UNIVERSITY COUNCIL TRANSCRIPT
WEDNESDAY, APRIL 4, 2007, 3:00 P.M.
HOLMES STUDENT CENTER SKY ROOM


B. Minor attended for J. Grush; B. Anderson attended for M. Munroe; M. Pritchard attended for S. Richmond

Parliamentarian Ferald Bryan was present.

ABSENT: Baker, Castle, Dowen, Hemphill, Johns, Kamenitsa, Kaplan, King, Langguth, Marcus, Oreseanin, Pappanduros, Parisot, B. Peters, Purnell, Schoenbachler, Sido, X. Song, Sorensen, Stephen, Thu, Tollerud, Walton,

I. CALL TO ORDER

President Peters: I call to order University Council Meeting of Wednesday, April 4. Welcome everyone.

II. ADOPTION OF THE AGENDA

President Peters: Our first item of business is II, the adoption of the agenda. No, no – don’t do that yet – wait! Don’t rush to judgment here. We’ve got some walk-in items that will amend, augment the agenda. Before you should be a walk-in item that begins 6.25 merit ratings for persons who have been on leave. That is – I would like to put that under new business, VIII New Business. The Provost will bring that item today. Okay? That’s one walk-in item. Do I have that correct? On the back of that page, is a walk-in report from Rules and Governance, VI. H, if I have that right, that’s a written report. You should have before you as well, a report from University Affairs on religious tolerance. That would be under VI. I and is that everything?

P. Stoddard: I think so.

President Peters: With those walk-ins, a motion is in order. Is there a second? The main motion here with walk-ins is to adopt today’s agenda. All in favor say aye. Opposed? Hearing none, we have an agenda.

Giles made the motion; Tolhurst seconded. The agenda passed with addition of walk-ins.

III. APPROVAL OF THE MINUTES OF THE MARCH 7, 2007 MEETING
(Pages 3-6)
President Peters: On pages 3-6, the minutes of March 7. I’ll call for additions and corrections. Hearing none, is there a motion to approve the minutes of March 7? Second? All those in favor say aye. Opposed? All right, we have minutes.

The minutes were approved as written.

IV. PRESIDENT’S ANNOUNCEMENTS

President Peters: Well welcome to warm springtime in DeKalb. It’s always a good time to recruit faculty and staff and deans, you know, February is a no-no but, you know, the tulips are out today or no, the daffodils, it’s cold.

All right, I have a – let me talk a little bit about Springfield and the budget. I did say a President’s Letter out that sort of updated you on the budget and that information is pretty current. We have a budget bill before the Assembly that contains about a 1.9% increase in base GR for all universities give or take a percent or two depending on what the bases are and that was a pleasant surprise to us because we were expecting something in the 1.5 range. We had wanted something in the 10% range but, remember we had 4 years of flat or reductions and then last year was the first year that we had a drink of water in a long time and so the Governor put some important but marginal new dollars into that base so that’s in there. That was important to us. In addition to that, there was a capital bill that the Governor put forward that did include funding for the Steven’s project which is our top priority for a decade and all of this – and this is all good and we are all working very, very hard to sustain that – knowing that the whole state budget was built, predicated on a revenue enhancing package that the Governor put forward, gross receipts tax on businesses basically, and he is now going around the state building support for the budget and his priorities in the budget which, you know what those are. So, that’s what happening right now. The Legislature is on two weeks spring break. I think this is their first week and so next week so there’s no action on that.

I will say though that there is something I do want to report and that will occur on April 25. That has been designated as “Higher Education Lobby Day” – April 25 – and that activity has been loosely coordinated and supported by something called “The Higher Education Legislative Coalition” which is universities and colleges and boards and the bargaining units who have all come together to do this classic sort of lobby day. We haven’t done a lot of those in a while but now that is happening. Let me talk a little bit about the logistics of that so you can get a feel for what that is and this is a classic sort-of Noon-time rally that you’ll see in Springfield where the various groups come and rally for their cause and then they disperse throughout the Legislature and talking to individual legislators and try to get some media attention and that sort of thing. The logistics are as follows. There’s going to be a rally at about 10:15 near – at a parking lot near the capitol and there’s going to be speakers that are going to include legislative leaders and some university presidents and possibly some board members from the Community College Board and the IBHE. Then there’s going to be at 11:30, box lunches that are going to be served and I think they’re figuring a way of paying for those, because you can’t use any state dollars to do this, so pass the hat or something, I don’t know but no state dollars will be used for any of this, no GR dollars. At Noon the participants will be encouraged to visit legislative and constitutional offices. Now, as far as the university commitments, what I think is going to
happen is I think there’s a bus that’s going to come from Urbana that will have faculty, students, staff, a mixture. There’s a bus probably going from Chicago. There’ll be a SIU, Southern is going to send a bus and we’re going to send a Huskie bus and, you know, Ken Sender who is our person who works Springfield, is in charge of that and he’s been contacting appropriate people right now and I hope that we have a good turnout. I think this is an important activity because it states the important to us, to you, of this. Now, I wouldn’t cancel class if I was a faculty member to do this and if I were a student I wouldn’t miss my chemistry test to do this because, you know, to me that would kind of defeat the purpose of all this. But, if I were talking in Political Science, I’d give academic credit for doing this, no – I wouldn’t do that. I’d think of it but I wouldn’t do it. So Ken Sender, who can be reached through my office, but I think the SA has been contacted. I think the Faculty Senate has been contacted. Our employee groups have been contacted and we want to get a bus together. I think tomorrow Ken Sender is trying to get going on this but I thought I would take advantage of this on the front end to say this is an activity which I support and encourage with appropriate rules and making sure that we follow all the rules. I, unfortunately, will not be able to attend because my only son is getting married and Barbara told me I had to make a choice but I’ll be with you in spirit and then I’ll be book ending; I’ll be down there an awfully lot. This is a long session. We’re a long way from any conclusions because the hurdles are high. But we did put forward what I consider a hopeful budget for us and it sends a message and it blends into something else that I’ve observed and I know Jody was representing you down there at IBHE in Springfield and I haven’t had a chance to sit down and talk to her about what I think happened, but I detect a little change. I detect a change from the point of view of the Board of Higher Education and I detect a change on the part of the Legislature and even the administration, that higher education is important and should not be neglected and should be included in any discussion of an investment in education in this state. There is a new chairperson of the Illinois Board of Higher Education; Carrie Hightman is her name who is the former chief executive officer of something. Okay. I met her and she is impressive and she’s focused and I invited her to our campus. She is going to be on our campus sometime in June. It’s the first time she can work it in to learn about us and see what we have to offer our students and what our needs and concerns are. The Legislature and the various committees I think are clamoring for a plan, for a focus, on what can higher education do for the state and what are its needs. I feel it coming and so that’s why this lobbying day is important. It’s important that the people, you know, you are the university, you are Northern Illinois and you serve the people of the state and the students and so having all those people there I think is going to be an important statement that you’re concerned. Now it’s time, you know, things are looking better. Of course, we don’t get involved in should you support this tax increase; that’s not what we’re supposed to do. We’re supposed to make the case for our needs and then it’s up to our elected officials to figure out a way but I can feel the change coming and I guess in the common language you hear today; maybe we’re near a “tipping point” on that. If that’s the case, let’s get on the bus and give it a little shove down in Springfield and let’s show the, you know, the NIU flag and the Huskie flag that we’re part of this too. There’s a good spirit of cooperation and I’m optimistic that we can make the case. Remember, this isn’t a spring; this is a marathon and it’s not about just this year, it’s about this year and the year after and the year after. It’s about a cycle of investment and improvement and the reach for excellence in the state of Illinois for all of education. So, that’s pretty much what’s going on at the state level and I wish that as we grade our last finals and hand out our degrees come May, that there was word about our budget, but I don’t believe that’s going to be the case.
I’ll keep you informed as I always do when there’s something significant to report. I never like to burden the community with superfluous communication if I don’t have anything to say. So if I have something to say, you know, I hope you read it and react to it. So that’s where we are. Yeah?

J. Kowalski: We’re having a general faculty meeting tomorrow at the School of Art and it would be helpful if I could tell the faculty if there’s some way they could get further information about where to meet the bus or will that be announced through Web Mail or things of that sort.

President Peters: I don’t have the specifics on that and you’re thinking the way I think. You mention something to your colleagues and then you have to follow through with where – that will be communicated in some way generally to the campus community and Ken Sender is in charge of that and you can expect something, my guess is by Friday or Monday. The date again will be April 25.

The next part of my report, I’m going to turn it over to Provost Alden who’s going to report on two things; the Strategic Planning Process and deans’ searches.

R. Alden: Thank you. In terms of Strategic Planning we had a meeting this morning of the chairs of the four workgroups. President Peters also attended that meeting as well as of course the facilitators from Learning Alliance and we reviewed the work products of the four work groups. I think there’s a lot of continuity coming forward. What we plan on doing is probably on or about the 16th of April, to be putting some of these work products on the Strategic Planning Work Site – the web site I should say – and that will be available for the campus community to review. Then on the 27th of April, we have our final task force meeting of the Strategic Planning Task Force. We will be going through all those work products and decided kind of what will be developed for the following week for a major roundtable. At the roundtable we’ll have probably close to 100 or 110 people. Again, it’s the same people who came in January so they can see kind of the end product as well as they participated in the beginning of this thus representing all the various constituency groups on campus and they will spend an evening and then the following day going over those work products and polishing the ideas and concepts. The facilitators will take that information and go and put together the Strategic Planning document for, hopefully, distribution sometime later in that month; in May. And so we hope that this process at the university level will be complete around the end of May and I’ve been telling everybody that’s just the start of the process and then we would hope to take Strategic Planning to each of the colleges, each of the departments to work on their initiatives, their goals under the umbrella of some of the vision statements, some of the strategic initiatives developed by these various work groups and approved by this kind of iterative consensus making process. So it looks like we’re still on the correct timeline. It’s been a major effort. I thank all the people in the various work groups. I think the chairs, we have three of the four chairs, sitting here today, Harold and Bridget and Deb – the other one Sue Mini – they’ve worked very diligently on a week to week basis with their groups producing task statements for some fairly well-defined tasks and hopefully that will be the basis for the major plan.

In terms of the deans’ searches, I think we have the final candidate of the final – of the second search, the Dean of Library search, is on campus today and the search committees either have
recently met or will meet before the end of the week and so hopefully, I can find a consensus of all the various constituency groups, meet with President Peters and start negotiating offers. We hope that those will both come to successful conclusions. We had four candidates for the Liberal Arts and Sciences search and they came in the last couple of weeks and we had two for the Library search.

**President Peters:** Good. Excellent. I might add too as far as strategic planning, I was encouraged by the report I had received. It’s so important to get a strategic plan because May 5 we will have a public celebration classic kickoff of the public phase of our capital campaign and the pitch that I make to our Foundation and now to donors is that the strategic planning process and the vision that comes out of that will become the material that we use to help fund professorships and scholarships and academic programs. It’s going to come out of that process and it’s important. I’m very pleased; I didn’t think we’d be this far. I don’t know, are we ankle deep or knee deep?

**R. Alden:** We have to be at least knee deep.

**President Peters:** Okay. Well, I’m pleased and thank you for that. I’m glad those searchers are coming to a conclusion. All right, that concludes my announcements.

**V. CONSENT AGENDA**

**President Peters:** There is no Consent Agenda.

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

**President Peters:** So let’s move to reports from Councils, Boards, and Standing Committees. The first is the Faculty Advisory Committee to the IBHE and Jody I know you have a report. It’s in written form. Do you want to say anything about that?


**J. Newman-Ryan:** Transitioning from knee deep to me I guess. I’ll try not to take that personally. I just have a couple of comments. You can amend I to say that Chairwoman Hightman will be here in June so we were just told that she wanted to meet with as many universities as possible so, as President Peters said, I guess that will be sometime in June. I will note that she does want to be called “Chairwoman”. I guess a lot of official documents were changed to “Chair” and she specifically said she wants to be addressed as “Chairwoman” so ---

**President Peters:** I think we should vote on that.

**J. Newman-Ryan:** Whatever.

**J. Wolfskill:** Is she going to change her last name to “Hightwoman”?

**J. Newman-Ryan:** Okay, I’ll pass that along.
President Peters: Humor from the Council is a rare occurrence.

J. Newman-Ryan: Okay, I’ll just point out a couple of legislative issues you may want to be aware of and I apologize, on page 2, we were addressed by a lot of legislatures and I don’t know who Legislator “X” and Legislator “Y” were. I figured out the rest of them. The official minutes are not yet posted on the IBHE site so, Legislator “Y” said something that was of particular concern to us. If you look about two-thirds of the way down the page, and I tried to put most of these things in quotes, I didn’t on this unfortunately, but he stated that higher ed has been able to absorb and thrive under the budget cuts from the last few years. So we need to find out who that was and perhaps change his opinion about that. So there was quite a bit of discussion after the formal IBHE meeting. There was a group of faculty who met with IBHE over lunch and that comment was discussed quite a bit about, you know, yes, we realize there’s a lot of different interest in the state and there’s a lot of competition for funds but we wouldn’t agree that we had “thrived” under these budget cuts, so we need to change his opinion about that.

One other thing, we had been told as faculty that the Student Advisory Council and the Faculty Advisory Council had worked together a lot on this textbook issue and we thought that the IBHE was with us and that we had worked out a lot of compromises about what to do about textbooks but there are two bills pending, and I have no idea of what their changes of success are, but if you look at the bottom of page 3, I’ve put rather extensive information for anybody who wants that. Senate Bill 325 would require all of us as faculty, those of us in the room who are faculty, to justify our textbook decisions in rather detailed ways that some of us would probably not be willing to do so I don’t know what the changes are of these two bills passing. 326 is on page 4 and, again, lots of detail that we’re going to have to provide about why we’re choosing certain textbooks. So those would be rather contentious and were discussed by the faculty and I don’t know what their chances are so.

Okay.

President Peters: All right. Questions for Jody? At my level, we monitor the flood of bills that come in. I don’t know how many, four or five thousand bills were introduced, and whenever we see one that is germane to higher ed or us broadly defined, we ask – probably some of you may have been asked – to read it, assess it and give us an opinion on whether we should oppose it, go neutral on it or work for it and that’s a decision that we don’t take lightly. Many bills – bills are introduced for a variety of reasons as you know and some of them have legs behind them and some of them are just to make a point. So we just kind of stay on top of these things. I will say that nationally, and in the states, the textbook issue is not going away. You know, there’s some federal legislation that might get rolled into the Higher Ed Reauthorization Act or however they approach that and many states are considering bills like this and I think we’ve done good work on this campus. I know Gip and a group of people have been working on it and I know we’re sensitive to it and faculty are sensitive to the issue but, you know, it’s an issue that we’ve got to continue – we don’t control it completely. That’s the problem; or we don’t control much of it at all. But it is out there and so we will pay attention to it. Thank you Jody.

B. BOT Academic Affairs, Student Affairs, and Personnel Committee – Joseph “Buck”
Stephen and Ferald Bryan – report (Pages 7-8)

President Peters: All right. Let’s see, BOT Academic Affairs, Student Affairs, and Personnel Committee. I don’t know; I didn’t see Buck here. Ferald is going to give the report.

F. Bryan: Thank you. Dr. Stephen is assisting with the dean’s search for the Libraries at this time so he asked me to present the report from the March 8 meeting of the Academic Affairs, Student Affairs, and Personnel Committee. Typically, at this meeting in the spring, this committee addresses sabbaticals and curriculum changes. Previously, the chair of the committee, Bob Boey, had requested presentations about the previous year’s sabbaticals. So before the committee moved into a discussion of its action items, it heard two fascinating sabbatical leave reports. First from Professor Carolinda Douglass from the School of Allied Health on her “Evolution of Dementia Care Mapping” project at the University of Bradford in England. Then we also an also fascinating project from Professor David Kyvig from the History Department reporting progress on his book The Age of Impeachment. Both Professor Stephen and I thanked the committee for its support of sabbaticals on your behalf and Professor Stephen also publicly thanked the Northern Star for its letter to the Governor regarding support for higher education.

Under the university report, all the recommendations for faculty and SPS sabbatical leaves were approved. A total of 52 faculty and SPS sabbatical requests, representing 32 departments were approved. New minors and degree changes in Math, Engineering and Music were also approved and they also received information items that you will see listed before you.

The next meeting is on June 11 and I’d answer any questions if there are any concerning my report. That concludes my report.

President Peters: Questions? All right, hearing none BOT Finance, Facilities, and Operations Committee – either Paul or Xueshu Song?

C. BOT Finance, Facilities, and Operations Committee – Paul Stoddard and Xueshu Song – report

P. Stoddard: If it’s alright, I think I’m going to lump this together with the full Board report because there was a lot of overlap.

President Peters: All right.

P. Stoddard: Both committees, the committee and the full Board, considered the issues of student fees and room and board increases. Student fees went up a little bit more than I think the university would like to see them go up. Some of that is due to factors beyond the university’s controls, specifically, health care costs and the contract with the student Huskie Bus Line but all the fees were approved by the various committees which do have full student representation on them. So basically, the students did sign off on the fee increases. The room/residence hall fees have gone up as well, 13% or so. Much of that is in response to mandated sprinkler systems that are going into residence halls. That’s a huge safety concern that fortunately is being addressed,
but unfortunately is not free nor is it paid for by the state. Also, a part of the increase is due to the fact that a lot of the people who work in the residence halls are student workers who make minimum wage and with the increase in minimum wage, those wages will be going up as well.

In addition, the full Board also approved all the sabbatical leaves as recommended by the group Ferald just reported on. Again, especially Trustee Boey expressed his strong support for the sabbatical program. This is an ongoing theme and again I think we’re very fortunate to have a Board that understands the importance of this sabbatical leave program. So that’s very encouraging.

Finally, we got a report from Wally Czerniak from ITS regarding NIU’s compliance with the recording industry’s concerns about illegal download of music and other media. We’re doing everything we need to be doing and, in addition, we’re also working to find legal alternatives for downloading of materials so students can get what they want without running afoul of the law. There’s still bandwidth issues on this downloading of music and probably movies at some point in the future but that’s down the road.

So that’s the main things they went over. I’ll be happy to answer any questions.

President Peters: Okay, hearing none, that takes care of C and E.

D. BOT Legislation, Audit, and External Affairs Committee – Sara Clayton and Bobbie Cesarek – no report

President Peters: D is BOT Legislation, Audit, and External Affairs, no report.

E. BOT – Paul Stoddard – report

F. Academic Policy Committee – John Wolfskill, Chair – no report

President Peters: No report from John on Academic Policy, correct?

G. Resources, Space, and Budgets Committee – Linda Derscheid, Chair – no report

President Peters: No report from Resources, Space, and Budgets.

H. Rules and Governance Committee – William Tolhurst, Chair – report – walk -in

1. FPA – proposed Bylaw updates

President Peters: Rules and Governance, we do have a walk-in. Is that right as amended? All right, William?

W. Tolhurst: At our last meeting, the Rules and Governance Committee received a recommendation forwarded through the Faculty Senate concerning the evaluation of the Faculty
Personnel Advisor: What you see on this report is exactly what you saw in last meeting’s packet. We are presenting it for the purpose of a first reading so that it can be voted upon at the next.

**President Peters:** So does everyone know what we’re referring to? It’s a walk-in, the back page of merit ratings, is that it?

**W. Tolhurst:** Right.

**President Peters:** Faculty Senate approved the changes below on March 28, that’s it; that’s what we’re dealing with?

**W. Tolhurst:** Right. So it’s designed to eliminate some problems that were encountered this year and we looked it over and the language and location seemed appropriate so we are offering it for a first reading.

**President Peters:** So that comes as a motion for approval for first reading.

**W. Tolhurst:** I’m not sure we need a motion but I defer to Ferald.

**President Peters:** No, we’re okay. Discussion, questions? All right, if there are questions, get them to William for second reading.

**W. Tolhurst:** Do we have a second reading?

**P. Stoddard:** That will be when we vote.

**W. Tolhurst:** Yeah, we’ll discuss them when we vote.

**President Peters:** All right. Anything else from Rules and Governance?

**W. Tolhurst:** No.

I. University Affairs Committee – Jody Newman-Ryan, Chair – report – walk-in
   1. Religious Observances [Policy](#)

**President Peters:** University Affairs, Jody I think you have a walk-in report, correct?

**J. Newman-Ryan:** I have the same questions, do you need a motion or do we discuss this or how would you like that handled?

**P. Stoddard:** This is a change to the bylaws. This will be a first reading. We could have discussion based on the first reading if we like but you’re just presenting it so we don’t need an official motion or anything.

**J. Newman-Ryan:** Okay. Would you like some background?
President Peters: Why don’t you frame the issue and then tell us about your report.

J. Newman-Ryan: Okay. We were asked to look at this a few months ago. We have a current policy about religious holiday observances. There are various individuals across campus and the community at large who have concerns about the current policy and wish to see some changes in that. Of course, they didn’t agree on what changes they wanted to see, but I talked to a lot of different people and relayed that information back to the committee. We sought input from a variety of different people. I’d like to thank, on behalf of the committee, Steve Cunningham and Gip Seaver, Tim Griffin, and Paul Stoddard for their assistance as well as some other people who provided some key information. You have the current policy as it is stated in the upper part of the page there and what concerns a variety of individuals about the wording not being strong enough in certain areas, particular that the policy encouraged people to accommodate other individuals and that was considered rather weak wording and that we could strengthen that a bit and there was concern that the appeal process didn’t reach a high enough level to satisfy everyone. The committee as a group wanted to have a very brief and succinct policy and in order to try to reach agreement on that, we have a very brief succinct policy here and what I’ve done with the information that I gathered is write a rather lengthy report which, depending on the outcome of some of this over the next couple of meetings, will refer to the Provost which goes into detail about some confidential information that I gathered and therefore can’t really be in this policy but the report would detail a lot of suggestions that we think perhaps the university might want to follow up on; perhaps not. Without going into detail about those, it would be such things as letting Registration and Records know about certain key dates so at least mass exams might not be scheduled on those dates; presenting some information at orientation to teaching assistants about some of these issues and suggestions like that. The official policy that we’d like to put forth is as follows. First of all, we thought it was important to state that NIU is a secular institution and therefore does not observe religious holidays so we started the policy with that strong statement because we thought that was an important message to get across. However, we wanted to be tolerant people so we followed that with the idea that we wanted all reasonable efforts to accommodate religious observances of particularly students in this policy. We briefly defined religious observance. That’s of course is difficult to do. We followed state legal wording on that and some other policies and tried to be consistent with that and we talked about what students were expected to do and that to notify key individuals about expected absences and then again, based on the input that we got from a variety of people, we added that the appeal process should be – the final appeal should be handled by the Provost and we added a layer at the end of the appeal process in order to accommodate some people who had concerns about the policy as it stands now not reaching high enough levels to peoples’ satisfaction.

President Peters: So this has been going on, your work has been going on for several weeks, months?


President Peters: Okay. All right, questions or discussion that Jody perhaps can answer? Yeah, Jim?
J. Kowalski: Just was wondering if there’s any reason why we dropped the word advance notice. It seems important perhaps to leave the word advance notice in just to make sure no student feels it’s reasonable to give notice after the fact.

President Peters: Jody, are you going to answer that?

J. Newman-Ryan: I can’t remember actually. Somebody thought it was redundant to have the word advance in there; that notice implied advance notice but we’d be open to other suggestions on that. I can’t remember the exact discussion about that. Someone thought it would be redundant I believe, that notice meant advance notice as I recall. Any English people care to comment?

President Peters: Yeah.

W. Tolhurst: It seems to me that the religious reasons that might result in a request for accommodations are ones that one would have plenty of foreknowledge about and it would not be unreasonable to ask for a certain amount of advance notice or a certain amount of notice, say two weeks or something like that, since these are things that can clear be anticipated and that would, I think, smooth the way to getting a reasonable accommodation.

President Peters: Okay, yes?

D. ???: If I could just comment on that, many professors change dates, you know, a week before, two weeks before an exam. I mean I’ve seen that happen and I don’t see how a student could give you two weeks notice if the exam just gets changed.

W. Tolhurst: It was two weeks notice prior to the date on which the accommodation would be needed so the student would know when that would be. We all know when Christmas is for example.

P. Stoddard: But we don’t know necessarily when the exam would be so that would sort of imply that faculty could not change less than two weeks in advance.

D. ???: The exam date could change.

President Peters: So I suppose you could come up with some language which would say notification in a timely manner or two weeks, something like that you could consider. Yeah?

J. Stravers: Jay Stravers from Geology. What I’ve been about for the last couple of years is including a statement in my syllabus saying – I always try to schedule exams, I look at the calendar first and if, you know, there’s a problem with Ramadan or a problem with Hanukkah I always try to accommodate that in terms of tests. I’ve been thinking of putting a statement to that effect on the syllabus, especially for my gen ed classes and that’s something that we perhaps should consider because during Ramadan, it could be a stressful time for good test taking.
**D. Docking:** I have before me the Human Resource sort of draft I believe. It says draft 5-3-06 and I don’t know if this is a final document or not, but there are several items in here – that one it does say that faculty members are obligated to include in their syllabi information regarding the policy for handling conflicts such as religious holidays and other items. In fact, it says a student’s responsibility, they’re supposed to complete this request for religious accommodation form and submit it to your professor and instructor. Is this item that I am reading and have taken off the web, you know, is this our policy? It was a draft and this is like almost a year old draft. Is this ---

**President Peters:** I don’t know. Maybe Steve Cunningham could enlighten us on the status of – I mean, we’ve got a couple of things going here and one is the implementation of policies and the other is this discussion about what this all means and I think, you know, all right Steve you want to share whatever it is you’re saying there?

**S. Cunningham:** Yes, thank you. What this is is a draft of a policy that was being worked in the AADR area concerning religious observation policies and the decision was made following this draft to defer issues related to student issues to the committee process which Jody chaired. AADR has yet to complete its work in coordination with the campus with respect to employee related accommodation procedures as may be required by state law and we were going to proceed with that following Jody’s report so we will proceed with that including assisting with resources to identify what different religious days are observed throughout the world. We’ll have some web information available to help inform both the student and the employment related side. But this draft is very preliminary and it is a draft.

**President Peters:** So it has no status?

**S. Cunningham:** No, it does not.

**President Peters:** Let’s not confuse things then.

**P. Stoddard:** If that’s true, is that still posted on the web?

**D. Docking:** No.

**J. Newman-Ryan:** We spent quite a bit of time looking at that draft and talking about advantages and disadvantages of that. For instance, one of the problems was some of us liked, I can’t remember who, somebody on the committee, like the idea about certain wording in syllabi and things but, again, that would require changes in other policies to require that because right now, the policy is that we just have to have a syllabus and so, again, if you start talking about what has to be in it, then that opens up a variety of other things that probably ought to be in the syllabi as well so we didn’t see that as an isolated issue so, again, while some people certainly see the appeal of requiring certain things on syllabi, there was the argument made that we shouldn’t just require this to be on the syllabus without anything else and right now current wording is we just have to have a syllabus although certain departments supersede that. So that was some of the discussion that we’ve had. It’s rather complicated.
**President Peters:** Well, I think the way Jody your committee has approached this and that is to try to have a really broad range discussion about religious tolerance on this campus that is so diverse is critically important and it’s right that it be in this committee structure in here and then once we tweak that then I think we can down to making sure that the implementation is fair and communicated. But the issue here of religious tolerance is most important at this university and university shared governance, this is the kind of thing that has to be chewed over by the faculty and others and so I’m very pleased that we’re doing this. It’s going to be difficult to always capture every issue in a timely way but hopefully we can also have a process whereby we kept some things and learned some things and get them in our process for the next time.

**J. Newman-Ryan:** I felt very fortunate to learn a lot about some of these issues and, again, we didn’t feel that those kinds of details or suggestions were appropriate for this kind of policy but that’s what we hope the Provost will consider if we send a report to him detailing some of those suggestions and then, hopefully, some of those – unless he rejects all of them – hopefully some of those suggestions then could work their way through university governance in whatever way everyone sees fit. I think that our goal is to prevent

Went to the other side of tape here.

**President Peters:** Yeah, I see that as a new addition to this.

**E. Mogren:** As we move forward there actually is a state statute which governs what is – what’s necessary and what needs to be covered so when we were drafting this, we were actually drafting within a context of what the state obligates us to do so it’s not quite as free-form as we might want it to be in some ways. Also, we did I think try to go beyond what the state statute requires by increasing the level of appeals process, as we said, to a higher level in this.

**President Peters:** That’s a good point. All right, how’s our discussion? John?

**J. Wolfskill:** I have a question about the last part for the chain of command that a student would follow who believes that he or she has been denied fair accommodation and I’m just concerned that the language is rather ambiguous “that the student should contact the department chair, the dean of the college and/or the ombudsman”. It would seem to me to have a more well-defined chain of command the student would follow just so it’s clear who’s supposed to do what.

**President Peters:** Gip?

**G. Seaver:** Just one process issue here is that this is also contained in the undergraduate catalog so that when we have a governance issue there as well is that it will need to go through that process I believe in the graduate catalog as well so that’s – given our governance structure – if we’re going to keep it in the catalog, then we’ll to think about it in terms of the UCC process.

**President Peters:** I think John has a point here. If I were a student, I’d be confused by this process. Does this mean I contact my chair first and then the dean? Or I have my choice of the dean and/or the ombudsman and then the Provost.
J. Newman-Ryan: Yeah, we had problems with that too. Let me tell you a little bit about why it’s written that way and we’re happy to take suggestions. The problem as I understand it is that if you look at kinds of grievances or grade appeals or problems that students might have, issues that they wish to bring to someone’s attention, some departments, as I understand it, have distinct policies about the process for doing that. You have to contact the professor and then the department chair or what have you and so we wanted to be consistent with that. However the problem is, as I remember it, there was some discussion about yes this seems ambiguous but the problem might be that the department chair is the problem and so students would need – they can’t really follow that same kind of procedure they might have for other appeals or other grievances and so I agree this sounds a little problematic because it sounds like they could go to the ombudsman or the department chair but we didn’t really know how to resolve that in any other way because some of the problems with the current policy as reported to us are that the department chair is the problem or the dean is the problem in rather abstract terms and so if we wrote it to be consistent with other peer processes as we would see it without leaving open this possibility to see somebody outside of that chain of command who could then help advise them as to who they should see, we didn’t really know how to resolve that. So I’m happy to take suggestions but - and it may not be any different. Those of you have had perhaps experience with grade appeals in the department where the department chair was the person that the student was appealing, maybe you have some suggestions for that but that, as I remember it, was part of the problem of why we didn’t know how to clear that up a little bit.

??? Pierce: Could you say in most cases, and so on and so forth, and then the ombudsman?


President Peters: Right. William?

W. Tolhurst: It seems to me that one way to do this and keep a clear line of progression is to say that the student should contact the department chair or if there are compelling reasons why this should not be done, the student should then contact the dean and let it go up that way. That way you know who to talk to. So obviously, if the person responsible for the problem is the department chair, you would just go straight to the dean.

P. Stoddard: I might also suggest some wording to that effect – might contact as appropriate the chair or the dean. The way you’ve got it stated here it sounds like the ombudsman is part of the chain of command. Really, the ombudsman is an outside resource who might guide the student to either the chair or the dean, would be more appropriate.


President Peters: Yes.

D. Docking: I just want to a question of what’s proper. Are we allowed to have non-members of the University Council make a statement? I know they’re allowed here as visitors. Are they?

President Peters: You mean like some lawyer from Sycamore or something?
D. Docking: Regarding this issue. No, somebody who really has brought this whole issue.

President Peters: You mean a member of our community? A faculty?

D. Docking: A faculty.

President Peters: Sure

D. Docking: Okay.

D. Sinason: Thank you. My name is Dave Sinason. I am a faculty member of the Department of Accountancy. I have also been the advisor to NIU ??? for the last ten years and the first five years that I was the advisor, I had these issues come to me and I thought they were isolated incidents. After about five years, I realized that almost every fall there was an incident and so it is I who have been chasing this policy for about five years now, brought it to Affirmative Action and have been chasing this down. One of the issues regarding – and I can talk to the history and talk a number of things – but to address the issue that’s on the table right now, having had a number of students who have had problems in LA&S and having had two students, one who is an alum through LA&S and one who is a current student in LA&S, it can take you two weeks to get an appointment with the Dean at LA&S and the person who is responsible for setting the appointments does a great job of being a gatekeeper and not allow students to get through that situation. Well, if Rosh Hashanah or Yom Kippur is September the 10th and we start school in late August, they do not have two weeks to go to necessarily a chain of command and meet the ombudsman in there. It really, for students, needs to go to the ombudsman. That is their person who is supposed to help them resolve these issues and be there and they should not have to go through a particular chain of command to see the ombudsman. They certainly should see the chair of the department before they see the dean, but the ombudsman, as I understand it, is the person they are supposed to consult when they have a problem of this nature and there should not be anything that would keep them from that position and, as I said, with the LA&S situation and I fully understand why LA&S with the number of students, needs a very structured appointment position. My point here is not to be critical of that, it’s to point out how that can be a difficult process for a student in LA&S who is dealing with these kinds of issues.

President Peters: So the ombudsperson in this plays a role of an expeditor?

D. Sinason: He might – he may very well be able to get to a dean or associate dean and say I’ve got a student who needs to get to you and needs to get to you faster than they can get an appointment to resolve these issues. I have played the role expeditor many times with the deans of LA&S when the student can’t get to them on these issues.

President Peters: Jody, I think that maybe we should go back and maybe polish that language a little bit with some sort of proviso that we need – whatever this process is – we need to do it in an expeditious manner and, you know, if you think it’s hard to get to see the Liberal Arts Dean, imagine trying now to get in to see the Provost and you’d never get in to see the President but, you know, usually, I don’t know, my experience in issues like this over the years, is that if they
don’t get handled quickly, you miss it and hopefully, you catch up the next time this is an issue but – and, hopefully 90% of these get resolved very quickly between an individual and a faculty member or an individual and a department head. If it goes beyond that, there’s a problem isn’t there? Which means somebody made a decision that they weren’t going to accommodate so it’s to our advantage to have everyone in this community embrace the idea of religious tolerance and get on the same page about these things. Now, on the other hand, you know as faculty we have so many things we have to get done in terms of curriculum and testing and you want a level playing field and that can be a challenge too. Yeah, LeRoy?

L. Pernell: Just one question, perhaps someone can straighten me out on this. This is not taking a position but on the ombudsman question, it just occurred to me aren’t students always able to go to the ombudsman?

President Peters: Yeah.

L. Pernell: And in terms of trying to determine a chain of command issue, I don’t think we want to suggest that somehow the ombudsman or access to the ombudsman would be precluded at some point pending following of a particular chain so if this is going to be redrafted, you probably want to keep that in mind.

President Peters: I think that’s a good point. I think the language is confusing because it appears as if the ombudsperson may have a role in an appeals process when the ombudsman is a resource available to students at any time, at any point in the process. Is that what you’re saying?

L. Pernell: Yeah.

President Peters: And that could be pointed out in the context of that and should be because students don’t know. Most students don’t know what an ombudsperson is, ombudsman. What are you? Ombudsperson? Okay? Are we making progress? All right. Jody? Okay.


President Peters: Any other comments or questions on that? Yes?

??? Stravers: Speaking in ignorance, it would be nice if someone could put together an entire lists of religious events and holidays and if there’s someway we could know as faculty and be exposed to this and be enlightened of this so that we can try to accommodate that.

President Peters: We’ve researched this a little bit, Provost?

R. Alden: What we were talking about was, rather than putting it on all websites where it might look like it’s a public institution endorsing some set of religious holidays that we don’t know whether is inclusive or not inclusive, we were going to look to see if we could find one or more websites that could be linked to and we would announce at the beginning of each semester that this link was available to click on and hopefully find as comprehensive a listing without being on
our website and endorsing some particular official list of the only official religious holidays there are or something of that nature. So hopefully, we can find something that we can link to.

President Peters: Jeff?

J. Kowalski: As we were discussing some of the other matters, it occurred to me that one of the things that causes a problem that I have heard about from student complaints periodically, fortunately not too frequently, is that a faculty member simply refuses to recognize the legitimacy of a student claim of this sort so I’m wondering if after the last sentence of the first paragraph, we might consider adding the following. “Faculty who are given reasonable notice, are expected to provide students with appropriate opportunities to complete missed work.” Use the word expected; just make it clear to faculty that if there’s a reasonable explanation given by the student that can be verified through one of these links, that they should imagine if they were in the student’s place. Perhaps think of the universal golden rule or something of that sort.

J. Newman-Ryan: Could you say that again please so I can bring it to the committee?

J. Kowalski: The last part you don’t need but the sentence I suggested and you’re free to modify as you choose ---

J. Newman-Ryan: After the word absent, is that right?

J. Kowalski: Yeah, after the word absent, it would be “Faculty who are given reasonable notice, are expected to provide students with appropriate opportunities to complete missed work.”

President Peters: Is that an excepted change Jody or are you going to – what will we have to do?

J. Newman-Ryan: It’s not up to me so I’ll ask the committee.

President Peters: We’ll take it back – you’ll take it back to the committee for consideration?

J. Newman-Ryan: I’ll take it back to the committee.

President Peters: All right. Just wanted to know the status of that because ---

J. Newman-Ryan: I mean, in spirit I understand it. Again, if you get into – then somebody’s going to ask what happens if faculty don’t do that and do we have to add, you know, repercussions if faculty have to suffer because of that in here and I don’t see that as the point of this policy so I guess that’s my only concern about that.

J. Kowalski: If I could answer that from my perspective, it would simply mean that when a student goes to a department chair and/or a dean, that with that wording then there would be a clear understanding on everyone’s part that the student is going to have their concerns addressed properly.
President Peters: All right. Did you want --- and then John.

D. Wade: I’m not against the addition, but putting – it already says that we have to reasonably accommodate – according to law, and Dean Pernell may be able to correct me, that is the limit of our obligation. The other thing I’m concerned about is that adding that is not so much if we’re talking about what we consider dominant religion, but the language here is any sincere belief, so wicken holidays? You know, obscure religious views have to be accommodated exactly the same way as recognized religions. If we add that language, it seems to indicate to me that anyone who has a sincere belief that is celebrated on a day that they have responsibilities in class, have a right to miss that work as long as they are willing to make it up in some reasonable fashion. Now that isn’t a huge problem I guess if you’ve got 25 people in a class, but if you’ve got 350 in a lecture class and you’re going to accommodate everyone and you’ve got to accommodate them all equally, I can’t favor the wicken over the Muslim or the Muslim over the wicken because then as a state institution we’re favoring one religion over another. So I counsel you to be a little careful too many teeth into it and in a sense, kind of ham-stringing the good faith of the faculty member in the interest of protecting these students against the outlier who will just simply provide no accommodation for any religion. You know I just – I counsel you to be a little careful about the worst case scenario in crafting policy on the basis of the worst case scenario because it could be walking into a problem where we’re rescheduling a class of 350, I would be offering maybe 20 different makeup times in order to accommodate every sincere belief in a higher power.

P. Vohra: I think the last point is well taken because I know from my own religion there could be 35 holidays during the year. If you have 300 people in the class, then there has to be reasonable boundaries that you should be operating under. If you start accommodating every belief, every holiday, it could be misused and we need to be careful about it.

W. Tolhurst: This seems to me to be an advantage of Jeff’s language because expected does not mean required and I can imagine that there might be cases where a reasonable accommodation was not available. Nonetheless, if it’s expected, then a chair could reasonably ask a faculty member why he wasn’t able to make the accommodation and if he says well, I just don’t make these accommodations, then the chair might be able to have a longer talk with the faculty member.

President Peters: John? I’m sorry I skipped over you.

J. Wolfskill: No problem. I’m concerned with the suggestion that would imply that the standard way of accommodating a student’s request of this nature, is to let the student make up the missed work because that may or may not be the case depending upon the nature of the class work or the assignment that’s missed. Many faculty, for example, prefer to take a different kind of policy which does not penalize a student but, nevertheless, doesn’t allow the student to make it up. For example, a missed assignment or a missed quiz might simply be averaged out so your base score is based on 9 quizzes instead of 10 or a missed exam might be made upon the final exam; counting that more heavily. In my opinion, those are legitimate ways to accommodate a student who misses class for a legitimate reason, whatever that reason may be, and I wouldn’t
want language that would force or even push a professor into requiring work to be made up when the professor legitimately chooses another option.

**President Peters:** Yeah, Jeff?

**J. Kowalski:** I understand that concern and having actually made accommodations of that sort, I’d certainly be willing to have my final wording modified in some way that reflects that.

**President Peters:** You know, in some sense this seems like it’s moving the way we handle medical excuses for absences. That’s there’s a legitimate need or reason for an absence and then the professor is expected to work with the student to accommodate him in some reasonable fashion. All right. Jody, you’ve got a lot there to work on. Okay. Oh, I’m sorry LeRoy, I didn’t ---

**L. Pernell:** I’m sorry, I don’t want to unnecessarily prolong the discussion and this is not a comment President Peters on your use of the word expected just now but as – and I understand the spirit of the suggestion of putting expected in here in terms of accommodation response – I would just caution about doing that in large part because when you introduce an expectation to be engaged in by the faculty, you create also a sense of reliance on the part of the student that, in fact, an accommodation would occur. If there is a reliance and for perhaps very good reasons, that accommodation is not made, then a student who has missed a class or done any number of things in reliance on that might be in a better position to grieve, I’m not necessarily saying successfully, but in a better position to grieve and cause some difficulties that we might otherwise want to avoid. So while I understand the spirit, introducing concepts of expectation on official action is something I think you want to be very careful about.

**President Peters:** Okay.

**J. Kowalski:** Are you saying it would be better to omit the last sentence entirely or perhaps chose a different word such as encourage rather than expect.

**L. Pernell:** I am not at this point suggesting any redrafting of this because I don’t know.

**J. Kowalski:** Okay.

**President Peters:** Certainly, the common sense of expectations sets up a condition of obligation on both sides – that there’s an expectation on the part of one and then an expectation on the part of the other that there were certain rights that need to be – it is a legally laden term. Yeah.

**W. Tolhurst:** If the policy requires the student to provide reasonable advance notice, then presumably students who have relied on it and are disappointed are students who didn’t give reasonable advance notice. It seems to me that the policy is written in such a way that it is made clear that students who wish to receive an accommodation need to get permission for it ahead of time and if that’s the case, there won’t be able problem about reliance.

**President Peters:** Yeah. Jody you wanted to – you have a penultimate argument here?
**J. Newman-Ryan:** I just wanted to say that you can now see why we had lengthy discussions about what reasonable accommodations meant. So there are some policies at different universities; we looked at a lot that Steve Cunningham was kind enough to show us and then we looked at some on our own and there are some universities that have lengthy definitions of what reasonable accommodations were and there were others that, again, just state this so you can see why we spent quite a bit of time on this. Thank you for your input.

**President Peters:** Okay. I think it’s clear to everybody that this matter has been taken with the utmost seriousness and if it were easy, it would have been drafted a long time ago. All right? Let’s see where we are.

J. Elections and Legislative Oversight Committee – Brigid Lusk, Chair – no report

**President Peters:** No report from elections.

**VII. UNFINISHED BUSINESS**

**President Peters:** All right, no unfinished business.

**VIII. NEW BUSINESS**

**President Peters:** No new business. Provost Alden, your walk-in item.

A. Sabbatical Leave – proposed Bylaw updates – walk-in

**R. Alden:** Yes, bringing to you on behalf of the UCPC and we have also discussed this in deans’ councils so those two groups have talked about this matter. It has to do with sabbatical leaves and the fact that sabbatical leaves come to my office, the report I should say – the sabbatical leave report comes to my office – and I ask the question who reviews these. Well, I think the answer to that is that they’re supposed to be reviewed as part of merit evaluation process but there are situations, particularly for faculty who take their leave in the fall semester and only in the fall semester, by the time they turn their reports in, it’s too late for that sabbatical leave to be taken into account by the merit evaluation process. So, based on the suggestions I heard both in deans’ council and agreed to by UCPC, they asked that we change the deadline from 60 days after return to 30 days after return so that the report would be available for that evaluation process in a timely manner within the year that the sabbatical was taken, within that evaluation year. The discussion was the individuals would be on sabbatical anyway, they should have some time to put together what is really fairly brief reports and that this shouldn’t be an undue burden but would comply with the existing bylaws. The other component is what’s underlined in 8.4 is what is the significance of these reviews other than carrying some weight in the evaluation of merit process. It was felt by the UCPC that they should be attached to the sabbatical report itself for that group to review when another sabbatical proposal came forward in case someone received a report that said they did not productively use their previous sabbatical leave. That information should be available to the UCPC to make sure that a second sabbatical leave was not granted to the same individual, at least at the next round of sabbaticals.
that they’re eligible for. So that was the attempt with the second set of wording is to make sure that a fairly simple form which we’ve designed a draft and UCPC has reviewed, basically has the department and the chair of the personnel committee who will be reviewing these reports as part of the merit review process, will check off whether the individual has used their sabbatical in a productive manner and we tried to make it as broad as possible to reflect that sabbatical leaves sometimes lead in directions other than what was anticipated by the proposal but there is a sense of equivocal work being done and so that’s what the purpose of these changes are.

President Peters: Okay, this is a first reading? All right. Questions? Discussion? Professor Tolhurst.

W. Tolhurst: Just a quick question. This seems like a very good idea. If I understand you correctly, you want it included in the regular evaluation process so presumably a faculty member who is filling out his faculty service report would just staple a copy of it to the faculty service report and it would be all there with the materials that the committee looks at?

R. Alden: That’s right. Plus the report would come forward to my office and attached to it would be a one page form which basically has a check off box and a signed sheet for the two levels of review saying the individual productively used their sabbatical leave or they did not with comments available and that would be stapled to the front of it for the UCPC to review as part of their evaluation for some future round of proposals that may come forward.

President Peters: Okay. Other questions? This is first reading. If there are comments, get them to the Provost.

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

President Peters: Hearing no other new business, anything for the good of the order, comments or questions from the floor. Remember Lobby Day, April 25. Also, letters to your state legislator, we don’t have to worry about our legislators in this district, but to others would be appropriate.

P. Stoddard: No university letterhead on those.

President Peters: We all passed the ethics test. Right. Okay. We’re adjourned.

X. INFORMATION ITEMS

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

XI. ADJOURNMENT

The meeting adjourned at 4:30 p.m.