UNIVERSITY COUNCIL MINUTES  
WEDNESDAY, FEBRUARY 16, 2005, 3:00 P.M.  
HOLMES STUDENT CENTER SKY ROOM


B. Cesarek attended for N. Gilbert; R. Zerwekh attended for P. Henry; B. Minor attended for F. Kitterle.

Parliamentarian Ferald Bryan was present.

THOSE UNIVERSITY COUNCIL MEMBERS NOT PRESENT: Baker, Bisplinghoff, Castle, Cummings, Egeston, Goldenberg, Gorman, Graf, Kafer, Kazmi, Nelms, Newman, Pernell, B. Peters, Smith-Shank, X. Song, Sorensen, Strader, Swanson, Walton

I. CALL TO ORDER

The meeting was called to order at 3:10 P.M.

II. ADOPTION OF THE AGENDA

The agenda was adopted as written.

III. APPROVAL OF THE MINUTES OF THE JANUARY 26, 2005 MEETING (Pages 3-8)

The minutes were approved as corrected (add Prof. Wang to the attendees).

IV. PRESIDENT’S ANNOUNCEMENTS

President Peters briefed the Council on federal proposals affecting higher education. There is an increase proposed in Pell Grants but it’s accommodated at the expense of eliminating the Perkins Loan Program and either flat funding or elimination of other very important programs. Budgets are tight this year because the war in Iraq and security issues are overwhelming the domestic programs. There are several changes in Congress that will have an impact on us; nevertheless, our NIU agenda is intact and moving along nicely in a time of difficulty.

NIU has purchased, from Monsanto, the DeKalb Genetics property on Sycamore Road, on Route 23. This facility will house some of our most popular and high demand clinical health programs in the College of Health and also the College of Education. The program may work more effectively across colleges and expand to provide seamless patient services. We have
outstanding clinics in hearing, speech, language, hearing, and physical therapy. Our friend, alumnus and Congressman Dennis Hastert was very helpful in securing federal money to cover three quarters of the $12.4 million purchase price, which includes furnishings and remodeling. We intend to call the facility the NIU Family Health, Wellness, and Literacy Center.

The Governor’s budget emphasized what he called closing a 1.1 billion dollar gap. There are a couple of areas that have an impact on us. One is an attempt to get control of the pension systems by setting common benefit levels. The Governor was quick to add that it wouldn’t affect existing employees but new employees might face reduced benefits. There’s enough uncertainty about it for us to be very serious about how it will affect our ability to attract good people to this university.

The Governor has proposed a flat budget for higher education. The IBHE had a very small increase in the personnel services of 1.5%. That’s gone in the Governor’s budget. We will lobby for the IBHE recommendation.

V. CONSENT AGENDA

A. Review of Student Evaluation of Instruction – refer to Academic Policy Committee

B. Four-year review of Nature Preserves and Research Committee – see memo from Paul Stoddard (Page 9)

The Consent Agenda passed.

VI. REPORTS FROM COUNCILS, BOARDS, AND STANDING COMMITTEES

A. FAC to IBHE – Patricia Henry – report (Pages 10-11)

P. Henry was unable to attend the meeting, but provided a written report.

President Peters informed the Council that the IBHE had a good analysis of the pros and cons of textbook rental programs. We’re going to continue at our level in the committees to get those costs contained.

B. BOT Academic Affairs, Student Affairs, and Personnel Committee – Joseph “Buck” Stephen and Ferald Bryan – no report

C. BOT Finance, Facilities, and Operations Committee – Paul Stoddard and Xueshu Song – no report

D. BOT Legislation, Audit, and External Affairs Committee – Donna Smith and Shey Lowman – no report

E. BOT – Paul Stoddard – no report
F. Academic Policy Committee – John Wolfskill, Chair – no report

G. Resources, Space, and Budgets Committee – William Goldenberg, Chair – no report

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

C. Minor offered two bylaw changes on behalf of the committee. The first one is for bylaw 18.32 changing “Deans and the Dean of the University Libraries” to “Deans” in both the title and text. This is the First Reading so a motion will be made at the next meeting to this effect.

The second proposed bylaw change is in regard to the review of the Office of the Ombudsman. There are two changes. The first one is for bylaw 19.1. The university ombudsman is to provide an oral summary of his/her written report at a University Council meeting each year. The second one is to change the office’s reevaluation period from 4 years to 8 years. This is the First Reading.

R. Bose raised a point for clarification. His position has a dual title, Vice President of Research and Dean of the Graduate School. How do the bylaws address this situation? J. Stephen pointed out that 18.321(B) says the process would be similar to that for other deans except that other appropriate faculty and student bodies will be involved. Maybe there should be inclusionary language for a dual role. President Peters said that when hiring a Vice President for Research and Dean of Graduate Studies, that it is necessary to be faithful to the selection criteria for both the Dean of Graduate Studies and for the Vice President. J. Stephen suggested that Rules and Governance visit this question and see if that’s covered under evaluation of Vice Presidents and whether a bylaw change is called for there. President Peters offered that perhaps this could be an amendment on Second Reading.

C. Minor introduced a proposed new policy regarding family and medical leaves as they pertain to the tenure clock. This has been discussed and people have been working on this at the university since 1989 when the original writing committee made the proposal to the President’s Commission on the Status of Women. The policy has been through the Council of Deans, the College Councils and Senates, the Faculty Senate, the Legal Council and now the Rules and Governance Committee. The original Writing Committee was composed of the following people: Diane Cearlock, Deborah Haliczer, Patricia Henry, Fred Kitterle, William Minor, Fredrick Schwantes, Carol Thompson, Brent Wholeben and Stephen Wright. They state that there were certain assumptions which guided their thinking:

“We favor that a policy that sets forth principles and procedures somewhat broadly over one that would try to anticipate and set forth precise rules for every possible contingency. We assume that this is a process that will be applied by people trying to act reasonably and in good faith and that premature and excessive specificity could lead to constraints that would not be appropriate in specific cases. Faculty should not be required to take leave, paid or unpaid, in order to qualify for postponement of the tenure decision. To the maximum extent possible, the specific elements of the personnel circumstances that justify the postponement of the tenure decision should remain private. Evaluation of the specific circumstances that may justify the postponement of the tenure decision should be
conducted by a disinterested party. There should be some involvement by the appropriate personnel committee but only the department level and that there opportunity for appeal.”

The Rules and Governance Committee made two very small changes. One was editorial. The other was more substantive and in response to several suggestions that we received. To the paragraph that reads:

“If a faculty member’s probationary period is extended under the provisions of this policy, the standards and criteria applied during the tenure review will not be increased as a result of that extension”

we added the words “this will be articulated in a memorandum of understanding approved by the faculty member, the department chair and the dean,” thinking some of those people could have left by the time the tenure comes up and if things are specified, then everyone is protected.

Similar policies exist at the University of Illinois at Urbana/Champaign, University of Wisconsin at Madison, the University of Iowa, Kansas University, the University of North Carolina, Chapel Hill, the University of Michigan, the University of Maryland, College Park, the University of Florida, UCLA, UC-Berkley, Harvard, Yale, Stanford, Georgetown, Pennsylvania, Virginia Tech, Northwestern, and the University of Chicago. Those are a few of the institutions with similar policies. At NIU, extension of the probationary period is happening under these conditions in some departments and some colleges. It needs to be available to all eligible people with uniform parameters and effects. I move on behalf of the Rules and Governance Committee that the policy of extension of the tenure probationary period be approved by the University Council as submitted.

I. Legg took the opportunity to thank the committee and the deans and their constituency for taking care of this very, very important document. It came to the attention of the UCPC about a year and a half ago and the committee was formed to deal with it. The committee worked extremely hard on the first version and that version then went through the deans, colleges and was considered. The questions you see were addressed by the committee’s second round after they received input from the deans and I can tell you in terms of what I’ve seen through this institution and other ones, this is one of the most hard working committees I’ve ever seen dealing with an issue that was being dealt with, but needed to be more consistent. It was a labor of love and of very great importance to our university.

The policy was approved.

I. University Affairs Committee – Richard Orem, Chair – no report.

J. Elections and Legislative Oversight Committee – Sally Webber, Chair – report.

S. Webber reported that the University Council elections are continuing.

VII. UNFINISHED BUSINESS
VIII. NEW BUSINESS

P. Stoddard announced that the current Faculty Personnel Advisor is eligible for another term and has agreed to do serve. Other interested parties are welcome to run for the office, however.

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

J. Stephen had a question for Professor Legg regarding a survey called “Institutional Learning and Higher Research” that came to us was from the University of California. A faculty member was somewhat disconcerted by the feeling that this should be an anonymous survey yet he was identified as a person who had not participated last year and wondered how participation is known. I. Legg responded that he had been made aware of a similar issue and turned it over to Steve Cunningham to look into. It is supposed to be private.

J. Stephen updated the Council on NIU’s interaction with www.pickaprof.com. His understanding is that we don’t have a legal basis for exemption for providing that grade distributions under the Freedom of Information Act; however, we do have a basis for exemption from providing student evaluations of instructors, and that information was not supplied. President Peters thanked Prof. Stephen for investigating the situation, and advised that anytime a faculty member, staff member, or student gets a request for information like that, it be sent to our General Counsel, who is the clearing for freedom of information requests.

X. INFORMATION ITEMS

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

XI. ADJOURNMENT

The meeting adjourned at 3:58 P.M.