
Parliamentarian Ferald Bryan was also present.

E. Shumaker attended for J. Hurych; S. Miller attend for S. Richmond; and J. Camp attended for C. Wiese.

THOSE UNIVERSITY COUNCIL MEMBERS NOT PRESENT WERE: Cabasa-Hess, Crumble, Dorynek, Graf, Goldenberg, Kolb, Lockard, Loubere, R. Miller, Rubin, X. Song, Spires, Woodin

I. CALL TO ORDER

President Peters: I’m pleased to call the October 9, 2002 meeting of the University Council to order. Welcome everyone.

The meeting was called to order at 3:07 p.m.

II. ADOPTION OF THE AGENDA

President Peters: Our first item of business is II, Adoption of the Agenda for today. Is there a motion to adopt the Agenda as printed and I don’t believe we have any walk-ins that need to be – we do? It has to be incorporated within the Agenda so we adopt the Agenda with this walk-in. So moved? Is there a second? All in favor say aye. All opposed? We have an Agenda.

The Agenda was approved with the addition of the walk-in.

III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 11, 2002 MEETING (Pages 3-7)

President Peters: Let’s move to the Approval of the Minutes of September 11 on pages 3-7. Let me call for additions or corrections? Dan Griffiths.

D. Griffiths: Yeah, under B on page 4, BOT Academic Affairs, Student Affairs and Personnel Committee, there were actually two reports there. The first one – paragraph – was the one I
made and I think someone else made a report when I was actually appointed to this position so that should be shown. I didn’t announce myself being appointed.

S. Willis: That’s true. Okay.

President Peters: Does everyone understand what that correction was, or interpretation?

D. Griffiths: Is that clear?

President Peters: Clarification. All right? Any other additions or corrections? Move to adopt? Second? All those in favor? Opposed? We’ve adopted the minutes of September 11.

The minutes were adopted as amended.

IV. PRESIDENT’S ANNOUNCEMENTS

President Peters: I have no prepared remarks today. I think I said all I could possibly say last week and I was impressed with the turnout on a Thursday when we’re all so busy. I just want to say a few things about the State of the University and highlight some things I had said and just talk a very, very little bit about the future. I mean, my belief was as I prepared that speech knowing that we had been through some budget reductions which were significant and that the clouds were gathering, my overall impression was in preparing the speech and going through all my material and looking at accomplishments was the amazing vitality of this institution. That’s not to sugarcoat the realities on a day-to-day basis dealing with more students and the good things that come from that and then the negative things and some of our other issues and the budgets and lack of generalized salary increases and what may lie ahead but, that being said, if you – you know, that historical moment aside, if you look at where we are and what we accomplished last year and the vitality of the place, it’s truly amazing and we shouldn’t forget that. Hopefully, that will get us through the hard times and that never stops. Creative people are always coming up with new ideas and what happens in a time of less resources is that many of those ideas have to be put on the back burner or slowed down and you have to prioritize more. Nonetheless, I was really, really impressed with that and then also with the spirit with which we handled all the adversities last year and the challenges and that’s not just all money. It was the changing nature of our place in the world and how we all came to deal with that and that, of course, is the challenge in the years to come. I didn’t dwell enough on that in the speech, about how college campuses must be the communicator and the place for dialogue on these monumental discussions that are beginning to take place about the troubles of this global world. Then the other thing I hit upon that I could have even hit more was the need as we go through both the budgetary stresses and strains, the tremendous political transition that the state is going to go through next month, and then succeeding years and the economic and the cultural change – the change in the position of the US in the world, that we need to focus on civility and openness and understanding and care and concern for each other. It’s been my experience at other institutions, and in life, that when things get difficulty, sometimes organizations, families, begin to turn on each other. This is not a good thing. We need to work together to solve our problems because those institutions that do that are going to prosper when this economy turns around. So that, if I was going to hit – in retrospect, if I was going to hit something harder, although I did hit
Let me then transition a little bit and talk about the ambiguous situation in which we find ourselves with regard to the state revenue picture, both currently and for fiscal ’04. The facts that I could restate from my speech have not changed and they’re still – some is clear and much is very ambiguous. We, in the current fiscal ’03 budget that was passed in July, the revenue estimates and the planning assumptions that went into that were such that economic forecasters are already predicting a gap of 300 million in the current year’s budget, state budget. That sounds awfully lot like what we heard last year. That could be a larger number. So that is something that calls for us to be prudent and we have prudent and we’ve known that and as we built a budget for ’03 we did try to accommodate some planning for the contingency that we may not make it through this fiscal year without the state calling back or rescinding some of the authority to spend our total appropriation. It’s called a take-back or rescission. We don’t know whether that’s going to happen. We do not know. We don’t know when that’s going to happen. We’re going to have a change in gubernatorial administration and one can only guess that when a new governor takes over, and that’s the one thing that’s certain, a new governor will take over January 13 I think, then that person and that team has to analyze and look at the books and find out where they are in terms of state revenues and so I wouldn’t expect that we would know much about this until that period of time. I could be wrong, perhaps in the so-called veto session something is done, but I don’t – my guess, and it’s only a guess – is no. But, that being said, the predictions now are that as we start the fiscal year ’04 and as we build the permanent budget for ’04, the state budget, that the state could be in arrears at the level of 2 billion, 2.5 billion dollars assuming the revenue continues at the level it is. It could turn around. It could get better; it could get worse. We don’t know. That’s the backdrop in which we operate this year. So, my word to everyone and my word to the Senior Cabinet, my word to the deans, my work to you is let’s remember what got us through last year and proved to be successful and that was prudence and this year we have already been prudent and we need to be more prudent. Prudent takes a very real – gets operationalized very quickly. We must be careful on every position we search for. We must be careful on our equipment purchases, on our travel, every aspect of our operation because at some point it may be, let’s hope not, it may be that we’ll be required to give back. This is not something that should surprise anyone. We do it normally in November. We get a little prudent in November. We’re just getting prudent a little bit earlier. So, I think with those measures we’ll be all right. There are discussions that are going on at every level about how we manage the budget, long-term discussions about enrollment and all of those issues as it should be and what I see is kind-of a vibrant system working and, hopefully, the revenues will begin to turn around and we can move ahead even faster than we are. So, with that, I will say we are not going to know much for a while. I mean, the thing that’s happening now in this state is that there’s an election, believe it or not, come November so then after November, between November and January, then discussions will begin to develop. I don’t imagine it’s going to be until January before any real activity takes place, but be advised that I am spending most of my time on a day-to-day basis making the case for higher education in Illinois and specifically NIU, making the case for the quality of this institution, its effectiveness, its flexibility and its need for better state funding and most of all, I never miss the opportunity on any occasion to make the case for a salary increase for all of our faculty and staff. That remains my highest priority. Okay, end of the sermonette. I didn’t think I had much to say, but I guess I did.
V. CONSENT AGENDA

President Peters: Let’s move forward to the Consent Agenda. There are four items. Is there a motion to adopt the Consent Agenda? Yes?

D. Wagner: I’ve been instructed to do this but I would like to move that item “D” be removed from the Consent Agenda.

President Peters: All right, Item D. Parliamentary procedures – do we vote ---

F. Bryan: It says five members of the Council need to approve that; typically I’d say to remove it.

President Peters: I’d say let’s take it off. All right. We will remove Item 5, D. Now, should we then approve the revised Consent Agenda?

F. Bryan: Yes.

President Peters: Is there a motion? Second? All right. You know what we’re voting on? Pat?

P. Henry: Actually, I just – does that mean we weren’t going to discuss anything except item D, because I sort of wondered something about Item C too but ---

President Peters: What it means is we – I take it then it becomes an item for discussion and we have to then act on whether we refer it. Is that correct? That would be under what, New Business? This is my understanding of what we’ve just done. All right? My understanding is that we’ve removed “D” from the Consent Agenda. We will bring it up under New Business for action. Okay? There’s a motion and a second then to approve the Consent Agenda as revised. All those in favor say aye. Opposed? Yeah?

P. Henry: I’m sorry, I wasn’t sure when I should do this. I would also like to have Item C removed.

M. Morris: You can direct your question to the Committee when the Committee reviews it. It’s only being referred to the Committee.

President Peters: Is that all right?

P. Henry: Okay, good. That’s fine.

President Peters: All right, so what we have now, we have an official vote except in the Consent Agenda which is now Item A, B and C. D will be discussed under New Business. Is everyone clear and acceptable of that? Okay.
A. **Composition** of University Benefits Committee – refer to Rules and Governance (Page 8)

B. **Composition** and Title of President’s Commission on Sexual Orientation – refer to Rules and Governance (Page 9)

C. **Amendment** to Bylaw 5.34, Time in Rank for Promotion, for the College of Law – refer to Rules and Governance (Page 10-11)

D. **University Holidays** for 2004 and 2005 – refer to University Affairs (Page 12)

VI. **REPORTS FROM COUNCILS, BOARDS, AND STANDING COMMITTEES**

**President Peters:** Now let’s move into Reports from Councils, Boards and Standing Committees. Pat Henry the Faculty Advisory Committee to IBHE. Tell us all about Performance Indicators.

A. FAC to IBHE – Patricia Henry – report – **September 13, 2001** and **October 1, 2001** (Pages 13-18)

**S. Willis:** Get a microphone – you need a microphone.

**P. Henry:** Thanks. Yes, this is yet another rather long report because I’m reporting on two meetings and my apologies but I don’t think I’ll have to do this again. What I’ve done, and those of you who are in the Senate heard me explain this before, but I’m trying to sort of cut to the chase with a lot of these things as there is a lot of information and we all have plenty of information to deal with. It’s my understanding that my pieces of paper that you have before you are also going to be available on the website so I’m including all of the links to various websites which will give you still more information and I will assume that those of you who want further information can go there. What I’ve done is sort of asterisked the points that I think are matters that we should probably at least look at during these meetings and the first one of these related to the September 13 meeting of the FAC and has to do with the All Faculty Matter report that does involve a letter that was sent and perhaps President Peters or the Provost would like to mention this, but this has to do with the University’s preparing a report to the IBHE about the way in which NIU is responding to the various recommendations of the IBHE on non-tenure track faculty and it’s my understanding that something has been done and is being done to get the opinions of the faculty which is what the letter encouraged you to do.

**I. Legg:** That is absolutely correct.

**P. Henry:** So that’s, I believe, under advisement. Speaking of performance indicators, the next item that happened that had a lot of discussion at the FAC meeting was, indeed, the Survey of Performance Indicators vis-à-vis the Illinois Commitment and I had mentioned this on several occasions here. It is a very, you know, substantial sized – I’ve printed off some of it – but the survey itself is to find out if they’re asking the right questions about the way we’re fulfilling the goals of the Illinois Commitment and so it’s several degrees removed from the actual Illinois Commitment but I think it’s a very important point for us to consider getting some input into the IBHE about his because, indeed, the Illinois Commitment and how well we perform in meeting the goals of the Illinois Commitment is a big deal as far as the IBHE is concerned. I think it
would be very useful to look at it to get some feedback to them. This doesn’t have to be very complicated. For example, goal three has to do with financial aide and accessibility because of finances. All of the questions have to do with something tuition and financial aide and the price. I responded with a little question saying shouldn’t there be something about how much it costs the institution to provide an education and what proportion of that is provided by tuition and fees versus outside funding. So, there perspective it seemed to me, in asking this question was all geared towards how much it cost a student to go to a given institution. It didn’t pay any attention to how much it cost the institution to provide that education and so there are points like this that I think it would be a good idea to bring up now. In addition, and I don’t know if Virginia Cassidy would like to address this, I did send her an e-mail at the suggestion of the Faculty Senate as to whether the University Assessment Panel could look at that and make a decision as to whether to respond. I don’t know if you want to respond to that?

**V. Cassidy:** The item is on the Agenda for the next University Assessment Panel meeting, which is October 18, I believe. In addition, there was a group that was convened yesterday, members of the Provost’s staff and some representatives from Finance and Facilities who had received the call to provide input on the indicators, and we discussed with them as well.

**P. Henry:** Again, I think from as many different avenues as possible, this is the chance to get some feedback to the IBHE. Anybody have any other comments on that? I think as far as the rest of the meeting, I think I could skip over this. It has more to do with the budget and so forth. The meeting that was October 1 with the actual IBHE itself was very interesting from a number of perspectives. Again, I give you all of these websites with the assumption that if you do want to find out exactly what the IBHE is saying about anything, you can pretty much find out via these websites. They’re very thorough; it’s a very well kept up website. The business meeting – or, I’m sorry, the various problems of higher education that were particularly given highlights during this meeting had to do especially with the problems of the budget and this was going to be ongoing and, let me see here – I’m sort of skipping ahead – um, actually let me backtrack a moment here. On page 2 of the October 1, I’m not sure what page that is in what you have, is that – 17? There’s mention of the fact that the focus on student success is a study that the IBHE is undertaking. One of the problems that was discussed there is that it’s very hard to get an accurate measure how well, in fact, especially the qualitative measures can be made to compare across universities and across time. However, this is something the IBHE feels is very important if it’s going to go to the legislature and persuade it to give us more money. Regarding the budget, indeed, this is item number 8, going on to the next page, I should mention the report – the full salary report – mentions NIU salaries comparing those to our peer institutions, the report showed we went from 96.8% of the median in FY95 to 101% of the median in FY02. That was before everything started getting cut. I wrote here our average here – that should say the weighted average, which I suspect makes a difference in these things, is listed here for all ranks for professors, associate professors, assistant professors, and instructors and it seemed to me that some of these numbers looked a little high but that’s the numbers that I’m getting straight from the financial report that they gave. Someone may be paying an instructor a million dollars I think someone mentioned but I don’t know where. Finally, just one item in passing, the University of Phoenix is now sort of part of the landscape and various programs that are being offered are going right through without any particular discussion. The discussion that we had after lunch with members of the IBHE was, again, very useful and informative. It focused
especially again on this matter of assessment which has very different perspectives when we look at it from the point of view of faculty who see it as being something that may create a lot of paperwork and may not be measuring the things which we think are important to measure. IBHE on the other hand sees it very much as something that it needs in order to talk to the legislature. I think that – one other item that was just handed to me – Eric Johnson, who is the SAC representative from NIU has passed me information concerning the SAC’s action to resolve that Social Security numbers should not be used freely and unnecessarily and I think that’s something that we’ve been dealing with as well but you may speak to Eric Johnson if you have any questions about that and I think that concludes my report.

**President Peters:** Are there any questions? That was two full meetings that you reported on. There’s a lot there. Of course, the context – remember that the IHBE will soon be working for a new boss and then in time, perhaps, the Illinois Commitment will become something else because that was somebody else’s program but I do not think the emphasis on measurement, assessment and accountability will go away. That’s why we need our best minds to inform these measures to make sure that they have some relationship to measuring what they purport to measure. It’s so easy – in my whole career, you know, public officials and others look for the – what do you call it – the silver bullet. The one measure, the one score of the test of a general education that will demonstrate rather or not the investment in four years or more was worth it and that is a very – obviously, it’s a very difficult concept for us academic people to grasp but nonetheless, it’s out there so ---

**P. Henry:** The request was very clear for just exactly that magic number.

**President Peters:** The silver bullet, yeah. I know what I’d do with some silver bullets if I --- okay, any other questions for Pat? As a matter of fact, by the way, the October 1 of the IBHE was held at Kishwaukee College and they have a very nice little conference center out there if you ever get a chance, you should go out and see it.


B. BOT Academic Affairs, Student Affairs and Personnel Committee – Paul Loubere and William Tolhurst – no report.

**President Peters:** Paul Loubere and William, BOT Academic Affairs? No report?

**W. Tolhurst:** No meeting to report.

**President Peters:** No meeting to report on.


**President Peters:** Sue Willis and Jim Lockard, BOT Finance? Same deal.
D. BOT Legislation, Audit, and External Affairs Committee – Sara Clayton and Bev Espe – no report.

President Peters: Same with Sara Clayton and Bev Espe. No Legislation, Audit committee meeting to report on

E. BOT – Sue Willis – report (Page 19)

President Peters: Sue does have a report on the Board of Trustees meeting.

S. Willis: The full Board of Trustees met on the 19th of September. I have a written report there on page 19. The only thing that I wanted to mention was about the Metropolitan Planning Organization. DeKalb County has now been officially declared – what is it called – an urbanized zone or some such thing. We’re densely populated according to some measure and therefore a metropolitan planning organization needs to be set up which coordinates transportation needs through the county. The Trustees passed resolutions supporting the participation of NIU as a voting member and I believe that that will, in fact, happen. I haven’t heard anything lately but ---

President Peters: The status of this is – and a group of students were involved – is that NIU will be given a voting membership on the policy committee and two voting members on the technical committee. One of those voting members of the technical committee will be a student and someone from the city is beginning to draft the language and so-forth and there are some meetings coming up. I’m going and Kevin, I believe – I don’t know what you’ve decided yet. We have representation as is only right and proper. I could tell you my perspective on it if you’re interested. You know, obviously we have less of a stake in the global county issues of roads and that but there is a stake there. I can simply sum up my feelings this way – I feel a responsibility to make sure that as we plan and the city plans and the county plans for roadways, that Annie Glidden never happen again. You know, I know that sounds a little humorous but I feel that very deeply. People have lost their lives and been hurt and we have a major problem. You know, we can’t blame anybody. You really can’t, but perhaps we should look ahead when we do this and that’s why I’m thankful to the Trustees and the students for helping make the case here or for making the case. That’s my perspective on it.

S. Willis: All right. That concludes my report.

F. Academic Policy Committee – John Wolfskill, Chair.

President Peters: All right. Now we move into Committee Reports. Academic Policy Committee – John Wolfskill. Where are you John?

J. Wolfskill: On September 18 the Academic Policy Committee held a joint meeting with the Faculty Senate’s Faculty Rights and Responsibilities Committee chaired by Mark Cordes. The subject of this meeting was human research issues and the Institutional Review Board known as IRB as the general issue of problems with the IRB had been referred to both
committees. During this meeting we were briefed in general terms by staff from the Graduate School and the IRB. Not intending to slight anyone else, I would particularly like to thank Lori Bross from the Graduate School and Sharon Plowman, Chair of the IRB for a very informative session.

Very broadly, their presentation stated an optimistic appraisal of the situation. On the other hand, from several faculty members, we had persistent complaints to the contrary. In some cases, I believe, these stem from miscommunication and would be easy to address. However, in other cases there appear to be significant differences of opinion in the proper interpretation of NIU’s procedures. During our next meeting which will take place one week from today, we intend to discuss some of these cases as we begin to consider what recommendations we may make. Now I’d like to call on other members of my Committee if they would like to make further remarks to clarify or refute what I’ve said.

President Peters: All right. Any questions, comments? All right. Thank you.

G. Resources, Space and Budgets Committee – Herb Rubin, Chair – report (Page 20)

President Peters: I don’t see Herb Rubin for Resources, Space and Budgets but I see his words on page 20. So let’s have a moment of silence while we take a look at – there was a meeting – well, you can read. So they’re working on their agenda and their focus. All right? I’m sure Herb will appreciate any questions that you have. Anybody want to comment? Okay.

P. Henry: I think that one of the issues that I hope is going on here and I’d be interested in having further discussion on is the problem of students coming late to classes on the west side because they can’t get from the east side and this happening a lot this semester.

President Peters: I think that is encompassed by what I see here and obviously people are thinking hard on the locomotion issue. How do you get people from one side to the other in the requisite – what is it – 10 minutes, 15 minutes between classes?

P. Henry: Ten is what it is.

S. Willis: If I might just add to that. During the Faculty Senate meeting that was one of the things that Herb did point out, particularly not only with the present situation on the campus but particularly in light of further development of the west campus which will extend things even farther. It needs to be done in light of the fact that people have to get from one place to another.

President Peters: Luckily, there are lots of models out there. I mean, we may be a large, spread-out campus but we’re not as large as many or as complicated and we have invested – students have invested – heavily in a bus system so there is the potential for speeding this up and solutions in scheduling and block scheduling. There are all sorts of ways of approaching this but I think it’s something that people are – I’ve heard that people are attending to it. All right? Thank you Pat. Anything else for Herb’s Committee? No?
H. Rules and Governance Committee – Susan Mini, Chair – report – walk-in

President Peters: Okay, then. Susan, Rules and Governance.

S. Mini: Thank you. Rules and Governance met to consider Dean Greshold’s request. This is a walk-in, I’m sorry, so if you pull out your walk-in and take a look at it. Dean Greshold’s request is, if you flip the page over and you can see his memo to Donna, and what he was recommending was that we remove the Student Affair Advisory Committee from the Committees of the University and the composition of that particular committee is on the flip side of the page so you can take a look at what that is. My Committee met, the Rules and Governance, to consider this and we decided that Dean Greshold’s Committee falls within one of the five units of the Committees of the University. It’s not a Committee reporting directly to University; it’s not a Committee reporting indirectly to University Council but it falls in Category 3, a committee which is not normally within the jurisdiction of the University Council and, in that case, it definitely did fall into our purview. I’ll just quote “the Rules and Governance Committee’s inclined toward to making governance information widely available”. “Other Student Affairs Committees such as the College Personnel Committee, the College Counselors and the UCPC are in the Committee Book”. Therefore, we didn’t think that his request in any way – how do I rephrase this – merited to be treated any differently. Thank you Malcolm. So that’s my report.

President Peters: So you said no.

S. Mini: Yeah, we said no.

President Peters: Yeah, all right.

S. Mini: We said no but I’d like to point out that he certainly is capable or able to bring it forward himself to the Committee.

G. Greshold: Okay, the only reason I brought the question up was I asked by Donna to update the entry for the Committee Handbook. I’m really not opposed to having reference to this group included in the Committee Handbook, however, I think it’s inserted there erroneously because the group really is a staff committee of an administrative unit and we don’t usually include staff committees within the Committee Handbook but if it’s your preference to leave it there, that’s fine to leave it there. It’s really not a committee though. It’s a staff situation.

S. Mini: Well, as with many things, especially that have to do with the Committee Book, we’re asked to make a recommendation. You, of course, can bring this forward yourself to the University Council and ask them to remove it if you’d like.

President Peters: Okay, so where we are parliamentary speaking, is that Rules does not want to bring this forward – has chosen not to bring this forward.

S. Mini: That would be our recommendation.
**President Peters:** So this – from the point of view, this is in limbo so somebody would have to move it in some other fashion? Right? Bill?

**W. Tolhurst:** Speaking as a member of the Committee, I think it might be helpful for all of us who might have to deal with this to have a clearer sense of how the Committee that Gary is talking about is different from some of the other ones that are. I gather you think it is relatively different and you made the comparison to the President’s Cabinet and so if we could get a clearer explanation of why it’s different from some of the ones that are there already. Right? That it was getting compared to so we could understand why it merits ---

**G. Greshold:** I made reference to the President’s Cabinet and to the Provost’s staff meeting in my letter to, or e-mail, to Donna but this a group of directors who report to the Vice Provost for Student Affairs and we meet in a regular staff meeting, sometimes regular, sometimes not so regular. We’ll call them together when there are topics that there need to discuss but it’s really not a committee that votes on issues or determines policy in the same sense that other committees might do that or recommend – I suppose we do sometimes recommend policies but we do have to go through appropriate channels to do that. It would be like – and the best example I have – is the Provost meets with the people who report to him in a staff meeting. The President of the SA has a staff. He meets with his staff weekly. They are people who report to him and that group is not listed in the Committee book. If you want to leave it in the Committee Book fine; I just question whether or not it really belongs there.

**W. Tolhurst:** So it sounds like in some respects like the College Senate of various colleges where the deal meets with all the department chairs and it’s largely informational and very little action gets taken by the other members of the committee.

**G. Greshold:** Right.

**President Peters:** Or more to the point, it’s probably the dean meeting with associate deans and staff and not with ---

**G. Greshold:** Or Bob Wheeler meeting with units that report to him. It’s a supervisory kind-of relationship as opposed to a committee structure like many of the other entrees in the Committee Handbook.

**President Peters:** Okay.

**J. Kowalski:** Jeff Kowalski from the School of Art and speaking as another member of the Rules Committee, I think one of our thoughts here was that since this is a Student Affairs Advisory Council that continuing to list it in the Committee Book would not be inappropriate since it does list the basic categories of the membership and that if someone had an issue or a question they wanted to present for consideration at one of these meetings of this advisory group or committee or however we care to designate it, that they would have a just a kind-of a guideline to whom they could contact other than the Associate Provost for Student Affairs so – I think that was part of our thinking too.
President Peters: James Barr?

J. Barr: I have spent a little time over the years of undergraduate and graduate work and I would agree with Gary Greshold. The nature of this Committee is not a committee at all; it’s purely staff in function. It doesn’t keep minutes as a committee; it doesn’t take motions as a committee and it’s not really at all kin to a college council which has appointed or elected representatives of various units.

W. Tolhurst: I was talking about the Senate which is very different from a college council.

J. Barr: Okay, but even that – they do report up, they are not appointed. My understanding is they do keep minutes and take motions and in that respect don’t operate as a staff function.

W. Tolhurst: The Senate?

J. Barr: Yeah.

W. Tolhurst: The College Senate doesn’t take minutes.

J. Barr: And they don’t take motions?

W. Tolhurst: Well, not generally.

President Peters: All right, it seems that what we have here parliamentary speaking is something that’s in limbo that would have to be brought up under New Business.

F. Bryan: It is the will of the body, we can deliberate as how we want to deal with it. The recommendation from the Committee will remain as it is.

President Peters: All right. Does anyone have a motion to make with regard to the disposition of that? If not, I think we just move on.

J. Barr: I make a motion to bring it up for removal from the Book of Committees.

President Peters: All right, there’s a motion to move it from the, what is it called – the Committees of the University’s website. It’s not a Committee of the University – is that ---

F. Kitterle: Would you repeat the motion?

President Peters: What’s that? James would you repeat your motion?

J. Barr: I would make a motion to remove the Student Affairs Advisory Council from the Committees of University both in the book and from the on-line version of the Book as it does not function as a committee of the University.
President Peters: All right, we have – let me have a parliamentary ruling. Is this a correct action at this point in the Agenda? All right, we have a motion and a second. Debate? Malcolm?

M. Morris: I’m not sure I heard Gary correctly, but I read the duties of the Committee to assist in the formulation of policy and it seems to me anything that impacts policy is something that should be widely dispersed to the community so that they know where they can bring their complaints or issues to and whether you may not have been doing that over the years, it seems to me nonetheless, you have that authority according to this definition of a committee and you have not identified to me any detriment to your committee by it being left in the Book so I don’t know why we’d want to preclude this information from being available to anyone who might be interested.

G. Greshold: I’m not opposed to the information being available to anyone who wants to know. That’s not the issue. The question is is it appropriately listed in the Committee Handbook because we do not list other committees – or other staff groups – in the Committee Handbook. If the President meets with his staff, we don’t list it as the President’s Advisory Council. If the Vice Provost meets with staff reporting to him, we don’t list it as the Vice Provost’s Advisory Council and I’m sure that Dr. Wheeling when meeting with his staff might talk about registration policies and procedures if that comes up, but that would be referred, if appropriate, to the appropriate University committee for action and decision making. I’m not opposed to the idea that you know who’s there or that we do have staff meetings; that’s not the issue.

President Peters: Let’s take Dean Kitterle and then Kevin Miller.

F. Kitterle: If I understand Malcolm’s point, my staff, the Senate, College Council, various ad hoc groups are called upon from time-to-time and particularly during the budget issues that we’re going through, to assist in the formation of policy. If, in fact, we’re going to argue that the group that reports to Gary, that staff group, should be in there because they assist in the formation of policy, it seems to be consistent then that every ad hoc group or every dean’s staff should also be in that book and should not be disenfranchised on the basis of that criteria.

M. Morris: May I respond?

President Peters: All right. If you want to say something directly in support or rebuttal of that, okay.

M. Morris: I just think that that’s a very radical extension of my thought that – this is a standing committee that obviously has ongoing powers. So we just disagree Fred, I guess that’s ---

F. Kitterle: But how do you define a standing committee then?

M. Morris: It’s right here.

President Peters: Okay, let’s take Kevin Miller.
**K. Miller:** I was going to say it sounds to me a lot like what Dr. Greshold said before, this does sound a lot like my staff in the Student Association which is not an advisory committee of the University. I realize it’s a completely different thing but I’m trying to draw a line of consideration. Also, under the duty section it says the duties are to assist the Associate Provost for Student Affairs in the formulation of policy. So, I don’t know, Dr. Greshold please correct me if I’m wrong, but does the Committee actually formulate policy and is there a vote taken on the policy and then that policy then becomes binding or is this more of just kind-of like, you know, you speak with the various directors, having contact then, you know, get a good handle over their areas and get their advice on what the policy would be and at that point you would then draft up something and then pass it on to the appropriate authority.

**G. Greshold:** The latter is the case. I didn’t read this and it probably should be corrected if it remains there, but my title has changed several times within the last couple of years and even within these meetings so — I guess I appreciate that and maybe I don’t — I don’t know.

**President Peters:** Yes?

**W. Tolhurst:** Yeah, I still have a question are we certain whether or not if all the committees listed in the Book of Committees are subject to the Open Meetings Act?

**President Peters:** We’d have to refer that to ---

**W. Tolhurst:** It seems to me there are some committees that are not appropriately subject to that and that when a dean meetings with his staff, that’s one — and so it seems to me that that’s one fact which would have a baring on a vote in this matter since you might want to vote for or against it on the basis of whether or not it’s remaining there would maintain it as subject to that act if, in fact, it is now.

**S. Willis:** If I could point out, I’ve been leafing through the Committees Book here and we do list in the Committees Book the College Councils, the College Senates, the Council of Deans, the Finance and Facilities Division Cabinet, all of which are very similar to this particular group so there’s certainly a precedent there for at least listing the membership of that.

**President Peters:** James Barr, the maker of the motion, do you want to speak?

**J. Barr:** Sure. I was just going to give a little more clarification. I believe you’ll find there are numerous associate vice presidents, vice provosts and associate vice provosts each with several directors reporting to them and they’re not listed in this Book and I guess what we’re shooting for is uniformity more than just saying this is a public committee, not a public committee. But if we’re going to list directors either reporting to either vice presidents or associate vice presidents, presumably with vice provosts and associate vice provosts, I suggest that we do it uniformly and then adopt it in the other divisions or then take the exception which is this case out. Now, there are divisional cabinets but those are listed in there as divisional cabinets. This doesn’t function as a divisional cabinet.

**President Peters:** Anne Kaplan, do you want to talk?
A. Kaplan: It seems to me that we shouldn’t confuse the Committees Book with the phone book and I think that one of the things that is happening with the Committees Book over time is that people see some group listed and they think oh, well goodness, if that’s in there, mine should be there. It seems to me this discussion would make more sense if we started with what really should be in the Committees Book rather than worrying about whether – or what shouldn’t be in it and it seems to me that one of the defining characteristics about committees that legitimately belongs in the Committees Book is that the membership changes with some regularity and the reason we have the Committees Book is so that somebody who needs to know can figure out – like who’s on the UC/PC this year. Well, the membership of somebody’s staff, whether Gary’s or mine – I mean, some of this doesn’t change for years and years and when it does it’s because there’s a vacancy and there’s a search. That seems to me to be just a totally different process than what we were trying to do, I assume, originally when we put the Committees Book together.

President Peters: I wasn’t here.

A. Kaplan: I suspect none of us were!

President Peters: Susan wants to rebut something I think.

S. Mini: This is what happens when Dean Zar leaves. No, I’m in favor of it not being a phonebook either. Obviously, any change comes through my Rules and Governance Committee so I would be very happy to see less of it. I’m sure Donna would also so it’s not as if we’re adamantly for adding more committees to the Committees Book and Malcolm says I should call the question.

President Peters: Yeah. All right?

P. Henry: I just have one question as to whether ---

President Peters: We’ve called the question here.

P. Henry: Okay.

President Peters: All right. So what do we – are we ready to vote?

F. Bryan: We call on whether to end debate.

President Peters: We’re voting on whether to end debate; the question has been called. All those in favor say aye. Opposed? All right, now we’ve ended debate. Now we vote on the issue. You know what the motion is. The motion is as stated in the reference part of the memo and that is to remove the Student Affairs Advisory Council from the Committees of the University Book as requested by Vice Provost Greshold which includes the on-line version. All right, all those in favor say aye. Opposed? The ayes have it.

M. Morris: Call a division of the house.
President Peters: Division of the house. All those in favor of the motion to remove, raise your hands high if you’re eligible to vote. It is not certain areas of the country. 28 aye, 10 nay and 4 abstained. The motion passes. Susan are you still on? What is it about your Committee?

The motion passed.

I. University Affairs Committee – Richard Orem, Chair

President Peters: Richard Orem’s Committee, University Affairs Committee.

R. Orem: No report.

President Peters: No report this time?

J. Elections and Legislative Oversight Committee – Deborah Smith-Shank, Chair

President Peters: Then Deborah Smith-Shank, Elections and Legislative Oversight.

D. Smith-Shank: Okay, I do have a report. Thanks to Donna, I have data from the University Referendum about changing Associate Provost to Vice Provost, Assistant Provost to Associate Vice Provost and Director of University Libraries to Dean of University Libraries. The referendum was approved; total ballots mailed were 993. Total ballots returned, 413. The yes votes were 373; the no votes 39. One was invalid because the person marked both yes and no.

President Peters: It’s a Libertarian candidate.

D. Smith-Shank: These results have been sent to President Peters and he will send them to the Board of Trustees. Thank you.

President Peters: Thank you. We have a question here from ---

K. Miller: I’m just curious, I’m not familiar with the provision to have a University Referendum. Is this something that is limited only to faculty or --- is SPS involved in this at all or – are operating staff or SPS involved in this at all? So, it’s just the faculty vote then?

President Peters: All right, there’s an informational question here about who votes.

K. Miller: I’m just saying – now on I guess we’re referring to it as University Referendum seems a bit misleading if it’s just – I’m not trying to raise havoc here, I’d just like to point it out.

President Peters: I can’t respond to that right now because I ---

S. Willis: This is the procedure, it’s in the University Constitution, provisions for amending the Constitution and I believe I managed not to bring my copy of course, this time. I believe it’s called the University Referendum in there.
President Peters: I think that’s Kevin’s question. Why is it called a University vote when it’s a faculty vote. Is that basically what you’re suggesting?

K. Miller: That’s basically it and I’m not necessarily disagreeing one way or the other, it’s just that it’s very confusing by the name of it.

S. Willis: Actually I stand corrected. In the Constitution it actually says a Faculty Referendum which is what it is.

President Peters: It’s a Faculty Referendum, all right, so you can sleep well tonight.

K. Miller: I’ve got too much else going on to sleep well.

President Peters: Okay, I believe that. Deborah, anything else?

D. Smith-Shank: Nope, that’s it.

President Peters: Thank you. Any questions for Deborah?

VII. UNFINISHED BUSINESS

President Peters: All right, Unfinished Business?

VIII. NEW BUSINESS

President Peters: Now under New Business I believe we have to go back to “D” that was removed from the Consent Agenda, University Holidays for 2004 and 2005 and the action requested is a referral to University Affairs, page 12. Go ahead.

D. Wagner: Last year at the instigation of the Student Association, there was a really lengthy debate about the possibility of instituting a fall break, either a week or two day segments and, as I recall, there was really little support or mild support for instituting such a break and if there was any kind of consensus it was that it was a bad idea. On the other hand, if I recall correctly, it was almost unanimously agreed that the idea of dismissing the University at 12:00 on Wednesday before Thanksgiving was a bad idea and no action was taken on that but it seems to have evaporated, the whole idea and I still feel quite firmly that dismissing the University at noon on Wednesday just doesn’t make any sense at all but I don’t know, you know, if that should be referred to this Committee or this whole problem taken up again. It was quite unanimous that there be a change as to Thanksgiving vacation.

S. Willis: If I could address that briefly.

President Peters: Go ahead.
S. Willis: There’s a distinction between the academic calendar and the University holidays. These are holidays for which staff get paid time off. The fall break and probably whether or not we have classes on the morning of the Wednesday before Thanksgiving would be an academic calendar question which certainly would be appropriate for that Committee to consider but that’s not what this is.

President Peters: Yes, I would agree with that. This is clearly a matter of the holiday schedule for employees which has to comport with our policies and practices and if you even – if you had a fall break, there are individuals who still would be here on the administrative side. Students may be gone, classes may not be held but they were here working, doing their jobs. The issue is a good one, I don’t know if it’s relevant to this particular calendar.

S. Willis: If I could just mention how this got here in the first place was that – last year, as every year – a memo goes out from Steve Cunningham around the middle of October with the holiday schedule for the following calendar year and there’s a little sentence up at the top of it that says with the advice or consent of the University Council, President Peters has set the following holidays and last year someone didn’t like the holidays so they called me up and said how come we consented to this and I said well, we didn’t really – I mean, it never came up which it hadn’t so I went to Steve and I said, you know, if you’re going to put that on there then maybe we should look at it and so it was too late to do 2003 or to refer it to the University Affairs Committee and so the Steering Committee approved the 2003 holidays and they will come up but we decided that the University Affairs Committee did have time to look at the holiday schedule for 2004 and 2005 so when those little memos come out and say that the University Council has, in fact, made some – has in fact, looked at this, it will be true so that’s where this comes from.

L. Pernell: Thank you. Just in honor of Jerry Zar I would like to suggest that we start off the New Year in ’04 with January being spelled properly.

S. Willis: We can do that.

President Peters: Thank you Jerry Pernell.

D. Wagner: I guess I’m still not clear. Is anybody considering having Wednesday before Thanksgiving as, I don’t know, an academic holiday or what? Wouldn’t it still be listed in here if Thanksgiving is listed, wouldn’t it – it wouldn’t? But I still want to know if anybody is considering that, I mean, we spent an awfully lot of time last year and just to have a consensus evaporate because no action was taken at that time seems to me, you know, upsetting.

President Peters: I’m not sure whether the Academic Calendar Committee is considering that or not. Who’s responsible for that? What committee? Academic Policy, right. Does anyone from that Committee know whether or not the issue of release of students at noon – whether or not we’re going to cancel classes that morning – Thanksgiving. John?

J. Wolfskill: For the time being, the business of this Committee is centered on the IRB issues and I’ll tell you frankly that other matters are being pushed to the back burner, however, we’re
certainly welcoming other agenda items that we would consider once we’re done with the IRB and if someone feels strongly on that issue or any other. I would be delighted if you would communicate that information to me and I will take the matter to my Committee. Realistically, I don’t see that we would take action on other items until November at least, if not January and that’s the best forecast I can give you.

**President Peters:** Okay, all right.

**D. Wager:** Would that include the calendar for 2003?

**J. Wolfskill:** Yes, that’s correct.

**President Peters:** All right. So you will need some sort of communication. Now, we’re back on – Kevin?

**K. Miller:** I just have two questions really, one I guess is that the Academic Policy Committee would have jurisdiction over consideration of the spring break or, excuse me, fall break again?

**President Peters:** Yes.

**K. Miller:** Would it have to be referred to them first?

**S. Willis:** It doesn’t require a referral, I mean, they can take it up spontaneously if they want to or by request.

**K. Miller:** And then also the issue of closing, I don’t know if closing the University is the proper term, but of not having classes on the Wednesday before Thanksgiving. Is that something that the Council could do if the Council decides that that’s an appropriate thing since the Committee couldn’t take it up until probably long past this coming Thanksgiving? Who has that authority to decide that?

**President Peters:** I think the Academic Policy Committee would have to consider that and make a recommendation to ---

**S. Willis:** I don’t think in any case that we could change the calendar for this year because people have already made their plans based on what it is and there’s plenty of times to consider it for next year.

**D. Rusin:** I’d like to disagree with that just a little bit. The schedule for fall of 2003 will be published in the schedule book which is going to be mailed out to students like in March and it’s going to be in the printer’s office in February, so we’d be lucky if we could get a change for the fall of 2003 at this point if it’s going to go through John’s Committee which is busy.

**President Peters:** Dean Sorenson?
C. Sorenson: We were trying to recall from last year but I was on the Committee that brought forth the proposal to eliminate the Wednesday classes and to add the two days for the fall break and we had been talking about it back here and we seem to recall that there was lengthy discussion. Can you check back because we thought there was a motion to go ahead and eliminate the Wednesday although we never got anywhere with the fall break – two days? But the Committee did review it last year and came forward with a proposal to do that.

S. Willis: I don’t have that with me but I can check back and get back to you about that.

President Peters: I remember the discussions but I don’t remember the disposition.

I. Legg: The question of who is responsible for making the – who has the ultimate authority for declaring a break or a holiday – I don’t think the Council can of it’s own set a holiday or a break. I think that probably is within the jurisdiction of the President. I think we need to check that because otherwise we could sit here and, you know, set all sorts of holidays and breaks.

President Peters: All right, let’s remember that we really have to move on this item of the University Holiday Calendar which is separate from the Academic Calendar and we pulled it off the Consent Agenda and we need to determine what we’re going to do with it. Yeah?

W. Tolhurst: Since the present discussion is not relevant to the motion I call a question.

President Peters: All right, question is called. Do we have a second? All those in favor of calling the question say aye. Opposed? All right, we move to – I think the action is refer to the University Affairs Committee the proposed University Holiday Schedule for 2004 and 2005. All those in favor say aye. All those opposed? All right, so it will be referred.

The calendar was referred to University Affairs.

President Peters: Now we have those other issues that we’ll have to consider in some other context and it sounds like we’re going to check on what happened, you know, maybe there’s some guidance in our actions last year and when the Committee gets done with its IRB work it perhaps will take that action up or may not need to, maybe there’s already some action on that. Any other New Business before the body?

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

President Peters: Any comments of questions from the floor for the good of the order?

M. Larson: This is not about shared governance but has anybody heard if we’re getting flu shots?

S. Willis: A memo came out.

M. Larson: A memo came out that I didn’t read huh?
B. Espy: Yes, the vaccine is here, there’s no shortage of vaccine this year. The first clinic for faculty/staff is October 23 from 10:00 to 2:00 and then the second clinic for faculty and staff is Tuesday, November 19 from 2:30 to 4:30.

M. Larson: Thank you very much.

President Peters: Thank you. All right? I think we’ll probably have some wide distribution of those. Every time I get a flu shot I get the flu. All right. Comments, Pat?

P. Henry: Just one quick question in regards to the governor’s race. Don’t we, universities, already provide detailed budget of expenditures – there’s talk by Blagojevich about demanding a detailed budget from universities and I thought we already had one.

President Peters: Well, I haven’t read their comments or heard the debate so I don’t exactly know but let me say that the budgets that we submit to the appropriation committees are line item detailed and it’s all there. So you’ll have to interpret those comments in the context of gubernatorial election. How’s that.

S. Willis: Very diplomatic.

President Peters: Questions, comments? Move to adjourn.

X. INFORMATION ITEMS

A. Alternate List (Page 21)

XI. ADJOURNMENT

The meeting adjourned at 4:15 p.m.