UNIVERSITY COUNCIL MINUTES
WEDNESDAY, MARCH 20, 2002, 3:00 p.m.
HOLMES STUDENT CENTER SKYROOM


Parliamentarian Ferald Bryan was present.

THOSE UNIVERSITY COUNCIL MEMBERS NOT PRESENT: Caldwell, Carson, Carter, Cearlock, Conde, Creamer, Doederlein, Ganesan, Garcia, Goldenberg, Miranda, O’Kelly, Perez, Pernell, Pope, Simon, Stalker, Williams

I. CALL TO ORDER

The meeting was called to order at 3:10 p.m.

II. ADOPTION OF THE AGENDA

President Peters: I’d like to call the meeting to order. The first item of business is the adoption of the agenda. There are two walk-ins that you should have. One is a report from the Academic Affairs Committee that’s inserted in VI, B. The second item is from Ken Davidson, Corporate Counsel, to Sue Willis. It’s an information item on the Federal Health and Insurance Portability Act of 1996. That’s an information item. Is there a motion to adopt the agenda or any other changes?

The agenda was adopted with additions.

III. APPROVAL OF THE MINUTES OF THE FEBRUARY 6, 2002 UNIVERSITY COUNCIL MEETING (Pages 5-27)

President Peters: Okay, approval of the minutes of the February 6 Council Meeting following on pages 5-27. Are there any additions or corrections to the minutes?

The minutes were approved.

IV. PRESIDENT’S ANNOUNCEMENTS
President Peters: Well, this is almost spring. I know when I taught they would fly by, the academic rhythms. I know that we had spring break and midterms. I have some extensive comments today, if you will indulge me about the budget and where we are, just letting you know what I’ve been doing and what we face. Many things are cleared up now since I talked to you last, as you know from my message to you, but there are things that are still uncertain and we have the process to go through. And I just wanted to communicate, perhaps take a step back and go through where we’ve been with this year’s budget and what we’re doing with the development of the FY03 budget. As you know, we have a problem there – a serious problem – that we need to attend to. A lot of this many of you know, but I thought it was valuable for me to sit down and think through where we’ve been and where we’re going and sort of indicate to you what I’ve been doing about it and the bigger picture.

In terms of the budget process, let’s first begin with our current fiscal year budget, ’02. Remember we had a rescission that was in the magnitude of 4.8 million dollars, give or take. It was composed of rescission in our base plus a pass-through for that share of the health insurance premium increase that the state normally picks up through CMS but could not find a way of doing, so they passed it on to the institution. It’s not passed on to the individual, that’s a different situation; it’s that portion which is employer paid. That was in the magnitude, to us, of in excess of 3 million dollars. So, that meant we had to rescind or hold back expenditures this year of about 4.8 million dollars. We’ve done that now and we’ve done it according to my principles that remain with us and these are the things that will guide us through ’03. We’ll do the best we can to protect student academic programs. Protect health and safety, that’s a key. Let’s not cut anybody who’s currently employed or their salary or their benefits. Let’s not have any layoffs and let’s try to protect quality and access. Those are general principles that are to be maximized. We’re not going to be able to achieve them completely, but I think they’re the right priorities. So there we are, we’ve cut our base budget. Half that, more than half, was cut by central money or one-time money, basically energy savings and other things that we have. So we’re able to take half of a one-time cut from central and half we didn’t spend.

Along comes the ’03 budget and you know the state had a problem; since the last time I talked to you, the Governor gave his Governor’s message. It’s always difficult to determine exactly what’s in the Governor’s budget until the budget letter goes from the Governor through the Bureau of Budget to the Illinois Board of Higher Education. There’s something called a budget letter and the budget letter has a bunch of stuff in it that you’ve got to work through and calculate to figure out what the impact is on you; and so when we did that a few weeks ago, it necessitated my e-mail message to thousands of people. And we’re working on that. You think that would be easy? For me it wasn’t. That is very, very complicated and I’m so glad that Professor Rubin is on sabbatical because I can’t get to corn people. I rely on other people to pass this on. I can only get to millions of GroupWise people and I’m not being discriminatory. It’s just too complicated for me to understand. At any rate, the bottom line on the ’03 budget as it is recommended to the legislature is as follows. The Governor adjusted the ’02 budget by taking off the rescission and then cutting 3%, then adding back 3% to get an adjusted ’02 base which in fact is a slight increase over ’02 on the adjusted base but not the base that was appropriated. It was a 3 million dollar decrease in the GR budget from ’02 to ’03. In addition to that in the budget letter, there was a pass-through again for 45 million dollars in increased health insurance premiums to the universities, and our share of that was 3.541 million at a minimum.
It could be a million – I don’t know – we’re not sure yet. I had seen enough red ink so I plugged in 3.541 and hoped. Depending on how that was allocated to the individual institutions – is it based on base budget, is it based on head count, is it based on head count only for those who are on GR money, and back out those people on contract money? It gets complicated. Anyways, let’s just say it’s 3.54 million. In addition to that, when you make a budget, you have certain uncontrollables and we’ve got some uncontrollables. We have negotiated an increase in energy prices. We have some new buildings coming on line that we have we have to use more energy for. We have a pretty significant increase in all of our various insurance policies – they’re going up; a few other uncontrollables that add conservatively about another million, 2 million. So that adds up to a gap in our budget this year of 9 to 10 million dollars. That’s significant. Our base was 118 million. So, out of that base we lost about 8 million, plus 2 million in new uncontrollable expenditures. That’s pretty stiff.

All right, so here’s where we are. With that in mind, I created the response that I wrote to you in the e-mail and now the budget has gone to the legislature. Last week we appeared before the House Appropriations Committee and it was a bit eerie because the only people in Springfield happened to be the House Appropriations Committee; everyone else was campaigning. In April, the date isn’t quite fixed yet, first or second week in April, we appear before the Senate Appropriations Committee hearings. Then, of course, the legislature passes the budget and does whatever it does to the budget and then the Governor either signs the budget or vetoes it. So, in other words, what we’re working with right now is we’re building a budget based upon a lot of assumptions. All right? I want to give you, if I could beg your indulgence, and read to you for your information portions of the testimony that I gave last week to the House Appropriations Committee. Those meetings are usually very friendly. That committee is pro-education. Of course we’ve been in a period of time when the focus on the hearings were the good things that universities were doing and how we spent our money and what our priorities were for next year and it’s pretty heavy stuff. The House Committee is a wonderful group of supportive people. Their concerns have always been access and diversity, pretty much, and employee issues, pay with good commitment. Anyway, the House spreads out its hearings, usually, and this year they were held very early; usually they’re after the Senate Appropriations hearings. This time they were before. They’re usually spread out versus the Senate where it’s one long day of every university, and community colleges, and the IBHE, and the Student Assistance Corporation, and the Illinois Science and Mathematics Academy, that wonderful thing down the road. The House spreads them out. The week before we went, the U of I went, Governors State went, IBHE went. When we went it was community colleges, ISU, Chicago State, and others. Listening to the other presidents and chancellors give their testimony, they spent a lot of time on the good things that had happened on campus. I chose not to do that. I did tell them there were good things happening on the campus, but I wanted to focus on the problem that we were dealing with and because of several major budget cuts and I wanted to get right down to it because that’s the important part of the policy issue. So after I told them how we handled ’02 capital, one-time money, and half holdbacks we didn’t spend, here’s what I’ve said.

“As we head into FY03, however, we find ourselves much more challenged” – and by the way, I do this in a language that’s a little bit different than I would do it if I were writing to you, to the academics. “Under the recently released recommended budget, the FY02 rescission is made permanent, another health insurance premium contribution is required and the university must
still address unavoidable cost increases associated with utilities, liability insurance and so on. Thus, we anticipate a total shortfall next year of around 9 to 10 million dollars at NIU and, of course, we cannot rely on one-time savings I mentioned for ‘02 because what we have to address is a permanent budget reduction, not a one-time reduction. The FY03 budget presents a very serious threat to the quality of education offered at NIU and further threatens our efforts to maintain accessibility and affordability. Our shortfall of this unexpected magnitude cannot be made up from any one source. Rather, we believe it requires a shared response that distributes the burden as equally as possible across the institution. Again, with our guiding principles being those of first and foremost maintaining quality education programs and experience provided at NIU and to protect access and affordability, we have developed a response that relies on significant cutbacks in each university division and, for the first time in many years, a significant tuition increase. I’ve asked each of my vice-presidents to construct budget reduction plans in their divisions and to forward them to me for approval”; and I’m expecting them beginning April 1, I have to be a little flexible there. “We will, in general, absorb the cuts in the following ways” – remember the audience – I have to be pretty generic and use generic language. “We will absorb the cuts in the following ways, by cutting positions but hopefully not people. We accomplish that, of course, through attrition and simply not filling open positions except in the highest priority areas.” That’s difficult because usually you’ve got to take where the vacancies are and then hope you have a plan to fix it. In general, the positions we do fill will be filled at the entry level, at the junior level, so that’s one approach. “Deferred equipment purchases and deferred repair and maintenance projects” – deferred maintenance is a big deal to the legislature – “reduced travel, commodity and contractual expenditures, etc. In order to avoid major disruption on campus, our plan to meet budgetary challenges requires a portion of the burden be addressed through a tuition increase. Last week” – which would have been two weeks ago – “the NIU Board of Trustees Finance Committee reluctantly but unanimously voted to recommended a $125 per semester tuition increase for a full-time, undergraduate student”. Of course I put it in those terms, but basically that’s all students – graduate and undergraduate. That, of course, as you know is 8.75%. “When you compare this to past years, this amount is higher than average for NIU but still remains, in our judgment, in the affordability category especially given increased dollars from the Illinois Scholarship Commission”. That was not cut, you know; we have the Illinois ISAP that is huge and that was not cut. It was increased by 10 or 15 million dollars and so that lends itself to the affordability of students, plus on the federal side you’ve got some increases in Pell Grants and so forth. It doesn’t make it any easier. I’m not trying to sugar-coat that, but again, this committee is very much – as we are – interested in access and affordability. “Through all these austerity measures, we will be guided by our commitment to quality and access. NIU has built a strong reputation for providing a very high-quality education at an affordable price”. I believe that. There’s a great value in this education. “We have made significant progress in our academic and public-service programs and our student satisfaction surveys indicate an excellence in the classroom that is second to none. It is with great care then that we implement the types of reductions I’ve just outlined and I’m committed to that care. Now, the demand for an NIU degree continues to increase each year, just look at those admission numbers, and we have worked very hard to accommodate the growing expectations of our service region”. And, as you know, they’re legion. I mean, we’re getting calls, you’re getting calls, daily to provide all kinds of services. However, there’s a limit to what we can do. “Quality is a term that takes on very tangible, human form in higher education and we must do all we can to protect and maintain it.” I’m talking about our human
resource base. That’s the important thing. Our students, our faculty, our staff. “I am very concerned that under present budget scenarios it may be impossible for us to provide salary increases necessary to attract and retain high-quality faculty and staff”. I wanted to be as up front with them as I have been with you. “While we understand the fiscal constraints under which the state must work, I would just interject that the FY03 budget reduction has not yet been fully resolved”. We’re not out of this yet and I wanted to go on record. “I don’t think I can emphasize enough that access and quality will be the victims of any future reductions beyond that which we have dealt with today.”

They’re not done approving the budget but a new problem has emerged that I don’t have all the details on, but I’ll just call it the impact of the federal stimulus – economic stimulus package, in states like Illinois whose state taxes for corporations and other things are based upon or indexed to the federal tax structure. There are certain tax reductions on the corporate side and other areas to stimulate the economy that will have an impact on us because the corporations will get that tax credit and that will reduce the tax liability and it won’t be, therefore, coming to the state. It is estimated that that gap will be between 250 and 500 million. Part, a good share, of that goes to local governments but part of it is state. That is yet to be resolved. My guess is that it won’t be resolved until next year. You know, again, that’s my personal opinion, that they’ll pass this budget and then wait until next year to see if that materializes.

Anyway, that was it. I had more to my testimony. I had very few questions; there were very few questions. One thing was clear, and I listened to all the other testimonies, and this is a supportive committee. Most of us asked if they could help us with the health insurance side, have the state pick that up. The answer coming back was, and Anne Kaplan was there, we’d like to help you but ---. I didn’t see anyone jumping in to say yeah, we’ll see if we can fix that up, because obviously that’s a 45 million dollar problem that they have to cut some place else. Dr. Williams has been called to Springfield with Kathy Buettner to go to workshops for the Senate Appropriations Committee, which is coming up, and my guess is that our presentation was a bit more sobering than the others and ours was the only one for which they asked for written comments. But, at any rate, I wanted to kind of give you a flavor of how that works.

Now, the Senate Committee is different; the Senate Committee is much more interested in accountability. Are we efficient? Do we work hard? How do we spend our money? Are we taking care of our buildings? Not that they’re not interested in access and all those other things; but that’s the particular focus of that committee, so we’re preparing for that and I don’t know how we could be more efficient or work harder but I’m prepared to answer those questions. So tomorrow at the Board of Trustees meeting I’m not going to not go into such great detail, but I felt the need to talk about this. That’s why I’m doing this today and I will excerpt some of that to the Board of Trustees who on an individual basis have been with us every step of the way. I’ve been talking to them and they are really a great group of people. I might want to add tomorrow that the Board is going to do two things that – you know, budget cuts come and go – and they are tough. I’m not making light of this, but there are fundamentally important things about universities that happen every year and we shouldn’t take them for granted. I’ve been in places where it was taken for granted. Tomorrow this Board will approve a set of tenure recommendations for a number of faculty who have been recommended, and our trustees support the concept of tenure without question and that is something we should all recognize.
The other thing they support, and tomorrow will approve, is our next round of sabbatical leaves, and that is a tremendous benefit that has disappeared from many places on the landscape and those who don’t have them who would like to have them can’t get them in this environment. But, I might add, in terms of the promotions that are associated with the process, the academic promotions, that the step increment is built in. We’ve accommodated that even during this budget cut. That will happen. I insist on that. That’s just a good thing.

So, I just wanted to let you know that. I’m committed to not losing momentum although things are going to slow down a little bit, but just because we’re in a budget situation that’s going to require patience and get some of us angry and that sort of thing, there’s no reason to lose our vision and our dreams because we’ll step up private giving, although that’s tough after 9/11. For those of you who have external funding, bless you. Don’t flaunt it, but it sure makes life a little easier in times like this. I am beginning a process by devoting all my time to this. When things clear I’m going to begin my process of looking at every operation to make sure it’s efficient so that every dollar is spent wisely.

But, look, it isn’t that Illinois or NIU has been singled out. I know that’s small comfort here, but things are pretty bad all over and not just in higher education. When you look at higher education in Ohio, we’re talking about 20% tuition increases. I mean, Missouri had to cut its budget by 10% midyear. That state up to the north of us did something rather interesting. They decided as a system to stop enrolling students. This is a budget situation and the legislature said fine, thank you, and cut them even more. Anyway, it’s hard to be humorous at a time like this, and you know, it pains us to recommend a tuition increase that we did. We kept it as low as we can because the idea is I don’t want to lay people off because we’re thin. It’s going to be a struggle the way it is, with filling classes and doing all the things you have to do to maintain, and hopefully we don’t lose too much quality; but I’m not at all creating delusions that there won’t be pain here. This is my seventh and it doesn’t get any easier. Now, we’ll handle this, we’ll get through, we’ll recover, we’ll move on. However, the danger is stringing two or three of these together because our approaches that we’re going to use this year will not be available for us next year, and then there’s real damage to the institution. So if we do it right this time, hopefully the economy will come around. I’m trying to think of something I can do. But I don’t know how fast that economy is going to come around – it’s coming around, that’s the key. Perhaps a tax increase, but it’s an election year. So, we’ll have a new administration next year; hopefully they’ll be for higher education.

Anyway, I want to say one other thing, that I appreciated in the few hours after I sent my e-mail letter it was hilarious because you know how the system “pings” when you get a message. I had to leave, Anne was around, I don’t know if Ivan was around, I literally got – maybe not as many as 200, maybe 100 messages, and by and large 95% were incredibly gracious. That meant a lot to me because when I put the letter together, and there are people sitting in offices out there and they’re working hard, they’re grading papers, the students are studying, the staff is admitting another class, and I’ve got to tell them we’ve got a 10 million dollar problem and I’m asking for their help. You put your finger on the mouse to click on send and it’s a moment of truth, believe me, and I took no pleasure in it; but I knew it had to be done, but the responses really made me feel good. Now there were a few that I wouldn’t have wanted but I appreciated that. Just two other things, I know I’m taking more time than I should.
I want to talk about the privacy issue, particularly the student privacy issue, which is something I’ve been concerned about for a long time and we’ve been working on it. Student leaders have petitioned, and I think there’s a copy of it in our packet, for a change in that we currently use Social Security numbers for student identification and they want an end to that. Student Senate Speaker, Kevin Miller, I saw him here – there he is – and others make a good many points about the increasing concern about identity theft and other privacy issues, and today there was a really good editorial in the Northern Star about it and I think it was pretty much right on. So, the issues have been discussed in the administration for some months. I’ll tell you what I’m really asking. I’m going to ask Provost Legg, Eddie Williams and Anne Kaplan, because systems report to her, to get together and to come back with some recommendations to me that would be of two sorts. First of all, what can we do right now? Secondly, what’s the long-term solution? I don’t pretend to be an expert on this but I studied enough to know that answers aren’t cut and dried. Our student-service systems are technically interwoven. I think that we have nine different systems that talk to each other, but they’re all independently programmed. They’re not an enterprise system and guess what the only link is. The Social Security number. So if you want library fines linked to a release on a grade transcript and schedule, all those are independent systems that have to be linked in some way. That exhausts my technical knowledge. I did go through this in Tennessee and the ultimate solution is the one I want and that is I want a new student data system, an enterprise system, but we can’t afford that right now. I was hoping we could have a bid for it, but not with what we’re facing. That money has gone to help with the budget. That’s a very expensive proposition. Millions of dollars. Ohio State put 60 million dollars in their student system and it didn’t work. For large institutions, it’s vaporware; see they promise you they can do it. Anyway, that’s the longer-term solution, but I think there are things we can do immediately and let’s get to it. I’ll report back to you.

The other thing I want to talk about is the storm-water abatement program. Over the spring break, for an hour every day I walked around campus. I had a chance to do that and it’s impossible not to notice when you do that there are significant changes caused by a massive storm-water abatement program. For those of you who have been around awhile, not the students, you know this program came about after years of serious flooding damage in buildings like Neptune which was knee deep in water and, I understand, so was the Music Building. You know, these creeks that are overgrown with brush have to be cleaned and broadened so that the water can move on down their slope. That’s it. You can’t beat mother nature. So, we were able to convince the state. We got 7.5 million from the state to do it and some of it’s coming together. The east lagoon, the structure is beautiful, the bridges are beautiful. We’re going to put native grasses in. It’s going to be beautiful and now we’re starting up Watson Creek and cleaning it out. One professor of physics recently said they had to clean up that eyesore. Now, at the same time, I read the record and campus committees have expressed concerns about certain dark areas for safety and brush-laden areas in terms of health and safety issues. And they were pretty ugly too. So, we’ve got the east lagoon finished. We’re working on Watson Creek. We’ve been increasing the depth and the width to allow better flow of storm water and throughout this let me assure you we worked with experts – I think we had experts from biology – I know we have experts in biology. We’ve worked to mark and save the important and healthy trees and you’ll see tags on them. We removed scrub trees, weeds, noxious buckthorn and overgrown shrubs that blocked the water flow. I’ll tell you some areas look pretty bad now,
they’re muddy, and this is not the prettiest time of year here, but things will green up and you’re really going to appreciate it. In case you saw it and wondered what was going on, there is a plan and that’s the neatness. So, with that I will end my very extensive comments today and take questions at the end of the meeting. Thank you very much.

V. CONSENT AGENDA

A. Proposed Changes to the Student Judicial Code – see memo from Larry Bolles – (Pages 28-30) Refer to University Affairs

President Peters: Do I hear a motion to approve the Consent Agenda, which has one item. Second? All those in favor say aye. Opposed? The Consent Agenda is adopted.

The Consent Agenda was approved.

VI. REPORTS FROM COUNCILS, BOARDS, AND STANDING COMMITTEES

A. FAC to IBHE – Patricia Henry – report (Pages 31-37)

President Peters: Patricia Henry has the FAC to IBHE report.

P. Henry: Yes, in your notes it’s pages 31-37 and I’ll go swiftly through this because some of this actually is old news about the budget which is part of what was the informational meeting on February 28 at Chicago State University. Specifically, however, I will mention that there continues to be concern with various aspects of public money going to private institutions. There has been concern, both in terms of the tuition and in terms of capital improvement funds. Incidentally, whereas NIU got, I guess, almost 4 million for completing Barsema Hall, Northwestern got something like 13 million for a new project for a biomedical research center and data publication and a molecular center, and there were concerns about some of that.

One concern, and President Peters you might address this later, was the passing on of the 45 million that needs to be paid by the universities to CMS. Two questions that came up that still haven’t been resolved as far as I know is why, all of a sudden, did we get this 45 million cost and, number two, is this going to be a permanent part of the cost of doing business for higher education, and there were concerns that, if it is, then we need to face that reality.

The most important part of the meeting I think, as far as we’re concerned, was the matter dealing with the non-tenure-track faculty report. On page 32 is where I report on that and, in addition, on pages 33-37 I have appended some information that’s also available and much more besides that is on the IBHE Web site. This is the report “All Faculty Matter! A study of non-tenure-track faculty at Illinois public colleges and universities”. There was concern on the part of the FAC that the picture that was drawn seemed much too rosy and that much more satisfaction was expressed than was the feeling among most of the members was the case. I have since taken some issues from this report and talked to a couple of people on campus. One of them, Sandy Flood, is the union representative for the instructors, which is our major body of non-tenured faculty. I also talked to Joe Grush who is in LA&S and the person who deals most directly with instructors. I haven’t talked to other colleges and I’d be very interested in getting feedback from
you either here or through e-mail as to how non-tenure-track faculty work with regard to your departments or colleges. The concern at NIU, at least that I heard from Sandy Flood, was that again, there was more dissatisfaction than the rather rosy picture that was painted in this report. Dean Grush thought that actually NIU does relatively well by its instructors compared to a lot of other situations, especially community colleges, and part-time faculty, but that there is a danger of having, especially with this budget shortfall, pressure to change the dynamic, especially a portion at this point, according both Grush and Flood. Something like 15% to 20%, I think, is the percentage at NIU of non-tenured faculty. I’m not actually positive of those numbers, but the problem and the danger would be if this changed drastically there would be an impact in terms of the quality of education; and what I’d also like to direct your attention to is the report.

Okay, this is a report that the IBHE is now looking at and we want to try to get them feedback from the FAC before the IBHE meets in April, so this is why I’m collecting comments as far as I can to forward via e-mail to the FAC, and then they would present these to the IBHE. There are on page 35 and then a lengthier list on page 36 – of recommendations and there’s, on page 35, a short list and on page 36 there’s a longer list of recommendations that they’re considering; and to what extent people have problems with these I think is something I’d like to get feedback on. In particular, I’ve heard discussion of the matter of involving part-time or non-tenure-track faculty in departmental, campus-wide decision-making bodies and having more access to faculty development opportunities. These are things that could be worked out in some cases. In other cases, especially, obviously personnel matters, the fact that our instructors are in a union makes it unlikely they would be on certain kinds of committees, but that’s the kind of thing I think would be of interest. Finally, in the conclusion which again is excerpted on page 35, the second paragraph was of concern where the committee reported that “one can still ask, ‘Are non-tenure-track faculty overused and mistreated, as some claim?’ The Committee believes that the growth in the non-tenure-track at public universities and the strong reliance by community colleges on part-time faculty can touch on issues of educational quality”. The FAC felt that it does touch on issues of educational quality and it’s something that we need to be aware of and firm about discussing. That’s all.

President Peters: Any questions or comments?

J. Zar: I have three questions. First, I think you said that you were told that 15% to 20% of NIU faculty are non-tenured?

P. Henry: No – yes, are non-tenure-track.

J. Zar: Non-tenure-track is what I was going to ask you.

P. Henry: Sorry if I misspoke.

J. Zar: Okay. Secondly, with regard to the survey of satisfaction of non-tenure-track faculty, do you know if those survey results are available by institution?

P. Henry: No, as far as I know they are not. They’re homogenized.
J. Zar: That’s too bad.

P. Henry: Yeah, well.

J. Zar: Lastly, I wondered are there any non-tenure-track faculty on the Faculty Advisory Committee?

P. Henry: Yes, people coming from community colleges. I think that would be the majority of the non-tenure-track people, but it was primarily community-college faculty – and some of the city university people were also non-tenure-track faculty. Also, I will not be attending the meeting in April because I have to be at a conference. Sue, did you want to bring up the matter of ---

S. Willis: Yes. I have another matter that I wanted to bring up, which is relevant for an item later on but I might as well bring it up now. I had planned to attend the meeting on April 5 which is down in the very southern part of Illinois. However, it turns out I have to have some surgery on the 4th of April. I have various growths and things and I’m going to be having a hysterectomy. I have a family history of ovarian cancer and even though they think what’s in there is benign, they want to make sure. I asked them could it wait until after the first of May, which is the last meeting of the semester and they said no, so that’s April 4 and I will probably not be back before the last meeting. In any case, I will certainly not be going to the meeting on April 5. I did make a reservation, however, which I have not yet cancelled, so if there is anyone who is able to go, it’s about a six-hour drive. You would have to drive down the night before. I asked about how long is the meeting, and they said they’d try to finish up about 3:00 in the afternoon so that people could get back home. So there is a reservation for one night at this lodge and of course we have a budget that covers this kind of travel still.

P. Henry: This is at Rend Lake?

S. Willis: Yes, Rend Lake is where it is. So if anybody is able to go, please let me know. They have a five-day cancellation, so if you don’t let me know by the 29th, which is a week before that, then I will go ahead and cancel my reservation so they don’t charge my credit card. So if someone is able to go, please let us know.

President Peters: Any questions or comments? I think Fred Kitterle had raised his hand.

F. Kitterle: I just want to ask Pat one question. Pat, you’re gathering information for instructors and there is a study, a systematic study, going on state-wide, which the Center for Governmental Studies has put out in which administrators, faculty, and department chairs are being asked to respond to issues on workloads, starting salaries, compensation packages, satisfaction indices and all. Are you aware of that?

P. Henry: And this is not just on tenure-track?

F. Kitterle: That’s not a finished study yet is it Anne?
A. Kaplan: I thought it was.

F. Kitterle: Is it really now? Okay.

P. Henry: I think that’s what we’re looking at.

F. Kitterle: Okay. All right.

President Peters: The answer to the 45 million dollar question is yes and yes.

P. Henry: Yes, we know why it came suddenly?

President Peters: Well, because the state had to make a budget.

P. Henry: Okay.

President Peters: And if you pass through an amount and ask us to absorb it, that isn’t reducing our base.

P. Henry: Oh, I see.

President Peters: Understand?

P. Henry: Vaguely, and it’s kind of scary that I do.

President Peters: The other thing is that I would imagine that that sets a precedent that future increases will be passed on.

P. Henry: But they still won’t be added to our base?

President Peters: Hopefully they will be added – the money will be there to add to our base.

P. Henry: Okay.

President Peters: I can’t predict. All right?

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Dorothy Jones and Dan Griffiths – report – walk-in

President Peters: Dorothy and Dan, BOT Academic Affairs, Student Affairs and Personnel Committee report? Any report?

D. Jones: It’s a walk-in. I think it’s complete. If you have any questions, we have more detail.

President Peters: All right, any questions?
D. Griffiths: I just want to add one other point. I thought what Dolly said was excellent, but I also just wanted to add, because you made the comments earlier, to support what you said about the Board being very supportive of both tenure and sabbaticals. They especially enjoy the presentation of sabbaticals. If anyone is interested you can read those from three faculty members and also the comments of the Board. It was a good meeting.

President Peters: That’s correct. They really did enjoy those reports.

C. BOT Finance, Facilities and Operations Committee – Sue Willis and Jim Lockard – report (Page 38)

President Peters: Sue Willis and Jim Lockard, BOT Finance, Facilities and Operations Committee report.

S. Willis: Yes, I have a written report on page 38. Most of this you’ve already heard because it has to do with increases in fees and room and board and tuition and the budget issue and what have you, and so I think that’s all pretty straightforward and getting to be familiar to you pretty soon. If there are any questions, I’d be happy to answer them.

President Peters: All right.

D. BOT Legislation, Audit, and External Affairs Committee – Judy Burgess and Bev Espe – report (Page 39)

President Peters: If there are no questions, we’ll move on to D. BOT Legislation, Audit, and External Affairs Committee, Judy Burgess and Bev Espe.

J. Burgess: Sue did it this time.

S. Willis: Yeah, I wrote that report too. It’s on the following page, page 39. Again, much of this was about the budget. Let’s see, there was also something about the SURS retirement system with the thirty-and-out policy where normally there’s a penalty for retiring before age 60. If you have thirty years of service, then the penalty is waived under this thirty-and-out policy. However, that policy is about to sunset. The university is actively campaigning for its renewal and you are all certainly welcome to write your representative and senators to encourage them to do that. It would revert to a thirty-five-and-out if it were not renewed, so in order to avoid the under-60 penalty you’d have to have thirty-five years of service. Okay, and that’s about it for that.

President Peters: All right.

E. BOT – Sue Willis

President Peters: Sue, did you want to talk about BOT?
S. Willis: The Board will meet tomorrow and so there will be a report next time, which I will write.

President Peters: All right. Any questions?

F. Academic Policy Committee – Mary Larson, Chair

1. Fall break responses (Pages 40-64)

President Peters: Mary Larson, Chair of Academic Policy. We have something here called fall break responses.

M. Larson: Yes we do. Pages 40-64

S. Willis: By the way can I just interject one thing? I wrote a little tiny summary on the first two pages. There was an item which came in from the advising deans, which is on page 52, which came in just as we were about to get this to the printers and so it did not make it into the summary but that would go in the unfavorable category.

M. Larson: Yes, we opened a real can of worms here. I don’t think you could really summarize, there’s no consensus or whatever here. People think this is a horrible idea and people think this is a wonderful idea. The only piece of information that I didn’t find in the packet is from Virginia Cassidy about the definition of a semester and a week, and maybe I just missed that, Sue.

S. Willis: I think it’s in there somewhere. What I did because everything was so long, I did a lot of cutting and pasting and so things are perhaps a little harder to find but I think you’ll find that on page 44.

M. Larson: Oh, all righty. Oh, yes. Okay. The only interesting wrinkle that everybody is going to get hysterical about here, too, is that a week is defined as a week in which one day of instruction takes place. So we could, for example, take off the Monday and Tuesday following the eighth week and not make them up in which case we would miss a Monday and a Tuesday, a Wednesday at Thanksgiving, a Thursday and a Friday. The thing is that all the classes would be one week shorter than they are in the spring but all the classes that meet any day of the week would have the same number of weeks/days of instruction. That’s the only wrinkle that you might want to enter into this but I guess we are open. Sue very kindly did as we asked her to and solicited feedback and she got it.

President Peters: Fifteen days of classes.

S. Willis: By the way, I also did get some feedback from the Faculty Senate. One thing that I did was to send Mary’s proposal to the Faculty Senate members and ask them to take it to the departments and come back with feedback which, as you can see, they did. But some members of the Senate also expressed a desire to discuss it at the Senate which we have not yet done; my own personal feeling about this is that I don’t see that there’s any big hurry about it. It’s an issue
on which there is, as Mary says, obviously no consensus; and so I would think we could certainly spend some time mulling it over. So I would, unless this body wants to vote on it instantaneously, be happy to take it to the Faculty Senate at their next meeting and then bring back their response on it as well, which I’m sure won’t clear things up entirely.

M. Larson: I’m open to suggestions if anybody wants to move anything.

President Peters: Sue, was that a motion? Do we need a motion to send it to the Faculty Senate?

S. Willis: No, I don’t think so. We made a motion last time to send it to various constituent groups.

President Peters: So the report is incomplete?

S. Willis: Right. We’ve gotten some feedback.

President Peters: We’ll wait on the Faculty Senate.

M. Larson: Okay, that’s fine. I think at this point if we took any kind of a vote of any kind, at least half the people would be hysterical. The replies were quite impassioned.

President Peters: Right, okay. We have somebody way in the back of the room. I saw a hand up.

P. Henry: I don’t have passionate feelings one way or the other but it does seem like there needs to be kind of an educative process about what would be involved. I mean, people really object to sort of having this sprung on them and part of what Sue is getting at is that if we allow some time to kind of get used to the idea and approach this with other ideas in mind as to how to accommodate and so forth, this would be possibly a good thing. I think, I mean, we can accommodate lots of things if we just work at it, and then some of these complaints will fade, but it won’t happen overnight.

M. Larson: No.

President Peters: Professor King. I think you started it all.

J. King: That remark it seems to me draws attention to this matter.

M. Larson: Which remark?

J. King: Pat’s. Not at the level of the dispute about the fall break but it draws our attention to what is it that we’re doing and how well are we doing the business of consultation. I don’t think we have a very vigorous track record of consulting with other subordinate bodies and other bodies of the institution, and it’s very intriguing how this has proceeded and what I think we need to do is not just think about getting rid of this issue, however it will go away or get adopted,
but also take advantage of doing something like a self-study of the consultation process itself. We can ask ourselves, do we want to make this a fairly ordinary element in our addressing significant agenda items? If we wish to do that, okay, are we going to regularize the consultation process somehow? If we’re going to regularize, it will we develop procedures? Will we turn to our Steering Committee or the Rules Committee to regularize it, and what impact or significance is the consultation going to have if we shift to this as a standard operating procedure for ourselves? Does that signify that we want to restructure the Council? I mean, it certainly changes the motive by deliberations. So this is very interesting it seems to me. This is a step, it may be a very positive step, the process of consultation, or it may be a misstep. But whatever else we do I think we can see past the singular agenda item to the activity that we have undertaken here and see whether we want to continue with it and since that can’t be accomplished altogether by all of us all the time, thinking about it, I would ask Sue to figure out and talk if you have any time before your operation, and goodness gracious I’m sure you’ve got other things on your mind, but maybe over the summer as you recover.

S. Willis: I’d be just as happy to have something else to think about.

J. King: Thanks.

President Peters: All right.

D. Musial: First of all I want to support Jim King’s remarks, but now I’m going to just get back to the simpler thing of the fall break issue as a suggestion or comment maybe as one who participated in multiple discussions in different bodies. And then I read the report of several of those bodies and as I read the report and remembered the discussion I could see different perceptions being spoken and so we don’t know how to do this well. We don’t know how to discuss and share and bring back and not have it end up being a yea or nay right away rather than a consultative process. Now with that said, here’s a suggestion. The one issue with this fall break discussion that I have uncovered that was difficult for me and maybe could have been and still is difficult for others is in the committees that I would participate in a discussion about this, we were – it often would occur – we weren’t sure what it is we were discussing. This is typical academia. We read all this stuff into things. For instance, were we discussing the idea or concept of a fall break and so we would spend time in my various committee sessions discussing the purpose of the fall break and what was given to us as research about the goods and evils of fall breaks conceptually. Then, finally, after discussing that for a while, we would decide well, that’s not really our purpose here. We’re looking at a specific proposal and, finally, when it got to looking at what was proposed, one day here and two days there, that’s when all the consensus began to emerge. People could say well, we don’t like that proposal. We’re not against necessarily the idea of fall break but that proposal as so stated is problematic to us so we would list all the problems and then it would come out looking at the end of our resolution that we were against fall break. Putting that aside, I just would like to say if we want to continue gathering data, we need to maybe have several possible way of organizing the spring break next, based on the feedback you got. There’s a lot of good insights we can get from the negative feedback that would say well, we don’t want to do this but we might want to so that and then have option a, option b, option c and then let those different options be discussed. That way we don’t get into
this concept discussion. We can now discuss several concepts and that might be the next step. I’m just suggesting that because it was a problem in my committee discussions. Thank you.

President Peters: Okay.

W. Tolhurst: It strikes me that with all the disagreement there may be at least one minimalist notion of a fall break that we could all agree on. At least, I haven’t seen any criticism of this idea yet, and that is eliminating the half-day of class the Wednesday before Thanksgiving. It seems to me that we could just give the full day and not extend the semester in any way and whatever else we may decide to do or not do I would hope we would do that.

President Peters: Well, we’ll see what happens to that proposal.

D. Wagner: There was a time for two years we had a whole week off at Thanksgiving. I think I’m the only one who remembers, and I spoke several times in favor of that, but I do think how we arranged that for two years should be included in the data.

S. Willis: Do you recall when that was approximately?

D. Wagner: Thirty, forty, fifty years ago.

S. Willis: Just in helping me looking it up.

D. Wagner: I know it was probably in the ’70s but we did it for two years running.

S. Willis: Okay.

D. Wagner: I don’t know how we did it. Can someone also explain to me when Thanksgiving is, because sometimes it’s the last week and sometimes it’s the next to last week.

Senator: Fourth Thursday.

President Peters: So, do we know what we’re doing with the guidance that will inform the discussion in the Faculty Senate? We have a couple of concrete proposals on how to focus the debate so that it doesn’t evolve into “I’m for it” or “I’m against it”. What important academic things can be shaken out of this rather extensive discussion, because I think it’s all about time for reflection about academic work. You know, I think that’s how it all started and that’s the important stuff. Having fall break to have time off is not in and of itself what we’re after. We’re supposed to be driven by a high educational purpose. Otherwise, I have to explain to this legislative committee why I shut down the university, and somebody on the staff will calculate the payroll. All right? Any more comments on that?

F. Kitterle: Yeah, just one comment. I mean, the thing is that we have had bodies look at this on all sides and at the end of the day what we asked for at least was a sense of people as to where they are, and I think that at least I can speak -- I was empowered to speak for the Council and for the Senate -- that people fairly clearly looked at the issue. They considered people who
they knew at other universities. They considered the operation of the university, things like
grade reports. Things like graduate students, foreign graduate students here. So the issue isn’t
one of consultation. I mean, if you look at this, this is a ponderous piece of work where lots of
people talk. The Advising Deans were part of this. There were lots of people and so it seems to
me that at the end of the day what we have is some differences of opinion that we need to come
to conclusion, but people were consulted and spent a lot of time thinking about this and I don’t
think that any further discussion, unless we want to have another body weigh in; but I know that
Council and Senate – they’ve spoken and in a way, to go back and say well, we want you to
rethink this all because of what? I mean, why? We’ve already spoken.

President Peters: I read it as input for the Faculty Senate to deliberate, not be consulted about.
That’s the way I’m reading it.

J. Zar: There might have been some confusion as to what the input was supposed to be based
on, whether it was on the basic concept of a break which the Student Senate gave to us their
view on even before there was a proposal, or whether it was to be on a specific proposal that
came out of one of these committees. I do note, however, that many of the respondent groups
did address more than the one model and gave what they thought were pluses and minuses to
more than just one model of a fall break, so we do have some of that information.

President Peters: All right. So should we move on?

G. Resources, Space and Budgets Committee – Gary Coover, Chair

President Peters: On to Resources, Space and Budget, Gary Coover.

G. Coover: Thank you. Two weeks ago, March 7, the Faculty Senate/University Council
Committee on Resources, Space and Budgets met to receive a report from Dean Jerry Zar on the
state of the Graduate school. Also attending the meeting were Provost Ivan Legg, Executive
Secretary Sue Willis and Professors James Erman and Xueshu Song representing the Search
Committee for the new Vice Provost for Graduate Studies and Research and Dean of the
Graduate School. I’m going to make a very short report because I think the Faculty Senate
report will be a little more thorough and we’re still really involved in an ongoing process of
considering the information that we received from Dean Zar.

Dean Zar outlined the contributions made to NIU by graduate studies and research and by the
functions of the Graduate School. For example, one quarter of NIU students are enrolled at the
graduate level. Research at NIU has contributed to the economic development of the region and
to the recognition that NIU has received through its recent inclusion in the membership of the
National Association of State Universities and Land-Grant Colleges and of the Universities
Research Association. The Graduate School functions include operating the admissions and
records processes, helping to recruit and support graduate students and supporting research and
artistry. Recently the Graduate School has added the operation of an Office for Teaching
Assistant Training and Development. Dean Zar’s assessment of the state of the Graduate School
emphasized a decline in the base budget of the Graduate School by about 22%. He linked this
decrease in funding to decreases in Graduate School support of guest speakers, Graduate School
support of research-related faculty travel and funding of summer grants for research and artistry. He proposed that these functions need increased funding in the future. Dean Zar noted additional needs for continued and increased for graduate student fellowships and for the Office of Teaching Assistant Training and Development. In the discussion that followed Dean Zar’s report there was considerable support expressed for the contributions made by the Graduate School. Also, though, there was some questioning of the desirability centralized of budget and activities in the Graduate School. Dean Zar’s report will be of value to the committee next year if it does pursue long-range planning for the Graduate School with the new Vice-Provost for Graduate Studies and Research and Dean of the Graduate School. Thank you.

President Peters: Any questions? Very good. I understand from our provost that the search for Jerry’s replacement is going on quite nicely and there’s a good pool of candidates. I took a look at some of them today and they’re really quite good, so that will be very important background for our new – whatever the glorified title is.

G. Coover: Vice-provost/Dean.

President Peters: Okay. All right, any questions? All right.

H. Rules and Governance Committee – Susan Mini, Chair

President Peters: Then let’s move to our favorite committee. Rules and Governance and Susan.

1. Proposed amendment of titles Associate Provost, Assistant Provost and Director of University Libraries (Page 65) ACTION ITEM

S. Mini: Okay. I’d like to start right off with an action item here. Last time we introduced for first reading proposed changes. This is on page 65 for various bylaws and constitution sections dealing with the change in title to vice-provost for associate provost, associate vice provost for assistant provost and last but not least, Dean of University Libraries in place of Director of University Libraries. I would like to move that we accept all of these amendments at the same time rather than go one-by-one.

President Peters: All right, there’s a second to the action item 1 on changing of all these titles. All right? Discussion? Dean Zar?

J. Zar: It was noticed last time that there was some considerable amount of work in finding all these parts of the Constitution and Bylaws where the changes should be made. There was a suggestion that perhaps the motion should include any other sections in which the old language is found so we don’t have to come back and have a separate motion for every new location that’s found.

President Peters: Would you accept that as a friendly amendment?

S. Mini: I certainly would.
President Peters: All right, any other discussion? I think we’re ready to vote. All those in favor of H 1, say aye. Opposed?

The motion was passed as amended.

2. Amendment to the Committees of the University regarding Council of Deans (Pages 67-69) ACTION ITEM

S. Mini: Okay, very good. The next is an amendment to the committee book, the Committees of the University and it is for the Council of Deans and this is page 69. On page 68 there’s a memo from Dean Zar regarding some of the changes. What you’re seeing here is exactly what Dean Zar mentioned with the change from associate provost to vice provost and also a change in the term academic deans. We’re also deleting the Executive Director of the Division of Continuing Education in this, and since this is for the Committees Book we don’t have to have a first reading so I would like to move that we accept these changes.

President Peters: All right, so this is an action item?

S. Mini: That’s correct.

President Peters: Discussion? All right, hearing none let’s move to a vote. All those in favor of H 2, please say aye. Opposed? All right, those changes will be made.

The motion passed.

3. University Bylaws 13.65 Honors Committee (Pages 66, 70-71) FIRST READING

S. Mini: Then we move to first reading of a change to the University Bylaws for the Honors Committee, and the changes are outlined on page 70. They have to do with student representation on the committee and we have a memo from Professor Wheeler on page 71 outlining the rationale for his changes. This is a first reading.

President Peters: Are there any questions that need to be put forward at this time on this first reading? Professor Wheeler is here in case people have questions. I think the rationale is straightforward. All right, so this will be an action item at our next meeting.

S. Mini: That’s correct. All right.

4. University Bylaws 12.642 and 12.23 and the Faculty Senate Bylaw 1.13 regarding the start dates of Executive Committee and Faculty Senate (Pages 66, 72) FIRST READING.

S. Mini: Item 4 is an amendment to the University Bylaws and the Faculty Senate Bylaws and it deals with the starting dates of the Executive Committee and the Faculty Senate. This is outlined
on page 72. This reflects a change of the start date from August 16 to July 1 and it also has a change in Bylaw 12.642 on Duties and Responsibilities. We’ve added the sentence “The Executive Committee appointed during the previous academic year shall serve in this capacity until a new Executive Committee is approved”. So we have a change in date and a change in some of the wording, and this is also a first reading.

**President Peters:** All right. Are there questions on this bylaw change on first reading?

**M. Morris:** I think, but I could be wrong, but I thought part of the impetus for this was Jim King’s idea that anyone who was elected to the Council who wasn’t currently serving could serve as the President of the Senate and Executive Secretary of the Council. Would that be correct Jim?

**J. King:** I think that was it.

**M. Morris:** Sue has included on page 81, for other reasons, what I think might be in the current bylaws regarding the election of that person, and it seems to say that to be elected you’d have to be currently serving and serving the next year; so if we were to effectuate Jim’s original goal, I think we would have to amend the University Bylaw 12.521 and Faculty Senate Bylaw 2.11 to eliminate the words “the current” – those two words.

**S. Willis:** I think the idea was to do them one at a time, since there’s no point amending this one if you don’t do the July 1 thing.

**M. Morris:** I thought we would do them together if it was going to pass, but --- okay --- that’s fine.

**S. Mini:** Could we do them together?

**M. Morris:** Well, since this is just the first reading I would think it could be added if that was the sense of the body.

**S. Mini:** All right, what you’re saying is if anybody will look on page 81 please, what you’re saying is for University Bylaw 12.521 and for Faculty Senate Bylaw 2.11 we take out the words “for the current” which is almost near the end of the statement in both cases.

**M. Morris:** “For the current and”.

**S. Mini:** “For the current and”

**M. Morris:** “And for” so it would just read “of the University” – I’m looking at the Council – “of the University Council for the ensuing year”.

**S. Mini:** In both statements.

**M. Morris:** Right.
S. Mini: And so we would add these also to Item 4 for our first reading.

President Peters: Would you accept that as friendly amendment?

S. Mini: I would.

President Peters: Does everyone understand what we’re doing? If this is non-controversial, let’s clean it up.

W. Tolhurst: If you’re cleaning up stuff, it looks to me like there’s a minor stylistic glitch in 12.642. Shouldn’t it read “the Executive Committee is charged with the responsibility to speak on behalf of” rather than “on behalf for”?

President Peters: Friendly amendment?

S. Mini: Fine.

President Peters: Editorial suggestion? Let’s get that done. Did you stick the fall break in there?

S. Mini: All right, so all of that for the first reading, then, and we’ll vote on it at the next meeting.

5. University Bylaws Article 3.63 and Constitution Article 3.23 regarding an alternate for the Executive Secretary (Pages 66-67, 73-74)

      FIRST READING

S. Mini: Item 5 has become near and dear to our hearts because it involves the alternate for the Executive Secretary, and this is on pages 73 and 74 and is adding essentially an amendment to the University Bylaws. We would call that amendment 3.63, and on page 75 you would see an addition to the University Constitution and we would call it 3.23. Rather than introducing this as a first reading, I would like to waive first reading so that we might vote on this today. Not only is it timely but we’ve had these choices before us previously. Earlier in the semester Dean Zar submitted a memo of suggestions for an alternate to the Executive Secretary. We sent it over to the Faculty Senate. The Faculty Senate said this is a good idea and sent it back to us, so we’ve seen it several times now. This isn’t as if it’s brand new to us. So I think I can ask that we waive first reading and I would move to do that.

President Peters: What’s the parliamentary procedure for that?

F. Bryan: Requires a three-fourths vote.

President Peters: Requires a three-fourths vote. So we have a motion to waive first reading and move to action on this alternative selection of Executive Secretary.
S. Mini: That’s correct.

President Peters: Is there a second?

J. King: We were just talking – is it three-quarters of those present or three-quarters of the membership?

F. Bryan: Members voting.

President Peters: Members voting. All right, all those in favor hold your hand up. All those opposed? It passes with more than the required majority.

S. Mini: Very good. Then I would like to move that we adopt these proposed changes.

President Peters: All right, there’s a second for this action. It requires two-thirds?

S. Mini: It’s a change to the Bylaws.

President Peters: It’s a change to the Bylaws. What vote is needed?

D. Mathesius: Fifty-eight is the total membership and thirty-nine votes are needed to pass a Bylaw.

President Peters: Thirty-nine is what we need. Now, is there discussion on this?

M. Morris: I certainly favor having a succession. My concern with this, and – I’m on the Rules and Governance Committee and I conveniently missed this meeting – as I understand it, what will happen in the event an Executive Secretary takes a leave, and let’s just say for a month, I’ll pick a time period. For the president of the Senate, the vice-president of the Senate ascends to be the acting president of the Senate and then someone else -- and I’m assuming in this case it would be the what, chair of the Resources and Budget Committee -- would be the acting Executive Secretary. As far as just handling meetings, that’s fine, but I have to believe that there are myriad duties beyond just attending and overseeing these meetings, and I’m wondering how you divide that authority and who does those tasks if you have two different people. Aren’t we, in a sense, creating a dual system needlessly? Isn’t there a way to develop a process where one person ascends to the acting position and that’s it?

S. Mini: No, Mary just asked me, that’s what we did isn’t it? No, that’s not what we did. The first part of our statement says that if the vice-president of the Faculty Senate is also a member of the University Council then that person would be the acting Executive Secretary. Right now the vice-president of the Faculty Senate is not a member of the University Council, and so what Malcolm’s point is, I think, is that Jody – is it Jody’s who’s vice-president – would be taking over Sue’s duties as far as the Faculty Senate goes and – is it Gary – Gary would be taking over the Executive Secretary’s duties.
S. Willis: Well actually as it turns out, Jody’s going to be out of town and so Malcolm is going to do it since he’s the Faculty Senate secretary.

J. King: I don’t know, I don’t want to upset the cart that’s in motion, but Malcolm’s question is whether there is a way that the two offices could be combined. I had not thought of this before until you raised the question, but is it not the case that we could introduce a bylaw change whereby the vice-president of the Faculty Senate is an ex-officio, non-voting member of the University Council? I mean, my god, we have enough members -- one more isn’t going to make any difference -- who becomes a voting member in assuming the vacant position of Executive Secretary. It seems to me it would work all right, and I don’t know whether you want to pull this off the table because you’re looking at a vacancy in the office in April. But in answer to the question, that’s one way, and I’m sure that creative people might be able to come up with other ways to answer Malcolm’s question.

S. Willis: Let me just make a couple of comments. After Malcolm raised this concern with me a few days ago, I thought of the same thing. The other thing is that I had suggested to Sue that it might be sensible to see if we could handle this now in view of the circumstances. However, I don’t want to force people to do something that they’re really not ready to consider yet either. If you chose not to vote on this at this time, we will manage, you know; don’t worry about it. I expect only to be totally useless for probably about a week and after that I anticipate to be in contact by phone and generally making a nuisance of myself before I actually physically return so, you know, I don’t anticipate that this is going to be a lengthy problem that’s facing us right now.

President Peters: All right, so we can continue discussion and then vote on the measure or we can pull it, hold back the motion with some instructions on how to accommodate this approach that Professor King suggested.

J. King: We’re consulting here. I move that we table this until the next meeting.

President Peters: All right, there’s a motion to table. Got to vote. All those in favor say aye. Opposed? It’s tabled.

The motion was tabled.

6. University Bylaws Article 9, Faculty personnel Advisor (Pages 66-67, 75-78)
FIRST READING

President Peters: We’re not done.

S. Mini: I wish we were.

President Peters: All right, we have first reading?

S. Mini: We have another first reading. Mary Larson said that she had a can of worms with the fall break, but I would say that this is probably a bigger can of worms at this point. This is
Article 9, the Faculty Personnel Advisor and it is pages 75 through 78. We have broken this down into seven different amendments. Page 77 is a memo that Anne Kaplan had sent to Dolly Jones. George Shur and Anne Kaplan visited my committee and had some comments and Dolly asked them to summarize them for her and they presented this memo which the committee asked be included, and these would all go to first reading and we would be voting on them at the next meeting.

**President Peters:** All right, so it’s time for questions to inform action for the next time on this rather complex change.

**J. Wolfskill:** I have two comments. First of all, a minor editorial correction on page 75. At the end of the first paragraph, there’s a grammatical error after the new word.

**S. Mini:** I’m sorry, what?

**President Peters:** “May include,” instead of “may includes.”

**J. Wolfskill:** Second, my interpretation of the documents we have is that the item that may cause some controversy is the suggestion that the Faculty Personnel Advisor be possibly an advocate for this or that person, and I wonder, accordingly, could that amendment be singled out as a separate item for a vote?

**S. Mini:** In all honesty, I’ve gotten so many comments on this, that things that I would have said are shoo-ins, that would pass easily, I can no longer say that. So it’s no longer just advocate that is a problem.

**J. Wolfskill:** All right, then I apologize.

**S. Mini:** No problem.

**President Peters:** My sense is when we come to the actual action item we can do whatever we want to divide the amendment. I don’t think we have to do that now. That could be brought up – do we do it en masse or one-by-one or whatever the pleasure of the group is at that point. Is that correct? Dean Kitterle?

**F. Kitterle:** Just one quick point is that this issue has come before both the College Council and College Senate, specifically when John Wolfskill raised the issue of advocacy and it was, as I have been instructed to say, unanimous, unequivocal, and unambiguous against the advocacy issue, but I wanted to bring that to people’s attention. It’s on page 54.

**President Peters:** For the record.

**F. Kitterle:** For the record.

**President Peters:** All right. Questions or comments? All right. Hearing no further discussion, Susan – yes?
**P. Henry:** I had one question that’s sort of implicit in some of the commentary, I think, and that is, I mean, on the one hand I don’t really want to get into two-tiered systems but there, it seems to me, a real difference between the SPS staff and the tenured faculty in terms of what happens to them in hiring. I mean, they do go through a one-year contract usually, I think, and that creates quite a difference compared to tenured faculty. I know what goes on to the question of the twelve-month versus the eleventh month, which actually doesn’t bother me particularly, but is that something that we should also be considering? There may be some differences in the way these two groups approach the grievance procedure that we need to take into account.

**S. Mini:** I hope you’re asking Malcolm.

**M. Morris:** Pat, I don’t have vast experience on this, only a few months. It’s clear that there are differences between the two processes. There are also similarities and concerns that members from both groups have. It may be perceived mistreatment by a superior, which could be a faculty member and a chair, or it could be an SPS person and his or her supervisor. It is also true there are very different processes of appeal. Faculty members don’t have the set grievance process that SPS personnel have and SPS personnel generally don’t go through the UCPC and tenure issues, but I would think anyone who’s been around the campus a long period of time and could read is capable of figuring out what’s going on, and I guess we’ve had Faculty Personnel Advisors from a variety of different colleges and departments over the years who have handled this problem. I cannot speak to their success but I haven’t seen the SPS people storming the Bastille so I think they’ve done a good job. But it is a point worth considering. It was brought up, I believe, by Anne in her memo. I’m not sure. Other than that I have no answer.

**President Peters:** All right.

**M. Morris:** Was I helpful or sufficiently evasive? Okay.

**President Peters:** I really don’t want to take sides on this. It’s highly unusual from my experience and knowledge of universities, to have such a function cover all employment groups. A lot of that’s based on tradition and various codes; it’s highly unusual, this could be unique.

**M. Morris:** I don’t cover union operating staff so it’s just SPS and faculty.

**P. Henry:** My concern, I think, is that it seems to me that, by their nature, SPS people would be more vulnerable in terms of trying to bring these things than a tenured faculty member or even a tenure-track, not yet tenured, faculty member, and that this might create differences in the way the grievance procedure proceeds.

**M. Morris:** Well, Pat, there is separate SPS grievance procedure, and actually Jerry and his minions are working on that. Maybe he would like to comment on his progress to date.

**President Peters:** He’s not commenting. It must be a heck of a report. Moving on, Richard?
I. University Affairs Committee – Richard Orem, Chair

R. Orem: No report.

President Peters: Winifred, do you have a report on Elections and Legislative Oversight Committee?

J. Elections and Legislative Oversight Committee – Winifred Creamer, Chair

1. Report on completion of spring University Council elections (Page 79)

President Peters: The report on completion of spring University Council elections on page 79.

S. Willis: These are the newly elected members of the University Council.

President Peters: All right, they’re on page 79. Okay.

VII. UNFINISHED BUSINESS

President Peters: Any Unfinished Business to come before the group?

VIII. NEW BUSINESS

President Peters: Any New Business to come before the group?

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

President Peters: Any Comments and Questions From the Floor?

S. Willis: I do want to make two very brief comments concerning the Information Items, one about the walk-in. This seemingly obscure item about the Federal Health and Insurance Portability Act. According to the thing that I went to on Monday morning, this has to do with privacy regulations concerning student health issues. Now you might think, well I don’t have anything to do with that, but if you’ve ever had a student who has, for example, been ill and come to you with a doctor’s note or something like that, that can make you subject to some of these considerations and certainly anybody who’s involved in anything like counseling or anything like that would come under these considerations as well. So – and if you think we can create cans of worms you ought to see what the U.S. Congress can do, which is where this came from. So if you’re at all involved in any of these things I would encourage you to contact Ken Davidson who’s spearheading the university’s effort to figure out what it is we need to do and how we’re going to go about doing it to be in compliance with these new and, I must say, quite stringent privacy regulations.

The other thing I wanted to call your attention to is the very back thing which is the alternate policy which I assume you have all lost since we gave it to you last fall, at least if you’re all like me you would have, and I remind you that if you cannot come, we have a procedure for you to
replace yourself at these meetings and I would encourage you to avail yourself of that should it be necessary. It’s easier for you than it is for me, so please do it.

**President Peters:** All right, any other comments or questions? Professor King.

**J. King:** I’m just wondering, from your experience in other states where there’s been a series of cuts over a long stretch of time, is there a point when – once we get a president we like, the last thing I want is for him to throw himself on the barbed wire for the institution – but is there a point where, say, the Board of Trustees of the university or the members of a Board of Higher Education will stop being polite and say no, we cannot go on with these cuts. The reason I ask the question is that politeness repeated over years of cuts and cuts and cuts seems to send the message that it’s okay. What is it President Stukel did at the U of I by complaining right away that it meant jobs? It wasn’t very much in the way of jobs. I think it was 123 out of how many they had down there, over 20,000 if I’m not mistaken in the total system – but at least he was saying look, you can’t do this to us and expect everything to go on. Now for a couple of years maybe that is so. But over the long run, what happens? Is it just more of the same if things turn bleak or do the public spokesmen like trustees and members of boards turn around and say, wait a minute, we’re not just here to make your decisions on your budget, we’re here to militate for you and fight for you. Do they turn around and they start to speak out?

**President Peters:** It’s a very good question. The State of Illinois is nowhere near that. The State of Illinois is committed to funding education, otherwise we wouldn’t be number one in the funding studies that are done, and a lot of it has to do with student aid. It’s not like a lot of states that don’t want to fund education and don’t support it and therefore they look for reasons to cut with relish and impunity. In the State of Illinois it’s a question of will the economy come back. So, what I’m saying is I hope we never get to that point. The other thing is that I think there are some states and some institutions, maybe Ivan and I have just been around so much, that have no idea of what budget cuts mean and, therefore, they complain very, very early in the process or in an economic downturn when it’s bad, it’s terrible but it isn’t draconian. Again, it’s when you string two or three years of budget cuts in a row that we create the habit where strategies are employed such as program cuts, outsourcing, putting every tub on its own bottom, internal charge mechanisms. I know this budget. We have hardly any of that here. We haven’t done any of that here and hopefully we’re not going to do anything like that here, so yes, the answer is I think we have a Board of Trustees that will do that. One reason is they want to keep the place affordable and they don’t want to have to pass tuition increases. They don’t want to do that and I don’t either.

Now, the other thing about public higher education that must be understood is that the share of state budgets given the health care cost, given the costs of all the other social programs, given the cost of K-12, will continue to be reduced as a portion of the state budget no matter how supportive the governor or the state is. What that means is that public universities have to begin to diversify their sources of revenue and support so that they are less dependent upon state sources. That’s clearly what some institutions in this state are doing, and that is charge the students, more endowment, more private money, more support for external programs, more selling of services so that you get yourself immune from the predictable downturns in state budget. And it will be with us as long as we’re here and long after the next generation of us
scholars and teachers and administrators are here. I’m not saying it’s a downward spiral but the smart institutions diversify their sources of revenue and we’re trying but we’re late into the game. We’re going to be moving into our capital campaign. We need it now more than ever. We need more external funding to support those programs, because the state is not going to be able to do it. That’s maybe not the answer you wanted, but you don’t think about it; these institutions are expensive institutions to run. Walk around this place. We have over 800 acres. It is an expensive enterprise and it’s not like a dot-com university, establish a gateway on a Web site, hire our faculty to do some programming and pay them a royalty and get degrees. For some people it’s a commodity and that’s what they want; they don’t want to do it otherwise.

I don’t know if I answered your question totally; the question is when will they stand up and say – well, Wisconsin has tried to do that. Their system said we’re not taking any more students. I think that’s a premature response and one that should have been sent to the Faculty Senate for further discussion or for a better plan. That’s one that should have had some deliberation. There is no manna that’s going to drop down and fix public higher education in this millennium. It’s going to be a lot of hard work. This state will support us. There’s no doubt about it but we have diversify our sources extremely and at some point you have to in you own mind get to the point you say okay, is the quality slipping here? When we can’t deliver a quality program, then you have to make that known to people. I’m optimistic that when this economy turns around, and I think it will be fairly quickly, we’ll get back to where we were and we’re going to continue to make progress in spite of it. But I do worry about it, I do worry about public higher education.

P. Henry: I really think we have to play the role of intellectual auditors and not shred the documents in terms of explaining what does happen when these things get cut, because that’s what may not always be known.

President Peters: And you have to make sure that the documents you did shred will stand the test of public scrutiny, because that’s where it leads. If you say we can’t take any more students, we’ve got to make sure faculty are teaching full loads, especially if they don’t have active research programs, that administration is as lean as it can be. Because that’s the first thing, when you start groveling, the first thing that’s going to happen is accountability and they’re going to open the jar and look in and in this state every one of your salaries is on the list that the appropriation committee has. Everyone who travels more than so many dollars, he’s on the list. So, you know, I don’t believe in shredding documents; but I know our documents are squeaky clean, we have a good story to tell, we are efficient.

K. Miller: I’ll try to keep this as short and to the point as possible. I just want to again draw attention to the petition from the Student Senate. I sent the petition along with a letter to Dr. Willis and I’d like to again draw attention to that. It is something that the Senate feels very strongly about and from what I can tell, students across campus also feel that way as well. This leads into a question that I have and that is where does this stand with the University Council now?

President Peters: Which one are you talking about?
K. Miller: I’m talking about the petition from the Student Senate regarding the Social Security number issue.

President Peters: I thought I addressed that in my remarks.

K. Miller: You did, but is the University Council going to do anything?

President Peters: Well, I don’t know what the University Council can do about it except to tell me again go ahead, you got a plan.

K. Miller: Okay, that’s all I needed to know.

S. Willis: We did not officially refer, no. It was also addressed directly to the president.

President Peters: It was addressed to me and the Trustees, so I just grabbed it and – what the Council should consider and I did this as a faculty member, I always posted my grades by Social Security number – you can’t do that and I know a lot of people liked to do it, been doing it for years, but I don’t think many faculty still do it. If they do it, it’s because they don’t know it’s not the right thing to do. Matter of fact, it’s illegal.

K. Miller: I have two classes right now that that’s how I get my grades.

President Peters: Maybe you can help with that at the Faculty Senate.

S. Willis: I’ll bring it up.

R. Wheeler: If the University Council or the Faculty Senate would like to pursue this matter, I would suggest that you might want to get input from Don Larson, the Director of the Office of Registration and Records. Don is I think the most knowledgeable staff person on campus in this area and could doubtless provide good counsel to us on it.

President Peters: We are all for the students.

S. Willis: Yeah, I think as President Peters had said, the only thing that I could see the Council doing would be to tell him to do something. He already said he was going to do something and so that didn’t seem necessary.

President Peters: Except to report back to them.

S. Willis: After he has done it.

President Peters: What I did is let people know what they’re talking about, what we should do.

S. Willis: But in terms of encouraging the faculty and informing them that they are not to use these numbers for publicly posted grades, I will bring that to the Senate.
W. Tolhurst: Just one quick question. Is there any compelling reason why individual faculty members who are not advisors should be provided with the students’ Social Security number? If they were not provided with them, they could not then use them inappropriately.

President Peters: Well, I asked that question the other day. Why do Social Security numbers have to be on a grade roster? And there is probably an answer, but it wasn’t clear to me.

M. Martin: Sometimes students have the same name. Two or more students could have the same name in the same department. That happens frequently in my class.

President Peters: Well you know foreign students don’t have Social Security numbers so we give them some kind of ID. See, this is going to end up to be a lot like fall break.

J. Newman-Ryan: I’m sorry, I’ll make two brief comments to let us out of here but as a faculty member, I would just point out that if you’re going to look at this with Eddie Williams and some other people, you might point out that we used to have some kind of central key control and now we don’t seem to. The last few semesters I’ve had to put my Social Security number as a faculty member on these forms to get a key to teach in certain buildings and I didn’t used to have to do that and I have no idea who has access to that either. It’s not controlled by Human Resources or central key control. It’s going I don’t know where, so, if you’re going to look at it, I’d like you to look at it a little bit more broadly. That’s probably not as important as the student issue, but it is related.

President Peters: This whole issue of privacy is very serious to me and we’ve begun the discussions with all the appropriate people, we think, including the lawyers, which always takes you in an interesting direction.

J. Newman-Ryan: The other comment I’ll just make briefly is that, as professors, we get those rosters with the students’ numbers on them and I find an awful lot of those in my department just in the regular recycling. I nag at people to be sure that we shred those but there are some ways that all of us could help just until this is fixed on a more permanent basis.

President Peters: That’s the kind of stuff we can clean up immediately. The big systems issues and other matters.

X. INFORMATION ITEMS

A. Nomination for Executive Secretary of University Council/President of Faculty Senate – see memo from Sue Willis and list of nominations (Pages 80-81)
B. Minutes from November 19, 2001 Academic Planning Council Meeting (Pages 82-84)
C. Minutes from November 26, 2001 Academic Planning Council Meeting (Pages 85-86)
D. Minutes from February 18, 2002 Academic Planning Council Meeting (Pages 87-89)
E. Minutes from December 3, 2001 Graduate Council Minutes (Pages 90-92)

F. Minutes from December 6, 2001 Undergraduate Coordinating Council Meeting (Pages 93-100)

G. Minutes from February 7, 2002 Undergraduate Coordinating Council Meeting (Pages 101-108)

H. Article from State Capitol Bureau, “Unpaid bills hit $1 billion: First time for state, says Hynes; maybe not, says governor’s staff” (Page 109)

I. Article from the Chronicle of Higher Education, “U. of Wisconsin Halts Undergraduate Admissions Because of Uncertainty Over State Funds. (Pages 110-111)

J. Memo from Kevin Miller, Speaker of the Student Association, regarding use of Social Security numbers as student identification numbers (Pages 112-113)

K. Alternate Policy List (Page 114)

L. Memo from Ken Davidson regarding Federal Health and Insurance Portability Act of 1996 (HIPAA) Compliance Efforts

XI. ADJOURNMENT

M. Morris: Move to adjourn.

President Peters: Move to adjourn.

The meeting adjourned at 5:00 p.m.