I. CALL TO ORDER

R. Alden: Welcome everyone. I’d like to call the meeting to order. First of all, obviously, I am not John Peters. He is in Springfield and I will say a word or two about that later on.

II. ADOPTION OF THE AGENDA

R. Alden: We need to have four walk-ins inserted into the agenda. The FAC to the IBHE report will be under item VI.A. There is a change to grade appeal policy being recommended which will be under VI.F.1. There is an evaluation, the Ombudsman Office on VI.I.1. We also have a New Business report and Dr. Long will give that presentation, report, request; I’m not sure exactly what it is but we will have a discussion item under VIII. Could I get a motion to approve the agenda as modified?

A. Quick: So moved

R. Alden: Second?

N. Bender: Second

R. Alden: Okay, all those in favor say aye.

Members: Aye

III. APPROVAL OF THE MINUTES OF THE FEBRUARY 22, 2012 UC MEETING
(distributed electronically)

R. Alden: Next item is approval of the minutes. You should have all seen it electronically. Do we have a motion to approve the minutes and then we discuss whether there are any changes.

R. Lopez: So moved.

S. Farrell: Second.

R. Alden: Any discussion? Any questions, changes? Hearing none, all those in favor say aye.

All: Aye


IV. PRESIDENT’S ANNOUNCEMENTS

R. Alden: Well, under the President’s report I’m just going to mention two items. John was called down the Springfield. He was specifically asked by the chair of the Public University Presidents to come down and provide input and leadership on providing a united front on a statement from all the presidents and chancellors on the pension issue. Apparently, there has been some discussion and not really coming to conclusion, so Elaine Mayman, who is the head of that group, now asked John since he’d been in that position so long and knew probably far more about the pension issue than most of them, to come down and provide guidance. So he naturally went down considering the importance of that even at the last minute.

The other item, we are making progress with the dean search for the College of Health and Human Sciences and I did want to publically acknowledge the work done by Rich Holly as the chair of that or the co-chair of that committee. We’ve been in airport interviews for the last two days and then we had two final video interviews today for two people that, for various reasons, couldn’t show up. We will probably be going to make a final decision of which candidates come to campus tomorrow, but of course it will have to go through final review by the Human Resources for the Part I review so announcements probably will not come until after that approval. And then, of course, we have to make sure the candidates of choice are still interested and willing to come in the timeframe we are talking about. Hopefully, in the next week you’ll hear about campus visits by those candidates. I personally, even though we haven’t met for the final time to compare notes, I think there was a sense that there were some pretty good candidates. I think that we won’t have a problem identifying some to come to campus. Hopefully, you’ll all have the opportunity to participate in that search in some form.

I really don’t have anything else. I’d be happy to answer any questions you might have, but I can say I don’t know much more about budget than we did last time. Pensions, you’ve all had the opportunity to hear from the president and Steve Cunningham and I assume you know as much as we do about that now and we have another appropriations committee next week, I guess it’s next week, two weeks. So we’ll let you know as things go along.
V. CONSENT AGENDA

VI. REPORTS FROM COUNCILS, BOARDS AND STANDING COMMITTEES

A. FAC to IBHE – Earl Hansen – report – walk-in

R. Alden: We don’t have a consent agenda today, so we will start with the reports. Earl, you have the first report and this is a walk in item so we should have it on the…

E. Hansen: This won’t take very long. I courteously put down what happened at Eastern Illinois University. The chair of the committee has spent most of his time looking at the number of bills that have come forward and trying to make heads or tails out of them and explain back to the advisory council what they’re about and we’re kind of shaky on that one too.

We had a brainstorming session. We looked at legislative advocacy and pushed for faculty representation on higher education committees and such around the state. We don’t seem to see a lot of faculty sitting on those positions. We had a PowerPoint presentation on a common course standard that is being put in the State of Illinois for K-12 and they are going to tie that in with the colleges of education with secondary and elementary teachers dealing with professors and so forth on different campuses. The Senate Bill 3803 is a college completion report card. It’s supposed to provide consumer data, snapshot of institutions. We kind of wonder if a snapshot is always an appropriate way to look at things. 3804 is a study of transcripts and problems with transfer of credits to determine if this is a consistent or small problem. That’s transfer of credits into four-year institutions from two-year institutions.

We had a caucus meeting. The community college caucus addressed college readiness and programs to assist with articulation and transfer and talked about possibly capping associates degree at 60 credit hours. Public universities discussed issues of other out-of-state institutions coming in and operating in Illinois. We also talked about the retirement concerns, which seem to be on everybody’s agenda every time we open our mouth down there. Looked at Senate Bill 3803 and 3804 and private universities were discussing their rotation issue – that means they rotate in and out. They come in for a three-year period and then they go out. In other words, Northwestern and the University of Chicago aren’t on there at the same time. One has a representative for three years and the other one doesn’t. Then the other privates come in there also.

We talked about the $50 million House Bill 5671 for MAP funding and got a second round of grant at 75 percent. We sent a letter of support to the sponsor Bob Pritchard, who sponsored that bill. He is a representative here in DeKalb County.

And that pretty much raps up what we did. There are some things in here on some different bills and so forth and if you have an interest in them I would suggest that you go online and look at them if you want to know what’s going on. One thing we have determined is that we feel that, as professors, we need to be sending our correspondence and our own personal correspondence on our own personal e-mails and not state our university e-mails to our representatives telling how we feel about what’s going on in the state. Whether that be the retirement system, the health care, or whatever and that’s the only way we are going get their attention is that we are going to have to do that.
Questions? As a sidebar, I understood today on the radio that there is no MAP money left for next fall.

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Kerry Freedman and Andy Small – no report

C. BOT Finance, Facilities and Operations Committee – Alan Rosenbaum and Greg Waas – no report

D. BOT Legislation, Audit, and External Affairs Committee – Todd Latham and Rosita Lopez – no report

E. BOT – Alan Rosenbaum – report – Page 3

R. Alden: Okay, the next report from Alan.

A. Rosenbaum: I am reporting on the March 1 meeting of the Board of Trustees. I’ll be brief. You have the report in front of you. The main highlights of the meeting were, first of all, that ??? began offering condolences to the families of two recently departed employees: Tim Emmons who was the director and general manager of Northern Public Radio, and Moses Mutuku from the College of Education, Department of Special and Early Education. President Peters then noted that the IBHE had approved Northern’s request to offer the M.B.A. in the Chicago area. Chair Murer then read a resolution honoring the contributions of Manny Sanchez who is just retiring from the Board of Trustees.

The student fees and room and board rates for 2013 were approved with as small an increase as was reasonably possible. All sabbatical leaves that had been at lower levels were approved by the Board of Trustees for the 2012-2013 academic year. The Phase II of the salary stabilization program, otherwise known as the salary increment, was also approved as requested by President Peters.

The last two items, the president presented the draft of the University Vision and Mission Statement. This is important because we are about to undergo the re-accreditation process and the process is really based on our mission statement. They evaluate us on how well we seem to be fulfilling the mission that we have set for ourselves. The Board of Trustees charged the president who charged Provost Alden with putting a committee together to revise the mission statement and that was presented to the board. It was generally well received I would think. They asked for a couple of reconsiderations, but we’re very close to having a final mission statement and that has also been vetted by a number of groups including the Faculty Senate.

Lastly, the board has been working to revise their own bylaws and again, only the board can revise their bylaws, so this has been going on now for at least the last two meetings, if not longer, and that in part accounts for the length of these meetings. They are usually over by noon. These have gone until 2-2:30 the last couple of times. At any rate, the board completed the ongoing changes and adopted them after some discussion. That’s really what happened. If anyone has any questions that I can possible answer.

F. Academic Policy Committee – Karen Brandt, Chair
1. Proposed changes to the Academic Misconduct Policy/Grade Appeal Procedure – walk-in

**R. Alden:** Academic Policy Committee, Karen Brandt, apparently there are proposed changes to the Academic Misconduct Policy?

**K. Brandt:** Yes, thank you. The Academic Policy and Procedure Committee was charged with finding a way to achieve some consistency between the academic misconduct policy and the grade appeal policy. The academic misconduct policy was revised to include an option for students who did not find a satisfactory resolution to the charge of alleged academic misconduct. That option in the academic misconduct policy was that the students would be allowed to appeal a grade penalty that the student felt was excessive and/or inappropriate through the grade appeal process. The singular problem was that no such option existed in the grade appeal process. As it stood, the grade appeal process only served to hear appeals of capricious grading. Our committee was directed to find a way to reconcile these two policies as we saw fit and reasonable. Our committee did receive recommendations for changes in the grade appeal policy from the UCC and APASC committees and we took these suggestions in considerations as we worked on the policy.

What you see in front of you is the recommendations from our AP Committee. I would like to acknowledge, by the way, the assistance of Tim Griffin and Cason Snow, the chair of UCC, in helping me understand the complexities of the issue. The AP Committee has accepted all recommendations from UCC and APASC regarding this policy and has added language in that clarifies the student’s appeal process under the charge of alleged academic misconduct. While we did not change the appeal process itself, we did add the options that students who considered penalty for alleged academic misconduct to be excessive and or inappropriate, to be able to use the grade appeal process. One other note is that we did make a slight change in wording from the recommendations from UCC and APASC. We replaced the phrase, “academic integrity,” with “academic misconduct,” and you’ll see that consistently in this policy that we are bringing to you today. The reason we did that was that we thought that the term, “academic misconduct,” was inclusive of “academic integrity” and we thought it would also be easier to read. I welcome any discussion, questions.

**R. Alden:** Sue.

**S. Willis:** Yes, Sue Willis from physics. I have a question about the timeline and when the clock starts for a student to appeal the grade penalty and I guess about the interaction between the grade appeal and the academic misconduct process itself because I would think it would make a difference to the student and also to the outcome of the appeal, whether or not the student was found responsible for academic misconduct or not. That’s not clear to me from this. It would seem to me that the time for the student to start this appeal process would be after that determination has been made because the appropriateness or inappropriateness of the grade, I would think, would be very much dependent on whether the student had been found responsible of academic misconduct or not and I was wondering, I don’t quite see that in here, and I’m wondering how that factors in.

**K. Brandt:** We did not really discuss a timeline. We did, however, discuss in some detail the relationship between academic misconduct and this appeal process and one of the thoughts that we
had, if you take a look at the academic misconduct policy, that is going through that, I’m going to say this wrong, I always call it the Judicial Board and it’s got a new name now, Standards of Student Conduct or something. Now they will make a determination of whether the student is responsible or not responsible for the charge of alleged academic misconduct, but that’s all that they can do. Now they can take that recommendation and then what happens after that – and I’m hoping my committee members will help me if I’m misstating this – what happens after that is that it goes back to the instructor and the instructor then can sit down with the student and decide whether or not the instructor of record wishes to change the penalty or not in lieu of the findings of that other committee. The instructor, however, is under no obligation to change the grade. If, for example, even if it’s excessive and/or inappropriate, what ends up happening right then is that the process stops and there is no way for the student to be able to appeal even if he thinks that the penalty is…there is no other place to go. This grade appeal process is designed to allow that student to have another avenue to address. We didn’t really talk about whether the – to come to grade appeal process, under that charge of alleged academic misconduct, does one have to go through the academic misconduct process? That’s I think one of the questions that you are asking, right?

S. Willis: I think so. Not necessarily do they have to…I guess the concern that I have is that, supposing a student is accused of academic misconduct and so you have that whole process of the hearing and whatnot that goes on. So if I look at appeals procedures number 3, it says that the student has to submit the grade appeal petition not later than the end of the fourth week of the semester following the semester for which the grade was assigned and/or grade penalty imposed and I guess what I’m worried about is that the student’s clock on appealing the grade could run out before the hearing process is done depending on exactly when you define that clock as starting. It would be nice if that were, I don’t know, maybe it’s clear to everybody exactly when that clock starts but that was my question.

R. Alden: Chris?

C. McCord: We looked quite a bit at the interaction between the two and one of the things that came was the misconduct policy does not require a student to go through a student conduct board hearing in order to access the grade appeal process. It’s actually pretty clear on that. We spent a lot of time asking ourselves, “Could we mandate that you only access the grade appeal process after you’ve gone through the student conduct process?” But the policy that we were being asked to align with doesn’t specify that so we didn’t feel we were in a position to specify that. Potentially, you can have two pathways to come to the grade appeal. You could have a grade appeal coming where the student did go through the student conduct process and exhaust those rights or not. That’s part of the challenge in reconciling the timelines is we have to find a way to accommodate both of those.

R. Alden: Well, Tim had a point so I was just going to call on him.

T. Griffin: As it regards the timeline, you’re right Sue, it does not as I read it either, specify the beginning of a new clock or timeline subsequent to what may be a several-week hearing in the Office of Community Standards and Student Conduct. We have had in the past four decades a similar kind of issue related to incomplete grades which may be changed to a regular letter well after the fourth week of the subsequent semester and therefore after the printed deadline. Institutional precedent, every case of which I am aware and that would be scores of them, have primarily involved the changing of an incomplete grade, but some of which have in the past, this new policy
does parallel precedential behaviors in the past as it relates to what was in the judicial office findings as well, has been that chairs have allowed a 30- day time clock to begin at the time that a decision is rendered. Either that an incomplete grade is changed to a regular letter grade or at that time a judicial office finding potentially, for example, exonerated the student of the charge.

R. Alden: Alan.

A. Rosenbaum: I guess what I was wondering is if the choices for students accused of academic misconduct would they be either to say, “yes, I did it,” (in other words they’d acknowledge that they’d done it) or their other choice is to appeal it, are you saying there’s an option where a student would not say that they’d done it and not appeal it, but would say, “I’m innocent and I’m going to appeal it even though I haven’t gone through judicial board hearing”?

C. McCord: Tim may be able to speak on that.

T. Griffin: And I will defer as well to Dr. Jones. He can correct me if I have this incorrect. The student has the option at the initial meeting with the faculty member to declare his or her innocence. If the student does that, the written procedure is that the matter is automatically sent to the office of Community Standards and Student Conduct for adjudication by a hearing board.

A. Rosenbaum: Right, so the two choices are the student either admits it or you have an appeal that goes to the board?

T. Griffin: No, those are not the only two choices.

A. Rosenbaum: Well that’s what I’m trying to get to.

T. Griffin: Oh I’m sorry, I misunderstood your question. There is a third option, which is the student may admit guilt, for lack of a better word, or a violation of the academic conduct standard, but wish to contest the harshness of the penalty.

A. Rosenbaum: Right, but that’s not a third option. I understand it’s an option in terms of what they do, but in terms of what they do, but in terms of they are either guilty or they’re innocent. So they are either admitting guilt but saying

C. McCord: That’s a

A. Rosenbaum: Okay so the guilt is either admitted or its adjudicated. So, in which case, the penalty should not be assigned for alleged misconduct, it should be – it would have to be either an admission or a finding. Isn’t that right?

T. Griffin: “Should” is an interesting word in this context. The faculty member, as you know, has initial jurisdiction over the assignment of a grade and I am not sure whether a mechanism exists to preclude or prevent a faculty member from assigning such a grade based on his or her exercise of that authority even in the absence of a finding of violation.

A. Rosenbaum: That circumstance, I think, would have been covered under the previous grade
appeal process because you would then be arguing that it was a capricious grade. So that was previously covered. We don’t need a new policy for that. The policy that we are talking about now, if I understand it, is only for that situation where a student is either admitting or found to have been responsible for academic misconduct and is saying that penalty is inappropriate because this doesn’t allow you to appeal the decision itself, you’re just appealing the penalty.

C. McCord: Correct. At the risk of splitting hairs, there is also a scenario that could emerge where, as Karen alluded to, the hearing board finds that student not responsible, but the hearing board does not have the enforcement power to ensure that the faculty member does not then apply a penalty.

A. Rosenbaum: And that’s covered by this appeal process.

C. McCord: So the appeal process would cover that but then it would also cover the process where a student either admits guilt or is found guilty, but wished to contest the severity of the penalty.

A. Rosenbaum: Right, but it’s the penalty that’s at issue in all of those examples?

C. McCord: And so in that case is the language speaks about, right, appeal. The student is using this process to appeal the grade penalty.

A. Rosenbaum: Right, but what I am saying is that it’s not a penalty for alleged violation of the code of conduct, it’s for either admitted or adjudicated violations. So, if it’s alleged and the faculty member imposed the penalty, that could go through the regular grade appeals process, in other words, I was penalized even though I filed an appeal.

C. McCord: Not as the, I’m not sure we have felt clear, we discussed this at some length and the consideration was that while you could read the policy that way, because we have had such a long history of how the capricious grading policy is understood and what it has meant, to have simply said oh that’s just an instance of capricious grading and is already available to you, that’s far from transparent to people that that’s already available to you. This makes it much more clear and explicit that it’s available to a student. So in that sense it’s trying to be more transparent that such a right exists rather than…I mean, I understand you’d be saying you intend to understand that to a certain extent that right already exists, yes but it’s not altogether clear, we’re trying to make it much clearer that that right exists.

R. Alden: Any other, Sue?

S. Willis: I guess I still have an issue with the timeline. I think I would be happier on the student’s behalf if the time when the grade penalty was imposed was taken to be the time at which either the grade was assigned, which is presumably the end of the semester, or the appeals process was finished, whichever came later, and if that was more explicit. Because what can happen is that you can have an accusation of academic misconduct that occurs near the end of the semester. You have to give the student a grade and MyNIU won’t allow you to submit grades for your class unless you have a grade for every single student, so you have to assign them some kind of grade. So if that grade includes a penalty, that happens at the end of the semester whether the matter has been adjudicated yet or not. So then the adjudication process can drag on for some time, certainly well past four weeks into the beginning of the following semester. So if that clock started at the end of
the semester, the student could lose out on being able to appeal that grade before the process has finished and that seems to me not fair to the student. That clock should start once that process is done should the student choose to use it which there are definite deadlines on that as well. I think as long as it’s clarified that the time when the grade penalty is imposed is either the end of the semester or when the appeals process concludes, then I think that’s fine.

R. Alden: Just a point of how we’re going to go about doing this, this is an APPM, so it doesn’t have to have two readings, but it is a lot of changes. Is it apparent where that kind of language should be put, or should it go back to the committee to figure that out? We don’t have a motion on the table right now so there is not really anything to amend but we obviously want to eventually, in a timely manner, approve this, but it could theoretically be approved at the next meeting, because we have two more meetings?

C. McCord: Let me suggest that, as you’ve been speaking I’ve been trying to write something simple and I’m not finding something simple. I would suggest that it might be worthwhile to, rather than trying to do something on the fly, to try to…

R. Alden: To refer it back to committee.

C. McCord: Yeah and try and craft something that says what you just said but say it in the language of the document in a way that will be clear later.

R. Alden: So, if that’s all right, does anybody have any other suggestions since it’s going back to committee anyway and then it could come back for vote and it only needs one round to vote it into the APPM.

G. Long: If it is going back to committee, two things I would suggest: one, and we’ve talked about this as a group, create some sort of a flowchart or diagram to supplement the text because the text, if you actually take the text of the document, it’s about 40 words per sentence and about a 21st grade level if I threw it into a readability analysis. So the point is, we are arguing this here and we are discussing the subtleties and we don’t understand it and so, if we are not understanding it, how can we expect the students to understand it? So if it’s going to go back to committee, I would certainly encourage us to think about writing it in a way that is actually accessible by students. New York Times, Wall Street Journal, they are written at tenth-grade level. That, to me, is a good level of readability for students and to expect that they should read something that’s a 15th- or 16th-grade level is probably not helpful. So it would be suggestion.

R. Alden: Okay, if the committee could at least consider that in terms of diagramming the process. Okay any other points?

A. Rosenbaum: The only point I might add, and again I appreciate the committee did a lot of work on this and also sort of chose not to revise the entire item, but there’s one small, well not a small point, but under item 4 on page 3 spilling over on to page 4, the suggestion is that the dean can direct an instructor to make a grade change under certain circumstances, and I think the provost pointed this out at a previous meeting that the AAUP standard is that, although a senior administrator can direct a change to be made, that that would be not through the faculty member. In other words, that the dean would not direct the faculty member to make the change, but that the
dean could direct the registrar to make the change and I think in terms of the faculty position, that as long as we are doing this now rather than sending it back to committee and taking it out again and trying to fix it, that we sort of remove that piece or at least correct it so it reads that the dean or senior administrator under certain circumstances can make the change, but cannot direct the faculty member to make the change. I would just like to put that on the table for the council.

C. McCord: It says, so you would suggest simply, it suggests a two-step process, the current language. Directs the instructor if the instructor declines, then instructs the registrar?

R. Alden: Yes.

C. McCord: That’s what it now calls for so you would suggest just taking out that first step and going immediately to directing the registrar?

R. Alden: Yes. I think the operative word that was of concern to Alan and probably others is instructs the faculty. Even the AAUP suggests administrators have the right for the good of the university and recommendation of grade appeals boards to change grades, making the faculty member do it probably is one step too far. So it accomplishes the same thing as long as it’s clear to students, there is an end to this. It doesn’t keep coming back to the same impasse, but the faculty is not made to make the change. As long as that’s clarified to say there is a light at the end of the tunnel if all conditions are met, but now through making the faculty member make the change.

M. Kostic: Milijove Kostic, mechanical engineering. I’m wondering is there any limit of how many such administrative grades should have in order to get the degree? Should it be like a couple or half of the grades? Because grading is priority of faculty and we don’t like administrators to assign a grade. I thought behind every grade there is a faculty name and then if you go into appeals and get the grade because of appeals, then…

C. McCord: I can only note that in five years I have changed one grade. It’s an exceedingly rare operation.

R. Alden: Since it has to go through a number of considerations before that ever occurs, one would presume it’s a fairly rare occurrence, but I can’t say there’s a three strike rule or anything like that. I honestly don’t know. Okay, thank you. I appreciate the committee’s hard work and we look forward to seeing it the next University Council meeting.

G. Resources, Space and Budgets Committee – Laurie Elish-Piper, Chair – report and Statement of Budget Priorities – Pages 4-5

R. Alden: Okay, the next item is a Resources, Space and Budgets Committee, Laurie you have this report?

L. Elish-Piper: Yes, thank you. The report is from our meeting on March 2 so I’m going to look at Dr. Williams as I say this and he can flag me down if there are any updates or any information that is no longer accurate. We talked about a number of issues that were basically updates from Springfield. We talked about the bill to eliminate the 50 percent tuition waivers for state employees. My understanding is that that has made it out of committee and has not yet been voted on. We also
talked a bit about the governor’s budget address and a couple of the key points from that are addressed in Item C. It was interesting to see that about six percent of the total general revenue funds in 2008 were attributed to pensions. That percentage is expected to increase to 15 percent in 2013 and up to 25 percent several years after that unless pension reform occurs and so the issue is obviously not going away. There are a couple of websites there to provide additional information on some of the various pension proposals that are currently being considered. As of our meeting, the State owed us $57 million and it looks like we haven’t gotten any payment?

E. Williams: It went down just a bit.

L. Elish-Piper: It went down just a bit so they sent us a little check, okay this is good. In addition to that, we also talked about how the appropriation hearings were going to begin the week of March 5 and it sounds like those are still ongoing. We also talked about the salary increase that I think everybody has heard about and we also talked about the upcoming, which now has already occurred, the town hall meeting on pensions. If you were not able to attend, the streaming video is available at the website listed there in the report.

We also spent time preparing a statement of budget priorities. We did this last year for the first time and we have updated that statement. Unfortunately, it’s very similar to last year because many of the issues that we were grappling with last year have not been remedied and we are still facing them. So that statement of budget priorities is on page 5 and I’ll just quickly take you through kind of the five key points.

Initially, just continuing to say that we want to safeguard the teaching mission of the university in all of those programs and services that are directly related to student learning and welfare as our number one priority, which is the same thing that we advocated last year.

Item number two, that it’s important that we continue to meet payroll because obviously we need people to do that good work that happens in number one.

Item number three, we strengthened this statement a little bit in terms of the deferred maintenance. We’re concerned about the need to continue putting off repairs or upgrades and how that can sort of continue to cause the infrastructure and resources to be degradated to a point where then perhaps we end up with larger issues and so we are really concerned about that issue.

In number four, we’re talking basically about pension and insurance issues which we were having this conversation a year ago and we’re still having it now. But our understanding is that the issue has become more significant and that we do expect that they won’t be able to continue kicking it down the road that someone is going to have to make a decision and it’s probably going to happen relatively soon. But that we are advocating how important it is to maintain adequate pension and insurance benefits because those are critical to both recruiting and retaining our faculty and staff.

And then item number five, is a new item that we added this year, that we understand the importance of kind of doing those core things and continuing to operate with business as usual but also support the emphasis on Vision 2020 to try and look at important priorities to build for the future. We can’t just continue to sort of dig our heels in and survive as we are now but we need to look forward at ways to innovate and ways to continue moving into the future and so we strongly support the initiatives that are outlined in Vision 2020. So that’s basically what we are proposing.
Very similar to last year with a few changes that I tried to point out.

R. Alden: Thank you, any discussion or anybody disagree with any of this? I’m not sure we really have to vote on this. Is that what we decided or is it something we want to ask for an acceptance of the report?

L. Elish-Piper: Last year we did vote on it just, I think, to show a sense of unity that we were all in agreement that these were critical priorities that we wanted to have sent forward so if the group is willing to do that I make a motion that we accept the statement on budget priorities as outlined on page five in the packet.

R. Alden: Okay, do we have a second?

J. Corwin: Second.

R. Alden: Any discussion on the matter?

A. Rosenbaum: Just one comment, one of the things that we talked about though is giving people an opportunity to perhaps comment or add to the priorities or suggest change in the priorities, so if we vote on this today as opposed to at the next meeting, it really won’t give people a chance to think about it and maybe decide whether there is something else they’d like to see so I’m sort of wondering whether we want to do this right now or whether people have had a chance to look at this and whether they’d like to hold off until next time to see if these are the only priorities or if these are the ones that we want to order in this way or whatever.

L. Elish-Piper: One of the things that we talked about in our committee meeting was trying to bring this to Faculty Senate and University Council earlier in the year so that maybe something could be done with this. I don’t know what might be done with this but as we are going through the appropriation hearings and we are going through that whole budgeting process, it was discussed that perhaps it might be helpful to say our Faculty Senate, our University Council supports these priorities, that’s what we are advocating for. So that was kind of our reasoning in bringing it, we certainly would welcome input, but that was our rationale in trying to bring it to the group earlier. Last year we brought it I think at the very last meeting and there really wasn’t much of an opportunity to do anything with it other than say we agreed with it.

A. Rosenbaum: Okay so you’re suggesting that we do hold off on it or that we vote on it now?

L. Elish-Piper: I am open to discussion. I’d be curious to what others think.

R. Alden: Any strong opinions or questions, concerns? Laurie, I’ll leave it up to you whether you want to postpone the vote until next time so people can go back and talk to people or you want to…we can vote on it now.

L. Elish-Piper: May I ask a question to both you and Dr. Williams? Do you have any preference? Last year we were told that it was helpful to have something in writing that represented the will of the faculty and staff on campus. I don’t know if it would be useful to have that now or if really it wouldn’t really matter.
**R. Alden:** I don’t know if something would come up in an appropriations hearing or not. It didn’t come up at the House appropriations, but the Senate often treats their appropriations committee differently so it doesn’t hurt to have it. We bring in books this thick when we come and John prepares a brief statement of what we face and it covers a lot of these things and then its question and answer from then on. So, perhaps it would be good to have some sort of statement that he’s giving priorities and he can say it’s supported by the University community. One generally presumes that anyway, but I don’t see any harm to it, having it in the package in case it comes up.

**A. Rosenbaum:** Will those meetings take place between now and the next meeting?

**R. Alden:** April 3, I believe is the Senate Appropriations Committee. Yes?

**D. Leflore:** As a student, I support this and I think we should go ahead and vote on it today.

**R. Alden:** Any other comments? It sounds like there is a sense of support and if it does good at the Appropriations Committee we may want to have it approved, but I’ll leave it to you.

**L. Elish-Piper:** And we did present this at Faculty Senate and there really wasn’t discussion and we encouraged people to contact both David or me as co-chairs of the committee and we didn’t hear from anyone. So I don’t know that that means that there isn’t input, but I can say that we requested input and haven’t received any. So I’m going to go ahead and I guess reiterate the motion that I’d like to put forth this statement of budget priorities on page five of the packet for approval.

**R. Alden:** Okay and if I don’t hear of any other discussion, you should all have your clickers and as I remember it’s one is yes, two is no and three is abstain and tell me when we are ready to vote. Let’s go. Final call, do we have the vote?

YES – 36  
NO – 1  
ABSTAIN - 2

**H.**  
Rules and Governance Committee – Suzanne Willis, Chair – no report

**I.**  
University Affairs Committee – Richard Greene, Chair

1. **Evaluation** of the Office of the Ombudsman per NIU Bylaws, Article 19.4.1 – walk-in

**R. Alden:** Okay, the next item University Affairs Committee, Richard Greene, it’s an evaluation report.

**R. Greene:** Yes, this is Rich Greene speaking on behalf of the University Affairs Committee. At our last February 22 UC meeting, President Peters charged the University Affairs Committee with the task of deciding whether or not to continue the position of the University Ombudsman as Tim Griffin, the current ombudsman, announced his plans to retire. The UA Committee reviewed a number of documents pertaining to the office of the ombudsman and also solicited input from the student association, the SPS Council and the Operating Staff Council which all supported and
recommended the continuation of the position. The UA Committee and these other university bodies feel that the office of ombudsman serves an important role, helps to facilitate the well-being of this large and diverse campus especially in situations of stress that sometimes arise between and or among individuals on the campus. The office of the ombudsman handles a substantial case load as documented in the annual reports of the office. The office serves all constituencies of the university, but it was noted by the three bodies and the UA Committee that the office of the ombudsman is of particular importance to the students as it serves as a safe place for them to air procedure and policy concerns with the knowledge that the office will initiate a process to seek resolutions for the concerns and hold them in confidence throughout and after the process. The UA Committee met March 7 and, through a unanimous vote that included follow-up absentee votes, decided in favor of the continuation of the position of university ombudsman. Therefore, I would like to move that the UC recommend to the president that the position of university ombudsman be continued and a nation search be initiated as quickly and as practical as possible to hire a successor to the current ombudsman, Tim Griffin. Thanks.

**R. Alden:** I told Alan when we had our briefing meeting I felt a little odd since John asked for this review and is not here to receive the report or ask questions or whatever he may want to do. I’m not entirely comfortable just going on and accepting the report and moving on. I would like him to kind of have that opportunity. I almost suggest we postpone the final vote to the next meeting so that he would be able to interact since it’s his charge. Again, I’m not trying to get in the way of due process here.

**R. Greene:** Right.

**R. Alden:** Yes.

**A. Quick:** Since this report comes directly from us as a body, wouldn’t it be appropriate for us to take a vote as a body to show our approval for this and then that goes to the president and should he have questions he can obviously contact the members involved in that?

**R. Alden:** Right, but he may, again, since he gave the charge to the committee and I’m not sure whether he had any sense that this would immediately come to the council and him not being here it’s a little bit odd. If this was some of these other things that are just part of the due process of the system, but since he specifically charged the committee with the review and is not here to receive it, I just feel a little bit odd with that, but I’ll go with the will of the group. So I guess we have a motion, do we have a second and we can certainly discuss this more.

**A. Small:** Second

**R. Alden:** Okay, any other discussions on this topic? Well, hearing none and it sounds like you want to have the vote now I guess we’ll have the vote. Again, the one, two, three; one being yes, two being no, and three being abstain.

YES – 30
NO – 3
ABSTAIN - 4
R. Alden: Okay, thank you. I’m sure he’ll come back and ask questions if he has them. Okay the next item, Austin you had a report and a proposed change to the bylaws which obviously has to be a first reading.

A. Quick: Yes, first off let me start off by saying a couple of quick things that we’re walking on with the Student Association the things that I want to bring to the attention of this body and everyone here and I ask that you take this to your workspaces and other departments across the campus.

There is a few areas that the Student Association and the student body is working on and I’m sure you’ve read about it in the Northern Star and various outlets and I want to bring it to the attention of this body. The first and foremost one, I know that many of you that know me, know that I have been pushing this for most of the year now and I wanted to address it again, and I’m going to keep addressing it every time until we fix this problem. And the first thing is the parking and driving on our campus and sidewalks and grasses and our green areas on this campus. This is a problem that’s very important to the students that it be resolved in a timely fashion. It is currently a regulation of this university. It is a current regulation of this university that you are not allowed to drive and or park on sidewalks without a special permit and it actually says it’s only granted to certain circumstances, not for mail trucks going to deliver mail, not for vehicles going to lunch, not for vehicles parking next to the Convocation Center because it’s closer to walk to go buy tickets for a concert, not for those things and these are all things that have been reported to me. The director of the Convocation called me last week and he said, “You won’t believe it Austin, you’d be proud of me.” I said “What’s that?” And he said “I saw a university vehicle pull right up to the sidewalk to the front door of the Convo Center and I rushed inside the building and I went up and I asked him, I said, ‘what are you doing?’ He said ‘I’m going to buy tickets.’” He said “You need to park in the parking lot like everybody else.” He moved his car way out in the back of the lot.

This is a problem that’s been going on continually since I’ve been here and I’ve heard from many people throughout the university that this is a problem that’s been going on for a long time. I know that in past years they have addressed this issue but we are back to it again. On the way over here, myself, Provost Alden, myself, Andy Small and Dr. John Jones, we had to go around because the sidewalk was completely blocked by a truck while he was talking to a worker; two other guys sitting in the truck. One of the concerns for me is we have a lot a student’s with disabilities on this campus; we have a number of blind students on this campus. How safe is it for them to walk around this campus when it’s not a pedestrian right-of-way, it’s at the will of whatever vehicle might be on the road? The second part for me, besides safety, is how much money did we spend to beautify this campus this summer and make it look nice and go over the things with the flowers and all these things that we did? I’m sure many of you’ve seen the report, the pictures of the grass that is ruined by these vehicles parking on the grass. The second part for me with finances is the fact that we spend a lot of money, everyone here pays a lot of money to park on this campus and one of that is used to replace sidewalks and parking lots. They’re not made, we can’t take our certain roads because they are not made for busses. None of these sidewalks, to my knowledge, and I may be wrong, are made for vehicles as a vehicle passageway. It’s wrong, it’s inappropriate and I would like publically to ask, again, that the student body’s opinion on this be expressed to the will of the university to enforce this.
There is one particular department on this campus that is continually breaking the rules and is getting away with it. I’ve heard the examples and the things, I talked to Bill Finucane at Transportation. At the very beginning of the school year he says, “Austin, you know I’d love for it not to happen anymore but I can’t get them to stop and I can’t hold these people accountable.” So someone in this university needs to take initiative in the leadership of this university to say “enough.” It’s a safety issue, it’s a finance issue and what kind of example that we have students coming on campus today. I saw them giving tours. Welcome to NIU, by the way, stay out of the way of the vehicles on the sidewalk they might need to get around you to get closer parking spot. I’ve taken pictures, I’ve taken videos, I had a van the other day I had to move out of his way because he sped up by here by Swen Parson and I’m like, “This guy must be carrying something heavy, he must have something really important to do.” He had a mailbag, one little mailbag he held in one hand and walked up to the door. That’s what he had to do? I talked about this ad nauseam at this point and I just want something to be done.

We ask from the student body prospective and I know from many faculty and staff of this campus, that something be done from the university level and this is the body I think of it, so I would like, if there is some way that we can take, I know that I didn’t ask for this, but a vote of showing support for this initiative from this body to then take to President Peters that we push on this. I would like to do that so I make a motion at this time to ask the University Council to vote and support forcing the university to enforce the regulations that are already currently in place at the Northern Illinois University. That’s my first thing.

T. Latham: Second

R. Alden: Discussion? No discussion. Okay I guess we have a motion and a second and we probably need to have the specific wording, do you have the words for that motion?

A. Quick: I can say it again, the members of this university, representing the University Council, hereby request Northern Illinois University’s administration to enforce the laws and regulations that are currently in place at this campus to ensure that vehicles do not park and/or drive on sidewalks and grass ways of this campus without legitimate, warranted and approved reasons.

R. Alden: So we have a motion and a second and no further discussion.

A. Rosenbaum: We have discussion.

C. Downing: Chuck Downing, College of Business, Austin I just wonder on the “enforce,” do you want the university police to do that?

A. Quick: University police and parking. It’s technically a parking regulation. Now what has been told to me…

C. Downing: No, that’s fine. I support you completely but I think you might want to add that in the language so they know how it is to be enforced.

A. Quick: Okay and we can add there that enforcement is left up to university officials, specifically,
university police and Parking Services and, I guess we’ll add this, the departments themselves are encouraged or expected to hold their staff members accountable for following this policy.

**A. Rosenbaum:** Is that part of your motion?

**A. Quick:** Yes, please.

**A. Rosenbaum:** Okay the other thing you added at the end of it you sort of left a loophole where, you left circumstances under which this could happen.

**A. Quick:** The thing is I’m not unrealistic, I understand if you’re building something you might need to move closer to the building, I understand that. It’s the people that are abusing so they can go eat lunch. The roadway in front of…you talk to anybody that lives over in Stevenson residence halls, it’s a roadway for people to park so they can go inside to eat. That’s not acceptable. So I understand that there are certain circumstances with the approval of the university, I think Parking Services is the one that gives passes so that people can park near a building. If you want to change the language to put with Parking Services approval to park …

**A. Rosenbaum:** Okay now I do think you have to give us the whole thing.

**R. Alden:** Let’s try it again and then we have to get a second on the new motion.

**A. Quick:** The members of the university, represented in the University Council, hereby request the university officials and administration to enforce the current regulations regarding parking and driving on sidewalks and grass ways of the campus. Enforcement is left to the university police and Campus Parking Services. Departments are required to ensure that their staff members do not park university vehicles illegally and that anyone needing to park near these areas may get approval and permission from Parking Services.

**T. Latham:** I will accept that friendly amendment.

**R. Alden:** Any discussion for the new motion? Hearing none, I guess one yes, two no, three abstain.

YES – 31
NO – 2
ABSTAIN – 5

**A. Quick:** It seems like the same number of people are not…

**R. Alden:** Okay.

**A. Quick:** And my second part, that was just one part. The next one and this is the last one regarding action I’d like to see from this body, is another issue that I brought up recently is the issue of crosswalks. It’s in my report currently, I don’t know how many of you are aware of this, if you at Faculty Senate you heard it. But Illinois passed a law this past year called House Bill 43 which made it a law in Illinois that you have to stop for pedestrians in crosswalks. No yield, stop. You drive on any campus around the state, they have signs that say “stop for pedestrians.” The yellow the signs,
I’m sure you’ve seen it. Even small towns have them. We’ve never had them. I was surprised when I first got here and we didn’t have it when it was a yield to pedestrians. Now it’s a stop for them. The final straw for me was, and I know for some of you it’s a repeat, was when I followed in one day a campus police car not driving with his lights and sirens, not going fast, not stopping for anyone, just going through and it was Lucinda and it was one of those times it was busy. Students were backed up waiting to cross the street. Everyday our students almost, and our faculty and our staff, put their lives on the line if they actually walk out in front of a car, hoping and praying that they’ll actually stop. So I ask for two things. One, I ask for the university side to purchase signs like every other community and most other universities in the state have done; to put signs on the roadways that we own, stating that it is a law that you stop for pedestrians and that second, that our university campus police enforce the law. At this time, I would request the following resolution or amendment to be put on there that the members of the university representing University Council hereby request the university administration and officials to enforce the law, House Bill 43 that vehicles must stop for pedestrians in crosswalks at all times and that the university campus police will enforce the law and the university will purchase signs stating that.

R. Alden: Okay, I know that is a motion but I think that has fiscal uncertainties that at least I for one have no idea what kind of budget you’re talking about or where it’s going to come from.

A. Quick: On that regard, I spoke with Parking Services. I know many of you were on the Parking Services as well with me and I did discuss it and they said they were willing to purchase signs with the Parking Services money to do that. They said they could have those made. I’m not sure on the number. I know there are some roads that are owned by the city and I am working with the city to change the ones that they own as well. But the ones that we specifically own, that are marked crosswalks, to ensure that’s done.

R. Alden: Before I ask for a second I think we need to hear from Dr. Williams as to whether this is something that we can go to a vote before we know the fiscal impact.

E. Williams: Well I would just say thank you for the concept. I think that safety is always an issue. Pedestrian safety and vehicular circulation are also very key to the campus so we’re all very much concerned about that and I don’t think our police need any urging as far as enforcing the law at all. I do think, though, that this is the kind of motion that really covers several jurisdictions because many of the streets are not university streets and for us to put signs up or whatever, we need to work with the city and discuss that and the cost and the implications and so forth. So I would suggest, I don’t think we need any formal motion, it’s up to you, but I just think that this is a dialog that has to occur with the city, with the city police and their planning groups as well and our own and in terms of our own cost in terms of putting up signs and so forth and so on. We know where most of the vehicular and pedestrian type conflicts occur and they are on the main thoroughfares like Annie Glidden, Lucinda and so forth. Those are not university streets and so let’s – I ask us to be a little practical here and let us have an opportunity to discuss it. Certainly I know that you will be following up on the issue so I don’t have to worry about that but I do think that it may be a little counter-productive to try to do anything on a formal basis for something we’re all concerned about, we’re all supporting and we’ve always been looking at.

A. Quick: My view on this is that this obviously we have some binding jurisdiction here as a
council but it’s more of a recommendation or a request from this body to the administration to enforce those things. Obviously, this does not mean because we pass a resolution that it’s going to be taken care of tomorrow because the will of these people here said it has to be done. It’s just a public statement by this body stating that we want it to be fixed. We just saw, a week ago, that a pedestrian was hit on a bicycle. And one the things respectively, Dr. Williams, I respect Dr. Williams a great deal. It’s frustrating for me and of course I’m coming to this point because we wait a month before we have these meetings and something has been building. We’ve know this is a problem, we don’t have signs anywhere and I understand that there are roadways, Annie Glidden, Normal, Garden. I understand those are city-owned roads. At the same time, when I come to Altgeld to see Dr. Jones, I have to cross that street right there in front of the police station where no one is stopping and people are every day almost getting hit when they walk outside in front our police station. And we just hired all these new police officers and yet I don’t see any one. I would like to see the statistics of how many people have gotten a ticket for breaking the law. This is a current law the governor signed in that you have to stop for a pedestrian and no one is following that law. Not our Huskie bus, which I am working with their management; not the police; not our university vehicles; no one. I mean this is not something that we’re talking about. This is a problem and it’s one of those things where I want to see the university and this body specifically, get ahead of this and not wait for someone to get hit and injured gravely where then it’s well we should do something. Let’s make those, let’s take those steps to make this a safe place. We all know, unfortunately, the way this campus was build, there’s a lot of roadways, a lot of traffic, we’re unusual for that regard, but if a campus like the University of Illinois, Illinois State, Augustana College, if they can afford to put up signs stating that it’s a law and if they can have their police enforcing it, I think we can as well and I think we owe it to the people are a part of this campus regardless if they are a member of the community or not. I think we have to do something and it’s one of those things – I literally see this on a daily basis, it’s a crap shoot. Do I walk across here and hope they stop or just wait?

A. Rosenbaum: Austin, I think nobody disagrees with you that this should be enforced. I think what Dr. Williams is saying is that it can be handled internally. In other words, that the police can be talked to or they…

A. Quick: And I met with the deputy chiefs, I met with the lieutenant, I met with them about a month ago and I see no change. So what I’m asking for today, respectfully, is to have something from this body stating, as a resolution, not as a binding legislation, that we as a body request the university to do more and obviously that means that we are going to have more meetings and more discussion and the dialog with the city and the dialog with all the players in this, yes obviously, but what I’m asking for is a vote of approval from this body to state that we would like to see something actually done. And by having it written down as a motion from this body, there is a little bit more to it than just we’re talking about it, we’ll get back to you. I know how that works. I want something concrete.

R. Alden: Okay, so I guess we’ve got a motion I guess on the floor.

A. Rosenbaum: We need a formal statement of the motion. What’s your motion formally so that we can have a second and vote on it.

A. Quick: I’ll do it slowly, my last name is quick so I’ll try this. The members of the university
representative of the University Council, hereby request the administration work with the various departments and organizations involved regarding enforcing Illinois House Bill 43 which states that all vehicles must stop for pedestrians in crosswalks.

**R. Alden:** Do we have a second for that motion?

**N. Bender:** Second.

**R. Alden:** Discussion? Yes?

**A. Small:** Well, unfortunately I see an innate problem with this. If you vote against this, you’re saying that you are not for safety on the campus which is not where we are coming from here. And I respect Austin’s opinion on this situation, but I see a real problem here if you vote for it, obviously, we are all for it. It’s not a question of we’re not for campus safety, but I have to respect and refer to Dr. Williams’ opinion on this situation and encourage us, encourage Austin, to pull back on this situation to allow us, I think Dr. Williams and the administration has heard what you are saying. I don’t want to vote against it because we are all for safety. But I don’t want to push this forward without the proper channels being able to take a look at it too. That’s my plea to you at this particular point.

**A. Rosenbaum:** Andy, I don’t think a vote against this is a vote against safety. I think it’s a vote against making a formal statement and handling it in this particular way. So clearly, everybody in this room is in favor of safety of faculty and students and employees, but the question is: Do we want to state it as a motion to the administration as opposed to the administration has heard what the discussion has been and can now handle perhaps in another way and at some future time if people are still unsatisfied with the way it’s being done, then a resolution at that point could be taken again. So I don’t think it’s a vote against safety, I think it’s a vote against handling it in this particular way.

**A. Small:** I appreciate your rephrasing that and I accept that opinion.

**R. Alden:** Austin?

**A. Quick:** I understand exactly where you are coming from at the same time this is not something, of course I said some of you are hearing for the first time because it’s a month going down we’ve had since the last time we met. This is something I’ve met with, like I’ve said, the city of DeKalb officials, I’ve met with the police department here on campus, I’ve met with various leaders, I’ve talked to multiple students. If you think about it here, for all of you that are part of University Council, usually we have reports, it’s little things, we’re doing this, we’re doing this nice thing. There’s very few things that we come in and say, “This is something we want to see done.” We’re not coming in and saying, “We want to see – we want grades to be more lax, we want the university to come in and change our grades.” We’re not asking for things that are lofty and wonderful. We’re asking for safety. We’re asking for the law of the state to be enforced. And this is not something just for us, this is something for you as well. All of you had to cross a sidewalk to get here and how many of you didn’t cross because no one actually stopped? Again, I understand that I am becoming passionate about this, and I respect the university police they do a great job, but when they are breaking and they said yea we should have…when they’re doing it, what is that? I don’t understand at a time when we have a lot of issues on this campus of keeping retention, this thing with parking
on sidewalks, all these things are about making our campus safer and a better place for everyone. And I ask again and I understand, I’ve been here long enough to know how the thing works and everyone will do, we’ll take care of it. This is not saying that they have to do it, it’s just saying that we as a body, as a community. University Council, the point of this is a group of us come together as leaders of this campus to say we want something done. It’s not saying you have to do this or we’re going to get rid of you. It’s not something like that. It’s just saying we as a body come together and we make tough decisions sometimes. This isn’t the normal fluff we usually talk about sometimes in here. This is something we want done and as a student representative and my colleagues here and the rest that aren’t here today, we want to see this done. We want to see this to be something that we are actually enforcing. That in front of the police department students won’t get hit possible because no one stops including university vehicles and other things. That’s all we are asking for is a this body come together and it doesn’t say the university of course is then going to handle, but now we have something in writing that we ask for it and then when we come up a couple months from now we can say what’s happening with that?

We asked for this. We do resolutions a lot, just say it’s official from this body saying we would like this done. That’s all this is saying. This is not saying, “We’re tying your hands because we passed some binding legislation.” It’s saying, “As a representative from the various departments you come from, please take care of this, please look into this, please have those dialogs.” I understand that I’ve already mentioned it, it’s on the record, but I want something in writing from this body, from all of you as a community.

**R. Alden:** One of the things that I am a little concerned about and I think I have to ask the parliamentarian about this. I know this is a student report, but none of these issues were on the agenda quite frankly. I think something that has both legal jurisdictional and financial implications perhaps we need to have another look at this next meeting and have the opportunity for the proper people to go back and find out what are we really voting on?

**F. Bryan:** I am taking your objection as being a point of order and our bylaws specifically address that. It specifically says that proposals affecting policy must be presented in writing and we really don’t have anything in writing on this issue and technically we would have a problem with the last motion but we can let that slide. But it does further say and this is 3.2 in the bylaws, proposals affecting policy must be presented in writing and may be discussed at the meeting which first presented but shall be held until at least the next regular meeting for action. Since policy is specifically being addressed here and I understand the passion of the Student Association, but we do have procedures and Dr. Williams has already expressed it, there are a lot of jurisdictions involved here, I think at the best we can accept this as a first reading and if necessary vote on it the next time. That would be a following around procedures.

**A. Quick:** In respect to that I do withdraw my motion for this meeting. I understand that I want to make sure this is done correctly and we have a month so we’ll see if maybe people enforce the law in the meantime. So I withdraw that motion.

**E. Williams:** I want to say this and I said it before. Our police do not need any incentive to enforce the law. That’s their job, that’s what they do and your implication is very sad because you’re saying that our people are not out there trying to enforce the law. I’ve been silent, but I do say this: This whole issue of pedestrian safety began years ago before you got to this campus. Many things were
done to improve safety especially on these major thoroughfares that go through our campus such as Annie Glidden. There were committees that were put together working with the city. That’s why you have the countdown on the pedestrian walkways going across the streets. That’s why you have the speed indicators that are at both ends of north and south of Lucinda on Annie Glidden. We do have, on Garden Road every day, you will see an NIU police officer directing traffic both pedestrian and vehicular traffic at the corner of Garden and Lucinda because that has been identified as an area where there has been the potential of an accident.

So I don’t want the body or anyone to have the implication that our police or staff are not aware, conscious and doing what is necessary and what is part of their job. Obviously you can always go into one particular position or another position on campus or in the city of DeKalb or in Chicago or Naperville or whatever and you can see a vehicle that does not obey that particular law. The only way to enforce that on a 100 percent basis to have someone who is assigned to stand at every corner and every walkway. There will be exceptions I think part of it is a matter of communication and education to also say to our drivers, those who are driving cars through the campus, that they be aware pedestrians. You may have had experienced a car that did not stop; well I came across Normal and the cars did stop when I entered the crosswalk. So there is a multi-faceted dimension to this but I do take exception to the terminology over and over again to tell people to enforce the law because that’s what they are there for and that’s what they do.

R. Alden: Yes

M. Kostic: Milijove Kostic from engineering again. Actually I’m also kind of surprised whether I know what the law is. The other day I was driving pedestrian was even half-way through and he was waving me to pass, I didn’t stop and we need maybe to educate our community about the rules and regulations and so on, not just somebody stopping and giving tickets or something. I actually like to say that we need to educate and maybe talk about even those university vehicles who are going over grass and everything so that they are embarrassed to do and also enforce it in a new way. But I didn’t know about maybe the newest House rules, I only knew state increases taxes for 60 percent recently.

1. **Proposed changes** to NIU Bylaws, Article 4.3, Student Representation – FIRST READING – Pages 8-9

R. Alden: You had an additional report?

A. Quick: Yes, the last thing that we had as far as a report is the Student Association along with various organizations on campus regarding students is working on a We Are Huskies campaign and one of the things that I addressed last week and we are going to be pushing is to get all presidents and leaders of various students organizations to sign an anti-harassment and anti-bullying campaign. As you might not be aware, teen suicide and suicide amongst young adults is at an all-time high. It’s becoming an epidemic in the country. This school has not been untouched in this regard and we want to make sure that we provide a safe campus for our students and our staff and our faculty. And one of the things that I would request just to all of you just to keep an eye on and just help out with us regarding this issue is showing people that with all of us coming from different walks of life that we all except everyone here as a member of our community and taking care of each other. That’s one thing you’ll see more about it but I just wanted to give a brief update on that.
And with that I would like to make a motion to, how do I, I’ve never done the official…

**A. Rosenbaum:** Well, you have a written bylaw change that you want to introduce it. You don’t have to read it.

**A. Quick:** So I would like to introduce the by-law change Article 4 which deals with the election procedures to University Council specifically for student representation.

**R. Alden:** Okay, and again this is first reading because these are by-laws, is there any discussion? Oh we need a second for the introduction of the bylaw change.

**D. Munroe:** Second.

**A. Quick:** This is just. One of the things we found is that we currently, as a student body, are in violation of the current University Council constitution and bylaws regarding membership of students and this makes it easier for us to fill the vacancies and the positions that we have insuring that we are not in violation.

**R. Alden:** Okay, well, Sue?

**S. Willis:** I just wanted to say I am certainly sympathetic with the idea of making it easier and more straightforward to find student representatives for the University Council. I’m not sure it’s entirely wise to remove all references to the date by which these students need to be named to the council. I know when I was executive secretary it was always an issue finding a quorum when positions were either unfilled or students had been named but were not actually attending. Perhaps it’s not necessary to have specific dates but perhaps some gentle encouragement to get these positions filled as early as possible in the academic year might not be inappropriate.

**A. Quick:** And we addressed this, the issue that we have is currently in our constitution and bylaws as well as I believe in this one, it states that the current students are appointed by the president of Student Association and approved by the senate and by the time that date it, the senate hasn’t met yet to approve those people and that’s why we took that out. So hopefully we can have people, we’re hoping that people will transfer over from this previous year to fill that until it’s filled. But we talk at one meeting that would be low.

**A. Rosenbaum:** I should add that this motion was actually initiated by our office because the students don’t ever seem to be able to meet those deadlines and don’t seem to be able to meet the quotas that are established in the bylaws so they never meet them and so it makes sense to change them so they can get whatever representatives they can. They have a difficult time getting student representation for the committees, for the University Council and so the hope was that this would make it a little easier for them and sort of take some of the strain off of the office because we are constantly on top of them to give us the names, give us the names and they can’t do it because they don’t have the people in place to give us the names.

**R. Alden:** Okay, this is a first reading please bring this back to your constituents and consider whatever vote we have next time including potential amendments and so forth.
K. Operating Staff Council – Andy Small, President – report – Page 10

R. Alden: Okay, next report Operating Staff Council, Andy you had that?

A. Small: Thank you. I’m going to be very brief if I could. The first item I would like to reiterate is that the operating staff is concerned about the potential of mass exodus on June 30 and I think we’ve all talked about that in those different types of meetings depending on how this pension situation is handled down in Springfield, we could see a lot of people leaving on June 30. So the operating staff would like to express a concern that we take a serious look at that at how we are going to address that if, in fact, that happens.

The other thing I wanted to mention, the Outstanding Service Award Committee has receive their nominations. The thing that is somewhat discouraging in that situation and I bring it to the University Council to try and potentially get more emphasis behind this program. When this program first started out about 20 years ago, there were 80 or 90 submissions per year; then it went down to about 30 or 40 submission per year, then about 20. The last two years we’ve had 12. There are a lot of good people out there in the operating staff ranks and it takes an effort to nominate and to get the letters forward as every award people win around campus, but we can’t sit back and not nominate people due to the effort involved for these awards. We have 12 good nominations this year, we’ll select four great winners and it will all be good. But next year, if you can, take the time to nominate somebody in your office. And with that I conclude my report. The rest of it you can read yourselves. If you have any questions I’ll be glad to answer them.

L. Supportive Professional Staff Council – Todd Latham, President – report – Page 11

R. Alden: Okay, Todd you had an SPS Council report?

T. Latham: Yes, just briefly for those of you that aren’t aware of the NIU Alumni Association has implemented a new initiative titled the Advocacy Program. As we discussed some of the ongoing state issues I refer you to their website to learn a little bit more about how our alumni are becoming involved in supporting university and university employees.

One other item I really want to cover and you can read the rest is that we are hosting a 2012 leadership summit. It’s essentially focused on dealing with a lot of student issues as well. You can look at our website, it will take place in April. If you have any questions, please contact me, I can make you aware of some of the guest speakers that will be coming up at that particular event. Other than that, I’ll handle any questions and if not then that concludes my report.

R. Alden: Okay, thank you.

M. Elections and Legislative Oversight Committee – Abhijit Gupta, Chair – no report

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS
A. **Proposal** from Greg Long regarding disability disclosure – walk-in

**R. Alden:** We don’t have any unfinished business that we’ve been made aware of so I will go right to new business and I will say a little bit that Greg has come to me with some issues that I think are extremely important probably one or two federal laws involved and I have encouraged him to go to the Dean’s Council and to the colleges, but I think he wanted to come here to present the issue to this body so I’ll turn the floor over to Greg.

**G. Long:** Thank you very much and I appreciate the opportunity to talk with you. I’m here in my role as chair of NUIs Presidential Commission on Persons with Disabilities. I’m also here as a long-time faculty member; I’ve been here since 1991.

You have a walk-in report from me but I’d like to provide a little context first because talking about disability for a lot of people is a difficult thing because it reminds us of our vulnerability or it reminds us of mortality and it’s a club we can join at any time. Any of us can go out and have an accident today and tomorrow be disabled. There is some discomfort even from an etiquette standpoint. What do I do, for example, if a student is stuttering? Do I finish their word – is that the polite thing to do or do I not? If the student has a personal assistant, do I talk to the personal assistant or to the student? Even for people who want to do the right thing, there is some confusion about what the best behaviors are.

So we’ve got some initial discomfort and the second thing is we have not necessarily a lot of experience. Students with disabilities have actually only had a right to attend school, a federal right, for the last 40 years. The laws that insured access to education were only passed in the 1970’s. I graduated high school before students had a right to go to K-12 as well as accommodations here.

We’re getting greater numbers of students in and particularly here at NIU. If we look at the number of students for example who access CAAR, greater numbers each year, we keep growing and we are getting more non-traditional students, more students with mental illness, more veterans. There’s a wide range of people coming to campus who have disabilities who may not be readily observable. There are people in this room, I guarantee you, who have disabilities and yet by a quick visual inspection who would know?

And so we have very little experience and then the third kind of point would be background knowledge. This would be where I would have to tell you I had a bad case of ivory tower-itis from the standpoint that disability is very central to my life. I’m a guardian for my brother who is deaf and intellectually disabled, I have a stepson who has autism, all of my work has related to disability, I am chair of the commission. So for me the idea that people don’t know about the Americans with Disabilities Act and what it entails, was like it hit me over the head because we don’t and in looking at that, what I found out that is yeah, the students don’t know about it because they are not taught about the Americans with Disabilities Act in high school. In gen-ed classes it’s not covered in any of the poli-sci classes, they talked with Matt Streb about that. I have a gen-ed class that’s Disabilities and Society and I have one lecture on it, but that’s it. There is no systemic training for any of us to know how it works and so, like I said, I had one of those revelations like oh my gosh, we really don’t know how this all works and so if you figure we’ve got issues with feeling comfortable, we have not necessarily a lot of experience and many more of these students coming in, and we don’t have a way that we are empowering students to know what their rights are or
We kind of have a perfect storm and the perfect storm then is what led me to write this proposal for the council. And I know certainly the recommendations they are simply a starting point for discussion but, first part of February, a student came in, it’s a non-traditional student, it’s a middle aged female who has medical problems and I’ve detailed for you what happened in the report. She was ousted in a classroom by a professor who had her CAAR accommodation and said basically that quizzes are a horrible pain and then accosted her and said, “Well if I could teach a blind girl, I can teach you.” This is for a 50-year old female who has nothing, there’s not a mental illness, there is not a learning disability; it is simply a health condition. That really disturbed me. I lost sleep on that one.

And then not more than two days later, two other students came in and mentioned similar things, that they had been in classes and again, in both cases they were students who had invisible disabilities, so you would not know to look at them. But they both reported that, in their experience this semester, that faculty had questioned them if they really had a disability because if you can’t see it does it exist. And secondly, that faculty had said, “No, I’m not going to provide your accommodation.” Or faculty have phrased it, often times I have heard as an issue of academic freedom.

So these things bothered me and I went out and I have because I do all the work with this disability, I’ve got a lot of students that I know and I have asked now at this point ten students and ten out ten students have told me that, while at NIU, they’ve had a faculty member who has either questioned their disability, questioned their right to an accommodation and when we think about the power differential that exists between us as faculty and the students; if I tell a student oh no you can’t do this, there’s a really good chance they’ll go ahead with it. They are not going to challenge me, there’s too much of a power differential if you will. And I’ve asked in my class, I’ve got 300 people enrolled in the class, we’ve probably had 200-250 present that day. I described the situation to them and I asked them, “So how many of you have witnessed this?” And I had a good 20 you know out of say 250 who raised their hands and said “Yes, I’ve witnessed this.”

So from my standpoint I’m kind of flummoxed. I’m not exactly certain exactly what we need to do from the standpoint of within the disabilities commission we have consistently tried to look at the positives. We are pushing universal design, the captioning, the readability, the architecture; those things are really important. On the other hand, for me personally, those things assume far less significance if we are not creating an environment within the classroom where students can feel comfortable because if you are disclosed, if you have your accommodations questioned, it’s a hostile environment. Trust me, when I’ve asked these students the humiliation on their faces when I ask has this happened to you. They are humiliated and they are also in a position where they have very little power because, yes the Ombudsman exists and Tim, I’m a fan of you, but from the standpoint of: Do the students know that they go to the Ombudsman? Do the students know what path to take when they have a grievance or problem? And they really truly don’t.

They are most often told, at least form the disability standpoint, “Well just go back and talk to your teacher about that.” Please, is that, I mean realistically, is that ever going to happen? If I’m a student and a teacher has ousted me in classroom and has questioned my disability and embarrassed me, am I going to go back to that teacher by myself and say “Hey, let’s make this right”? It’s not going to
happen.

I have, as Provost Alden mentioned, I’ve talked to lots and lots of people. I have been on a mission
for the last six weeks and I have talked to pretty much all the administrators, as many people in any
supportive positions as possible to let them know that this situation exists because it is systemic. It’s
not an academic affairs issue, it’s not a student affairs issue, it’s a university issue and it’s faculty as
well as staff as well as students. No one truly knows what the ADA mean what our rights are and
I’m just very concerned that we leave ourselves open for some very serious liability issues because,
if as a faculty member I tell you that I’m not going to honor your accommodation, I don’t have that
right.

That’s not part of academic freedom. There’s been legal president set on this. I’m not just saying it
because I believe it passionately, but because it’s true. You can’t defer and say, “I’m not going to do
an accommodation simply because I don’t want to, it’s my academic freedom.” Some awareness of
that I think is really quite important and so I’m bringing it up to you the recommendations I’ve
suggested and we would all cringe at the first one, it’s a state-mandated training. That’s a hard one, I
just had to put there to say, we need to get some training for everyone because again, it’s not just
students, faculty or staff, it’s all of us.

I think that certainly that some sort of an Ally Program. I know that CAAR has already talked about
this. I’m not trying to steal anyone’s thunder it’s the sense of much like the Ally Program with
LGBT community that I’ve got that notice on my door and if you want to come to my door, you
know that I’ll be fine with talking to you. I’m not going to judge you on anything, wouldn’t it be
nice to have a similar thing as it relates to disability.

The other thing that I would say is very significant is some sort of meaningful grievance process
because right now I’ve met with lots of people on this and the students say I don’t know where to
go. We don’t have it published, it’s not a clear avenue in terms of what do you do and I would argue
that it’s certainly disability but the same thing for sexual harassment, race-based, any number of
harassment kinds of things that we might do towards students. They have very few options in terms
of coming back and say “Hey, wait, this isn’t quite right.”

And then the fourth point I mentioned in my note was simply, again, probably far-fetched, but the
idea of putting in the constitution that academic freedom does not mean you can ignore
accommodations. That is, it’s a job responsibility, it’s not an option. As a faculty member we have
the right to question and say, “Hey you know is this right? Are the essential characteristics of this
class are we meeting them?” But in terms of denying that student, we have absolutely no right to do
that and when you do have that complaint, that complaint is something that is shared jointly with the
student and CAAR because again, from a power differential standpoint, you know if I am that
teacher and I am telling you “no.” It’s a rare student that’s going to come back and say, “Hey, wait a
minute, Long.” That’s rarely going to happen and so I’m just making the plea that A, that we as a
group here please become aware of it and that we, whatever body, whatever committee that would
take charge of this, that we discuss the notion of what the Americans with Disabilities Act or
Section 504, if you read it back to me, the laws that tell us how we’re supposed to interact with
students who have disabilities or faculty who have disabilities. That’s a whole nother story I’ll some
other day come back with, but here it’s just an opportunity for us to be aware and then hopefully
figure out where we go from this. I’m quite committed to this and quite honestly I want this body to

take it, but I’m also going to work with students. I’m going to, in any fashion that I can, if I darken your door this is one of those things that we’re going to talk about because it’s a very significant issue and we protect ourselves by addressing it and we also create a much safer and better environment for our students by addressing so it’s kind of a win-win if we just acknowledge that this does happen and we work to educate ourselves because it’s the attitude change and behavior change only occurs through education. It’s not going to happen because somebody’s got to stay and so that’s what I’d like to share.

**R. Alden:** Okay, thank you. Obviously, the recommendations cut across a lot of issues, a lot of jurisdictions, a lot of even bylaws and constitution changes. I think perhaps the most appropriate way to dealing with this is to ask the University Affairs Committee to consider all these recommendations and consider the commission and CAAR as a resource and obviously HR and any number of other offices and come back with whatever recommendation and or by-law changes and or other aspects of the recommendations to this body when they feel they are ready to do that either piecemeal or together. Does anybody have any discussion of that? Yes?

**D. Haliczer:** HR already does ADA awareness education. Attendance is really quite small because so many people have not realized that this is something that they ought to attend to and so I’ve already asked Greg and the Commission on Persons with Disabilities to collaborate with HR for more extensive training programs in the fall in collaboration with faculty development. And any student as well as any faculty or staff member has the right to file an affirmative action complaint for any form of discrimination, including students in classes in instances like this. Our students often don’t know that they can file an affirmative action complaint. That’s something that we need to speak about further.

**R. Alden:** I have been informed since it really needs to be formally referred to committee that if you can consider my motion and if I can get a second on that.

**A. Quick:** Second.

**R. Alden:** Is there any discussion on sending it to University Affairs Committee for consideration of various options of how to deal with these recommendations and maybe come up with others that are related that may come through the committee? Yes?

**S. Johnston-Rodriguez:** Sarah Johnston-Rodriguez and I’m also in disability-related area and having been at a previous institution that was sued because of the refusal to accommodate it is a pretty serious issue. But I think one of the ways they did address it was faculty, training faculty about it along with several other things, but I think it is something that, you know and I’ve run into this, but I think there’s also – the waters get muddy because some faculty don’t – some students will disclose to the whole class and then faculty who aren’t really aware don’t know what to do with it. So it’s a pretty complex issue.

**G. Long:** And I would even make the argument, I mean, even in my classes I will frequently talk to students in class who have disabilities because a lot of them are in my class but it’s not disclosure if I’ve talked to them ahead of time and we’ve discussed this and gotten the okay then you know, I could say hey, Mike, tell the students how you feel. We even have a student panel where students in the class are going to talk to the rest of their classmates about what their experience is on campus.
Where it is April 26 and we’ve got about five or six students who have come to me and said I want to do this. It’s an issue and they do need the support.

**S. Johnston-Rodriguez:** And also information and syllabi. I don’t even know if that’s a University policy.

**G. Long:** Well, that will be another thing that as the presidential commission we have pushed and we actually mentioned this at Faculty Senate earlier in the semester, there is a statement on the CAAR website about accessibility and know there was no formal proposal but recommended strongly that people adopt that because at this point, there was a group last spring that reviewed as a sample of gen-ed syllabi and we had about 50 gen-ed syllabi and what we found is that in the majority of them they either did not have the statement or they had a statement that was dated, that was old, because there was former statement that used to say you have to tell us within the first two weeks or you can’t ask for an accommodation, which was meant to, I’m sure at the time, make sure people know, but on the other hand any of us could become disabled tomorrow and if it’s mid semester, yes of course I can still ask for an accommodation and so you still have lots of syllabi out there that don’t include the statement or include something that’s incorrect and so that’s yet another thing that we have been pushing and encouraging people. So there is a wide range of disability related issues that I could certainly share with you, but the one that to me takes the most precedence now is the fact that we are not providing a safe environment for the students who have the disabilities. They don’t have the support I think from the faculty that I’d hope.

**R. Alden:** Okay, any other discussion before we vote on this motion to refer this to committee? Yes?

**C. Downing:** Just a quick statement, as a faculty member we often have lots and lots of things going on. Several years ago, someone important, I don’t remember who, sent an e-mail with the disability paragraph to all of us in the College of Business and said, “Please include this in your syllabi,” and most faculty that I know, are not these, I mean if somebody says I’m not going – that person should be, they’re breaking the law.

**G. Long:** That’s why I’m here.

**C. Downing:** We should be able to go get those people, but a huge majority of the people are good people, I know.

**G. Long:** Absolutely, yes.

**C. Downing:** And as somebody who you know I’m trying to handle a million things, I appreciated that and of course putting it in my syllabus, I read it and that educated me and to me, that was a simple, effective first step.

**G. Long:** And I am 100 percent with you. Part of it is getting it institutionalized because that was a request that we had made to the vice provost’s office, that we-mail comes out every year, that says the religious states and this and this and this and that that statement was going to be included, but they forgot. And so part of it is the sense of it’s not a priority for people because if it was a priority, it wouldn’t have been forgotten to be put in that. And again, there’s lots of stuff going on and
there’s no fingers pointing here, but that sense of yes, if we’re reminded about this, we’ll do it, but if we are not reminded it’s not going to cross out paths. It does mine, that’s that whole ivory tower thing, it’s like yeah, this is my life, this is what I do so I get it, but that awareness that others don’t is oh ow, but yeah it’s true we don’t and if we don’t talk about it, we don’t get it.

R. Alden: Any other discussion? Seeing none, if we could just do this by voice vote to refer these recommendations to committee to come back with potential action items to the Council as well as any sorts of suggestions for constitution and by-laws that they see appropriate. All those in favor say “aye.”

Members: Aye


IX. COMMENTS AND QUESTIONS FROM THE FLOOR

X. INFORMATION ITEMS

A. Minutes, Academic Planning Council
B. Minutes, Admissions Policies and Academic Standards Committee
C. Minutes, Athletic Board
D. Minutes, Campus Security and Environmental Quality Committee
E. Minutes, Committee on Advanced Professional Certification in Education
F. Minutes, Committee on the Improvement of Undergraduate Education
G. Minutes, Committee on Initial Teacher Certification
H. Minutes, Committee on the Undergraduate Academic Experience
I. Minutes, Committee on the Undergraduate Curriculum
J. Minutes, General Education Committee
K. Minutes, Honors Committee
L. Minutes, Operating Staff Council
M. Minutes, Supportive Professional Staff Council
N. Minutes, Undergraduate Coordinating Council
O. Minutes, University Assessment Panel
P. Minutes, University Benefits Committee
Q. Meeting Schedule 2011-2012

XI. ADJOURNMENT

R. Alden: Okay I believe that concludes our business unless there is some other new business and hearing none I will adjourn.

Meeting adjourned at 4:50 p.m.