UNIVERSITY COUNCIL MINUTES
WEDNESDAY, DECEMBER 12, 2001, 3:00 p.m.
HOLMES STUDENT CENTER SKYROOM

Those University Council members present were: Baker, Bilder, Butler, Cassidy, Coover, Curley, Doederlein, Graf, Goldenberg, Gravel, Gregory, Gresholdt, Griffiths, Jennings, Jones, Kafer, Kaplan, Kasuba, King, Kitterle, Kowalski, Larson, Martin, K. Miller, R. Miller, Mini, Mohabbat, Morris, Musial, O’Kelly, Orem, Pernell, Peters, Povlsen, Richmond, Sorensen, Spear, Wade, Wheeler, Williams, Willis, Wolfskill, Young, Zar


Parliamentarian Ferald Bryan was present.

Those University Council members not present were: Burgess, Caldwell, Carter, Conde, Creamer, Ganesan, Garcia, Gotthardt, Harris, Henry, Ilsley, Kolb, Legg, Lockard, Miranda, Perez, Ridnour, Rubin, Schuth, Simon, Song, Stalker, Tolhurst

I. CALL TO ORDER

President Peters: Let me call the December 12 meeting of the University Council to order, on this dreary day. Thank you all for coming. Meeting called to order at 3:05 p.m.

II. ADOPTION OF THE AGENDA

President Peters: Is there a motion to adopt the Agenda? Second?

J. Wolfskill: I don’t know if you’re prepared for this at this time but I have an item I would like removed from the Consent Agenda and put on the regular Agenda.

President Peters: All right, do we do that when I move the Consent Agenda or now? Either way? All right. What is your request?

J. Wolfskill: Item “F” on the Consent Agenda I would like moved to whatever would be the appropriate place in the regular Agenda.

President Peters: New Business? So we move Item “V. F.” on the Consent Agenda to New Business. Would that be appropriate? Does that require any action? All right, so ordered. Are there any other suggestions before we adopt the Agenda?

The Agenda was adopted.

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 7, 2001 UNIVERSITY COUNCIL MEETING (Pages 5-22)
President Peters: Let’s move to approval of the minutes of November 7, on pages 5-22; and you know they’re summarized in executive form at the beginning. Is there any call for additions or corrections to the minutes? Motion to approve? Second?

The Minutes were approved.

IV. PRESIDENT’S ANNOUNCEMENTS

President Peters: Well, welcome everyone to our final UC meeting of the semester. It seems like these semesters go faster and faster. I want to just briefly, under announcements, mention three things. Graduation on Sunday I want to say a few things about. I will review what I said last week to many of you who were at the Faculty Senate, about the reserve budget situation for Fiscal Year ’02, and give you a brief status report of the IBHE FY03 higher education budget recommendations that were passed yesterday that now go to the Governor.

As I always do, I want to indicate that the fruits of labor this Sunday at Commencement Exercises result in approximately 1,240 candidates for undergraduate degrees and approximately 460 candidates for graduate degrees. That’s a very substantial number and commencements at NIU are always a time of celebration for the students and their parents and, of course, the professors and all of us who help produce these fine people. So, congratulations to everyone in advance for helping turn out these wonderfully prepared people and alums. That’s Sunday.

Let me talk a little bit about the status of the reserve or the holdback budget. I’m not going to say much in great detail because I really went over that last week with many of you who were at the Faculty Senate meeting. There are two components to the Fiscal Year ’02 budget and we in higher education been asked by the Governor to participate in a reduction of 25 million dollars in our budget for this year. In other words, don’t spend 25 million; hold it back in reserve. The public universities’ share of that was approximately 68% or approximately 17 million and our share – Dr. Williams is here who can correct me on the figures – it’s something in the neighborhood of 1.4 million. We have nicely put plans in place to accommodate that from fund balances, from utility savings and from balances in each vice presidential unit. That, of course, is a one-time reduction. It isn’t at this point a permanent reduction. Then on the heels of that, a few weeks ago the Governor requested that public universities share in the 100 million-dollar shortfall in increase in health insurance premiums. So money was budgeted at the State level to pay for health insurance premiums and CMS system and there is a 100 million-dollar shortfall in increases in premiums and pay-outs which was unbudgeted, and a calculation was made that higher education’s share of that would be 45 million, on top of the 25 million. Last week I indicated that was not clear and it is not clear today, how that 45 million will be allocated, and discussions are ongoing among the Bureau of the Budget, CMS, IBHE and the universities; and the variables are pretty straightforward. Do public universities share all of the 45 million or do other elements in higher education share part of that? The Illinois Math and Science Academy, the community colleges? You know, there are about 18 different budgeting categories that you call higher education. Or is it public universities? Remember that about 68% of the total higher education budget is allocated to public universities. So, we just don’t know. Then there’s a second level of calculation. How is that distributed among the member institutions? Is it base
budget; is it head count? We don’t know. One can come up with a great variance, a range, of reserve requirements on NIU depending on the answers to those three or four questions. Therefore, I’ve calculated with Dr. Williams that the one-time reserve holdback that NIU will be required to accommodate will range between about 3.5 million and 6 million dollars. That’s a wide range but it’s somewhere in there. Hopefully, we will know soon. And that 3.5 to 6 million, by the way, is the range for both the 25 million and the 45 million figures. Hopefully, we’re done with holdbacks for this year. I can’t guarantee that. We don’t know. Revenues will come in. Estimates. The Governor will do the State of the State sometime in early February. More could be coming. We don’t know. As I said last week, and I say to the Council, if you want NIU’s position on this, the most authoritative statement is on the Web site, my statement of two weeks ago Friday. That is the party line right now. We’re working on this very hard. Everyone is working on it. I began deliberations with Sue and I’ve talked to Jenine and Judy Burgess. I’ve talked to student leaders. I’m making myself available to give out information in this rather ambiguous environment that we’re in right now. To the best of our ability for the ’02 budget, for fixing this year’s budget, we’re going to try to stick to my criterion, which is, as best as we can, working very, very hard, not to disrupt student academic programs. We want to avoid any reductions in salaries and benefits for current employees. We want, as best as we can, not to get into furloughs. I don’t think furloughs work well in universities, and we certainly don’t want layoffs for current employees. Those are sort of the general criteria. We have a hiring freeze this time of year as we always do. That will remain in force until we have a better fix on this. We’re watching travel. We’re watching our fund balances. Now, as I’ve said, we do go into this in a strong position financially so, hopefully, we can weather this and take care of each other and share information.

Now, this all begins to change as we look forward to making a budget for FY03. If my comments about the ambiguity of the situation for this year’s budget hold – double that for ’03. It’s crystal ball time and the Governor and the legislature have some very hard choices to make, both this year and next year. Yesterday, the Board of Higher Education approved a budget for ’03. There are many of you in this room who know this process a lot better than I, but for those of you who don’t or for those of you who would like to know what I know, the IBHE takes the recommendations from all the constituent elements, and we’ve put in request budget. Then we have a series of discussions with the IBHE staff and then they produce a budget that is passed by the legislature. That then goes to the Governor. That’s where it is right now. The IBHE budget, which is a recommendation for higher education, is on the Governor’s desk and we will see what the Governor does with that in February. So, we don’t know yet. There are factors that must play out in the Governor’s mind as we look at revenue estimates. Anyway, let me give you what the IBHE request budget was to the Governor, and I’m going to simplify it. Basically I’m only going to talk about the public universities’ side of that, because more money had to go into the MAP program which is so important to this state. Money had to go into the various categories of higher education, but I want to focus on the public universities; I think there are twelve or thirteen of them. The FY03 budget provides public universities with about 2.2 billion dollars. That would be composed of a couple of things. About 1.54 billion of that is state general funds. The rest would be our local funds, tuition, fees, that sort of thing. That represents the 2.2 billion overall for public universities, about a 39.8 million-dollar increase, or 2.6%, over FY02 and remember we’re cutting our budget for ’02. But this base for ’03 is 2.6% more in the state general fund than for ’02. Who knows what the real base will be, but that’s the request. All
right, when the rubber hits the road, what does that mean for us? Here’s what that means for us. There’s a commitment to the fourth year of the five-year plan on salaries. You know, last year we got 4+1+1 for salaries, faculty and staff, 4% for raises and then 1+1 for retaining critical faculty and other things that could be assumed under that. All right, this year it’s 3% salary increment in that portion which is about 29.5 million and then 1/2+1/2 or an additional percent. Now my math tells me that’s 4% but it’s not 4% salary, it’s 3% salary and then for retaining critical faculty and staff, 1/2+1/2. We have to come with 1/2. All right, so we’ve got to find that out of our local funds. For the recruitment and retention of critical faculty/staff initiative, that’s 7.8 million. So you can see if you’ve got 39.8 in your mind and you’re deducting, what’s left? Those universities that are bringing on new state buildings, academic buildings, get money to operate and manage them at the rate of about $5.40 per gross square foot. It’s a good thing. In a lot of states you get nothing. So we’ll get, if this budget goes through, about $432,000 to operate Barsema Hall for a half a year because it comes on-line a half a year and then we’ll get the rest that we need in ’04 and $96,000 for the new Family Violence Center so we get some O&M. That’s just the way the state does this. It’s automatic. So, there’s nothing for programs. When the money for benefits is factored in, because last year we had to pay some of our benefits, this budget covers a reasonable salary package on the operating side, some O&M for our buildings, but no program money. So, that’s not a good thing going in, but at this point it’s not a zero budget or a flat budget or a reduced budget.

The capital budget is even a bit more ambiguous this time of year than the operating budgets. Requests come in for renovating buildings, new buildings and then capital improvement. This year, in terms of our priorities, the IBHE takes all the capital projects and they put them in order and then they draw the line and some projects are in and some projects are out. About 43 projects are in this year and if those were all funded, that would be about 440 million dollars. Well, last year, I think Dr. Williams, that the cut line was like 135 million. All right, so we don’t know where the cut line will be; but furniture and equipment for FF&E for Barsema Hall, 4.93 or 4.98 million, is ranked number 8 which is very good at about the 75 million-dollar level. And then at about number 21 is planning money for Stephens at about 1.2 million, and then at number 38 is full funding for Stephens. So, now what happens is we have to wait and see where the Governor decides to draw the line on capital. The argument that’s made to the Governor is that borrowing power, because of interest rates, is never going to be more advantageous, and if you want to stimulate the economy, putting money into capital is a good thing to do because it means jobs, you know, bricks and mortar. So, who knows how far down the list that will go but we’re optimistic. I’m optimistic on that score that we may be moving forward on those capital priorities.

Now, I think at this point we should just take it for what it is and then wait and see what the Governor produces because I think the economy is too unpredictable for us to really have a feel for what is going to happen. One thing we have to watch is how much of the one-time cut reduction that we’re taking this year comes back against our base, and a more crucial thing is what does the request for us to share in increased health benefits mean for the future? Does that mean that the universities now will be asked, out of their income funds, to shoulder health benefits? There are no definitive answers to any of that and the range of possibilities is so great that I wouldn’t even speculate on what that would mean. I would say one thing; I tried to capture in the headline for my press release the proper frame of mind, and I think it is time for patience
and concern and to be cautious. We should be cautious for a while until we know what we’re facing. That being said, I’m optimistic that this university, no matter what is faced, is going to come out on the high end of this and, as I told the Faculty Senate, Dr. Legg, Dr. Williams, and I have a tremendous amount of experience. I know that Dr. Legg and I have more experience cutting budgets but Dr. Williams is no novice, and we’ve been through it all before and I’ve learned from a lot of mistakes. I believe and I know we need to stick to our priorities here and we need to stick together and share information, and that I pledge to do. Right now, what it is time to do is put your trust in us to figure this out and cut the best deal we can on the actual number and then put a good process in place and then enjoy the break. Also, like Dr. Williams and Dr. Legg and I, I think we say a prayer every morning when we don’t have to turn the heat on here because, how much is that in the bank every day when we don’t turn the heat on?

E. Williams: It’s a meaningful amount.

President Peters: A meaningful amount. All right. I’m going to stop there and that’s my report. You want me to take questions now or wait until the end?

S. Willis: You might as well take them now.

President Peters: Take them now? Okay, I’ll take them now.

J. King: This is not about speculation, it is just an inquiry about the health-care shortfall. Is that an annual thing or did they just plan wrong? Did they guesstimate how much it was going to cost? I was just asking whether this phenomenon is anomalous this year or if every year they have a shortfall and have to come in with money at the veto session or something like that.

President Peters: Well, obviously at a time when you have a huge surplus because there have been increases in health insurance premiums every year, you don’t worry about it. You just take off the top what you need out of your excess revenue and you close the gap, because health-care costs in general are going up for all the factors you’re familiar with. The increased cost of care, so on and so forth. We happen to be in is a very high health-care cost area in in northern Illinois. We don’t have a lot of HMO options and so on and so forth, so the costs have been increasing, and then what happened is that the very strong revenue and surplus position of the state, the increased costs, caught up with that and they can't accommodate it anymore. Eddie, I know that’s not your area but you may have something to add. I don’t see Steve Cunningham here, who’s our expert.

E. Williams: I think you covered it pretty well, Dr. Peters. I think that two things are working as the President indicated. One, we’ve always had surpluses in Illinois and the legislature really didn't take the numbers seriously because they could always make adjustments at the end of the fiscal year. So I believe that, yes, probably going into each fiscal year for the past couple of years they may have been under-funding the amount; but I think also what has occurred, as the President indicated, is that the costs have gone up higher than anyone had predicted, and so that combination has caused us to face what is being called about a 100 million-dollar shortfall state wide; and they know the number for higher ed is 45 million.
President Peters: Yeah, that’s about as definitive as we can get. What that means for the future, I’m not sure. Any other questions? All right. Then, let’s move to V.

V. CONSENT AGENDA

President Peters: Is there a motion to adopt the Consent Agenda understanding we moved “F” to New Business? So Consent Items A-E, is there a motion to approve?

J. Zar: Point of order.

President Peters: Point of order.

J. Zar: The appropriate time to remove items from the Consent Agenda is now and it does take a vote of at least five Council members.

President Peters: Do we have to rescind our illegal action? All right, we’re going to ignore our illegal action. All right, so restate your motion.

J. Wolfskill: I move that item “F” be removed from the Consent Agenda and be placed under New Business.

President Peters: All right, is there a second for that? There’s a second. Any discussion of that? Hearing no discussion, all those in favor say aye. Opposed?

The motion was passed.

President Peters: All right, “F” is now under New Business. Is New Business appropriate? That’s where we put it before. All right. That’s the Consent Agenda. Let’s move down to reports, VI.

A. Composition of Intellectual Property Committee – see memo from Jerry Zar – refer to Rules and Governance Committee (Pages 23-24)

B. Rights to Online Materials – see memo from Jerry Zar – refer to University Affairs Committee. (Pages 25-30)

C. SPS Statement of Professional Ethics and Operating Staff Statement of Ethics – see memos from Jenine Povlsen and Judy Burgess – refer to Rules and Governance Committee (Pages 31-34)

D. Coordination of Start Dates for Executive Secretary and the Faculty Senate and University Council Membership – see memo from Chris Hubbard on approved changes for Faculty Senate Membership – refer to Rules and Governance Committee. (Page 35)
E. Resolution from Faculty Senate concerning an Honors College – see memo from Jody Newman-Ryan on resolution from Faculty Senate – refer to Academic Policy Committee (Pages 36-40)

The Consent Agenda was approved as changed.

VI. REPORTS FROM COUNCILS, BOARDS, AND STANDING COMMITTEES

A. FAC to IBHE – Patricia Henry – report (Pages 43-49 and walk-in)

President Peters: Is Pat Henry here? If not, we have a walk-in.

S. Willis: There’s a report in the minutes.

President Peters: All right, there is a report in the minutes.

S. Willis: A report on two meetings.

President Peters: So there is one report of a meeting in the minutes and a report from a second meeting that is a walk-in. All right? If you have questions, you can e-mail your questions to Pat. All right? Is that acceptable?

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Dorothy Jones and Dan Griffiths – report (Page 50)

D. Griffiths: I’ll make a very brief report. It’s on page 50 but I just wish to mention again, as I did before, that the presentations on the results of sabbatical leaves were both very well presented by all three individuals making the reports and very well received by the Board of Trustees. I also wish to thank Provost Legg for the strong opening statement on how sabbaticals are essential and an integral part of the life-long learning process. Besides Provost Legg, thanks should go to Virginia Cassidy who was involved in planning of this and to President Peters who has also made very strong statements in supporting sabbatical leaves. If there are any questions on this, the salary was kind of expected, I’ll try to answer the them, but most of that meeting was taken up with the sabbaticals and it clearly showed how the sabbaticals had helped these individuals in all aspects of their occupation. The Board members did ask some questions which indicated that they followed what was being said with interest and really supported sabbaticals.

President Peters: Good report. That was accurate, that’s for sure. Any questions for Dan?

C. BOT Finance, Facilities and Operations Committee – Sue Willis and Jim Lockard – report (Pages 51-52)

President Peters: All right, C. Finance, Facilities, Sue or Jim, the report is on pages 51-52.

S. Willis: I don’t believe Jim is here. I think the report is quite complete so if there are any questions I’d be happy to answer them.
President Peters: All right, let’s move on.

D. BOT Legislation, Audit, and External Affairs Committee – Judy Burgess and Jenine Povlsen – no report

President Peters: Legislation, Audit and External Affairs Committee – there’s no report. I believe they’re meeting tomorrow.

E. BOT – Sue Willis – report

President Peters: The BOT meeting, Sue Willis?

S. Willis: The Board of Trustees met last Thursday and opened with the introduction of a new trustee, Kathryn Adduci, who is a business graduate of NIU and will be a very wonderful addition to the Board. Then we had a report from the NIU Foundation from Mallory Simpson. The annual fund is doing very well and one point that I felt was interesting was, you know, we have students who are doing calls to, I presume, alumni and other people to ask for donations to NIU. They were a little concerned after September 11. They did halt for about a week because it didn’t seem appropriate, but then they restarted their efforts. The top student caller has brought in $58,000 and the interesting thing is that he’s a Pakistani. So they were a little worried that people might not react well to him but apparently he’s very good at what he does and they’re getting a lot of positive response both to NIU and to the fund raising, so that was a good thing.

The action items at the meeting consisted primarily of the things which you’ve already heard about from the sub-committees, all of which were passed; and then in addition there was resolution about what is known as the John Deere property to the west of campus, two parcels. One is slightly over 3 acres and the other is slightly over 7 acres, and the University is in the process of acquiring them.

President Peters: Questions? I may add that the new trustee, Kathryn Adduci, who is a College of Business graduate, is Vice President, of Unisys, and all of us who have interacted with her are delighted. She is very much interested in technology and education and I think she is going to be a fantastic Board representative. Chair Sanchez, Manny Sanchez, has asked her to serve on the Academic Committee and the Legislative Audit Committee, and she’s just a very, very good addition and I’m really pleased at that. Let’s see, where are we now?

F. Academic Policy Committee – Mary Larson, Chair

President Peters: Academic Policy Committee, Mary?

M. Larson: The Committee has been asked to consider the possibility of a fall break and so Sue’s given me the e-mail addresses of the faculty senate presidents and I’ve e-mailed all of them asking them whether they have a break or not. I’ve gotten just a few responses but I’ll keep everybody posted. I think we’ll need to have a real meeting and it looks to me like February 20 is the first Wednesday that we don’t have Steering Committee or something else cooking. I’ll let everybody know about this closer to the date.
President Peters: A point of information.

M. Larson: Yes.

President Peters: Given the cycling, academic cycling, and assuming that everything goes through and we do this and, you know, I have no presumptions and I don’t even really have a position on this except I’m certainly open to considering this, what kind of lead time do you need? When would be the earliest it would go into effect?

M. Larson: Probably 2010. I don’t know the answer to that.

S. Willis: I’ll try to find that out from Steve Cunningham.

President Peters: I’m sure it can’t be immediate.

M. Larson: I’m sure you’re right.

President Peters: Given all the complexities of scheduling and so forth.

S. Willis: Two years.

President Peters: Two years minimum I would think.

M. Larson: I’m sure you’re right.

President Peters: All right, very good. Dean Zar?

J. Zar: I think it’s a very good idea to survey other institutions, but while you’re doing that I wonder if you could ask them an additional question. If they do have fall break, you might ask what they believe the advantages and disadvantages are and if they do not, you might ask if they have ever considered it and why they rejected it.

President Peters: Very good. I think you’re going to get a lot of advice on this committee. Thanks Mary.

J. Kowalski: Jeff Kowalski from the School of Art. I have one other suggestion and that is as you undertake that investigation you might find out what types of institutions they are and whether they are primarily regional or are national colleges and universities. It may play a role in determining whether or not they feel some of their students need a longer period of time to return to visit a family member during a break in the fall.

President Peters: Good point.

M. Larson: If you do know of institutions outside of the State of Illinois where they have a fall break that’s like a week long please e-mail to me so I could just contact them –
mlarson@niu.edu.

President Peters: I think you just raised an important variable. What constitutes a fall break? Is it one day, two days or a week? Most of them are not a week; they are a Friday and a Monday or a Monday and a Tuesday.

M. Larson: Well the only response I’ve gotten so far I think is from Champaign/Urbana and they’ve got Thanksgiving week off.

President Peters: All right. That will be a fun one to debate, won’t it? Important though. All right. Gary, Resources, Space and Budgets Committee.

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

G. Coover: No report.

President Peters: That’s a first. Okay. You mean no resources, no space and no ---

G. Coover: I’m saving it for January.

President Peters: Thank you. All right. Susan, I know Rules and Governance always has work in it.

H. Rules and Governance Committee – Susan Mini, Chair

S. Mini: We’re looking at an action item, which is a change to the Committee Book.

1. Revised language and title of Continuing Education Advisory Committee to Committees of the University. ACTION ITEM (Pages 53-56)

S. Mini: Anne Kaplan is recommending a change in the Continuing Education Advisory Committee. Her memo about why she would like this change is on pages 54 and 55. Essentially, the Division of Administration has expanded to become the Division of Administration and University Outreach and, as a consequence, they want to change this particular committee. Rules and Governance looked at it and recommends this change for the committees book.

President Peters: The changes are on ---

S. Mini: Page 56.

President Peters: This is an action item?

S. Mini: That’s correct.

President Peters: So we had first reading on this last time?
S. Mini: No, we don’t need a first reading on a committee book change.

President Peters: All right. So you’re moving this. Is there a second? Or does a committee action need a second? Discussion?

D. Musial: I just want to understand the rationale for removing a representative from International Programs.

A. Kaplan: We had many years ago a representative from International Programs on the Continuing Ed Advisory Committee and a representative from Continuing Ed on the International Programs Committee and it really had to do with some kind of turf issue between those units at that time. I talked to Manfred Thullen about it. We both thought that we really don’t have those issues anymore and that it’s just asking somebody to come and do something that doesn’t need to be done, so we’ve agreed that we would take this opportunity to make the point that really that’s not the best membership for either group.

President Peters: Any other questions? Hearing none, all those in favor of the action please say aye. Opposed? All right. Those changes are made. Sue?

The action item was approved.

2. Changes to Bylaw article 5.216 (C) part 5, regarding ‘Criteria Upon Which Personnel Decisions are Appropriately Based Include: (C) Service to the University Community and Profession,’ FIRST READING (Pages 53, 57-59)

S. Mini: The second item is first reading of a change in Bylaw article 5.216 (C). We were asked by Mike Gotthardt to look at the language and this is on page 59. He was concerned about strengthening the language on service as a criterion for tenure promotion and sabbatical leave. My committee thought the suggested change didn’t result in complete equality and put service on a stronger footing. Then we looked at it more carefully and said, when considering the proceeding sentence, the context of the statement is changed. So what we’re recommending is removal of the last sentence all together, and we believe that this would put service on equal footing with teaching and research.

President Peters: So this is a first reading?

S. Mini: This is a first reading.

President Peters: Do we need comments or discussion on this? Any direction? Yes.

J. Kowalski: As I read this my feeling was that this was not a change I’d like to see in the language, that we currently have other mechanisms whereby faculty members who participate in service can have that service acknowledged on an annual basis during the consideration of merit and when they submit their faculty service reports to their respective personnel committees I’m not sure how it’s conducted in every department in the university but in the College of Visual
and Performing Arts and the School of Art we have a faculty work-load system that permits us to give different percentages or different weights to the types of activities we’re doing in a particular year, and if someone has opted to participate in greater amounts of service that will be recognized by correspondingly higher percentages and weights given to consideration of their service performance. I think that in terms of real consideration that’s the way we should approach this, but that for tenure and promotion in particular, I do feel strongly that teaching, which is the fundamental activity that this institution performs on behalf of students, and research, which is the activity that permits professors to renew their knowledge and/or to contribute to new knowledge and to transmit it to those students, is the core mission of our university, and I think that needs to be recognized in the two categories of promotion and tenure. Sabbatical leave, there’s another question at work there, but certainly in those two categories I have problems with this rewording.

S. Mini: So, if I understand you correctly, you would prefer not to see any change at all.

J. Kowalski: For these categories I would prefer to see it retained as it presently exists.

President Peters: We’re in a discussion and I’ve observed on occasion that discussion on first reading has resulted in instructions back to the committee for a redraft. I don’t think we’re at that stage now but I think what we’re doing here on first reading is getting the arguments out for us to contemplate in the interim. Correct? All right, go ahead.

J. Wolfskill: I would very much like to agree with the comments that were just made by Professor Kowalski. In my opinion, the current language of the bylaw is exactly correct. We have three components that are considered in making personnel decisions for a faculty member and those are teaching, scholarly achievement and service, and service, quite frankly, is not as important and we should not shy away from saying so quite plainly. We don’t give someone tenure based on that person’s service. We don’t promote based on service. We don’t give someone a sabbatical to perform great service. There is no presidential service professor and I hope there never will be although I know some of my colleagues jokingly suggested they may be the first. I would prefer quite frankly to leave this bylaw as it is presently stated.

President Peters: All right, let’s Dean Kitterle and then Malcolm and then we’ll get to Professor Kowalski.

F. Kitterle: All I want to do is just ask a simple operational question here in carrying out sabbaticals. If we have a professor who has done a really good job teaching and also has produced grants, perhaps, and a number of research articles, according to this policy as I understand it, this person would be in competition with somebody who has done significantly less research, may not have even turned in grants, teaching may have been okay, but has done a lot of service; and we’re going to justify sabbaticals? All I would simply say if that’s what this is potentially leads to, that they’re on equal footing, then I would simply say that I think people, unnamed members of our legislature who have a disposition about sabbaticals anyway, would find this policy in its implementation as it regards competitiveness with sabbaticals, a very good reason to do away with them.
President Peters: Malcolm and then we’re back to Professor Kowalski.

M. Morris: I’m not here to disagree with the statement of my colleagues as it exists on the relative importance of service or scholarship versus scholarship and teaching. I think it would be fair to say that the committee in considering this never intended to say that in all events service was on equal footing. I think our goal was to say this is really a decision that ought to be made at the college and/or departmental level, understanding in our committee itself that there are members from different colleges who have very different roles served by the service component. In my college service may not be particularly important but perhaps it is in others. So the goal here was not to say by eliminating this last sentence that ipso facto made service equal to the other two, it just said that’s really for colleges and departments to determine and the language as it stands with the deletion just says that service is to be accorded appropriate credit in annual merit evaluations. It does not speak to promotion, sabbatical or tenure at all. It’s actually silent on that point. So I hope that clarifies what at least the intent of the committee was.

President Peters: Professor Kowalski.

J. Kowalski: I just wanted to add that nothing that I said earlier should imply that I consider service to be a negligible aspect of the duties of members of this university. If I did feel that, I wouldn’t be here today and on my last workload agreement I upped the percentage accorded to service in order to reflect my greater commitment to it this particular year.

President Peters: If I could step out of the chair for a minute, whatever the faculty, the UC wants to do on this is okay with me. I’ll give you my experience. Of course, I come out of the land-grant tradition where in many departments, not all departments, but certainly on the ag side and in some social science departments, the FTE is fractionalized, where someone would be 30% research, 40% instruction and the rest experimentation or service. So it was memorialized, the role of service was memorialized. I counted them up I think there were 1023 tenure cases I’ve reviewed; we had the situation where units determined what to do with hybrid situations, are they instruction or are they service? For instance, I remember at one institution we promoted a mathematician to full professor on the basis of service, but what was the service? This person was a leader in the math association in models of integrating educational practice between K-12 and K-16. Now, it had an intellectual component but technically it was service because it wasn’t scholarship, it wasn’t teaching from the point of view of that department. So I think when I read this, the statement, in my opinion, may not mean much, I think it does denigrate the concept of service. I’m not saying that service should be a major factor in promotion and tenure. It probably shouldn’t be. Maybe in a rare instance, but one would be hard pressed. When I read it, that’s what I thought. I thought what it did was it denigrated service and service is critical. Service research that we do in my profession, for instance, I wouldn’t count as main-stream political science publication. It could be very valuable research but it was service research. Now, I do know the legislature would want that because they value that even more then they do my articles on theoretical political corruption that six of us in the world read and care about, and I’m not sure about two of those. Mike isn’t here today, but I think his intent was to try to raise the question of whether this good work that professors do is rewarded. I think that’s really the sense of it. So, I’m glad we’re having this debate. All right. Anybody else? So that’s first reading. So think about it over the holiday. All right. Where are we? So, you’re done, right
Sue?

I. University Affairs Committee – Richard Orem, Chair

President Peters: Is Richard here today for the University Affairs Committee?

R. Orem: No report.

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

President Peters: Winifred, are you here with Elections? No report.

VII. UNFINISHED BUSINESS

There was no unfinished business.

VIII. NEW BUSINESS

A. Request Legal and Human Resource Departments to look at Ethics Statements.

President Peters: We have two items of new business. A is Request Legal and Human Resource Departments to look at Ethics Statements.

S. Willis: Let me explain what this item is. This was put under New Business at the request of the Steering Committee. The various constituencies have been working on these ethics statements and at the moment what we’re doing is referring them to Rules and Governance with the idea that eventually Rules and Governance will recommend to us what they think we ought to do with them. In the meantime, it was suggested that we ought to have the Legal and Human Resource departments take a look at these just to make sure that we’re not doing anything stupid or, you know, just to make sure we’re not putting our foot in something we didn’t realize we were putting our foot into. So we decided that having this be a formal request would be a good idea and so if this body agrees to that then I will see to it that this request is passed on to the appropriate places.

President Peters: So this is in the form of the Council referring this to Legal and Human Resources for an opinion. Does that need an action or can we do that just as a referral?

S. Willis: I think we can just do that.

President Peters: Let’s do it. All right? You want to do that? Any objections; any comments?

J. Zar: How many of these ethics statements do we now have? We have SPS and faculty; operating staff also? Good. Can we amend this referral slightly and put a date on it?

S. Willis: Yes and, in fact, I had meant to put that on there and forgot.
J. Zar: It would be helpful.

S. Willis: I will ask them for a response by a particular day. Do you have a date in mind? I was thinking a couple of months.

J. Zar: Mid-February. February 15, something like that.

S. Willis: Okay.

President Peters: Does everyone agree with that? We’re going to ask for counsel back from Human Resources and Legal on these ethics statements by one of our February meetings.

B. Proposed amendments for Article 9 of the NIU Bylaws approved by the Faculty Senate – see memo from Faculty Rights and Responsibilities Committee of the Faculty Senate – refer to Rules and Governance Committee. (Pages 41-42)

President Peters: Then the other matter of New Business was what was “F” on the Consent Agenda, Proposed amendments for Article 9 of the NIU Bylaws approved by the Faculty Senate. There’s a memo, pages 41-42, and it was to be referred to the Rules and Governance Committee.

S. Willis: Let me speak to this a little bit just to give a background on where it came from. The retiring Faculty Personnel Advisor wrote a lengthy report which you got in your first packet for our first meeting this year. She raised some issues of substance which the Faculty Senate directed the Faculty Rights and Responsibilities Committee to look at. They came back at our last meeting with some recommendations for bylaw changes to address some of these issues. Now the Faculty Senate can’t change bylaws. The University Council is the body that does that. So, what the Faculty Senate did at its last meeting was to vote to pass these on to the University Council for consideration. So that’s where they came from. So, the idea was that then the University Council Rules and Governance Committee, which is the one that has to deal with all these bylaws, would then take a look at this and then come to this body with recommendations. So, that’s the background.

J. Wolfskill: I think I misinterpreted what was intended on the front page and now, if I understand this correctly, it would probably be more fruitful because I have some concerns about this proposal, for me to communicate those to the Rules and Governance Committee as part of their consideration.

S. Willis: If I might add, I put things on the Consent Agenda that are referrals to committees, so for all of these things that are being referred to committees that means that the committees are going to be thinking and talking about them so that’s certainly an appropriate thing to do if you have some comments. Obviously, you can bring them up here but it’s certainly also appropriate to communicate with the chair of the committee if you have any thoughts or input on any of these things.

President Peters: So, we don’t really have to take any action. This is going to go to the Rules Committee but we removed it from Consent just to discuss the issue.
S. Willis: We need to vote to refer it.

J. Wolfskill: I’ll move to refer to Rules and Governance as originally intended.

President Peters: Okay, now we have a second. Dean Zar you wanted to make a comment?

J. Zar: I just wanted to suggest that when it is referred and when it comes back to the University Council it not be referred to as “amendments approved by the Faculty Senate” as the agenda says, as the Faculty Senate memorandum clearly indicates it’s a recommendation from the Faculty Senate.

S. Willis: The Faculty Senate meeting was just a week ago so we wrote that real quick.

President Peters: Is there any discussion or anything that we need to attach to this; any directives? It’s self-explanatory? All right, ready to vote? All those in favor of referring this item to Rules and Governance say aye. Opposed?

The item was referred to Rules and Governance Committee.

President Peters: Any other New Business? Hearing none, anything for the good of the order?

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

D. Musial: I just want to check the report – we went through this quickly at the beginning that was a walk-in today. Is that related to a report that Patricia Henry is – I would just like to make a note that in reading it quickly as I have had to do, I really find the information on the first page where we have Keith Sanders making statements about assessment and then referring us to the assessment policy that was developed by the faculty, there are all kinds of disconnects. I think there’s a lot implicit in this walk-in and I will look forward to speaking to Patricia about it and maybe even asking her, if we find that there’s some confusion here, to speak to this next time. Get it on the agenda. This is a bit troublesome to me. That’s all I’ll say for now and we’ll move from there.

President Peters: All right. I think that having served eight years on the Tennessee Higher Education Assessment Committee I think we should have a discussion about this. All right, anything else for the good of the order?

X. INFORMATION ITEMS

President Peters: I refer you to the Informational Items that are attached.

A. Minutes from latest Academic Planning Council meeting (Pages 60-62)

B. Minutes from latest Graduate Council meeting (Pages 63-68)
C. Minutes from latest Undergraduate Coordinating Council meeting (Pages 69-73)

D. Press release, “Governor Ryan Announces Third Round of Budget Cuts” (Page 74)

E. Article from Pantagraph.com, “Ryan wants another $154 million in cuts,” (Pages 75-76)

XI. ADJOURNMENT

President Peters: Do I have a motion to adjourn? When is our next meeting? January. Happy Holidays everybody.

The meeting was adjourned at 4:05 p.m.