UNIVERSITY COUNCIL TRANSCRIPT  
WEDNESDAY, MARCH 17, 2004, 3:00 P.M.  
HOLMES STUDENT CENTER SKY ROOM


P. Smith attended for J. Engstrom; D. Jackman attended for C. Sorensen.

Parliamentarian Ferald Bryan was present.

THOSE UNIVERSITY COUNCIL MEMBERS NOT PRESENT:  Arriola, Barr, Becerra, Bufo, Butler, Crisler, Cummings, Graf, Kolb, Kowalski, Larson, Lockard, Loubere, Pappanduros, Peterson, Richmond, Rusin, Schneider, Seaver, S. Song, Spear, Stewart, Wang, Young

I.      CALL TO ORDER

President Peters:  Let me call the St. Patrick’s Day session, March 17, 2004, University Council to order.

Meeting was called to order at 3:12.

II.      ADOPTION OF THE AGENDA

President Peters:  Our first item of business is the adoption of today’s agenda and you will notice we have two walk-on items on one sheet.  The front sheet to Sue Willis from Ivan is an issue requesting extension of appointment and let’s put that under New Business.  All right?  That’s my suggestion and then on the back is a walk-in report from the Space, Resource and Budget Committee and that will be inserted at that Committee report time under that Committee.  So with those walk-ins, I call for a motion to adopt today’s agenda.  All those in favor say aye.  Opposed?  We have a motion.

The agenda was adopted with the addition of two walk-ins.

III.      APPROVAL OF THE MINUTES OF THE FEBRUARY 11, 2004 MEETING  
(Pages 3-5)

President Peters:  On pages 3-5 of our packet today – approval of the minutes of February 11.  Let me first call for any corrections.  Hearing none, a motion to adopt.  Approved?  I have a motion.  Second?  All those in favor say aye.  Opposed?  Okay, we have minutes adopted.
The minutes were approved as written.

IV. PRESIDENT’S ANNOUNCEMENTS – budget handout – walk-in

President Peters: Well, hello everyone. It’s good to be back. It seems like we had a longer period of time between our last meetings because of scheduling this year. By the way, it is interesting to note that our commencement this year is May 8. It’s a few days earlier than normal this year. May 8 is commencement day.

Last night of course was primary night in Illinois and I just wanted to remark because you know my passion for the study of politics and for participation in the political system, I have been following, kind-of very remotely, but I’m very proud of the fact that so many of our students on both sides of the aisle - Democrats, Republicans – participated in campaigns at the local level and state level, for national candidates. That’s just great and that’s a characteristic I’ve come to really appreciate at Northern and I kind of observed that last night as I kind of moved around all the various celebrations and wakes but it’s all part of the process, you know, and in our democracy, elections come around regularly so you always have another chance. I think that’s great and I really appreciate the faculty who encourage students to get involved appropriately in the political process.

Let me start off by giving you a status of the budget and I’m going to have handout passed out that I’ll share with the Board of Trustees tomorrow so Donna, do you want to pass out the handout? I’m going to kind of walk through that. Yeah, there’s one for you. Let me begin by saying the last few weeks, you know, there’s very little activity on the part of budget making on the surface because it has been election time. It will pick up now. The hearings for higher education have begun on the House side and it’s really peculiar this year. They’re stretched out from early February – and we’re one of the last ones to go – April 22. So, in the rhythms of legislation, issues change, you know, very dramatically so we’re preparing but – and I’ve been receiving reports from other presidents – of how their hearings went and I’ll discuss that in generalities in a second – but I thought I would just review. Let’s get ourselves refocused on what the Governor’s budget is and is not for higher education and let me just begin by generically framing a couple of numbers. On the total state budget, that’s the appropriated dollars. In Blagojevich’s proposal, the Governor’s proposal for FY05, 2005, for the entire state all funds budget, totals about 43.5 billion dollars. Of course that’s down from the last few years. But that does represent an increase of last year for a total budget now about 5.9% over 2004. So the total Governor’s budget, all funds budget, did show an increase. Now in terms of the budget, the Governor’s message stressed, continued to stress, fiscal discipline, if you read it and listened to the remarks as I did, accountability and efficiency in managing the state’s operations and budget and if you read through the budget, the key priorities that were reflected in the Governor’s budget recommendations for ‘05 continued to focus on K-12 education, health care and public safety. Those were the three areas that were in for either less cuts or increased funding. Those were the three general priorities that Governor Blagojevich continued. Now, if you look at Table 1 for a moment which is the General Funds Budget, you’ll see that the bottom line in 2004 for the higher education budget, you know you can see the bottom line there, 2.4 – it’s hard to say it – 2.4 billion dollars. Then if you move to the next column, the IBHE recommended 2.336 – and remember, going back to that first column, that 2004 fiscal year, was
the adjusted 2004 budget and that was less than 2003 and that was less than 2002. Then you can see that the Governor recommended when we get down to the bottom line, what would be called the Higher Education Operations and Grants Budget, 2.6 millions or about a 5.0 – about a 6% decrease from the 2004 levels. All right, that’s pretty much what happened. Then if you kind of go up and look at it line by line and you break it out by categories that make more sense to us, you’ll see universities – that’s all the public universities – and I’ll get to the back page in a second, you’ll see that we’ve got about a 20 – you can see, our 25 million dollar change of 2%. Two percent, 1.9%, was cut out of all university-based budgets. All right? Twenty-five million dollars was taken out of our base. That’s the number that we look at. All right? So, other things that you should look at here – for community colleges, the Governor’s budget maintains funding for most community colleges’ grants and initiatives but it also included some money for the multi-university center of Lake County that we participate in of about a million dollars. That’s operating to support those facilities and you’ll notice also that there is an increase of 1.5 million to the Illinois Math and Science Academy right down the road here and that’s in part to restore cuts that were taken, really very severe cuts, that were taken in ’03. I can’t remember – I think was about, maybe Eddie can help me, it was about 27% of their – Illinois Math and Science was cut two years ago – so this was an attempt to restore some of that but they’re still not up to that same level.

A few other things I should note is that if you look at – all right, we’ve got the Adult Education and Post-Secondary money. The Adult Education money – that’s been bouncing around between community colleges and universities. That’s a flat budget; it’s not been increased, it’s not been decreased. Then you’ll see under Illinois Student Assistance Commission (ISAC) that has to do with MAP money and the Governor’s budget maintains funding for the Monetary Award Program at FY04 levels. However, there’s been a big change in the MAP formula that will enable about a thousand additional students to receive awards in ’05. Now here’s the thing about this, it’s rather dramatic I think, what the Governor did under his proposal is that students attending private colleges and, you know, fill in your own favorite private college in Illinois, but students attending private colleges and universities in Illinois will receive the same MAP funding as those attending public colleges and universities. I think that’s – boy, that fits my approach to public policy. It used to be that, you know, there was an escalator on what you got from MAP the amount of tuition you paid. So if you went to fill in the blank at $20,000 tuition, your MAP funding was higher than somebody who went to U of I or Northern. I think that’s very good public policy because it still provides support for students going to Illinois universities but yet it levels the playing field so I thought that makes the money go further.

If you look under Workforce and Economic Development and Access and Diversity, those are the – embedded in general are those two categories is HECA money and grants and you can see grants are being slashed and funding is eliminated for many higher education research and grant programs including the State Matching Grant Program which is about 10 million. I don’t know, we didn’t get too much of that. We got a share of that, a very small share. However, the Engineering Equipment Grants of about 2.6 million across our engineering schools does hit us. Promod, I don’t know what that number is but it’s a hit on your budget isn’t it?

P. Vohra: Between $100,000 to $135,000.
President Peters: Okay, so that’s not trivial. That’s gone and the Advance Photon Project at Argonne, 2.1 million and we participate in that, and the Career Academies have been eliminated at 1.4 million and the ICAR Grant, the Fermi National Accelerator Research, that’s 2.5 million, we have a share of that. I think about 300 or 400 thousand a year. Well, those have been funded for several years and the state now feels that they’ve done their fair share so those things are sort of disappearing and that will have an impact on several of our operations and we’re working now to try to cushion the blow there.

A few other things I could point out. The Governor’s proposal – oh, I know – the fiscal year budget decreases in general fund support for the State University Retirement System by 78 million. You see that on that line? That’s 26% decrease. What it does is reflects a greater than anticipated investment return and debt savings from the state’s pension bond sale last year. Remember the Governor bonded the pension fund and bonded it at 10 billion and then that 10 billion would turn a better interest income and therefore that lowered the general fund contribution needed to meet the minimum standards for funding the retirement fund and that’s what this is. So it doesn’t come out of our budget but let’s hope that when we retire, that these young folks will be working as professors helping pay for our retirement. So all right, that gives you the picture.

Now let me – all right, let me end there and turn to the second page and that arrays just the state universities share of general funds and you can see that proposal was a 2% across the board cut for all state universities and everybody got that with the exception of Northern Illinois University and Western Illinois University and you’ll see there’s about three quarters of a million dollars there in base funding. Well, I don’t know about Western’s. Ours is base dollars. That’s not one time money. In additions to general revenue base budgets for delivery two of the Governor’s new economic development initiatives and we were able to make a request to the Governor and really the Governor wanted us to come up with a program and NIU was charged by the Governor with creating and maintaining a baccalaureate completion program in business in Rockford and so these funds are put back to do that and that’s a positive but you see what happened. Our base budget was cut 2% and then we got almost half a million dollars put back but for a specific purpose but it does go strictly for academic programs. So, to tell you the truth, I feel pretty good about that. Now in the initial reporting – I know some faculty nailed me and talked to me – it looked as if some universities did better than we did. I think it was reported that one university had a 6.6% increase. Well, that’s because someone in state government reported all funds including proposed tuition increases so that 6.6% at that university included a 16% or 17% increase in tuition and NIU’s trustees practice is that we don’t really set our tuition until after this process so our tuition rates were, you know, there was nothing plugged in there so a little miscommunication but this is the bottom line.

All right now, that being said, if you go back to the front page there’s two other things you should know. The first thing you should know is the Governor’s ’05 budget does not contain capital funding recommendations. This thing you were looking at – that’s buildings. The Governor requested and received General Assembly approval to extend the date to March 23 for presentation of his proposed statewide capital improvement budget to the General Assembly. So it’s important to note that that’s coming up. Now, we have money to renovate Stevens and some other things and the IBHE recommendations that went to the Governor ranked us in a position
that is not as favorable as I had hoped but in this interim we have been attempting to get it higher. That’s what we do. So we’ll wait and see but, you know, the Governor I do not believe is in a position to put large amounts of money into capital but we will wait and see. We’re working on that very, very diligently all the time. All right, so that’s one thing. The other thing is if you look at the front page – when we testify and when we’re talking to legislators – in front of the Appropriations Committee and the House and the Senate, we are arguing for not the Governor’s budget but we’re arguing in support of the IBHE recommendation and all public university presidents have indicated that that is going to be their approach. We are arguing to the Appropriation Committees – take us for instance – rather than the – that we go back to the ’04 level or the Governor’s recommendation and in addition to that I would the money the Governor gave to us for Rockford. That’s what we will vigorously argue and we will demonstrate how difficult this has been for us and how we’ve responded and we have a strategy in mind that will require the support of students and faculty when we’re ready and alumni and trustees to make the case but it’s off a bit. A lot can happen between now and the 22nd but we have plans to make a vigorous case with a vigorous defense of our budget.

That’s pretty much where we are with the state budget. Even though this is grim, it’s been easier than last year. Last year it was with the change in administration and people being new we were worked to a frazzle. This year it’s not been easy but at least we’ve been prepared for it.

Let me also shift for just a moment. I know I’m going on at length but it’s important. In the next months we will be announcing several wonderful projects of various sizes that we have received from the federal agenda and that is subject to when congressmen who have helped us secure those funds, are available for announcements but that’s good news. Next week I’ll be in Washington getting ready to file our federal agenda for 2005 because the paperwork has to go in at the end of March so I’ll be doing that next week. Let me say, having been there and Kathy Buettner just got back last week, that the federal budget now is tightened up if you’ve been reading the paper and my guess is that it will be a tight year and we are in an election year but we’re working on it and we have a lot of support but it’s going to be harder to make the case this year.

Okay, that’s budget. Now let’s shift gears a little bit and let me give you a brief report on the results of the Higher Learning Commission site visit and I know this isn’t the most exciting thing in the world but it is extremely important because it’s our ten-year evaluation and I think at our last meeting they were just coming to campus and it was conducted on the 23rd through the 25th and the committee met with hundreds of students, faculty and staff over those three days and the committee conducted an exit meeting with the site team members and I can say that, you know, this is an oral report and it’s preliminary because they have to file a written report, but they had very positive things to say about us and the ways in which NIU met the five criteria for accreditation. For those of you who’ve been around, you know when you’ve met the criteria, you’ve passed the final exam. So among the sited strengths, and this was oral and this will be in a written report that will come in weeks, not months, but weeks and then it has to be voted on by a separate body probably at the end of the summer, they mentioned the consistency in the quality of faculty, students and programs across the colleges. They mentioned this as a straight-up strength. They mentioned service to the region throughout our programs and the arts and our partnerships as a strength. They mentioned the management of our physical and fiscal resources
as a great strength. They mentioned the creation of our own independent Board of Trustees and a shared governance system and the climate of cooperative interactions across the campus as a great strength and our commitment to diversity and the allocation of resources to support ongoing efforts to increase diversity in the student body and faculty ranks as a great strength. So, we were told that the team was going to recommend to the Commission that NIU receive full accreditation for a 10-year period to 2014. That’s full accreditation. That doesn’t mean we can go out now and do the crazy stuff but that’s good. It wasn’t, you know, conditional – reports and everything. There was one thing that we’re going to have to do which is minor. We have to submit a report to the Commission on the implementation of assessment plans in the academic – each academic program – showing how assessment findings are used to achieve learning outcomes. We have to do that by 2007. All right? That is – even Harvard doesn’t get away without something but this is great. Let me say that one of the things that was fascinating, the chair of the Committee interestingly, had been on the last one and said to us she did not recognize the institution in any size, shape, form, quality – that it was a different institution and that many of them have gone back to their campuses excited carrying ideas that they picked up here to their own campuses and I’ve received calls from two or three of them to visit their campuses and talk about certain things we’ve done here and so I just want to thank Virginia Cassidy and I don’t know if Jan Rintala is here and the Steering Committee. I’m going to have to buy them dinner I guess but great job and, you know, we should feel very, very good about this. We’re going to do this for the Trustees tomorrow.

The future? We did a self-study. We put a lot of work into it and we’re going to get some recommendations from them on how we can improve some things. I think we ought to get serious about this so some of the things we’re going to focus on that we’re already going to do but I’m going to try to take it to the next level, is managing our student enrollments in a more formal way and insuring timely degree completion. That’s something they pointed out. Making sure that our salaries are competitive for faculty and staff. That’s something that we’re going to continue to do. Preserving the quality of our academic programs and support services and documenting their quality. I think they felt that it was obvious that the quality was there but we needed to do a better job of documenting it. We can do that. They want us to work as suggested and we will expand the size and number of our endowments to support our academic mission. We need to advance our research mission and increase our external funding from grants and contracts. Keep on expanding our outreach and partnerships and move forward with our infrastructure and our west campus development. The other thing that we need to do is, they put it this way – you have such a wonderful product here, you’re such a wonderful university, why aren’t you doing a better job of telling the world and so I am going to get serious about, with existing resources or marginally increased resources from non-state sources, trying to coordinate and do a better job of marketing and promoting the university of getting us all to buy into a common positioning statement and I think we can do that. See, we have control over that. That doesn’t cost millions of dollars because you know we spend millions of dollars on marketing and so I’m looking forward to that.

Now, last thing – update on searches. First of all back from the airport is a group of people who have been interviewing candidates for Vice-President of Student Affairs. Ivan, would you like to give us just a quick generic update on that important search?
I. Legg: You just about gave my report John. We retained a search firm, Spellman and Johnson. This is the first time I’ve worked with a search firm and it was a very interesting experience and I can assure that it greatly facilitates the search process and the identification of people who have the qualities for the job that you want. We spent the last day and a half at O’Hare Airport doing what we called airport interviews of the top list of candidates that were drawn together by the Committee and the search firm and we decided to bring two of them on campus and within the next few weeks or a little longer, a little less, you will see two candidates coming on campus for a few days.

J. Peters: Very good. That’s the first time I’ve heard the report too and I’m glad you’re making progress. That’s number one; that’s very important for students.

Number two, you know recently that our esteemed Athletic Director for ten years – Cary Groth had been here for twenty-three years – has decided to take the show on the road and go to Reno, the University of Nevada so I’ve been very, very busy with trying to figure out the best way of finding a permanent replacement and I’ve been involved in that very, very much the last two weeks and I can tell you just a little bit about where we’re going. We haven’t done this in ten years and we have an excellent athletic department and we should be able to attract some outstanding candidates that really have to meet our standards of the balance between athletics and academics. That’s always first. I have been and will be continuing the next few days, talking to individually almost every member of the athletic department that wants to talk to me about their assessment of what characteristics we need in an athletic director, what their input is, what their advice is to me. I met this afternoon with the Athletic Board and talked to them about the same things and the process that we’re going to go through. I am going to use a consultant and do two things to look at our athletic department and benchmark it for me so I know what we have and also to help us with selection and then the other thing we have to do is, since Cary will be leaving us April 15, I’ll have to consider appointment of an interim. I am doing all those things plus empowering a search committee and a process and all the things you have to do. Athletic director searches are a little bit different than academic and other searches and so we’ll adjust the process to fit that. The work of athletic director, their season of intensity is the summer. That’s when things are set for the season and so I would really like to be able to move this thing forward so that we attract someone in the June to July 1 period of time. This is possible; the searches are different than searches in the academy that run nine months or for Vice-President for Student Affairs. You can run these in six weeks. I’m very excited about that. I guess it’s fortuitous that for the last year I’ve been so heavily involved at the national level in athletic issues. I’ve come to know through my various dealings, particularly the recently concluded BCS negotiations which were very good, I’ve come to know all the commissioners of all the divisional NA conferences and those are the individuals who know who the good athletic directors are. This is a national search but that doesn’t mean that it’s not open to quality people who have helped build our athletic program to the place that it is and so that’s pretty much where I am and I’ll be meeting I think with the Steering Committee of the Council to talk about my plans. Now, be advised that probably given that May 8 commencement, that this hire will take place, you know, probably in the June period of time but I am – right now I am in a listening mode and Trustees are very much interested and I’ve talked to them – so, actually I am excited about doing this because I think it’s one of the best jobs in the country for someone who fits our needs. So I’m excited about that.
So with that long report and comments, I’m going to end it. We’ll take questions at the end. All right?

V. CONSENT AGENDA

President Peters: Now, the Consent Agenda. Is there a motion to – do we have a Consent Agenda? No Consent Agenda.

VI. REPORTS FROM COUNCILS, BOARDS AND STANDING COMMITTEES

A. FAC to IBHE – Patricia Henry – report (Pages 6-8)

President Peters: All right, reports. Pat Henry.

P. Henry: Thank you. You have this in your packets, I think pages 6, 7 and 8 and some of this has already been discussed in regards to the budget in particular. The FAC met at National Lewis University in Chicago and since they are a private institution, they were not so keen on the way the MAP Grant situation is developing for them. One of the things the FAC is sort of trying to talk through and think through about the budget in general, some of them are options that would work better for other universities or for some universities better than others including such things as early retirement. A lot of people expressed concern that a), this would not help much with the SURS crunch and b) that if full time tenure track faculty are replaced with part timer adjunct faculty, that can contribute to problems. The other concern is that given that the Governor’s budget does really focus in on K-12, we’re hoping that an effort can be made to explain to the administration and the legislature that higher education fits into this model too as in terms of P-16 or P-20 such that poorly prepared high school students us longer to bring up to speed at the university level and that universities many of them of course are training teachers for the primary and high school so we want to try and make clear that connection. The Policy Committee, which I am a member of, is going to organize a lobbying effort for the FAC per se. This would not be lobbying for NIU or for any of our individual institutions but the hope is that it would help to have a variety of voices speaking to a variety of issues and the FAC can particularly address sort of the impact on faculty and the kinds of things that faculty see as a result of the budget. We’re going to try to go down there on March 25 and I’ve been talking with our folks here and getting some names and ideas about who to contact and what to say to them so I’ll keep you posted as to how that works.

President Peters: Good.

P. Henry: We’re not going to try to push any particular university’s agenda but we think that the faculty perspective can be addressed by us in a fairly broad and hopefully useful fashion.

We had meetings with both Dan Lazelle and Dan LaVista from the IBHE staff especially of course discussing the budget. The matter of the matching funds was brought up. The IBHE did not support he cutting of this; they wanted to keep the matching funds. Apparently, the Governor’s budget felt that people who get lots of money from this could find it from somewhere
else and I realize it will affect NIU to some extent and many of us made the argument that this is really short-sighted but that was one of the things that got cut. There’s also concern that the *Illinois Commitment* although it’s considered very important within the IBHE, did not necessarily seem to be making a connection with the General Assembly. Again, you’ve heard these before, the constant erosion – the consistent erosion rather – of state funding for higher education is creating a not better situation as it goes on for year after year and those are some of the issues we will try to bring up in Springfield as well.

The Quality Committee of the FAC brought forward a position paper, which is part of Appendix I, which starts on the bottom of page 7 and continues over on page 8. This is basically something that we’re proposing, the FAC is proposing to the IBHE for inclusion in the Guidelines and Procedures for the General Education Standards and in particular regarding articulation between universities and colleges. It passed 12 for, 9 against. I actually was one of those who didn’t vote for it. My problem came with bullet point number 2 there where the “student who completes a gen. ed. course at a participating IAI institution that meets the institution’s general education requirements shall be deemed to have met that segment requirement at other participating IAI institutions whether or not the student has completed an associate’s degree”. In principal I have no objection to this but it seems to me there needs to be some flexibility in terms of where the ideal is not necessarily met and that individual counseling may be involved especially where some of these courses are pre-requisites for other courses but I think the effort is there to make that not something that is a problem.

Finally, we talked with Dan LaVista. He also is committed to the IBHE budget. They see themselves as walking a thin line between their being an advocate for higher education. The FAC has not been altogether clear that they have been that strong an advocate but they’re trying and they also, of course, have to be sensitive to the Governor and the legislature. He is I think especially, again, Dr. LaVista is a member of the IBHE staff, he is not a member of the IBHE and I think the staff in general is trying very hard to get material together to convince committees that the IBHE budget is the sound one.

Just a brief note on House Bill 4073, which involved the notion of setting up an external committee to view tenure. That has not gone forward. Sue was involved in that when you were down in Springfield. I think it may still be back next year, but for this year it is not around and the IBHE thinks it’s terrible so everybody involved doesn’t seem to be very positive about it.

Finally, faculty productivity is ongoing as far as an issue that the IBHE is looking at. April 13 the Chairman will appoint a committee to review the missions of the institutions of higher education. The FAC will have a member on that. His name is Kenneth Anderson. He’s a retired professor from the University of Illinois, Champaign/Urbana and he has been a member of the FAC and Chair of the FAC for many years and he will sort of be our voice. Now as to how NIU’s voice or other individual institutions’ voices are heard on that, I think that’s going to be something that will have to evolve and I think the Faculty Senate has been interested in forming a committee to sort of look at or to pass that on to one of the committees. I forget now which one. It wasn’t Rules and Governance – it was, I think it is something that the faculty here might want to sort of keep an eye on just to see what will go on once the IBHE forms its proposals. At this point, the Appendix II gives you a website where you can see the framework in its entirety.
and gives you sort of a rough idea of what that framework is going to be looking at. There’s some concern that this is working towards something that I guess, I think it’s the – the company is called Accenture and it actually used to be Arthur Andersen and they have a model called Public Sector Value which may be something that is going to be looked at by this committee. We of course, the FAC, will continue to advocate that not one fits all and that it’s overly simplistic measurements of priorities, productivity and accountability should be avoided. We’ll keep you posted as to how that develops.

There is also, and again I’m not sure how this is going to work out in actual fact, the matter of the ethics legislation which does call for a much more detailed accounting of time spent by state employees of which we are some and the question was posed to Dan LaVista is this for real and he acknowledged as how something is going to have to happen with it but we’re still looking into how that’s going to be implemented so hopefully it’s not going to be too ridiculous.

I think that’s it. If anybody has any questions?

President Peters: Good report. Comment?

S. Willis: Yeah, I just wanted to make one remark that’s peripherally related that with the budgets and all that sort of thing, that what I hear second hand from the legislature is that they do not hear very much from us and so their assumption tends to be if they don’t hear much, that we’re not too bothered so it would behoove I think all of our constituencies to contact our legislators and let them know that indeed we are bothered, assuming you are, and that the continued budget cuts are eventually going to do us in I think but they need to hear from us. So write letters; have your friends write letters. Have the parents of your students write letters.

P. Henry: Absolutely and bring people on campus whenever possible and is also seen as a very positive thing. The FAC is trying wherever we go and have our meetings, the local hosts are trying to bring the local representatives into the meeting just for a short question/answer and informational meeting which I think has been very enlightening on all sides.

President Peters: All right, any other questions? Good report.

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Paul Loubere and William Tolhurst – report (Page 9)

President Peters: Okay, now the Academic Affairs, Student Affairs and Personnel Committee report. Paul and Bill – William.

W. Tolhurst: I’m afraid I was unable to attend this meeting but I do have Paul’s report and I’ll summarize it. I think Sue Willis was able to go and so if you have questions, you might direct them to her.

The Board made a number of recommendations to the full Board of Trustees. They forward 31 special leave requests for approval by the Board of Trustees. They approved a request to authorize a Master of Science Degree in Elementary Education in the Chicago area. They
approved requests for a number of new emphases in the College of Engineering and they
received reports on the accreditation – The Higher Education Commission on Accreditation visit,
the FY2004 increment, the Annual Report on Oral English Proficiency and the Annual IBHE
report on underrepresented groups. You’ll find these all on page 9 of your packet.

**President Peters:** Okay, comments?

**C. BOT Finance, Facilities and Operations Committee – Sue Willis and Xueshu Song – report**

**President Peters:** Finance, Facilities and Operations Committee. Professors Willis and Song.
Oh, you have a question. Sorry.

**C. Minor:** This again might be tangentially related but it came up at our faculty meeting earlier
this afternoon. There’s a report here about the budget in terms of salary increase. Do we have
any inkling whether or not there may be a salary increase this coming year?

**President Peters:** We are, as always, that’s a continual analysis that we go through and we have
every expectation that we want to try to do this but it’s all interactive with what happens with the
legislature and other revenue factors but it is our intent. It’s my top priority; it’s always been my
top priority and if it’s at all humanly possible, it will be done. Yeah?

**X. Song:** I have a quick comment picking up Sue’s comment. Okay, I have a quick comment as
a follow-up to Sue’s comment. I’m wondering instead of contacting the legislature – the
individual family members – can the Faculty Senate or the University Council pass some
resolutions so that we can send a letter to them and this way they show the collective consensus
or concerns. Otherwise, they think just out of the thousand faculty members, only five contact
us, so what. Now if you do it as President of Faculty Senate, it would mean something different.

**President Peters:** Can I comment a little bit? I think these are all great ideas but, you know,
I’ve been in this business so long. The effective way to do this and the timing has to be right, the
target has to be right, the message has to be right and you have to ask for something that’s
specific because policy makers are bombarded continually with people who want this and want
that. The only thing that’s ever effective is a decision point is coming up, you have a campaign,
you focus your resources toward that campaign and you are lobbying for a specific outcome and
so I think that it’s great. I think Sue ought to be working with our legislative people to try to
coordinate that and, you know, I’ve been in it so long. The comment Sue made about legislators
saying that they never hear from – that’s what legislators always say. They do hear from faculty
and they do hear from us. It’s the standard defense mechanism. The thing that’s very effective
is students and parents. That’s very effective but in this business, we really have to have a
targeted message. The timing is important and it has to be coordinated. Otherwise, your
message is dissipated. People don’t know what to do with it. Okay, Professor X is unhappy
because their teaching more students and even a group action is okay but if it’s coordinated
towards something like – take the Faculty Advisory Committee – if their specific target was
restore the IBHE budget, that’s tangible. That has resources connected. They can do something
with that. We want for all universities the IBHE budget level restored. That’s my suggestion. Okay?


President Peters: All right, shall we move on to – did we do Finance and Facilities? All right, Sara and Bev, Legislative and Audit. No, we didn’t do you. All right, you’re up.

E. BOT – Sue Willis – no report.

S. Willis: Okay and actually for the Legislative, Audit and External Affairs neither Sara or Bev was available to attend that meeting so I went to that one also. So, with your permission I’ll do them both.

The Board of Trustees Finance, Facilities and Operations committee met. They had a number of action items so I will just highlight a few of them. By the way, all of these items will be passed on to the full Board, which will be voting on them at their meeting tomorrow.

Student fees, according to this proposal, are going up an average of a little over 6%. However, the health insurance is going up more like 9% which is something over which we, of course, have no control and the bus fee is also going up 9% and we really have no control over that either because that’s a contract with a particular bus company to provide the buses and there’s new buses and things like that so if you take out those two and you look at the ones over which we do have control, the increase is more like 3% in those. Let’s see, room and board costs would be going up about 9%. There are a lot of projects that I know of going on to improve the residence halls and, of course, that has to be paid for somehow. Let’s see, President Peters already talked about the budget. Let’s see, and then the Truth in Tuition Act has been passed as you all know and so they’re working on having all the equipment in place in implement that as of the first of July.

A couple of specific projects that I wanted to mention is that there’s a bunch of new computers that are proposed to be bought. We’re on about a four-year replacement cycle for computers which, if you have one, you know is not short. Then they’re planning on ripping out all the carpeting in Douglas Hall and putting in new carpets which should make much better. A lot of the floor there is tile or linoleum or something and it can be very noisy.

President Peters: Don’t use the “A” word. We hope there’s no ---

S. Willis: No, the linoleum is noisy though. In any case, those are some of the projects that are going on then there are various standard and pass-through things that you see pretty much every year.

President Peters: The comment – remember the student fee structure system is elaborate and it involves students who basically help set their own rates and the 9% rate for room and board came from a unanimous recommendation of the Residence Hall Association, the student
governing body. They really wanted more than that. They wanted double digit but I felt 9% was all we could go and remember that’s auxiliary money – that’s not appropriated dollars that come from room and board. So, it’s not state appropriated dollars. Very good, any questions? Now you’re going to do Legislative/Audit?

S. Willis: Okay, the Legislation, Audit and External Affairs Committee met last week. They had a number of items as well. The first one was a bylaw amendment, which was proposed to allow trustees who are not on a particular committee to count in that committee’s quorum at a particular meeting if they are needed. So, in other words, if there aren’t enough trustees there to make a quorum that are actually on the committee but there is some other trustee there, then that trustee may contribute to making a quorum for that committee for that meeting and can vote as an alternate member of the committee. Our trustees are, of course, very busy. They often attend these meetings by phone and sometimes that doesn’t work and, of course, we’re down one trustee at the moment because of Katherine Adussi having to resign and so sometimes it can be hard to get a quorum so that’s an amendment proposed to the Bylaws of the trustees. The trustees – this committee of the trustees also proposed to request President Peters to develop some sort of corrective action for units that are cited in audits as a way of encouraging cooperation.

President Peters: Thank you.

S. Willis: So he’s supposed to come up with that.

President Peters: All right.

S. Willis: Let’s see, then there was a report on legislation. I already mentioned the Truth in Tuition. There’s the minimum wage which right now is $5.50 an hour and will be going up to $6.50 on the first of January of next year. That will cost the university some money. There’s the Ethics Bill which was mentioned which we are in the process of figuring out how to deal with. Actually, there’s a task force which has met on that issue a couple of times and we think we’ve worked something out.

President Peters: Yeah, we’ve made good work. We’ve had all the various components represented. We’re working our way through it. I think we put rationality into this.

S. Willis: That was certainly our intent. Then the Tenure Bill to which Pat referred, was tabled. It will probably not come back up this session but it may come back sometime in the future and it certainly bares close watching. Everybody tells me that it’s dead in the water, it’s never going to go anywhere. I would still keep an eye on it because it is – it’s ridiculous is what it is. I mean, it really is. Let’s see, then on the budget just to echo what President Peters said, the main thing I wanted to point out was the Stevens Building. Right now it is number 12 on the IBHE capital projects list and if it stays at number 12 I think it has a very, very tiny chance of being funded. So that would be too bad and then as far as audit findings go, we have, what is it an annual audit from the state auditor?

President Peters: Yeah.
S. Willis: They had four findings which is really not very many and none of them was terribly serious and also none of them were repeats so whatever they found last year we fixed and then a few little new things have ---

President Peters: That’s the problem with audits. Repeat audit finding. You’ve got a problem then.

S. Willis: All of them except one had already been fixed and that one was being worked on.

President Peters: Okay, all right? BOT’s meeting is tomorrow so there’s no report.

F. Academic Policy Committee – John Wolfskill, Chair

President Peters: All right, Academic Policy Committee, John?

S. Willis: No have no report.

G. Resources, Space and Budgets Committee – William Goldenberg, Chair – report –

walk-in

President Peters: Bill Goldenberg, Resources, Space and Budget Committee. I think you had a walk-in report? Want to comment on that?

B. Goldenberg: Yeah, sure I’ll make a brief summary. I did submit the report a day after the meeting but it was just an error of omission that it was not included in your packet so they included it as a walk-in. I was happy to see it because I was going to read it to you and now I won’t have to. Provost Legg was kind enough to join us on February 18 and we had a productive meeting talking to him and asking questions. He pointed out several things that I’ll just summarize for you. Because there’s such a high demand for instruction, we’re encouraging departments to hire two assistant professors when a senior professor retires at a high salary rather than replacing the senior professor with another senior professor so that’s a product of the budget crisis that we’re having in Illinois right now. Also, there’s a little table that you might want to look at. I can summarize it very briefly. It shows you where the budget cuts have been made and the summary I would give is that the largest percentages have been made at the administrative level in an attempt to leave as much money as possible to the instructional support, the academic colleges. So you can look at that table for yourselves. There’s also some concern and I know it’s a very great concern in the School of Music, about the number of temporary professors versus the number of tenure and tenure track professors. The temporary professor percentages rising greatly and I believe in the School of Music, we actually have more temporary professors than we do permanent tenure track type professors so it is a great concern on an overall level in the university as well. Okay, another point is there was approximately a 3% hold back of funding this year in anticipation of a budget rescission which did not occur and now we are luckily the beneficiary of that and the money is being returned to the various colleges. It’s a little difficult to figure out how to use it right now but we are figuring out ways I know in our own school and that money at least is going to be available to the colleges for this
Another issue that was discussed briefly was the four-day summer workweek. At the time we met in February, it had not yet been decided whether this would be continued. However, we do know that most of the university community welcomed that four-day workweek and it did save $300,000 approximately last summer so perhaps it will be continued in the coming summer.

Our next meeting will be on April 14 and we hope to be meeting with Chief Grady about security concerns. So, that’s the report. Thank you very much.

President Peters: If I could comment for just a moment. Excellent report. We did hold back in the rage of 2% in preparation for an anticipated rescission. That was – we were asked to do that and basically we’ve expended some of those funds back because the funds were needed in a lot of areas and I know that – I a story of Dean “A” saying “well, I don’t know how I could spend that money” and Dean “B” saying “well, give it to me”. But the fact of the matter is we still may have a rescission this year so it hasn’t happened yet but it may happen. Remember, it was April when it happened last year so basically my response to the state will be we had to spend that. We held it but we had to expend it for the right purposes. Eddie or Ivan would that be about where we are? Okay. Yeah?

C. Booth: Yeah, this was I think commented in the Faculty Senate but I don’t think the statement here should go uncommented about the policy of hiring two assistant professor in place of one retiring senior professor. We will be delighted if that was the policy. I think in my twenty years of being here we have never done anything except hire one assistant professor to replace one retiring senior professor so I would be very happy to welcome that.

President Peters: I was thinking about, you know, in my long career and Ivan’s long career – first of all we were always at institutions where you hardly ever hired at the senior level except when you had a very, very critical and specific need because you wanted to get freshly minted Ph.D.’s or terminal degreed people out of the best places and then the other thing that’s happened is because of salary compression, it gets real difficult to take one salary and spread it over two but --- I think Ivan wants to comment.

I. Legg: It depends on how you look at that split and how the money flows because the dean may choose to use it in another department. The two for one is not for you necessarily. It’s for the college or for other units and so that’s a little bit myopic to look at it that way. I mean we try to do it that way.

President Peters: Right. I guess I would say just as a policy. In my academic side of my career, not that what I do is academic, I hardly ever as a department head/dean/provost approved the hiring of senior faculty when there were vacancies. I didn’t think it was a good policy unless you needed it for a graduate program. Yeah, Bev?

B. Espy: Just wondered if there’s any kind of movement on the summer workweek?

President Peters: Last year because of the rescission, we were faced with an emergency set of actions we had to take and the movement to a four-day week was a triage, budgetary action. It wasn’t a policy about the workweek. Now, we’re not in a good budgetary position this year. I
don’t know if we are in a triage situation for the summer and so we’re waiting. I can tell you I received messages from an awful lot of people who said they liked the summer four-day week and a lot for whom it’s caused hardship. But in general, the decision will be based on our budgetary emergency needs. We’re going to try to make it as soon as possible because I know you have to plan. We’re not quite there yet. Eddie, Ivan – that’s about what we’ve discussed. Is that helpful at all? It is not a policy. It’s not a workweek employment situation. It is a budgetary emergency strategy. All right? Okay, what’s next?

H. Rules and Governance Committee – Carole Minor, Chair – report

President Peters: Rules and Governance, Carole?

1. Faculty – Staff Grievance Procedure (Pages 10-30) FIRST READING

C. Minor: Yes, thank you. We have a long report today. The Rules and Governance Commit presents for your approval or not the new Grievance Procedure that was proposed by special committee and this procedure is for faculty and staff. This process has been going on for several years. The document that we have presented to you is an amendment to the Bylaws would be Article 11 and you’ll find that on page 11 of your packet. There are also changes that would have to be made in Articles 10 and 19 to incorporate the changes that were made in Article 11. There are also changes that would have to be made in other Articles listed on page 10 and all of that is that Article 11 becomes Article 12 and so forth and in addition there are references to these Articles and their numbers in these other Articles. So all of that sort of editorial work would have to be made and changes would have to be made in order to incorporate Article 11 into the Bylaws. The process by which this procedure was created was there was an ad hoc committee developed and you have listed on page 10 the names of the people who were on that committee. It was chaired by then Associate Provost and Dean of the Graduate School, Jerry Zar. After it was originally submitted to University Council it was sent for review to the Faculty Senate, to the SPS Council, to the Operating Staff Council. Those bodies all made suggested changes, which have been incorporated into the document. It was then brought back to the University Council where it was sent to the Rules and Governance Committee. The Committee met with both former Dean Zar and with Ken Davidson, the University General Counsel and made a few other sort of wording changes, not substantive changes, and presents now the document to you for its first reading. We hope that you’ve looked at it and if you have suggestions for it will bring it up now because we had hoped to have it passed by the end of this year.

President Peters: All right, so then you are moving this for first reading.

C. Minor: We move that this be – I don’t know.

S. Willis: It’s not a motion.

President Peters: It’s not a motion.

C. Minor: It’s just here for first reading and comments.
President Peters: All right.

S. Willis: I wanted to make just a couple of comments because most of the changes to the other existing Bylaws were done by me so our Article 10 used to have the Faculty Grievance Committee – does have the Faculty Grievance Committee in it and what not – all of that after the Academic Freedom Violation part will now be covered by the new Bylaw 11 so we’re deleting everything after what is now Section 10.1 and what is left is grievance procedures for violations of academic freedoms which is the new title that I put on it. The changes to what is now Article 18 and will become Article 19 are really just in the title. It is titled now “Grievance Procedures and Other Members of the University Community”. That’s really not what it is; it’s a really a description of the Ombudsman Office and annual evaluation and quad-annual evaluation and the research committee – it’s all about the Ombudsman. So, it was decided we probably should rename it University Ombudsman because that’s what it’s actually about. Then everything else is just renumbering.

President Peters: Carole?

C. Minor: In documents such as this and such a complex process, there may be errors. There is an error, which has just been pointed out to me. If you’ll look at page 17, Article 11.533 The Hearing Process, we had several comments about this by the University General Counsel and we agreed to add something at the beginning of this paragraph which says “the Committee may request legal counsel support for itself concerning procedural and substantive matters related to the hearing process from the University General Counsel, or designee, and may have such counsel in attendance as an advisor at all its meetings”. We then agreed that we would delete the sentence towards the bottom of that paragraph “the Committee may have present at the hearing a non-participating consultant representing the Office of the University General Counsel”. In our changes and accepting changes and word processing, that did not get deleted. So if you would cross out that sentence. It’s the fourth line from the bottom of (a) 11.5333. The sentence to be cross out is “the committee may have present at the hearing a non-participating consultant representing the Office of the University General Counsel”. That is redundant because in the first sentence we said the General Counsel may be present in attendance as an advisor at all meetings.

President Peters: Okay, I’ll take William first.

B. Goldenberg: Now my understanding is this is just the first reading so that as people find typos of that sort they should forward them to you and you’ll bring them to the attention of the rest of the members of the Committee of whom I’m one so that we really don’t need to correct all of the typos here now. Is that correct? Okay.

President Peters: All right. Yes?

L. Kamenitsa: I have a question about the timetable. On page 11, 11.2.2 “Initiating Formal Grievance” and it specifies when one might do that “within 60 work days of the time the grievant knew of or should have known of the grievable act or within 10 work days of being informed of
the formal dismissal of the complaint” yet when I go on page 14 where it discusses the possibility of resolving these things through informal procedures and says that if at any point during an informal process the complainant can stop the informal process and initiate a formal grievance and I can imagine scenarios where that might be more than 60 days after the act and it’s not actually provided for in the timeline. I don’t know if that matters much; if the timeline is as binding as the rest of the agreement but it seems like that might be something that should go in at 11.2.2. because that’s another way for something to get into the system in other words as a formal grievance. I can talk to you about it later if you like.

S. Willis: I think that’s what we meant.

President Peters: Leroy Pernell? Dean Pernell?

L. Pernell: Just a couple of points and I believe this has probably been discussed before but its appearance here in Section 11.533 I just wanted some clarification particularly pertaining to the role of legal counsel and for the committee and the lack thereof for – of the participants. If I’m reading this correctly, this provides for the committee to have access to legal counsel but other parties may not. They may have advisors, but they can’t have legal counsel. There’s further reference in this section to that this dispute procedure is for “non-legalistic resolution of disputes”. I don’t know what that is. I don’t know what a non-legal resolution is.

S. Willis: You’re looking for a comment on that?

L. Pernell: Just questions. I’m confused.

S. Willis: Well I think that some, if not most, of that phraseology came from Ken Davidson so perhaps – no, maybe he doesn’t want to talk about it. Oh, it came from Jerry. Okay. I know we talked over the issue of the committee being able to consult with the Office of University Legal Services and have one of their persons there so perhaps you could address that? No?

C. Minor: May I address that?

S. Willis: Of course.

C. Minor: It does say that “the grievant and respondent(s) are entitled to consult with any person(s) they chose, prior to or outside of the hearing, nothing that this” is for non-legalistic purposes and so forth. “In addition, each party is allowed to have present during this hearing one non-participating observer and one non-participating adviser in any capacity other than legal counsel.” So you can have anybody there to advise you that you want except a lawyer because --

L. Pernell: Because?

S. Willis: Because it’s not a legal procedure.
President Peters: If somebody wants to - oh, Tim I’m sorry. You should’ve hit me with a stick or something.

T. Griffin: My recollection of the discussion of that matter at the Committee was that attorneys would be allowed to serve that role only not in the capacity of legal counsel.

C. Minor: Thank you.

President Peters: All right, now where were we?

L. Pernell: I’m - this point in the day I usually get more dense and that’s probably what’s happening to me. I appreciate the explanation. I don’t know if I understand it. You have legal counsel but they can’t be legal counsel but apparently that limitation is not on whatever representative the committee has. I’m – you know I’m – there seems to be an underlying notion here of fear of legal counsel and I guess I understand it to some extent but I don’t in others and this is not just an issue here. This is an issue that comes up in almost any type of education dispute resolution procedure and I think that experience in other areas have shown the fear is unwarranted. You know, given the seriousness of what this procedure attempts to deal with, I think giving parties involved the appropriate access and use of legal counsel may help resolve disputes as opposed to extending. So I’ve heard a clear rationale for that aspect of it and I still am unclear as to what the concept of non-legalistic solutions involves. I don’t think saying it’s mediation, it’s non-legalistic – that doesn’t tell me very much. I think it’s owed to the procedures for us to be as clear as possible as to what it is this seeks to accomplish and why it seeks to accomplish it in that way. The issue of limiting access to representation and advice during a proceeding is a significant matter. It’s not just, you know, believe it or not lawyers do have enough jobs. The – we’ve got 95% placement. It baffles me and this has been an on-going issue and it baffles me this intense fear of involvement of legal counsel.

President Peters: Okay, we’ll take Professor Tolhurst and then Dean Kitterle.

W. Tolhurst: I’m not sure I can answer all the Dean’s questions but I was at the meeting and as I understand it a grievance procedure is inherently an adversarial situation. The legal counsel that’s there for the committee is not serving as an advocate for one of the adversarial parties. The legal counsel there for the committee is to advise the committee on how it must properly proceed in order to be fair to those on both sides. I’m talking about my impression of what the understanding was by the committee at the meeting. That may be a mistake in understanding but that was the basis on which we asked for that and what I think what the committee wanted to avoid was the situation in which you would have legal counsel providing arguments on behalf of things and it would turn into in effect a pseudo trial of the matter. Now that may be an inappropriate way to do business in this regard but I think that is our understanding of what we were trying to do even if we got the wording a bit off.

President Peters: All right, ---

W. Tolhurst: And the Chair of the Committee can correct me if I’m wrong.
President Peters: Carole do you want to respond to that?

C. Minor: Yes. That was my understanding also, that the attorneys present would not be participating but would be there in an advisory capacity but not speaking in the proceedings either to the committee or either the grievant or the respondent.

President Peters: Okay, now Dean Kitterle?

F. Kitterle: Thank you. Thank you Carole too for the work that your Committee has put into this. The Grievance Procedure is a monumental work and I encourage you if you haven’t read it – it has all manner of things. First of all there’s the Grievance Procedure itself. The second part is the issue about the Ombudsman and the third part is academic freedom of which there are at least three definitions, one of which is commonly used AAUP. When we look at documents like this as scholars as well as members of this Commitment, we need to look at it and Dean Pernell just pointed out one thing and that is precision. Whether you may argue about lawyers and non-lawyers, it is a question of precision. Lynn Kamenitsa also raised an issue just a while ago about time. It’s interesting that 60 days was used. If you look at the old procedures, 30 days was used and so the issue becomes why are we changing the days and when we have dates we all know that processes unfold, people are busy and we want to do the best for our colleagues and as we look at a grievance procedure, we need to look at the various kinds of people that we interact with daily in the university; deans, chairs, directors, presidents, vice-presidents and provosts and we really do need because that is what we get our Ph.D.s for is to – and our staff that are part of an intellectual community to look carefully and look at precision because the lack of precision is the road to perdition and it seems to me and I feel sort of awkward because I deeply appreciate the work that these people have put into this, is that even when we look at grievance and what is a grievance. If you go out and you do a search on Google and look at some of what is done at other universities, there are three criteria when you even look at that, that are not incorporated in this. One, is that it adversely affects the individual and we certainly know that. Two, is the affected individual being treated differently from other persons of similar circumstances and three, there is insufficient justification for the different treatment and we haven’t thought about that. It’s at least a portal through which we need to look at how grievances get mapped. The other part of this is that when we have a decision, is there time out during a the grievance procedure from the decision that led to the grievance. We’ve not talked about this. Chairs, members of college councils that were involved in interpreting university rules and that are involved in appeals process bring information in addition to, not supplanting the will of this group, but in addition to. Not unlike on dissertation committees when we bring people in from the outside. We bring expertise in to help enrich decisions. We’re looking at a very complex issue that has legal overtones. One of the things that is the pride of this Committee in the ten years that I have been here is never a rush to judgment and one of the things that has been important is that we went back to our colleagues in the departments, in the Senate and in college councils over things like fall break, moving up the final exam period and did we suffer from that? No. As a matter of fact we got to understand a lot better, a lot deeper, a lot more informed about how we best serve students and we best serve a process and we understood more fully the implications. So that’s what I’m saying about the Grievance Procedure and where I’m going is that I think that it would be appropriate at this point to have this looked out by the various councils and by the senates of the college. I think that it would lead to a more informed decision.
Having said that, this is not to be done forever. I think we have an obligation to the people who worked on this to move ahead and to move ahead as expeditiously as possible. But I will say that while this is an impressive piece of work, there are troubling questions in here that we have to deal with and I think we would serve our colleagues well if we took some time to have other bodies, other officially dully constituted bodies within the faculty governance system that the North Central praised very well to have them look at this and I would simply ask that we remand this back to college councils and college senates to gather information from them to help inform this and deliver that expeditiously to the Committee. So that’s the suggestion I’m making and I’m sorry that I took so long to put a context forth but I do think this is important and I do encourage you to read this. Issues of academic freedom are serious and they are increasing particularly as more and more people are arguing universities are liberal bastions and conservative voices are shut out. Those are serious issues. If we appreciate diversity and we appreciate diverse voices we need to look at what are the full implications of this policy as it relates to academic freedom. So I would encourage people to encourage their colleagues within the faculty governance process to take another look at this before we come to conclusion. Thank you.

President Peters: Is that a motion? All right, so there’s a motion on the floor. Is there a second for that? All right, there’s a second.

S. Willis: I wanted to make just a couple of comments. One is that we did send it to the Faculty Senate, to the SPS Council and to the Operating Staff Council and incorporated all of their suggestions in it. We did that last fall so they had quite a bit of time to make their comments. We have not sent it to the college councils and I don’t know where the list should stop. You know, I mean ---

President Peters: If I could add, grievance procedures are extremely important and this is very, very good work and is it the spirit of your motion Fred – I read this and I’m wondering if anyone has done an analysis of the amount of time it takes for a grievance, the amount of individual – you know, we are in a resource strapped environment and I’m always concerned about any administrative procedure that I put into place that I am not asking people to take inordinate time away from what they do and have we checked with people who actually will have to respond to this? Department chairs, deans, those types?

F. Kitterle: Sue, I just wanted to respond to your question about boundary conditions. It seems to me that the folks who work under time constraints where you have faculty members who serve on college council that deal with personnel decisions that take place within a time frame. You’ll recall that just under the procedures that we had until Ivan Legg came here, there were different times that we had to get information forward and as the result of the new ways of looking at things that he brought, people actually deeply appreciated. We were able to do a much more thorough, much more thoughtful process. So the reason that I am suggesting we look at college council and senates is because it makes logical sense at least on the academic side, forever for SPS folks, I am just speaking from the academic side, is that there is an understanding of time constraints. There’s an understanding of the time that’s involved in the appeal process. There’s an understanding of what it takes to get work together. There’s an understanding on the part of the grievant themselves in the appeal process about just getting the people together to go with
them to meet the appeal. There are nuts and bolts and logistics and as President Peters raised, this is time and effort and we really ought to make sure that we have a process that is fair, that is efficient and I think we need to look at this just to make sure that that’s exactly what we’ve done. So again, what I am calling for, what I’m asking for is that before we do anything, we send this back to council, to senates and have them look at this and have a full discussion of this and in the same way when Sue Mini sat in the position that Carole Minor is now in and we looked at the reports out, they were rich, they were heated as academic kinds of matters can be, but they were informative and I think that is important and I think that we should do this.

S. Willis: Okay, well let me just clarify a couple of points. One is that this new bylaw 11 is intended to replace several existing procedures. One of them is the faculty procedure described in Sections 2 and 3 of Article 10. Another one is in support of professional staff grievance procedure which is in the Academic Policy and Procedures Manual and maybe the 60 day timeline came from that one; I’m not sure that it isn’t 60 days in there. Part of the point was that we had different timelines depending on, you know, who you were and we wanted to make a unified document. Academic freedom—we are leaving that part in Article 10. We are not proposing any changes to that. Although if it needs to be looked at, it could be looked at but it’s not part of the change. It’s stuff that isn’t changing and the other thing that I wanted to point out is that this is grievances and there is a long list of grounds for these grievances, essentially for unfair treatment. The appeal procedures on faculty personnel decisions, the whole process appeals and what not associated with faculty being dismissed for cause—all of that is still in place. So this doesn’t replace those.

President Peters: Okay, William?

B. Tolhurst: I have procedural question actually. This was brought to the Council as first reading. Is that a motion that was on the floor that it be accepted for first reading.

President Peters: That was the motion. No, it’s not a motion. It was a report brought to us so there was no action required.

B. Tolhurst: Okay, so that the motion on the floor is in no way inconsistent with that. It’s just something that we do having received it for a first reading we decide that this is where we want to go.

President Peters: Exactly.

B. Tolhurst: O.k. fine.

President Peters: That is what the motion is and there will probably need to be more specifically about where it goes and timeline.

F. Kitterle: I’d like, and again, I’m sort of feeling my way along in terms of time, but I would like to have this report remanded back to Rules and Governance. Bill raised that. When I was thinking about this initially when Bill said to Carole are we going to do the corrections here or should it go back to the Committee. In the same spirit what I’m saying is that the information
gleaned from the senates, gleaned from council would go back to the Committee. I think that we could, you know – what the timeline would be to be quite honest with you I am really not sure about. Something like the next meeting. I don’t think that’s realistic but I do think that we ought to move as expeditiously as possible.

**President Peters:** All right.

**F. Kitterle:** Quite frankly I’m ready to take this but certainly we’re not going to get anything discussed tomorrow at my senate meeting but I can get it there tomorrow.

**President Peters:** All right, William?

**B. Tolhurst:** It was my understanding that it never left the Committee. It was just brought here for the attention of the Council and it remains with the Committee until it gets inacted and it’s the job of the Committee to deal with whatever needs to be dealt with.

**President Peters:** All right, so we are voting on the motion to remand to the Committee to fix up the editorial and to remand it to the college councils and the senate and I would like some of my group to look at it.

**F. Kitterle:** To be precise it is not the Faculty Senate, it is the College Senate and College Council.

**President Peters:** All right, so let’s get that right. Yes?

**P. Henry:** Would that mean then the next time it comes here would that be ---

**President Peters:** It probably would not be the next meeting.

**P. Henry:** I know but I mean, would that be another first reading or would that be ---

**President Peters:** Yes. All right, so all in favor of that. Yes, William?

**B. Tolhurst:** I think it would be extremely helpful if we established some sort of deadline for a response from the various college senate and so forth and so I move that we amend it to provide a 30-day deadline, you like that? – a 30-day deadline for a response from the bodies to which this ---

**President Peters:** That means we may be able to move this thing ---

**B. Tolhurst:** That’s the hope.

**President Peters:** All right, Carole? I’m sorry. I missed you.
C. Minor: I just have a procedural question. I assume that the University Council office will send this to the faculty senates and the college councils and will collect the information for us and then it will be sent to the Committee. Is that appropriate?

President Peters: That makes sense. I think we can do that. I’ll need guidance on that. Yeah, Fred?

F. Kitterle: When we carried this out before, and I want to make sure that you folks are all comfortable with this, when we remanded stuff back to council and back to senate what we did was the college office put all of that together and then sent that forward to Sue Mini when she was dealing with the Rules and Governance issue before and so we’d be willing to do that if it would make you happy. We’ll keep the originals just in case you want proof of publication.

President Peters: All right, okay. Yes?

L. Kamenitsa: I’m sorry but then does this – once it’s been modified with input from college senates and college councils, is it then going to have to go back to the Faculty Senate again and back through Operating Professional Senate? I mean --- we could be dealing with this until next December.

President Peters: I think we are going to collect all these editings and changes and it will come back in a finished document for reading and amendment and if at that time, there are things that have a cropper with regard to these other areas, I think they’ll come out in the debate. So the motion is we’re going to put a 30-day time limit on these reviews by the various bodies that we have mentioned. Yes?

B. Espe: I just wanted to respond to if that 60 days came from the current SPS Grievance Procedure and it did not so maybe the Committee would have some ---

President Peters: We won’t hold you responsible for that then.

B. Espe: Thanks.

S. Willis: We’ll have to ask Jerry.

President Peters: I think those are the things that need to be cleaned up.

S. Willis: I think – well, during all of our discussion about the timeframe for this, we were trying to balance giving the person who had the grievance enough time to gather themselves and pursue it and at the same time not making the process drag on forever so we attempted to balance those two and what can I say?

President Peters: All right, all those in favor of that motion say aye. Opposed? The ayes have it.

The motion passed.
I. University Affairs Committee – Richard Orem, Chair

President Peters: Richard Orem?

R. Orem: In honor of St. Patrick’s Day I have no report.

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

1. Results of University Council Elections.

President Peters: Deborah, how are we doing on elections?

D. Smith-Shank: Okay, mine’s short and sweet – very short. Okay, let me find my piece of paper. Okay, I have the results of the elections for the University Council.

College of Business we have Rick Ridnour and David Wade was re-elected for a one-year term to replace our outgoing John Engstrom.

College of Education, Toni Tollerud.

College of Engineering and Engineering and Technology, Xueshu Song.

College of Health and Human Sciences, Jody Newman-Ryan.

College of Law, John Walton.

College of Liberal Arts and Sciences, William Baker from English, Janice Hamlet from Communication, Michael Kolb from Anthropology is re-elected, Brad Peters from English, John Wolfskill from Mathematics is re-elected

College of Visual and Performing Arts, Kent Gallagher.

And that’s it.

President Peters: Thank you. All right.

VII. UNFINISHED BUSINESS

President Peters: No Unfinished Business.

VIII. NEW BUSINESS

A. Request to extend appointment of acting dean of the College of Engineering and Engineering Technology – see memo from Ivan Legg – walk-in
President Peters: New Business? Ivan you have a request.

I. Legg: Brief and sweet. It’s a request to reappoint, promote Vohra to position of Acting Dean of the College of Engineering. We are in the middle of the accreditation cycle. We are in a financially challenging period and we believe that if we wait one more year, we won’t be able to conduct for a new dean much more effectively. As a result, Dr. Vohra has agreed to stay on for one more year and I ask for your support.

President Peters: Yes, Carole?

C. Minor: I move that we approve this request.

President Peters: There’s a motion; is there a second? Discussion? All those in favor say aye. Opposed? Promod you’re sentenced.

The motion passed.

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

X. INFORMATION ITEMS

A. Minutes, Academic Planning Council
B. Minutes, Athletic Board minutes
C. Minutes, Campus Security and Environmental Quality
D. Minutes, Committee on Initial Teacher Certification
E. Minutes, Committee on Undergraduate Curriculum
F. Minutes, Graduate Council
G. Minutes, Undergraduate Coordinating Council minutes
H. Minutes, University Assessment Panel
I. Minutes, University Benefits Committee minutes

XI. ADJOURNMENT

President Peters: Motion to adjourn?

The meeting adjourned at 4:55 p.m.