
D. Lonergan attended for J. Hurych.

Parliamentarian Ferald Bryan was present.

THOSE UNIVERSITY COUNCIL MEMBERS NOT PRESENT: Bisplinghoff, Bose, Burns, Castle, Cummings, Cunningham, Egeston, Graf, Kaplan, Kazmi, Miller, Nelms, Orem, Pernell, J. Peters, Robinson, X. Song, Walton, Wang

I. CALL TO ORDER

The meeting was called to order at 3.06 P.M.

II. ADOPTION OF THE AGENDA

I. Legg: I need a motion for the adoption of the agenda. All those in favor? Opposed? Motion passes.

The agenda was approved as written.

III. APPROVAL OF THE MINUTES OF THE OCTOBER 6, 2004 MEETING

(Pages 3-6)

I. Legg: I need a motion for approval of the minutes of the October 6, 2004 meeting which are on pages 3-6. Second? All those in favor? Opposed? Motion passes.

The minutes were approved as written.

IV. PRESIDENT’S ANNOUNCEMENTS

I. Legg: No president; no announcements.

V. CONSENT AGENDA
A. **Review** of Nature Preserves and Research Committee – refer to Steering Committee. (Page 7)

B. **Review** of Committee on Ethics and Professionalism – refer to Rules and Governance. (Page 8-9)

**I. Legg:** This is the Consent Agenda. I need a motion for adoption of the consent agenda. Second? In favor? Against? The consent agenda is then adopted.

The consent agenda was adopted as written.

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

A. FAC to IBHE – Patricia Henry – report (Pages 10-11), revised letter – walk-in

**I. Legg:** We now go to Item VI, Reports from Councils, Boards, and Standing Committees. FAC to IBHE, Patricia Henry. Pat?

**P. Henry:** Thank you. You actually have in your packet an older version of a letter that I discussed at the Faculty Senate meeting so some of you have seen it already. Since then there has been a revision of that that appears as your walk-in and it is, I think, considerably more concise. It’s still expressing essentially the same concerns. Whereas the previous version used the term “privatization” as some pointed out, might not have been the best choice of words, the newer version eliminates that and speaks more directly just to the issue that public education is becoming something that is increasingly out of the range of non-affluent people and I think it makes several points that we can discuss further if you like. The idea with this is to bring this matter into sort of public discourse through OpEds or letters to the editor and the FAC itself and representatives, including myself, will try and send this to places like the Chicago Tribune, the Rockford Register Star, and the DeKalb Chronicle to sort of have it in the mix for the upcoming veto session of the legislature just to sort of make people aware of some of the issues and I think that the 4th paragraph is especially worth noting that we’re trying to find out if there is a shift here going on without being discussed as a shift. That there is policy direction of public discussion of the fact that higher education, public higher education, is getting less and less funding as time goes on. So, I think most of you have had a chance to look at the old version and the new version is, like I say, it’s just mostly more succinct but I would be very happy to listen to any comments you have about it.

**I. Legg:** Open for discussion. Yes?

**A Council Member:** Just one comment/suggestion. I noticed on the first draft there was a sentence saying that public universities receive only about a third of their expenses from the state. That’s been left out of the second version. I thought that was quite a compelling piece of data and it might also – you could add to that sentence perhaps a comparison to – that public universities got 70% of their – I think it is – from the – expenses from the state. I don’t know – I don’t remember what, twenty or thirty years ago or something, but that just really points up the shift that is happening.
I. Legg: Pat, where did you get that number to start with?

P. Henry: I didn’t.

I. Legg: Because it will vary among the universities.

P. Henry: I’m sure it will and I think that may be one reason it sort of gets refined in a more general sense. We should make sure of what we’re saying in terms of the state as a whole.

I. Legg: I believe it’s about right for us. Isn’t that right Eddie?

E. Williams: Yeah.

P. Henry: For us it’s 70%?

I. Legg: Yeah, it’s about one third.

W. Tolhurst: Actually, I liked the letter a lot. It’s a lot better than it was before, very much better. I’m just wondering what’s going to be done with the letter and by whom? Is the intention for the Faculty Advisory Committee to the Board of Higher Education, is it their intention to disseminate this directly to news media. I presume they will be giving a copy to the Board itself. No doubt, if you submit it directly to news media, the Board will quite probably see you as doing an end run around them and so I’m wondering about – I think this news ought to be provided early and often to all the media we can, but I’m concerned that it be done in a responsible way and so I was wondering about the process that would get it from wherever it is now to the folks who need to hear it so they can let our citizens know about it.

P. Henry: As I understand the process, and it has been sort of a lengthy one, we are in communication with the IBHE about this and we’re not trying to do an end run so we certainly don’t want to give that impression. I think the IBHE has said on several occasions that they don’t see themselves in the advocacy role so it makes, I think, to them as well as to us that the FAC representing both publics and privates and community college and all of the rest, have sort of a role to play here.

W. Tolhurst: In effect you’re saying that when it is disseminated by the Advisory Committee it will be with the knowledge of the Board and without any objection from the Board if not with their permission.

P. Henry: That is our understanding.

W. Tolhurst: Okay.

P. Henry: And I think the other thing that this is meant to serve as is for those of you who wish to write letters of your own, it’s just a useful summary of some talking points and, I think, particular instances that are appropriate to particular universities should be emphasized.
I. Legg: Any other comments or questions? Is that the report Pat?

P. Henry: That’s it.

I Legg: Thank you.

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

I. Legg: Since there was no Board of Trustees meeting since our last meeting, Items B, C, D, and E will not have any reports and we can move to Item F.

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 – report


J. Wolfskill: Let me caution all of you first of all, that I was up far too late last night and well into the morning. As a result, what I have to say may or may not be coherent but I’ll give it a shot. The matter of academic textbook prices in general was referred to our Committee some time ago and our Committee did meet on this matter three weeks ago and had a discussion in very general terms with the idea of what is the problem and, you know, is there some specific action we might do to address the problem. This is where we’re at. First of all, there was speculation that perhaps a rental option would be considered as I understand is in place at one of the major universities, I think it’s Eastern. As far as we know, this would be highly problematic, calling a huge amount of resources and space and personnel for the bookstore leading to a great many problems. It’s probably not a good bet. As to what we’re going to do with issue, we think it’s unlikely that we would bring to this body a formal motion or recommendation to adopt mainly because we’re concerned about issues of academic freedom. We think it would be inappropriate if a regent policy were adopted saying that professors could or could not use this or that kind of textbook or this or that priced textbook in their course. We want those decisions to be based on pedagogical grounds. Nevertheless, we believe that we can compile some informational items and very general recommendations that may be useful to some. Towards this end, I would like to contribute one piece of information which has been in place for many, many years but apparently not as widely known as it may be particularly among the students. I believe there may be a misperception that some NIU faculty have a sweet deal where they write the textbooks and then rake in the royalty monies from the students. I’d like to assure all of you that that is not the case. There is and has been for many years, policy to deal exactly with this
issue. NIU authors are strictly forbidden from keeping royalty money in textbook sales to NIU students. All such monies are required to be turned over to the NIU Foundation. Now, the author does have the right to specify the funds – to target it. For example, in scholarship money to his department, but the author certainly cannot just pocket the money. That’s flatly not allowed.

Then let me just mention one more thing and that is we understood a wild card on the horizon is that at the Governor’s initiation, apparently there are some proposals in the state legislature, presumably in the committee stage, on this topic but what these proposals are and what the Governor wants to do, we really don’t know and that’s where we are.

I. Legg: Open for comment, discussion. Gip, did you want to offer anything on the subject at this point?

G. Seaver: I think the only reason I’m commenting is because we did pass this on to Paul to ask that the Academic Policy Committee look at this in response to an initiative that was sent to us by the president because there is considerable interest in the Governor’s Office I suspect as John mentioned. I do just want to ??? a little bit in terms of compatible that the one thing that the Committee did talk about was to develop ways in which faculty can work to hold down costs where possible. I think Bill mentioned the use of online text last time, at the last meeting with things like course packets, those type of things and so I think one of the things that John and the Committee talked about were suggestions for faculty about how to control costs but I think back – just to be a little more specific – that that particular kind of recommendation.

I. Legg: Thank you. Any other comments? Yes?

W. Tolhurst: I would just like to remind my colleagues that there’s also another option which will allow you to create your own custom made anthology out of already published works that are already in possession of the NIU library. Many of us use readers that are composed of articles taken from professional publications. I know our Contemporary Moral Issues course does and there’s nothing to prevent a faculty member from having those scanned and put into an electronic reserves website that is then – you are ??? which is posted on the blackboard and to which only the students have access. It does not violate any copyright laws and will provide students with access to what is, in fact, a free anthology custom made for the course. So I think the best route here is to go for avoiding the use of textbooks to the extent that that’s possible.

I. Legg: Back of the room.

A Council Member: First I just want to underline what my colleague just said, that electronic reserves in the library can work very well. It does not work, however, for many creative pieces like short stories, novels, poetry, you know, works of art, photography, you know, those kinds of things, you know, you still have that problem. As far as course packs go, in my experience – I haven’t done it recently – but in my experience, that’s more expensive than getting textbooks.

G. Seaver: Ivan, if I can just respond. I think John maybe what might be helpful if the Academic Policy Committee would be able to start to poll the faculty, talk to other individuals
I have had experience with a lot of these other methods to try to compile a list of those kinds of suggestions that we could then circulate to faculty in a general format. With course packets I’ve had better experiences than some, so I mean, I think trying to get all of the alternatives out in front of the faculty about how they can try to control the costs for not only textbooks but for materials as well, would be something of great value to the faculty so that we can be much more specific about the kinds of things that faculty are doing already.

I. Legg: Any other comments? Okay, thank you.

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

I. Legg: Let’s move on then to Item G, Resources, Space, and Budgets Committee, Bill Goldenberg.

W. Goldenberg: Okay. I’ll quickly summarize. I was not here at this meeting. I was out of town performing concerts at the time. C. T. Lin chaired the meeting for me and wrote this report but I’ll give you a quick summary and then if there are any comments or questions, you can report them to me and I’ll report to the Committee. We discussed concerns about campus parking, traffic and transportation and we had guests, including Bob Albanese, the Vice President for Physical Plant and Norm Jenkins, the Chair of the Parking Committee and Executive Vice President Eddie Williams also spoke briefly before the Committee meeting and I’ll leave you to read that on page 12. If you have any comments or concerns or discussion, please let me know.

I. Legg: Yes?

P. Henry: Just on the note of the sad story of the free bicycles, ---

W. Goldenberg: Yeah, I knew that was your concern.

P. Henry: I would like to also just get into the mix. I think actually this was a wonderful idea and I’m sorry that they ended up in the lagoon. I think more bike rakes, even more, would still be something I would like to see as someone who rides a bike around and I have no idea exactly what the logistics of this would be or how much the expense would be but I know at the University of Illinois at Champaign/Urbana, they have bike lanes on some of the sidewalks and it is, in some cases, just a stripe of paint with a little bicycle sign on it just to sort of keep it clear how the traffic flow goes, might be one relatively low cost way of making it a little more bicycle friendly because I think more and more students and faculty have seen bicycles as a way to avoid some of the traffic and parking problems and this should be encouraged.

W. Goldenberg: Okay, I will report those ideas to the Committee. Thank you.

I. Legg: Any other comments?

P. Stoddard: I think Bob Albanese is here to talk about the parking.
I. Legg: Bob, did you have any --- 

B. Albanese: I have some additional information on Lot 20 the bus turn-around. Discussing parking with faculty is usually not a good this. We have had some concerns in Lot 20 which is the field house lot. That lot has changed substantially over the last year in that we’ve moved the bus turn-around from in front of DuSable further down the block. The reason we did that was a combination of being an esthetics project of extending the pedestrian mall and also a safety issue because there was a lot of conflict between vehicles, pedestrians, and buses in front of DuSable. So that project happened last summer and we know as a result of that problem, we were going to create some additional concerns that we would have to address in the fall semester. This is a diagram of Lot 20 and as the semester started, low and behold those concerns were realized. In the first couple of weeks of the semester, we saw a lot of problems with exiting Lot 20 since we did just have one exit from Lot 20. There was an entrance on the north side and an exit on the south side. So, what we’ve been doing for the last few months is saying, what could we do to improve that whole situation in Lot 20, in the bus turn-around and the pedestrian walkway between Holmes Student Center as we move forward to Stadium Drive. Some of the things we’ve done are short-term. We can evaluate how successful they are and hopefully, by second semester make some additional changes. Part of what you see is that the project, which is a CDB, the pedestrian mall extension, is not completed. There’s still a fenced area in front of Gabel that’s eventually going to be a cul-de-sac but that isn’t going to happen until the spring. Also the landscaping. We weren’t very happy at the university with the quality of the landscaping and what we planned on doing is in the spring, go and upgrade the landscaping and see if we could do some things to discourage pedestrian traffic outside the walkways. Obviously, most students are going to take the shortest path from point A to point B and what we’ve got to do is be a little more creative in putting some attractive landscaping so that we discourage cutting across and basically ruining the grass and the shrubs and those types of things. In Lot 20, our concern is basically safety. Students are going to walk in the quickest way to get to DuSable and that’s usually cutting through Lot 20. So now we have an increase in vehicular traffic. The pedestrians are cutting across. We’ve got the age-old problem of students dropping other students off or picking other students up and everybody’s attention really isn’t on safely moving through that parking lot. It’s become a real mess and what we’ve tried to look at is what could we do, short-term and long-term, to improve it. Some of the things we tried is we painted the curbing around to discourage students primarily from stopping and waiting for friends – pick ups, drop-offs and those types of things. We put some signage up there. We have public safety trying to enforce that to a greater level. During the week of – next week – we are going to expand the exit to Lot 20 by four feet. Now, this isn’t going to resolve the problem, but it’s going to give a little better radius for turns coming out of Lot 20 and going into Lot 20 and that should speed it up. Once again, that isn’t going to resolve the issue, but it’s going to help out a little. We are working with the city of DeKalb on Stadium Drive and Annie Glidden to come up with a left turn signal and a left turn lane. Part of the problem of Stadium Drive and Annie Glidden during peek periods, is that all you need is one person making a left and that’s going to back up the traffic because the pedestrians are crossing and it’s really going to slow things down. If there was a left turn lane, that would once again, marginally improve the situation. I don’t think any
of these things are going to resolve it, but each one in its own way is going to improve it. So we’re going to work with the city to see if we can come up with some left turn lanes and left turn signals at that light at Stadium Drive and Annie Glidden.

We’re putting in three additional bus shelters as quickly as we can. Obviously, we’re getting into the season where those bus shelters by the bus turnaround are needed. We have three and we’d like to put at least another three out there.

As I mentioned, next spring we’ve got a project putting together and upgrading the landscape around that. We may do some soding rather than seeding out there just to try to get the grass to take hold a little better. Once again, we’ll try to come up with some landscape that will discourage pedestrians from cutting through some of the landscaping areas.

One of the things we’re also looking at is a gated entrance to the bus turnaround. Right now we have a parking enforcement person manning that area because if we didn’t there’d be hardly any way that you could keep vehicles from driving back there, dropping off students and sitting there in order to pick up a student and therefore have conflict with the buses. That isn’t going to work. That is one of the reasons why we moved the bus turnaround and, once again, a gate could be an option but there are ups and downs about putting a gate, esthetics and some of the logistics of having everybody who needs access have the right kind of transponder, is going to be something we’re really going to have to think through.

The other thing that we may take a look at for the spring semester is opening the north entrance for two-way traffic. The problem with that is if you come out the north entrance and try to make a left on Lucinda, you’re going to back up the whole – it’s going to back up very quickly. So maybe if we had a right turn only on Lucinda, number one that would be another exit out of Lot 20 and certainly disperse some of the traffic and if it’s a right turn only, we don’t think we’d impact the pedestrians and the buses to the point of getting us into the same situation we tried to resolve.

So as you can see, we’ve got a number of different things that we’re trying. Some are going to work; some aren’t going to work and we’re just going to keep moving through until we find something that gives a little relief especially during peak times and certainly improve the safety in that area. My fear is that we’re going to have a pedestrian/vehicle accident in that parking lot because of the amount of traffic going through there. Questions?

**W. Tolhurst:** I’d like to know why cars that do not have a valid permit to park in Lot 20 are permitted to enter the lot? Why isn’t being in that lot without a valid permit a parking offense that could be subject to a fine to discourage unnecessary vehicular traffic in that lot?

**B. Albanese:** That’s a good question. I really don’t have an answer for it but I certainly will follow up with our public safety department. It’s obviously somewhat of an enforcement issue. We’ve sent out, as part of our orange permits, to students discouraging any orange permits from coming east of Annie Glidden but, once again, that’s only going to be semi-successful. Part of it has to do with the enforcement aspect of it and that would improve it and I will speak to public safety to see if we could implement something to try to restrict that lot to people who hold
permits for that particular lot. Yes, sir?

**W. Tolhurst:** All you’d need is an enforcement person there whenever classes change.

**B. Albanese:** That’s the peak time. Yes?

**C. Minor:** I have two suggestions. One is a safety suggestion coming from a person who has had a vehicular accident in Lot 20. I think it would improve safety quite a lot if the kind of vehicle you could park at the end of the rows was restricted because, if you’ve got an SUV or a big truck at the end of the row, you cannot see around it. You cannot see a vehicle, you cannot see a pedestrian. So, if the last two spaces in each lot on each end of the row were restricted to sedans only or no SUVs, no mini vans, no vans, no trucks, then you could see a lot better in the lot. That’s my first suggestion.

**B. Albanese:** Okay.

My second suggestion is that rather than trying to stop students from walking the shortest distance between two points, why don’t we let the students walk wherever they want to and then when a path comes up, put some attractive paving there so it looks like it’s part of the plan.

**J. Stephen:** You are never going to discourage them from going the shortest distance between points. Ever. Not going to work.

**B. Albanese:** So noted. Yes?

**A Council Member:** I have a suggestion about the parking lot. When we buy parking tickets, why don’t we get something like a one-card? We have gate that you just run your card through and it opens the gate and you go in. That happens all over the place, everywhere, so that only people can go in to that lot who have a parking permit for that lot.

**B. Albanese:** Up to now we’ve really shied away from gating lots and certainly our pay lot is a gated lot and that’s something that down the road, we may have to consider in terms of Lot 20. Yes?

**J. Stephen:** The pay lot, ten or fifteen years ago, was a gated lot where you, for an extra five dollars, you could get a card for it but what I think we’re experiencing is just the absolute lack of realization that students – we have a tremendous amount of them over in the DuSable/Gabel area and there’s no place for them to drop off. They’re going to do something rather – if you gate up that lot, they’re going to be stopping on Lucinda and letting people off on that sidewalk or stopping on Annie Glidden and letting people off on that sidewalk. I think we have to face the fact that that population on that side of campus, student population, is so high and there has to be a place for them to drop off students. We don’t have any place. The Gabel lot is too inconvenient for them to go in but there’s a beautiful, well-planned thing in the Gabel lot where if you want to drop someone off in the new building, you can just drive through there and drop off. Even if we just had to put a loop around the field house so people could drop them off, that
would be a better improvement than ---

B. Albanese: Anybody who drives through Lot 20 – that’s a lot we really haven’t spent a lot of dollars on in terms of improving. In part of the original master plan, that lot always had some potential, future use and, therefore, I think it’s time that we take a look at that lot and maybe bring in somebody, an expert, to give us some ideas as to how we need to redesign that space to accommodate the current needs and I think we’re quickly approaching that point because some of our short-term fixes aren’t working very well and, once again, to me the biggest safety issue that we’re dealing with in the parking area.

J. Stephen: I think your Gabel cul-de-sac is going to be an even bigger mess. Or not the Gabel, the fenced in area.

B. Albanese: The fenced in area? When that becomes a cul-de-sac? That certainly will become another drop off point.

L. Kamenitsa: I just have to weigh in on the students taking the shortest distance. My undergraduate institution about twenty years ago we used to solve that problem quite well. They used manure to fertilize those areas, the student pathways; they did it several times a season. I always thought it was quite brilliant. Students did not walk on it for several weeks and it gave grass time to come back. Maybe not a long-term solution, but it worked awfully well then.

B. Albanese: I will put that in the mix that certainly sounds like something that might solve the problem. Yes. Any other questions? Yes?

C. Kenney: I just have a suggestion for the parking lot. I was thinking maybe – I’ve seen that parking lot – maybe resurface it first so at least we have better stripes on it and I was thinking more the use of more mirrors so at least on the ends so that you’re at least turning you can see cars on either way and I support the gate myself.

B. Albanese: Obviously we’re getting close to the point of having to redesign that whole lot to meet the current needs. Once again, the mix has changed. The field house is now operational late in the afternoon and you have a different flow of traffic and I think we need at this point to take a look at what we need to do long-term given the current uses of those buildings and some of the timelines. This problem almost varies by time of day. From what a gather, it’s worse on Monday and Wednesday, less of a problem on Tuesday and Thursday, so we’ve got to factor in the academic schedule and take a look at what can we do to make that a safe lot and to maximize the parking lot for not only faculty and staff but also the other occupants of that lot are commuting students who have a real need to get in and get out very quickly. Yes?

C. Sorensen: I was just going to mention not to forget that Lot 20 is a heavy commuter lot and we do have a lot of students. We have night students who come in for classes also and also when you’re thinking about gating it, we do have weekend classes there and most of those students do not have parking permits because they’re not needed on the weekends and so that lot gets heavy use on the weekends as well.
**B. Albanese:** Okay, that’s certainly – obviously the academic schedule is something we need to take into consideration. As you see, parking is a hot button issue. Start with Lot 20, we could probably roll to the next lot and discuss exactly what we need to do but, I can tell you that we look every year – we’ve got a Campus Parking Committee that’s chaired by Norm Jenkins and that has very good participation by all the different constituencies of the campus. We’re looking at a number of different things and we’re constantly trying to come up with better ways to maximize parking on campus. I just looked at some ratios. We have, for each blue permit; we have 1.15 parking spaces for each blue permit. That’s not too bad. Now once again, it’s not as convenient as a lot of people would like, but we’ve tried hard to maximize the use of each parking lot and even during the semester, if we see a parking lot that’s not being utilized, we’ll change it to try to bring in some additional vehicles that need access to it and it’s usually the commuting students that are under-served. So this is not an easy game, but we do try to maximize it and I suggest that you get your input into your representatives on the Parking Committee so that we can try to develop some additional parking on campus and maximize what we do have currently on campus.

**I. Legg:** Thanks Bob. John?

**J. Wolfskill:** I wanted to ask you one more thing. In your presentation you mentioned the intersection at Stadium Drive and Annie Glidden and pedestrian and so on. I wonder, is there any prospect for putting in a tunnel or a pedestrian bridge there?

**B. Albanese:** A number of years ago we took a look at that. I was asked to chair the Annie Glidden Task Force – Safety Task Force. We had some tragic accidents on Annie Glidden where there was loss of life and that’s never acceptable. We looked at an overpass and underpass. It was really cost prohibitive. Ran into millions and millions of dollars – the number eight million seemed to stick out in my mind. That’s what it cost. That’s why we’ve tried some of these short-term solutions. By the way, the city of DeKalb is going to put two electronic speed monitoring signs on Annie Glidden, one north, one south and it’s going to be similar to what you see when you hit a particular area but these are going to be permanent structures that are indicate how fast you’re going and the speed limit and anybody who’s been in an area, when you see these things, you’re natural tendency is to slow down. That’s really what we’re trying to do is slow down the traffic on Annie Glidden and that’s strictly a safety concern but the cost of the tunnel or the overpass was really cost prohibitive.

Okay, next time you want to discuss parking, somebody else here. No, I really do enjoy the opportunity to go over these issues and certainly encourage your participation in the Parking Committee.

**I. Legg:** It sounds like you did enjoy it. When John Peters asked me to sit in for him because he’s going to be away, he showed me the agenda and I looked over the agenda carefully and it looked like a real brief meeting but I missed the word “parking” which was ???.

**H.** Rules and Governance Committee – Carole Minor, Chair – report (Pages 13-15)

**I. Legg:** We will now go to the Rules and Governance Committee. Carole Minor, Chair, report.
1. TATD Advisory Committee to be eliminated.

**C. Minor:** The Committee’s report is on page 13. We met on the 13 of October. We have two motions for you. The first is that the TATD Advisor Committee be eliminated. You may remember that this item was sent to us by the University Council at the first meeting of the year. This is a Teaching Assistant Training and Development Advisory Committee. This office was eliminated two summers ago and the duties of the office were assumed by the Faculty Development Office and also the duties of the Advisory Committee were assumed by the Faculty Development Advisory Committee and so we are requesting that this committee be removed from the Committees Book. So the Committee moves that the TATD Advisory Committee be eliminated. That’s our first motion.

**I. Legg:** Any discussion? All those in favor – I don’t think you need a second.

**F. Bryan:** You need a second.

**I. Legg:** Oh, you do need a second. We need a second. Now, any discussion? All those in favor? Opposed. The motion passed.

2. Change in Campus Security and Environmental Quality Committee membership.

**C. Minor:** The second is that it is moved that the following changes be made to the membership of the Campus Security and Environmental Quality Committee as listed in the NIU Bylaws, Article 16.3.A. That “the vice provost for student affairs” be changed to the “vice president for student affairs” and the rationale for that is “the vice provost for student affairs” has become “the vice president for student affairs” and that “the vice president for development and university relations” be changed to “public affairs representative”. The public affairs representative of this committee had previously been a designee of the vice president for development and university relations. Now public affairs no longer reports to that vice president and since a public affairs representative is what is desired on the committee, it is thought that it would be best to specify the public affairs representative rather than to put it under a vice president. By the way, since this is a change in NIU Bylaws, this will be the first reading for this and we will be voting on it then at the next meeting of the University Council.

**I. Legg:** Okay.

**C. Minor:** The Committee members are reminded that we are to meet next Wednesday at 3:00.

**I. Legg:** Any comments or questions? Thank you Carole.

I. University Affairs Committee – Richard Orem, Chair – report (Pages 16-36)

**I. Legg:** We now will move to University Affairs Committee, Richard Orem, Chair, report.

1. Proposed Academic Calendars for 2005-2015 **FIRST READING**
P. Stoddard: I’m reminded that Richard’s not here today, so I’ll just pretend I’m him. Basically, we asked them to take a look at the Academic Calendars for the next ten years as is required. The calendars that they came up with are listed on pages 16 probably to 26 and then we also included for your reference, actual calendars for those ten years. This is a first reading again so I would advise or suggests that everybody take a look at these, make sure that they don’t see any problems in the calendar and then be prepared to vote on them at the next meeting.

I. Legg: Thank you.

I. Elections and Legislative Oversight Committee – Sally Webber, Chair – report (page 37)

I. Legg: Elections and Legislative Oversight Committee, Sally Webber.

S. Webber: Excuse me. It took me a minute to get through all my calendars and find my report. The Elections and Legislative Oversight Committee oversaw two elections during the month of October. First was an election to fill the College of Health and Human Sciences vacant position on the University Council. Bridid Lusk was elected. The second election - each year the Elections and Legislative Oversight Committee oversees an election for a Hearing Panel that deals with questions that result from the dismissal for cause of a tenured faculty member or dismissal for cause of a non-tenured member of the faculty before the expiration of that faculty member’s contract period. There’s a process in the Bylaws that was followed. Thirty-five faculty members are randomly selected, we use a computer to do that, and then the Faculty Senate votes on 20 people who are then that Hearing Panel. I’m not going to read all the names but they’re presented for you here in the report so the members of this year’s Hearing Panel are listed in the attached report.

I. Legg: Thank you.

VII. UNFINISHED BUSINESS

I. Legg: We move now to Unfinished Business and this in Paul’s hands. Paul.

A. Update on Computing Facilities Advisory Committee – report

P. Stoddard: As we’ve discussed earlier in here, there’s been concern about communication between what goes on with the computers on campus and the people who use the computers on campus. To that end, I went to the first meeting this year of the Computing Facilities Advisory Committee. I found them very open to improving that communication, so much in fact, that they issued a formal invitation to a representative of the University Council to attend all their meetings. Unless anybody else is jumping up and down wanting to do it, I offered to fill that role this year so I’ll be going to all the meetings. There’s another one this month so if anybody has any concerns about computing facilities on campus, let me know and I’ll be sure to raise them. You also have a representation to your college or council or whatever group you’re affiliated with on that. You can let your representative know as well.
A couple of things did come up in the last meeting that I thought might be of interest. For the students, starting in the fall of '05, they’re going to have to use their campus e-mail address. All campus mail is going to be directed there and then they can set that up to forward that to whatever other accounts they might want but they are going to have to become familiar with that.

Apparently there was a problem with the blackboard password expiration notification. I think ITS has fixed that now.

Then the other thing that was a major discussion issue was the NIUNET, the Internet II. For those of us who have heard of Internet II and the NIUNET but don’t know what it is and I was in that classification, Internet II is actually a group of – it’s the in-crowd for the internet. These are folks who’ve gotten together, research institutions, primarily places like FermiLab and Northwestern University of Chicago, have gotten together to create a faster internet. So this will have about ten times the bandwidth and so forth that is currently in place. In order to be a member of Internet II, you have to have the equipment and hardware and so forth to participate in that faster internet connection. Northern has agreed to do that and has worked with the communities in the northern Illinois area so that all our campuses will be connected to that. That is the NIUNET that the president spoke about a couple of months ago. ITS tells us that that should be up and running by spring, sometime during the spring semester. My understanding, which may not be correct, is that this is transparent to all of us and you happen to be downloading or uploading information to another Internet II institution, you’ll just notice it goes a lot faster and you’ll, after awhile, become painfully aware of when you’re dealing with a non Internet II site, but until then – so it should alleviate some of the congestion that we’ve seen on campus on the internet. Any questions or comments about that? Okay, thank you.

I. Legg: Thank you Paul.

VIII. NEW BUSINESS

I. Legg: We have two items in VIII on New Business. One is the receipt of annual reports, University Benefits Committee and that’s available for your consideration online. The information is given to you in the item presented.

Finally, the Surveillance at free speech events. We have a comment from Lee Shumol.

A. Receipt of Annual Reports (Pages 38-40)

1. University Benefits Committee –

B. Surveillance at free speech events

L. Shumow: Yes, hello and thank you. I have asked the University Council – I’m a professor in the Department of Leadership, Educational Psychology and Foundations - and I have asked the University Council to consider a matter that occurred earlier this semester on campus. On September the 18, my husband and I attended a rally in support of John Kerry and Edwards at
which Senator Richard Durbin spoke and while we were listening to the candidates speak, we noticed that a uniformed NIU police officer was, in fact, video taping the crowd in a way that appeared that he was trying to capture actually, sort of if you observed, he was panning the crowd and sort of stopping to try to capture the image of each person listening and this concerned me greatly. Now this was the same day and at the same time and, in fact, it was billed as an alternative to the Chenney/Hastert event and this was taking place at Central Park Commons while the other event was taking place at the Convocation Center. So I delivered a letter to President Peters asking him who, in fact, why was this being done, who had requested it, what done with the video tape, who had copies of it and so forth and I have also learned subsequently, that the ACLU has actually collected a number of incidents where universities around the United States have been asked by federal law enforcement for lists of people attending certain events. Now, I’m not saying – this event, I have no knowledge that this event was part of that but, of course, I was concerned to find out about the disposition of this matter. I did receive a letter from Dr. Peters saying “I have been informed that the photography in question was done as part of the security protocol set by the federal and local security forces guarding the vice preside” and I won’t read you the whole letter, but he then suggested that Dr. Eddie Williams would meet with me and I actually was able to meet with him today at 2:00 and he provided an explanation of how this occurred and why it was done and it seemed that there was some breach of security over at the Convocation Center and then, of course, the concern for safety was an issue. Although I do very much understand that and I believe actually, that Dr. Williams seems, you know, agrees with me that academic freedom and free speech is an extremely important part of a university community. I do actually remain concerned about the policy regarding this kind of thing and although I realize that the presence of the vice president or the president of the United States at NIU is not a common event, I am interested in the university policy regarding provision of information, identity lists and so forth to federal law enforcement and video taping of people at free speech events. So, although I believe that Dr. Williams and the police had no ill intention, you know, in planning the security and so forth, I just do believe given these other incidences in the United States, that it would be best if the university did have some policy regarding these matters. So, I’m not sure exactly how to go about this or what to do which is why I brought it to you. Thank you.

I. Legg: Any comments or observations?

J. Stephen: There is a growing list of problems with cooperating with federal protection guidelines where the secret service has asked local enforcement agencies to arrest people who are practically doing nothing except their free speech rights and by just cooperating with federal agencies, the local law enforcement agencies have ended up on the losing side of battles with the ACLU and various private agencies by just agreeing to do what the secret service says. In particular, cases involving what had been classified as criminal trespass. So I think there’s some problems with cooperating with federal protection guidelines.

E. William: Thank you. I certainly appreciate the opportunity to talk with each of you, but specifically with the professor who had the issue and the problem. This particular event, and those of you who have been at Northern some time have a track record to go back and a history to look at. This particular event on our campus was very, very, very unique. It was an occasion where two out the three persons in line for the presidency were on our campus. This was an
extraordinary situation but even in the context of that situation, I want to make it very clear and assure you that our public safety department was completely in charge of all events on our campus. The secret service, FBI focused their attention on the venue itself. That was the agreement. That was an extraordinary agreement that we had but we made it very clear that this is a university campus and on our campus we have students, we have faculty, we have staff and we have essentially our way of handling free speech and that we saw no conflict with our free speech activities with that of having the event in the Convocation Center and I will say this, that those involved – all of those involved – respected that. They respected our campus. They respected the authority of our public safety people. We had no incidents. There was a breech where people were asked to stay in one area only for safety, which is a very reasonable request, some of whom were not from NIU. They were from other communities that came down. That’s fine, but when a breech occurs there certainly has to be some actions taken to make sure that safety is maintained. That’s all we were trying to do. Again, our public safety people were totally respected and our campus was totally respected and, therefore, only our police were involved on anything and everything occurring outside of the venue. So, I think in that sense it worked. Our way of handling situations worked. When a breech occurred, the secret service and FBI were reminded that we would handle it and we did handled it and we talked to people. I personally was there and the bottom line was that given the circumstances and given the environment that we’re under and all of the other pressures that occur, especially under an event like this with the people who are in attendance, our efforts to protect our free speech and our constitutional rights and the integrity of our campus were all successful. I know, speaking for President Peters, that he would not compromise in any way the freedoms of a university campus, especially Northern Illinois University.

J. Stephen: What happened to the video tape?

E. Williams: The video tapes were destroyed. They were never given to anyone other than they were handled by NIU police and there was no – because there was no major incident in terms of an occurrence, it was totally destroyed and never left the person of NIU staff. Again, we had an agreement and it was honored by everyone.

C. Minor: I have a question. I’m not familiar with the name of this park. Where was this event held?

E. Williams: It’s located between Stevenson and Grant. It’s the new – it used to be a parking lot for the residence halls. It’s now Central Park. It’s one of our improvements and gave Bob some more headaches and that’s why he lost a little more hair because we took out some parking.

C. Minor: Oh, so that’s a considerable distance than from the Convocation Center?

E. Williams: In some sense it is, yes.

C. Minor: Okay, is it possible for me to make a motion?

E. Williams: May I comment though. The distance is correct, but when I said there was an incident, there were groups of people and I won’t even say students because they were not –
there were some students perhaps, but there were other people involved who left designated areas and were literally running across the parking lot at the Convocation Center toward the Convocation Center. This is what started the video taping. This is what caused the NIU staff to step in, stop to the leaders, talk with everyone, calm the situation down and it worked out very well, but that’s where it started. I just wanted to make sure, because you said “well, that’s some distance away” but that’s where it started and people began to leave the Convocation Center and went back to a separately organized event which was the Durbin speech which was a totally separate event but there were two things going on and some of the people intermixed with the others.

C. Minor: So the taping of the Durbin event was not planned in advance. It just happened because of these other events?

E. Williams: No, no. That is absolutely correct.

C. Minor: Okay.

E. Williams: That’s how that occurred. That is not standard university policy at all.

I. Legg: Any other comments or questions? Yes.

???: I’m still not sure it makes sense or it seems right that the Durbin event should have been video taped and it just seems very disturbing to me that this kind of surveillance going on. I’m glad to know that the tapes were not passed along to anyone, but I would rather the tapes wouldn’t have been made in the first place.

I. Legg: Yes?

A Council Member: I’d like to know who was video taped. Was it only the people who were running or was it people who remained at the Durbin speech?

E. Williams: Well, as I explained, what happened was as the people came in front of the Convocation Center, they ran across the parking lot and so forth, that group – taping began at that point in time and we did move forward to talk with students. We appreciated the help of persons from our Student Affairs Office and so forth. Again, some of the people were not NIU students nor NIU staff. That’s what initiated it. That’s what brought on this new level of concern and security but then members of this group, as they dispersed, marched back to the Central Park area and intermixed with people who were at the other rally and so, it’s my understanding, the taping continued following that group of people.

W. Tolhurst: It strikes me that this kind of video taping can have a significant chilling effect on free speech events and one concern that I have is rather or not we have guidelines for the use of this kind of surveillance that would perhaps allay certain fears that some folk might have and provide an understanding of when this might be appropriately used within the university community and when it is not to be used within the university community. I don’t think that this is something we could fruitfully discuss at this meeting but it is something that someone who is
concerned that it be taken care of, might refer to an appropriate committee. For example, the Campus Security Committee. I hate to make work for other committees but if there is a need, it seems to me that’s one way to pursue it in a more orderly fashion.

I. Legg: Yes?

L. Shumow: Can I say something else too? I also, you know, thank you, I agree with that but I also wonder – I just don’t know this – does the university have a policy about releasing information like video tapes or lists to government or law enforcement agencies? Do we have such a policy about that? Is a subpoena required in order to do that or not? And yes, I agree. It did have a chilling effect. Many people who were there, some of them emeritus professors, were – it was intimidating to have this occur. You know, it was and this is my employer.

E. Williams: May I respond? I just would say this again, certainly we as a university can look at this matter in terms of what our policies are but very frankly our policies have been very consistent. We do not video tape events here at NIU and the only time there is a situation where video taping might be used is in the case where there is some kind of illegal activity and then it’s very useful. It’s one of the useful tools of that. I see our legal counsel is in the room and I may misspeak on this and I’m sure he will correct me, but it is not our policy to release any information whatsoever of the nature that you were discussing. It’s certainly not our policy. If the university is subpoenaed and brought to a court of law, I think that’s an issue that the lawyers will have to fight but it is not our policy to do that and I would not personally be comfortable with or support that kind of activity and I know the president would not nor would our provost. We believe totally in the constitutional rights and the academic freedoms and the integrity of our university as a university and anything along the lines of what you’ve suggested I think would be a serious blow to that perspective of our university. So, you know, as far as what our policy is, we would not do that. It’s certainly not part of our policy to release any information and it would just end up in the courts. I think that’s the only answer I can give you.

I. Legg: Anything else that anyone would like to comment on

K. Davidson: I’m Ken Davidson, Counsel for the university. I’d like to assure the group that my office is the gatekeeper on the release of information and we are very strict in the use of the legal standards that exist whether it’s the Freedom of Information Act, the FERPA statutes, the subpoena standards of state and federal law and I want you to know that as the privacy officer of the institution that I very personally regard that responsibility. It’s very hard to get information out of this institution unless the law requires it and that includes federal investigative agencies as well.

I. Legg: Thanks Ken. Anything else? All right, thank you.

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

I. Legg: Let’s move on then to Item IX, Comments and Questions from the Floor and any other subjects you might like to bring to the table at this time. Let’s see, how do I adjourn?
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

I. Legg: I will entertain a motion to adjourn. All those in favor? Adjourned.  

The meeting adjourned at 4:15 P.M.