anglim
Assistant Professor
School of Nursing
1933-2017

Deborah Carlson
Patient Care Manager 3

² Ibid.

Boynton Health Service
1954-2017

Daniel Ellis
End User Support 2
Information Services, University of Minnesota Duluth
1967-2017

Leonard Goldfine
Assistant Department Director
Institutional Research
1974-2017

Shelley Grimes
Associate Professor
Dental Basic Sciences
1962-2017

Jamie Johnson
Executive Accounts Specialist
Chemistry
1963-2017

Arthur Johnson
Professor
Medical School, University of Minnesota Duluth
1926-2017

Robert Kane
Professor
Health Policy and Management
1940-2017

Carol McDowell
Student Finance Counselor 2
ASR Student Finance
1964-2017

Carl Osborne
Professor
Veterinary Clinical Sciences
1940-2017

Dunja Radovic
Senior Laboratory Technician
Veterinary Diagnostic Lab
1967-2017

STUDENTS

Eden Boyongo
College of Liberal Arts

Joel Costa
College of Science and Engineering, University of Minnesota Duluth

Bryan Edwards
University of Minnesota Crookston

William Grahek
College of Science and Engineering, University of Minnesota Duluth

Erika Stewart
School of Nursing

**5. PRESENTATION OF OUTSTANDING SERVICE TO UNIVERSITY SENATE
GOVERNANCE RECOGNITION
(5 minutes)**

The recipients of the 2017 Outstanding Service to University Senate Governance Recognition – Frank Douma and Kathleen Krichbaum – will be presented with their certificates.

**6. SENATE INTRODUCTIONS
Brian Burnett, senior vice president, Office of the
Senior Vice President for Finance and Operations
Boyd Kumher, director, Institutional Compliance
(10 minutes)**

**7. MINUTES FOR MARCH 2, 2017
Action by the University Senate
(2 minutes)**

MOTION:

To approve the University Senate and Faculty Senate minutes, which are available on the Web at the following URL.

<http://usenate.umn.edu//usenate/minutes/170302sen.pdf>

**ROBERT GOLDSTEIN, CLERK
UNIVERSITY SENATE**

**8. SENATE CONSULTATIVE COMMITTEE REPORT
(5 minutes)**

**9. EQUITY, ACCESS, AND DIVERSITY COMMITTEE
Resolution on Privacy of Student's Counseling and Medical Records
Action
(10 minutes)**

Resolution on Privacy of Student's Counseling and Medical Records³

Be it resolved that the Equity, Access, and Diversity Committee (EAD) acknowledges and endorses the internal practice, outlined below, established by the Office of General Counsel (OGC) related to the privacy of student counseling records:

Medical and counseling records will be used or disclosed for litigation between the student and the University only in limited circumstances, as described below. The University of Minnesota offers and encourages students to use on-campus medical services, including mental health services, and sexual assault counseling. Under federal law, campus counseling and medical records of students are not covered by the Health Insurance Portability and Accountability Act ("HIPAA"). Recognizing the sensitivity of medical and counseling records and to promote the full use of resources by students, the University applies the same privacy standard as HIPAA would in cases where litigation occurs between the institution and the student.

Specifically, when the University is involved in litigation with a student, the University will not share the medical or counseling records of that student with the University's attorneys or with the courts unless the litigation relates directly to the medical or counseling treatment itself or the payment for that treatment, and even then will share only those records that are relevant and necessary to the litigation. For other litigation, the University's attorneys will not access the student's treatment records without first obtaining a court order or the student's consent. This policy recognizes students' reasonable expectation that their conversations with University medical professionals and counselors are confidential. This policy does not restrict the University's attorneys from complying with litigation hold requirements.

Some examples:

1. If a student sues the University for malpractice related to the provision of medical or counseling services, records may be disclosed to University attorneys to the extent relevant and necessary to defend against the claim.
2. If a student brings a claim *unrelated* to the provision of medical or counseling services, records will *not* be disclosed to University attorneys except with the student's consent or a court order, even if the student is asserting emotional distress damages.

EAD acknowledges that although the above has been the Office of the General Counsel's practice, it has not previously been in writing. Putting the practice into writing and encouraging University counseling centers to include the information in their privacy statements allays the concerns raised about this issue by events at other institutions.

EAD asks the University Senate, and encourages the University administration, to likewise acknowledge and endorse this principle and these practice standards.

COMMENT:

This privacy issue came to the Committee's attention when a University of Oregon student sued the University for emotional distress caused by its alleged mishandling of her sexual assault case.

³ A previous resolution on student records was adopted by the Equity, Access, and Diversity Committee on January 30, 2017 and subsequently adopted by several other committees. The proposed resolution noted here, drafted with the assistance of the Office of the General Counsel, is meant to replace the January resolution. The new resolution is faithful to the intent of the original while resolving a number of ambiguities. The new resolution will be submitted for consideration at the May 2017 meeting of the University Senate.

Although the University found that three varsity basketball players had raped her and dismissed them from the University, the victim alleged that the University delayed the investigation to allow the players to finish the basketball season. In connection with the litigation, the University administration accessed her post-rape therapy records from the University's counseling center and provided them to the General Counsel's Office.

The University could access her records because students' campus counseling and medical records are not protected by the federal Health Insurance Portability and Accountability Act (HIPAA). Instead, the records are covered by the federal Family Educational Rights and Privacy Act (FERPA). FERPA allows a university to access a student's counseling and medical records, without a court order or subpoena, if the student or the student's parents sue the university. 20 U.S.C. § 1232g; 34 C.F.R. § 99.31(a)(9)(iii)(B).

In response to the University of Oregon case, the United States Department of Education issued a "Dear Colleague Letter" on this issue. It encourages higher education institutions to refrain from accessing students' counseling and medical records except in connection with litigation directly involving them. However, the Letter is not binding, it does not state that the University of Oregon acted improperly, and it does not flatly state that accessing the records must be limited to litigation involving them.

The University of Minnesota provides counseling and medical services to our students and encourages them to use those services. However, particularly for sensitive matters, students will not use those services or will not be candid with service providers if their privacy is not respected.

Endorsed by:

Academic Health Center Student Senate Consultative Committee (February 15, 2017)

Disabilities Issues Committee (March 22, 2017)

P&A Consultative Committee (March 22, 2017)

Faculty Affairs Committee (April 14, 2017)

Civil Service Consultative Committee (April 20, 2017)

JEREMY JENKINS, CHAIR
EQUITY, ACCESS, AND DIVERSITY COMMITTEE

10. SOCIAL CONCERNS COMMITTEE
Resolution on Equal Opportunity and Title IX Training
Action
(10 minutes)

Resolution on Equal Opportunity and Title IX Education

The University Senate recommends that all University employees be required to take an online or in-person course, administered by the Office of Equal Opportunity and Affirmative Action, on University equal opportunity and Title IX policies.

All employees who are currently working at the University, including full-time employees, part-time employees, graduate and undergraduate student employees, and vendors working on campus who regularly supervise University employees, will be required to take the course within a specific and reasonable time frame after it is made available and widely publicized. Nonexempt employees, including students, will be authorized to take this course during work hours. New employees will have a set period of time after their start date to take the course.

Shorter refresher modules, covering changes in policies and practices, will be offered and required every so many years, as changes warrant. EOAA or another appropriate University unit will monitor completion of the course, send reminder notices, and track the effectiveness of the course.

COMMENT:

The University of Minnesota is committed to providing an equitable work and learning environment that is free from discrimination and harassment. The Board of Regents' Equity, Diversity, Equal Opportunity, and Affirmative Action Policy prohibits discrimination and harassment on the basis of race, color, creed, religion, national origin, sex, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, and gender expression.⁴

Title IX is a federal statute that prohibits sex discrimination in education programs. Sex discrimination includes sexual harassment and sexual violence. University policies prohibit sexual harassment and all forms of sexual violence, including sexual assault, stalking, and relationship violence.⁵

The University of Minnesota's Office of Equal Opportunity and Affirmative Action (EOAA) was established to ensure that all University community members uphold federal and state civil rights laws and regulations, as well as University policies. EOAA provides education to University employees based on these laws and policies. However, this education is not mandatory. Accordingly, and based on continued concerns about campus climate and University safety, and to ensure that all university members uphold, are aware of, and have access to the protections of federal and state civil rights laws, the University Senate recommends that all University employees be required to take an online or in-person course, administered by EOAA or another appropriate University office, that would include the following content:

- Identifying and responding to discrimination, retaliation and nepotism;
- Identifying and responding to sexual harassment;
- Sexual assault, stalking and relationship violence policy;
- Reporting obligations for all employees;
- EOAA's role; and
- Resources for complainants and reporting⁶

The proposed required education is a synthesis of the most critical elements of University policies determined by EOAA. The offering would be approximately one hour in length. The in-person option will be offered subject to EOAA's or another teaching unit's capacity and scheduling availability.

Endorsed by:

Faculty Affairs Committee (February 14, 2017)
Civil Service Consultative Committee (March 23, 2017)
P&A Consultative Committee (April 19, 2017)

⁴ Board of Regents Equity, Diversity, Equal Opportunity, and Affirmative Action Policy
http://regents.umn.edu/sites/regents.umn.edu/files/policies/Equity_Diversity_EO_AA.pdf

⁵ Board of Regents Sexual Harassment
<http://regents.umn.edu/sites/regents.umn.edu/files/policies/SexHarassment.pdf>
Administrative Policy Sexual Assault, Stalking and Relationship Violence
<http://policy.umn.edu/operations/sexualassault>

⁶ The proposed training will also include information about the system campus Title IX Coordinators and reporting structures.

MARK PEDELTY, CHAIR
SOCIAL CONCERNS COMMITTEE

11. SENATE CONSULTATIVE COMMITTEE
Administrative Policy Sexual Misconduct and Regents Policy on Sexual Misconduct
Action
(20 minutes)

The University Senate is being asked to endorse on the following new policies:

Board of Regents Policy: Sexual Misconduct

http://usenate.umn.edu/usenate/docs/170504_sexual_misconduct_board_policy.pdf

Administrative Police: Sexual Misconduct

http://usenate.umn.edu/usenate/docs/170504_sexual_misconduct_admin_policy.pdf

COMMENT:

This comment provides background information on the draft sexual misconduct policies and a summary of consultations with stakeholders on these policies.

Administrative Policy

The draft Administrative Policy: Sexual Misconduct was developed to comply with a resolution agreement between the University and the federal Department of Education’s Office for Civil Rights. In this resolution agreement, the University agreed to consolidate our multiple policies that address sexual misconduct into a single sexual misconduct policy. The aim is to make it easier for University members to find information about the University’s sexual misconduct resources and processes. Under the resolution agreement, the University also agreed to add more detailed information about our resources and processes to the policy. The aim here is to provide additional transparency and notice about what conduct is prohibited, how to access resources and how the University responds to sexual misconduct reports.

Board of Regents Policy

The draft Board of Regents Policy: Sexual Misconduct was developed at the request of the Regents. Currently, the Regents have a policy entitled Sexual Harassment. The Regents requested that this Sexual Harassment policy be broadened to encompass all forms of sexual misconduct.

Prior consultations

The following stakeholders have been consulted regarding one or both of these policies:

Equity, Access and Diversity Committee	Office of the General Counsel
Senate Consultative Committee	University of Minnesota Police Department
P&A Consultative Committee	Clery Coordinator
Minnesota Student Association	President Kaler’s Senior Leaders Group
Council of Graduate Students	Global Programs and Strategy
The Aurora Center	Housing and Residential Life
Student Conflict Resolution Center	EOAA Liaisons
Office of Fraternity and Sorority Life	Office for Student Affairs
Department of Athletics	Student Conduct and Academic Integrity
System Title IX & Human Resources staff	

COLIN CAMPBELL, CHAIR

SENATE CONSULTATIVE COMMITTEE

**12. SENATE CONSULTATIVE COMMITTEE
Student Mental Health
Discussion by the University Senate
(20 minutes)**

Materials for this discussion will be sent to senators in advance of the meeting.

**COLIN CAMPBELL, CHAIR
SENATE CONSULTATIVE COMMITTEE**

**SUE WICK, CO-CHAIR
JOINT TASK FORCE ON STUDENT MENTAL HEALTH**

**13. ACADEMIC FREEDOM AND TENURE COMMITTEE
Minnesota Government Data Practices Act
Action
(20 minutes)**

MOTION:

To approve the following text.

**A proposal to the Minnesota Legislature to Amend the Data Practices Act
(Minnesota Statutes § 13.01 et seq)**

Preamble:

Faculty at the University of Minnesota support transparency and accountability in government and recognize as public employees that much of the work we do at the University is open and available to the members of the public if they make a request via the Minnesota Government Data Practices Act. In addition, faculty want to ensure that the public are getting access to research and creative works that are responsibly ready for dissemination. That is, work that has gone through the appropriate rigorous review. We are thus concerned that attempts to target faculty members' unfinished work may lead to incomplete and misleading information, stifle creativity, and even dissuade faculty from pursuing important, yet potentially controversial, topics. For example, in other states, a variety of research has been subject to open records requests, including: research notes, email communication between co-authors, manuscripts in progress, and confidential information collected pursuant to an Institutional Review Board (IRB) approved human subjects proposal. While reaffirming faculty, staff, and administration commitment to openness, those of us who teach and conduct research at the University of Minnesota are concerned that if these types of requests were granted in Minnesota, it would have a chilling effect on creative and cutting edge scholarship and teaching at the University. Several states, including New Jersey, Ohio, and Utah, provide protections for unfinished creative and scholarly research. We request that the Minnesota Data Practices Act be amended to classify as private data on individuals or nonpublic information human subject information protected by an IRB approved protocol, as well as unfinished research, creative works, and scholarly communications. Our intent is to balance the public right to know with academic freedom, protection of research subjects, and scholarly integrity.

University members recognize the need to balance openness with the need to ensure that faculty members do not shy away from potentially controversial topics that they believe are important because someone might make a Government Data Practices Act. In addition, making public unfinished work can be misleading. It is undesirable to affect public debate and decision-making with information that turns out to be wrong, insufficient, or inaccurate. Finally, university researchers go through a variety of institutional review boards and the proposals contain, for example, information that identifies a human subject who has been promised confidentiality or contain other sensitive information that could put the health and safety of human and animal research subjects, and researchers, and the public at risk. Balancing openness with the potential harm to research subjects is also an impetus for the proposed amendment.

Nothing in this proposal would shield unethical research practices—there are internal and external mechanisms in place to review and investigate research ethics, misappropriation of funds, fraud, etc. In instances where malfeasance is an issue, documents can be obtained through a variety of means. Rather, the concern the proposed amendment addresses is the use of Government Data Practices Act requests intended to harass a scholar or to shut down a line of inquiry.

The goal is to (1) protect the integrity of scholarship, protect research subjects from harm, and protect academic freedom, and (2) protect openness in government.

Draft of proposed language to amend the Minnesota Data Practices Act:

The following government data maintained by the University of Minnesota [and the Minnesota State Colleges and Universities] which have been developed, discovered, created, disclosed to, or received by or on behalf of faculty, staff, employees, or students of the institution are classified as nonpublic data with regard to data not on individuals, pursuant to section 13.02, subdivision 9, and as private data with regard to data on individuals, pursuant to section 13.02, subdivision 12:

- (a) unpublished notes and information relating to research, including, but not limited to, items under institutional review;
- (b) unpublished notes and information related to a sponsor or sponsored research;
- (c) information eligible for classification as private data on individuals or nonpublic data that is contained in research proposals, including unfunded grant proposals;
- (d) creative works in progress;
- (e) unpublished manuscripts; and
- (f) scholarly correspondence.

Nothing in this section prohibits the production of summary data as defined in section 13.02, subdivision 19 or 13.03, subdivision 7 or restricts access to not public data by the legislative auditor in the performance of official duties.

COMMENT:

The Minnesota Government Data Practices Act requires data owned by government agencies to be open or available to the public. Such data includes scholarly work in progress, which can impede and endanger research. Faculty members across the country have been targeted by the press or private non-profits, and that in order to protect against this, some states have exemptions to similar laws for scholarly works in progress. This motion is a proposed amendment to the Minnesota Government Data Practices Act that the Academic Freedom and Tenure Committee hopes to recommend to the state legislature.

**PHIL BUHLMANN, CO-CHAIR
ACADEMIC FREEDOM AND TENURE COMMITTEE**

**TERESA KIMBERLEY, CO-CHAIR
ACADEMIC FREEDOM AND TENURE COMMITTEE**

**MOTION A
Consent Agenda
Action by the University Senate
(5 minutes)**

Agenda Items 14. through 16. are considered to be non-controversial 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 Item 14. is an amendment to the University Senate Constitution, the motion requires either a two-thirds majority of all voting members of the University Senate (168) at one regular or special meeting, or a majority of all voting members of the University Senate at each of two meetings. This is the first meeting at which this motion is being presented.

As Item 15. is an amendment to the University Senate Bylaws, the motion requires either a majority of all voting members of the University Senate (127) at one regular or special meeting, or a majority of all members of the University Senate present and voting at each of two meetings. This is the first meeting at which this motion is being presented.

14. UNIVERSITY SENATE CONSTITUTION AMENDMENTS

MOTION:

To amend Article III, Sections 2(b), 4(a) and (d), and 7 of the University Senate Constitution, as follows (language to be added is underlined; language to be deleted is ~~struck out~~).

...

ARTICLE III. THE UNIVERSITY SENATE (Changes to this article are subject to vote only by the University Senate)

2. Membership

b. Each member of the University Senate shall represent the University as a whole. The Senate committee and subcommittee chairs, deans, vice presidents, chancellors, provosts, vice provosts, the University Librarian, and the General Counsel shall serve as ex officio nonvoting members. Student body presidents of the Twin Cities, Duluth, Morris, Rochester, and Crookston student bodies shall, if not otherwise elected, serve as ex officio nonvoting members.

...

4. University Senate Meetings – Call – Quorum

a. The University Senate shall hold regular meetings, at least ~~twice in each semester~~ of the three times each academic year, at a time and place determined by the Senate Consultative Committee and approved by the president.

...

d. Only elected University Senate members (or their designated alternates), Senate Consultative Committee members, and, in the case of a tie, the presiding officer, shall be entitled to vote. Ex officio members of the University Senate may speak and make motions but are not entitled to vote. Any faculty member, student, academic staff member, or civil service staff member eligible to vote for senators may be admitted to University Senate meetings ~~and but~~ shall be entitled to speak only after being yielded time by a senator ~~at the discretion of the University Senate.~~

...

7. Faculty and Staff Delegation

The faculty and staff who are members of the University Senate constitute the Faculty and Staff Delegation [F&S Delegation]. The University Senate may refer to the F&S Delegation any matters that pertain only to the faculty and staff in their capacity as employees of the University. The F&S Delegation will meet as needed to conduct business at the call of the President, the Senate Consultative Committee, or upon written request of ten members of the F&S Delegation. The officers of the University Senate will serve as the officers of the F&S Delegation, and all procedures and rules established in the constitution, bylaws, and rules for the University Senate will apply to the F&S Delegation as appropriate. If questions arise, the Senate Consultative Committee will determine the application of the constitution, bylaws, and rules to the F&S Delegation. In those instances when graduate and/ or professional students who have University appointments are affected by matters that come before the F&S Delegation, the chair of the Senate Consultative Committee will ensure that graduate- and/ or professional student concerns are heard when an item is brought to the F&S Delegation.

COMMENT:

The proposed amendments to Sections 2 and 4(a) reflect the current practice of which positions serve as ex officio members of the Senate and the number of meetings held each academic year. The proposed amendment to Section 4(d) is meant to clarify that non-senators must be yielded time by a senator to make a comment or ask a question during University Senate meetings. The proposed amendments to Section 7 are meant to have a uniform term used throughout the section.

**COLIN CAMPBELL, CHAIR
SENATE CONSULTATIVE COMMITTEE**

15. UNIVERSITY SENATE BYLAWS AMENDMENTS Disabilities Issues Charge

MOTION:

To amend Article II, Section 5(C) of the University Senate Bylaws, as follows (language to be added is underlined; language to be deleted is ~~struck out~~).

ARTICLE II. COMMITTEES OF THE UNIVERSITY SENATE (Changes to this article are subject to vote only by the University Senate)

...

5. University Senate Committee Charges

...

C. DISABILITIES ISSUES COMMITTEE

...

Duties and Responsibilities

- a. To advise the president and administrative offices, including the disability resource centers at each campus and the University ADA Coordinator, on policies, programs, and services for students, ~~employees, faculty, staff,~~ and guests of the University.
- b. ~~To promote compliance with laws relating to students, staff, and guests of the University with disabilities.~~ To promote best practices and improve the campus climate around disability issues.
- c. To review policies and recommend changes regarding best practices in light of legal compliance aspects, deployment of resources, and effectiveness in meeting the needs of the University community (students, faculty, staff, and guests), ~~and to recommend changes.~~
- d. To ~~inform and advise~~ the University community of the special concerns of its members with disabilities and of the available resources.
- e. ~~To meet regularly with campus stakeholders, such as campus health and counseling services, in order to collaborate and give feedback on issues relevant to the University disability community.~~
- f e. To recommend to the University Senate and the Senate Consultative Committee resolutions, actions or policies as it deems appropriate.

COMMENT:

The aim of this change is to shift the focus of the committee from compliance to best practices and improving the campus climate around disability issues. As there is an ADA Coordinator charged with ensuring compliance, the committee feels its input is more valuable in these other arenas.

**PEGGY MARTIN, CHAIR
DISABILITIES ISSUES COMMITTEE**

16. UNIVERSITY SENATE RULES AMENDMENT Disabilities Issues Committee Ex Officio Membership

MOTION:

To amend Article II, Section 1 of the University Senate Rules as follows (language to be added is underlined; language to be removed is ~~struck out~~). As an amendment to the University Senate Rules, the motion requires a simple majority for approval.

ARTICLE II. RULES FOR COMMITTEES OF THE UNIVERSITY SENATE (Changes to this article are subject to vote only by the University Senate)

1. Ex Officio Members of University Senate Committees

...

- Disabilities Issues--Office of the Senior Vice President for Academic Affairs and Provost (the University ADA coordinator); Office for Equity and Diversity (Disability Resource Center); Disability Resource Center, Crookston campus; Disability Resources, Duluth campus; Disability Resource Center, Morris campus; Disability Resources, Rochester Campus

...

COMMENT:

This amendment adds ex officio representation from the system campuses.

**PEGGY MARTIN, CHAIR
DISABILITIES ISSUES COMMITTEE**

END OF MOTION A

**17. PRESIDENT'S REPORT
(10 minutes)**

**18. QUESTIONS TO THE PRESIDENT
(15 minutes)**

Questions to the President should be submitted in writing to the University Senate office no later than Tuesday, May 2, 2017. The President may also choose to take questions from the floor.

19. UNIVERSITY SENATE OLD BUSINESS

20. UNIVERSITY SENATE NEW BUSINESS

21. UNIVERSITY SENATE ADJOURNMENT

**THIS CONCLUDES THE UNIVERSITY SENATE BUSINESS.
THE SUBSEQUENT ITEMS ARE FACULTY SENATE BUSINESS ONLY.**

MEETING OF THE FACULTY SENATE

22. EDUCATIONAL POLICY COMMITTEE Administrative Policies Information for the Faculty Senate

FOR INFORMATION:

Amendments to the following policies were presented to the Educational Policy Committee for discussion and approval at the following meetings:

October 5, 2016

Administrative Policy on Maintaining Records of Student Work
http://www1.umn.edu/usenate/fsenate/docs/170406stu_work_policy.pdf

December 14, 2016

Administrative Policy on Master's Degree: Performance Standards and Progress
http://www1.umn.edu/usenate/fsenate/docs/170418mastersprogress_policy.pdf
http://www1.umn.edu/usenate/fsenate/docs/170418mastersprogress_faq.pdf

Administrative Policy on Master's Degree: Completion
http://www1.umn.edu/usenate/fsenate/docs/170418mastersdegreecompletion_policy.pdf
http://www1.umn.edu/usenate/fsenate/docs/170418mastersdegreecompletion_faq.pdf

Administrative Policy on Doctoral Degree: Performance Standards and Progress
http://www1.umn.edu/usenate/fsenate/docs/170418docdegreepress_policy.pdf
http://www1.umn.edu/usenate/fsenate/docs/170418docdegreepress_faq.pdf

Administrative Policy on Doctoral Degree: Completion
http://www1.umn.edu/usenate/fsenate/docs/170418docdegreecompletion_policy.pdf
http://www1.umn.edu/usenate/fsenate/docs/170418docdegreecompletion_faq.pdf

January 25, 2017

Administrative Policy on Makeup Work for Legitimate Absences
http://www1.umn.edu/usenate/fsenate/docs/170406makeup_work_policy.pdf

February 8, 2017

Administrative Policy on Leave of Absence for Undergraduates
http://www1.umn.edu/usenate/fsenate/docs/170406loa_policy.pdf

Administrative Policy on Eligibility to Serve on Graduate Examination Committees
http://www1.umn.edu/usenate/fsenate/docs/170418eligibilitytoserve_policy.pdf

Administrative Policy on Admission for Master's and Doctoral Degrees
http://www1.umn.edu/usenate/fsenate/docs/170418gradadmission_policy.pdf

Administrative Policy on Readmission and Changes to Master's or Doctoral Degree Objectives
http://www1.umn.edu/usenate/fsenate/docs/170418gradreadmission_policy.pdf

April 12, 2017

Administrative Policy on University-Administered Fellowships and Traineeships
http://www1.umn.edu/usenate/fsenate/docs/170418fellow_trainee_policy.pdf

**SUE WICK, CHAIR
EDUCATIONAL POLICY COMMITTEE**

**23. FACULTY CONSULTATIVE COMMITTEE REPORT
(5 minutes)**

**24. FACULTY LEGISLATIVE LIAISONS UPDATE
(5 minutes)**

**25. FACULTY CONSULTATIVE COMMITTEE
Approval of Faculty Senate Officers
Action by the Faculty Senate
(2 minutes)**

MOTION:

To approve the following officers for 2017-18 as recommended by the Faculty Consultative Committee:

Clerk – Professor Robert Goldstein
Parliamentarian – Professor Christopher Roberts
Faculty Senate Vice Chair – Professor Catherine French

**COLIN CAMPBELL, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

**26. COMMITTEE ON COMMITTEES
Slate of Faculty Candidates
Action by the Twin Cities Faculty Delegation and UMD Faculty Senators
(2 minutes)**

MOTION:

To approve the following people to serve on the Committee on Committees for a term beginning July 1, 2017.

GARY FRANCIS: Professor of Medicine, Medical School.

TERESA KIMBERLEY: Associate Professor of Physical Therapy, Medical School.

FANG YU: Associate Professor of Nursing.

FOR INFORMATION:

Of the faculty/academic professional members, 1 shall be from the Morris campus and the remainder from the Twin Cities campus. All faculty members of the Committee shall be elected by the faculty members of the Senate from their respective campuses. The Twin Cities faculty members of the Faculty Committee on Committees shall be nominated by the current Twin Cities faculty members of the Faculty Committee on Committees and shall be selected so that the

membership of the committee corresponds approximately with the number of tenured and tenure-track faculty in each college.

The current membership of the committee is available at:
<http://www1.umn.edu/usenate/committees/conc.html>

DAVID KIRKPATRICK, CHAIR
SENATE COMMITTEE ON COMMITTEES

MOTION B
Consent Agenda
Action by the Faculty Senate
(5 minutes)

Agenda Items 27. and 28. are considered to be non-controversial 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 Item 27. is an amendment to the Faculty Senate Constitution, the motion requires either a two-thirds majority of all voting members of the Faculty Senate (106) at one regular or special meeting, or a majority of all voting members of the Faculty Senate at each of two meetings. This is the first meeting at which this motion is being presented.

As Item 28. is an amendment to the Faculty Senate Bylaws, the motion requires either a majority of all voting members of the Faculty Senate (80) at one regular or special meeting, or a majority of all members of the Faculty Senate present and voting at each of two meetings. This is the first meeting at which this motion is being presented.

27. FACULTY SENATE CONSTITUTION AMENDMENTS

MOTION:

To amend Article IV, Sections 2(b) and 4(a) and (d) of the Faculty Senate Constitution, as follows (language to be added is underlined; language to be deleted is ~~struck-out~~).

ARTICLE IV. THE FACULTY SENATE (Changes to this article are subject to vote only by the Faculty Senate)

...

2. Membership

...

b. The Senate committee and subcommittee chairs, deans, vice presidents, chancellors, provosts, vice provosts, the University Librarian, and the General Counsel shall serve as ex officio nonvoting members.

...

4. Faculty Senate Meetings – Call – Quorum

a. The Faculty Senate shall hold regular meetings, at least ~~twice in each semester of the three~~ times each academic year, at a time and place determined by the Faculty Consultative Committee and approved by the president.

...

d. Only elected Faculty Senate members (or their designated alternates), Faculty Consultative Committee members, and, in the case of a tie, the presiding officer, shall be entitled to vote. Ex officio members of the Faculty Senate may speak and make motions but are not entitled to vote. All members of the faculty who hold regular appointment as defined in *Faculty Tenure* and all qualified academic staff may be present at Faculty Senate meetings and shall be entitled to speak and to offer motions for Faculty Senate action.

...

COMMENT:

The proposed amendments to Sections 2 and 4(a) reflect the current practice of which positions serve as ex officio members of the Senate and the number of meetings held each academic year. The proposed amendment to Section 4(d) is meant to clarify the role that ex officio members have in the Faculty Senate.

**COLIN CAMPBELL, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

28. FACULTY SENATE BYLAWS AMENDMENTS

MOTION:

To amend Article III, Sections 1(a) and (b), 2(a) and (g), and 5(b) and (c) of the Faculty Senate Bylaws, as follows (language to be added is underlined; language to be deleted is ~~struck out~~).

**ARTICLE III. FACULTY SENATE MEMBERSHIP, ELECTIONS, AND OFFICERS
(Changes to this article are subject to vote only by the Faculty Senate)**

1. Membership and Voting Units

a. For the purpose of electing representatives and alternate representatives, if any, to the Faculty Senate, qualified faculty members and qualified academic staff shall vote within each of the following units of the University, except as noted in section (b), below:

TWIN CITIES: Academic Health Center-Shared; Biological Sciences; Continuing Education; Dentistry; Design; Education and Human Development; Food, Agricultural, and Natural Resource Sciences; Law; Liberal Arts; Libraries; Management; Medical School; University of Minnesota Extension Service; Nursing; Pharmacy; Public Affairs; Public Health; Research; Technology Science and Engineering; University of Minnesota Extension; Veterinary Medicine

CROOKSTON

DULUTH: Other [includes non-collective bargaining faculty/academic staff from UMD].

MORRIS

ROCHESTER

b. Units which have 20 or more individuals (faculty and qualified academic staff) eligible to vote in Senate elections shall have a minimum of two representatives in the Faculty Senate. Units which have 10-19 individuals eligible to vote in Senate elections shall have one representative in the Faculty Senate. Individuals in units which have fewer than 10 individuals eligible to vote in Senate elections may affiliate with another college, unit, or campus for purpose of voting in Senate elections and being elected to the Senate. The Clerk of the Senate shall annually review the number of individuals eligible to vote in Senate elections in each unit and report the results to the Faculty Consultative Committee. If the number of eligible voters in a unit falls below 20 but is 10 or greater, both the senators from that unit may serve out their term but there shall be no election for the term that ends first. If the number of eligible voters in a unit falls below 10, the senator(s) from that unit may serve out their term but there shall be no further election of Senate members from that unit unless it subsequently has 10 or more individuals eligible to vote in Senate elections.

The elected members of the Faculty Senate shall also serve as members of the University Senate.

c. No unit may be allocated more than 20 percent of the total Faculty Senate seats available.

2. Election of Members

a. The elected representatives of the faculty and qualified academic staff to the Faculty Senate shall be chosen by secret ballot by the faculty and qualified academic staff of the colleges, units, and campuses ~~several institutes, colleges, or schools of collegiate rank.~~

...

g. The faculty and qualified academic staff constituencies of each ~~institute, college, school, or other representative unit, or campus~~ shall either elect a pool of alternate senators or define the pool to be those eligible to vote for senators. The faculty and qualified academic staff members of each ~~institute, college, school, or other representative unit, or campus~~ shall specify one of these procedures for selecting a pool of alternates in their respective constitutions. If the alternates are to be elected, then the constitution of the ~~institute, college, school or other unit, or campus~~ shall specify the number to be elected and their term in office, and they shall be elected at the same time and in the same manner as representatives. If a constitution does not exist or does not specify the method of selecting the pool of alternates, the faculty body of the college, unit, or campus shall determine which method shall be used.

...

3. Non-Affiliation with a Voting Unit

Any person eligible to vote for members of the Faculty Senate under the provisions of Article IV, Section 2, of the Senate Constitution, but not attached to any voting unit designated in Section 1 of this Article, may apply in writing to the Faculty Consultative Committee for a determination of his or her status for voting for members of the Senate. It shall be a duty of the Faculty Consultative Committee to classify such a person with one of the voting units specified in Article II, Section 1, of these Bylaws.

...

5. Officers

a. Chair and vice chair

The President of the University of Minnesota shall chair the Faculty Senate. The vice chair of the Faculty Senate shall preside at Faculty Senate meetings when the President is unable to do so. In the event that neither the President nor the vice chair is available to serve as chair of a Faculty Senate meeting, the vice chair of the Faculty Consultative Committee shall preside.

A vice chair shall be elected by the Faculty Senate at its last meeting in the spring of the academic year from among faculty members eligible to serve in the Faculty Senate for a term of one year. A vice chair shall be nominated by the Faculty Consultative Committee; other nominations may be made by ten votes from the floor of the Senate. The vice chair shall serve as chair in the absence of the President and shall serve as a voting member of the Senate Consultative Committee and the Faculty Consultative Committee. The term of office of the vice chair shall be July 1 to June 30, and the person holding the office is eligible for re-election.

b. Clerk

The Clerk of the Faculty Senate shall be ~~appointed by the President~~ nominated by the Faculty Consultative Committee and confirmed by the Faculty Senate at its last meeting in the spring of the academic year from among faculty members eligible to serve in the Faculty Senate. The term of office shall begin service on July 1 and shall serve for one year. The Clerk may be reappointed.

The duties of the Clerk of the Senate is to record the counted vote on action items and monitor the time for each speaker. The Clerk is not a member of the Faculty Senate.

c. Parliamentarian

The parliamentarian of the Faculty Senate shall be ~~appointed by the President~~ nominated by the Faculty Consultative Committee and confirmed by the Faculty Senate at its last meeting in the spring of the academic year from among faculty members eligible to serve in the Faculty Senate. The term of office shall begin service on July 1 and shall serve for one year. The parliamentarian may be reappointed.

The parliamentarian shall advise the presiding officer or, upon request, any member of the Senate on matters pertaining to parliamentary procedure. Parliamentary authority for the Faculty Senate shall be *Robert's Rules of Order Newly Revised*, provided these *Rules* are not in conflict with the Senate constitution or Bylaws. The parliamentarian is not a member of the Faculty Senate.

COMMENT:

The proposed amendments to Section 1 allow for the participation of tenured faculty from non-collegiate units – Academic Health Center-Shared and Research. Currently, tenured faculty in those units are not able to serve in the Faculty Senate, and therefore are also not eligible for Senate committee service. The proposed amendments to Section 2 relates to the changes proposed for Section 1.

The proposed amendments to Section 5 reflect the current practice for nominating and the confirming the annual appointments for the Senate clerk and parliamentarian.

**COLIN CAMPBELL, CHAIR
FACULTY CONSULTATIVE COMMITTEE**

END OF MOTION B

29. FACULTY SENATE OLD BUSINESS

30. FACULTY SENATE NEW BUSINESS

31. FACULTY SENATE ADJOURNMENT