UNIVERSITY COUNCIL TRANSCRIPT
Wednesday, April 11, 2012, 3 p.m.
Holmes Student Center Sky Room


OTHERS PRESENT: Blakemore, Bryan, Cunningham (for Williams), Griffin, Hemphill

OTHERS ABSENT: Finley, Freedman, Freeman, Hansen, Kaplan, Prawitz, Slotsve, Snow, Waas, Williams

I. CALL TO ORDER

J. Peters: I call the April 11, 2012 University Council to order.

Meeting called to order at 3:10 p.m.

II. ADOPTION OF THE AGENDA

J. Peters: Before we adopt the agenda formally, let me mention there are two walk-in items, VI.G and VI.K. That is noted on the agenda, but they are walk-ins. So, let me call for a motion to adopt the agenda.

J. Holt: Move.

A. Quick: Second.

J. Peters: All those in favor, say, “aye.”

Members: Aye.

J. Peters: Opposed? All right, we have an agenda.

III. APPROVAL OF THE MINUTES OF THE MARCH 21, 2012 UC MEETING (distributed electronically)

J. Peters: Now, distributed electronically, and of course, you’ve all read them and looked at
them, the minutes of March 21. Is there a motion to approve, or give additions or corrections? I need a motion.

**S. Farrell:** So moved.

**J. Peters:** All right, is there a second?

**S. Willis:** Second.

**J. Peters:** All right, additions, corrections, comments? All those in favor, say, “aye.”

**Members:** Aye.

**J. Peters:** Opposed? All right, we have approved those minutes.

**IV. PRESIDENT’S ANNOUNCEMENTS**

**J. Peters:** Okay, we are winding down, aren’t we? It’s that time of year and before I forget, I do want to remind everyone that the last meeting of the year, which is on May 2, we have our traditional reception dinner that follows. But, this year, because of whatever, the reception will immediately follow this meeting, and it will be held somewhere in this building, other than the president’s residence. The grass won’t be cut, the dishes haven’t been washed. No, we’ve got some reasons. So, that will make it convenient. That doesn’t mean we won’t have fun. So, I just draw that to your attention; put that in your mind.

**A. Rosenbaum:** Open bar?

**J. Peters:** I don’t know about that.

**A. Quick:** Objection.

**J. Peters:** We do have students. We’ve got just a few things, not much today. I’m going to give you an update on the budget. We have completed our hearings before the house and last week, it was two weeks ago, before the senate committee. Here is a status report of this year’s budget in terms of the general revenue. We did get a check this week, Monday. So, we are owed, as we speak, on our $99.6 or $8 million GR appropriation. We are owed $47.3 million, but we did get like a $5 million check, which is nice to see those, by the way. Sort of like you hit the lottery. But, then we’ve got to deposit it for bills. Anyway, we had a meeting of the presidents of the public universities yesterday in association with the IBHE meeting, and there is consensus among the presidents that every indication we get from the state is that they will pay the full amount but, like last year, it will lapse over to as long as December 31, 2012, which, unless they take some action, they must pay by then. That is the full intent of the state at this point to pay that. So, what that means is we just have to, you count on that, so you just have to learn to manage your cash flow, and we’ve had a couple years to learn how to do this. It’s not optimal but nonetheless, there it is. We have not received our spring payment for MAP money, which is in the neighborhood of $11 million, but I had a meeting in Chicago last week with the folks who run that agency, and they told me the check was in the mail. That was last week. But, then again, this is Illinois, and the mail is slow. But, I think we will be receiving that. So, as these
things come in, we can check those off. Remember, I always talk about what the state owes us, and always remember that our general support, GR, general revenue, from the state is about $100 million. It always makes the math easy. It’s actually dipped a little below that; it’s $99 million, and that’s a reduction from 2000 where it was over $100 million. But, our operating budget from all sources, our revenue, not our operating, but we have a $438 million budget. So, you can see that that portion has become a smaller and smaller part of our overall checkbook when we write the checks. Of course, unfortunately, some of our money, you can’t spend $1 on anything you want because some of the money is earmarked for special purposes. Anyway, it gives you an idea of the budgeting.

Again, I said we completed our appropriation hearings, this time in the senate; they weren’t held in Springfield, they were held up in Chicago as they are from time to time, during their spring recess last week at the Bilandic Building. It wasn’t well attended, but the chair and several important members were there. The house, before that meeting, passed a budget number that called for, and sent it over to the senate, that called for a 5.29 percent reduction in our GR budget beyond that which the governor recommended in February. Governor Quinn recommended a flat, no-cut GR budget for higher education. That did not survive the house. It was cut 5.29 percent. Now that moves to the senate so you’re never done. Now, I should put that in context, we are not a code state agency. We have our independent constitution statutory authority, so the governor, in his budget, had requested 9 percent cuts for all the state agencies. So, if you put that in perspective, even if a 5.29 percent cut were approved, it’s half of what the other state agencies have to cut. But again, we are one-third through the process. Yesterday, the governor sent a message to the presidents indicating that he does not support this 5.29 percent cut, and he is doing everything he can to make the case that higher education is important, that they’ve taken cuts and that we need higher education, students need their education, this is the best way to get the economy moving, and therefore, he does not support those cuts. So, you can see we’re in the middle of this process. So, we will be making that same argument. That being said, we always have our contingency plans on how we would approach such a reduction which remember, it’s a reduction on that $100 million base. So, we will be thinking about how to handle that if it goes through.

All right, some things that might be interesting to you, well some things of interest to the students, there is also a big push to try and expand that and to fight any cuts, and I think there’s a rally coming up on the 19th, and I think we’re sending a bus load of students to rally for MAP funding. MAP funding is very important, and it is something that the legislature and the governor really do want to support, particularly the governor, and so we’ll hope for the best on that. The money is not expanded. There are many, many students who are qualified who didn’t get their application in on time. It’s first come, first serve and every year, they seem to cut the date off earlier and earlier and earlier, and it leaves 150,000 students who are qualified for MAP funding without any form of state aid, need-based aid. We’ve got about 140,000 that get it and about another 140,000 who are qualified who don’t get it. So, there has been a lot of talk about that. So, that’s one student issue that’s out there. I answered several questions before the Senate Appropriation Committee about what we are doing to be as efficient as we can. One of the issues that has caught the attention of the legislature has been the General Assembly scholarships and also the waivers, all waivers that are given by the university but particularly those that are given to our employees for dependents. I was questioned quite, I kind of felt like I was at the Faculty Senate, extensively about this. There is not a lot of understanding on the part of the legislature about, first of all that it’s an employment benefit and that you have to be vested, you
have to be here seven years, and that it’s half tuition. Every year, well this year for instance, up
to this point, we had about 111 dependency waivers totaling about $382,000, whereas, and I
never did this before, but I’ve asked for the number, we have about 80 people here on General
Assembly scholarships, you know, the controversial ones, for $500,000, until they got linked.
They got linked and then actually I had to justify our whole list of mandated and discretionary
undergraduate waivers and also, they started to get into graduate waivers, but that’s more
complicated for them, so they left that. By the rules, if you’re interested, of the IBHE, and it
came out of a study that the state did, as General Assembly had called for in 1999, public
universities are allowed to grant up to three percent of their tuition base in waivers. Our tuition
base is $138 million times three percent, that’s we can give about what’s what, about $5 million
plus. We can give those in waivers, and those waivers go for academic scholarships, they go for
athletic scholarships, and we’re allowed to go one percent over that to meet Title IX
requirements, the Department of Education Title IX requirements for women athletes.

So, at any rate, there was a bill that was introduced in the house that would have eliminated or
severely capped employee benefit tuition waiver program. That failed, but they did pass a bill
that would remove the General Assembly scholarships. Now, it’s over in the senate, and the
senate is taking a broader look at all of these waivers. We are monitoring it very, very carefully,
and I made the point that these dependency waivers are very important to us, to our employees.
75 percent of the people who take them earn less than $50,000. I think it’s good for the
university, and it’s pretty, it’s almost universal in American higher education, and ours aren’t,
it’s not as rich as the vast majority. But, it’s still a nice thing.

Anyway, I also got questioned about sabbaticals as a way of saving money, and I was quick to
point out that this was a program that was well supported by the trustees and that they look
forward every year to hearing a report on the good work that came out of these leaves,
particularly as it involved student engagement. I did indicate to them that it was not a true
sabbatical program, that that’s a misnomer, that it’s really a merit-based professional
development program where it’s not a birthright, it’s not a guarantee. You have to meet certain
conditions and it is a rigorous evaluation progress and reporting process. But, I just didn’t want
to report that, the tenor of the questions, while not at all antagonistic, were serious questions
about how can we reduce costs and I think there’s a sense of frustration that everybody’s part, I
mean, the state is not keeping up with their timely payments, the state is in a huge hole with
regard to back payments and the issue of Medicare and the pension, which I’ll talk about in a
minute. I think they’re frustrated, and they’re trying to get their hands on this. But, they are
very serious about it, and they’re trying to learn.

Let me talk a little bit about the pension issue for those. This takes up a lot of my time and it’s
taking up almost full time and a half, as you know Steve Cunningham’s time, and he presented
again before the presidents yesterday. We’re not sure whether there will be any action in this
session. The governor has a task force on pension reform. I say we need pension stabilization
and not reform. I was there for that meeting and Steve presented. By April 17, the governor’s
task force has to come out with a report, and I view that not as an end but as a beginning. I think
that’s going to begin the discussions. I don’t have to review for you here today all the issues,
because there has certainly been a lot of talk about it, but the state has two issues it has to deal
with in a timely way. One is pensions and the other is Medicaid and they’re both huge and they
have to be solved before the state moves forward. Whether they do it in this session or frame up
some options, discuss them and then do it in veto session next year, is a good possibility.
Clearly, there will be proposals that will be debated and keep watching the websites. I know when is it Friday? Friday I talked befor...ratively rather than paying their share of our pensions. It really gets me very angry. I suppose that’s why I’m doing it. Besides, I’m the dean of all the presidents, so I guess that means I got the short straw.

All right, let me look down my list. Just a few updates as we are moving toward, I’m sure we all get fatigued about this time of year because students realize they have papers to write and professors realize that they have things to wrap up and assessments to be made. It’s a great time of year and there’s lots of celebrations. We had a great celebration today, our annual luncheon for the Presidential Commission on the Status of Minorities, and I see some of you were there. That’s always a great time. You would be interested to know I did my calendar on Monday and every year at this time, I get well in excess of 100 invitations to attend graduation ceremonies, honors ceremonies. Actually, it’s much more than that. I counted it up one time, and I can’t do them all. I wish I could because they’re all so wonderful, but it also indicates to me we’re coming to the end of another, the rhythms, the academic rhythms that will end in graduation, and the University Council reception as well. So, a lot of celebrations. Commencement is May 12, and so I just wanted to take a moment to thank everybody again for the efforts that they’ve put into getting our students ready for graduation and all the good research and everything that we’ve done this year.

There sounds like a lot of negative in my report today, but there are also a lot of positives. Despite this, I’m very encouraged about the status of our new residence hall and the additions that are going up. It’s made a difference; our recruitment efforts are paying off. It looks (knock on wood) like we have a strong enrollment period. I know we’ve done a lot of advertising, but a key component has been the quality of our new residence. So, we’re going to continue with that. We’re going to continue to renovate and replace our existing housing stock to make a much better learning/living environment for our students. It was a key, we were getting out of the competitive, it’s a competitive marketplace. So, I’m very, very pleased that we are moving in that direction.

We’ll take time out to honor all of our faculty and staff at all of our banquets for all of the good work that they did. So, I just want to leave you with the thought that these are difficult times, but you know, there are even more difficult times. Take a look at Penn State. They went through all that trouble, but last year, their budget was cut 22 percent and – guess what – this year, 30 percent. So, sometimes you have to put things in perspective. In fact, our budget has not been cut that much. They just haven’t been paying us the money they owe us in a timely way. But, think about that for a moment. There are no draconian cuts, and my commitment still is to keep the core together. There are things we can’t do because we don’t have the resources to do it, but I’m still trying to keep the core. I’m not a big fan of massive layoffs, of program eliminations that don’t work. We’re lean, we know what we’re about, and it’s our job to get through these troubled times intact and not take the place apart. That’s been my approach. I like to think it’s successful, and sometimes morale isn’t as good as it could be across the country, but I remain
reasonably optimistic that if the State can solve this pension stabilization, and we have to play our part, there’s going to be no doubt about that, Medicaid may be tougher, and that they get the backlog of payments solved, we’re in a good position, a lot better than most. So, keep working.

V. CONSENT AGENDA

VI. REPORTS FROM COUNCILS, BOARDS AND STANDING COMMITTEES

A. FAC to IBHE – Earl Hansen – no report

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 – no report

F. Academic Policy Committee – Karen Brandt, Chair – no report

G. Resources, Space and Budgets Committee – Laurie Elish-Piper, Chair – report – walk-in

J. Peters: With that, let’s launch into our reports. Let’s see, our first report is from Laurie, who is on every university committee. I don’t know if you know that or not, but there she is.

L. Elish-Piper: It takes one to know one. Much of my report has already been shared, so I’m just going to highlight a few items that weren’t specifically discussed. Our last Resources, Space, and Budgets meeting included having President Peters and Provost Alden with us, so if I misspeak on anything that I say they said, they can correct me.

Item 1, I just want to draw your attention to something that President Peters shared; item C, that a lot of proposals are being floated around regarding how to address the pension crisis and one that has been talked about is having the employer make the contribution rather than having the money come from the state. We may not necessarily know what that would boil down to, but it was shared with us that if it were to occur, NIU would be required to pay over $24 million annually, which is more than one-quarter of our base budget. So, that particular solution is one that obviously is not particularly viable. I think it’s important for us to understand why it’s not viable, so I wanted to share that.

Item D, we’ve talked a lot about this particular proposal from the Institute for Government and Public Affairs as being a relatively complex, but more acceptable, approach to dealing with the pension crisis, and if you’ve not had an opportunity to look at that proposal, we provided the URL there. You may want to look at that because it really teases apart a lot of the issues and offers perhaps more nuanced solutions rather than some of the draconian measures that are being discussed.
Another point that President Peters made that I think is important for all of us to be aware of is item 1, E. A lot of legislative types seem unaware that many people who are employed at the university are not eligible for Social Security. So, he pointed out that, because the state doesn’t have to make that 6.2 percent contribution to Social Security, it seems as if part of the solution should be right there, that if they’re making that contribution for other employees in the state, that at least that portion should easily be made toward our pensions. But, the reason I wanted to share that is I was quite dismayed to find out that many legislators seemed shocked by this fact that we assume everyone knows. So, oftentimes, I think there is a misperception that many of us are double dipping – receiving both Social Security and the pensions – when in reality they are two very separate pools and most of us are ineligible for Social Security. So, I wanted to raise those points.

I want to continue to direct people to the state budget and pension update on our website. It is updated on a very regular basis, and it’s the best place to get the most current information. So, we’ve provided that URL there for you as well.

Provost Alden gave us a brief update on the Great Journeys strategic planning process and he informed us that 52 proposals were submitted and 32 were selected and that, in this particular phase of the strategic planning process, there will be more accountability for both budget and outcomes for the funded projects to ensure that they are meeting their goals and moving forward appropriately and that that information, in terms of the specific projects that have been funded, their budgets and their outcomes will be available on the strategic planning website. It’s going to be updated, I believe, shortly – within the next week. So if you’re interested in seeing what got funded or looking at your project that got funded, you should be able to see it there on the website.

We also talked about concern regarding kind of what our retirement situation might be, knowing that there’s all these pension issues and concerns and a lot of people who are beginning to look at retirement. So, we had an interesting conversation, talking about how it seems that approximately two to three times more people are asking questions about retirement than normal. But, just because someone asks questions about retirement, doesn’t mean that they intend to or that they will within a certain timeframe. We also discussed that one might guess that approximately eight to ten percent of employees may choose to retire this year and because only 30 days’ notice is required, it’s difficult to know how that may affect us in terms of staffing for the fall. So, we talked about, because of all of those unknowns, we need to just continue to kind of monitor the situation and deal with it as it unfolds because unfortunately, we can’t predict ahead, and people are not required to notify us further ahead than that. So, it kind of creates a difficult situation.

Item 6 is the next one I’ll direct you to that we didn’t talk about in President Peters’ remarks. We talked about House Bill 4996, which has passed out of the house and has been sent to the senate, and it deals with limiting reemployment of retirees. It does include exemptions for those who would be paid through grants and contracts, but this is an issue that will be of interest to all of us because many faculty and a handful of administrators are employed at NIU as retirees, and it has a potential to affect our staffing in some departments and some programs around campus. This particular bill could go into effect as early as January 1, 2013, but President Peters is hopeful that perhaps, if it does get passed, that they would allow us to delay the implementation to provide more time to sort of deal with these issues so that we could, in essence, get our ducks
in a row and not be sort of blindsided by how to cover certain positions, get certain courses taught, deal with all of the different operational aspects that might currently be handled by retirees. So, I believe that those are all of the additional points from our report that were not mentioned earlier.

**J. Peters:** Very good. I did forget to mention that number 6, I’m glad you caught this, because this has legs, and it’s moving from the house to the senate and again, Steve has been helping us negotiate, and it’s something that we really are tracking on because we do depend on the faculty side to continue reemployment under the right set of conditions, just makes all the sense in the world, and there is not much understanding about this on the part of the legislature, and it is a very volatile issue for them and for the public. There’s a rationale for it and a rationality to it, but it’s very difficult to explain. So, there will be something, there will be limitations, but we’re looking for proper exemptions, people who are on grants, somebody retires, so they have a grant, they rent a little laboratory. We have emergency situations on the administrative side, but this will change, so we’re going to have to adapt to it. Is there anything you want to add, Steve, to that, and it’s something you should continue to monitor because it’s going to happen.

**S. Cunningham:** Right. As the president indicated, there is a great appetite for limiting reemployment opportunities for university retirees, mainly because there are substantially more limiting policies in effect for the other retirement systems compared to the SURS. So there’s, as the president indicated, a great public focus on this topic generally. Right, wrong, or indifferent, it’s there. So, the sponsor of this bill has worked with us and listened to us as a background in higher education, and it’s probably the best possible outcome that we’re going to be able to negotiate through this.

**J. Peters:** Yeah, and you know you read in the paper the glaring anomalies and that’s what gets the attention and it’s unfortunate, but such is the state of things these days. We’re going to continue to work on that. So, any other questions for Laurie?

**J. Holt:** This doesn’t cover retirees from one state system to another, like schoolteachers and administrators to university employees because at the College of Ed., we hire a lot of our adjuncts as retired K-12 teachers and administrators. It’s just within the system to not be reemployed within that system or across systems?

**J. Peters:** I’ll let Steve answer that so I don’t, he knows that, I don’t know the full answer.

**S. Cunningham:** That is correct. The bill, as written, is only specific to the State Universities Retirement System. So, it would affect community colleges and universities, but not employment between systems at this time. There really are no bills that would implement that type of thing; it’s very complicated.

**J. Peters:** Because I would imagine we have some retired teachers.

**J. Holt:** Yes, we have quite a few.

**S. Cunningham:** If the bill passes, we will have a great deal of communication with the campus about this, and I believe we will have, as the president indicated, enough time to implement it in a systematic way.
J. Peters: This thing had such push behind it that one legislator wanted, without much of an understanding of federalism, wanted to ban people coming in who were retired from another state. They never had my American politics class, they were absent that day. More questions on Laurie’s report? All right, stay tuned.

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

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

J. Student Association – Austin Quick, Speaker – report – Pages 3-4

J. Peters: Now, Austin Quick, Student Association, you’re next.

A. Quick: Thank you, Dr. Peters. I just have a few, short things I wanted to make everyone aware of. One, I want to start out with congratulating actually here, Delonte LeFlore, our president elect for the Student Association next year and will also be the president of the student body.

J. Peters: Raise your hand, there he is.

All: *applause*

A. Quick: The current president, Elliott Echols, was also elected to the Board of Trustees. So, it will be good to see Elliott sitting there with them. A couple other things, one just kind of picking off what President Peters said regarding looking at being competitive with other schools, one of the things we have been bringing to the forefront that we really want to keep in everyone’s mind is the revitalization of campus facilities as well that are important to students when they’re looking at universities. One of the things we hear a lot about is our campus rec center and the Holmes Student Center, the building we’re in currently. I speak on behalf of the entire student body. I’ve heard a lot of great things, even the people that won’t live in the residence halls, but it’s exciting to see something new being built on campus. But we want to make sure that we also pay attention to these other buildings that are very important. As I’ve made mention many times, our rec center is a third of the size it needs to be for the amount of students on this campus, and that is definitely an area we want to make sure is given the attention as needed. I know things are being worked on, and I’ve met with Dr. Hemphill and Dr. Williams regarding that, but I wanted to make sure people are aware of that and keeping abreast of making sure that that happens and that improvements are there.

Speaking on the Springfield trip, we are looking at planning a trip for next week to send students down there. We were working with Dr. Hemphill’s office today to send a number of students down there. The MAP is obviously a very important thing for a number of our students here and it’s one of those things, you have to be down there to show support, otherwise, it could get cut. I think in the fall, we sent two busloads of students down there and made a huge impact, so that was exciting. So, we’ll do that as well.

The student grievance policy is something we’ve been working on. I was at the University Affairs Committee the other day. I think we’re getting close. I don’t know if you’ve heard
anything regarding that. I guess it’s not on the report today, but we’re getting close, I think, to coming up with a solution and then coming up with a grievance policy that students can agree upon that will be fair to all parties involved.

The last thing that I wanted to discuss is the issue that we had talked about at the last University Council meeting with HB43. Obviously, that is an area that needs a lot more discussion of how to implement enforcement of, that’s the crosswalk issue that was brought up last meeting. We are not going to continue with a resolution from this body, but I would ask for people to support the implementation of signs across campus and have funding for that and to implement that.

Also with, I know we passed a resolution last week, I don’t know if you have an update of where that has went regarding the driving and parking on sidewalks, but that is still a continued. I literally got four pictures on my way here of the problem with people parking and driving on the sidewalks. I don’t know if you have an update of where that’s going or how that works when we do a resolution?

A. Rosenbaum: Well, the resolution was taken to Dr. Williams who has, to my, what I’ve been told, has started to call meetings to implement the resolution; and that was the one that had to do with sidewalks.

A. Quick: The driving and parking.

A. Rosenbaum: Things like that. So yeah, that’s, when we pass the resolution, we direct it to the person who would be the one to implement it and that has been done.

A. Quick: Wonderful.

J. Peters: Dr. Williams couldn’t be here today. He did indicate that he is moving on that. We had a discussion, and he is going to be bringing it to the cabinet to talk about. You know, this is also a good time of year to review that and when we have so much construction going on in the summer.

A. Quick: Wonderful.

J. Peters: Thank you; is that it, Austin? Questions for Austin. Okay, very good.

K. Operating Staff Council – Andy Small, President – report – walk-in

J. Peters: Okay, Operating Staff Council, Andy Small, and that is a walk-in.

A. Small: Good afternoon everyone. Thank you Dr. Peters. First and foremost, I would like to publically thank Dr. Peters and Dr. Cunningham for your great work for our pensions and our dependent tuition waivers. The staff truly appreciates that work, and I know it’s tough work and I know it needs to be done, but we do appreciate it so thank you.

I would like to just briefly comment on the last comment that Austin made as far as folks driving on the sidewalks and such like that. Probably the vast majority of those people are staff employees – trades, crafts, IT people, mail people. And I know those conversations have started
to take place in those workgroups. I have heard from those workgroups, so that is progressing along. So, I wanted to report that to you Austin.

With that, I’ll go down quickly through our list here, if you’d like to follow along. It is a walk-in today. Workplace Issues Committee: We’ve been working on revising our employee evaluation form. The form has been revised. It is in its final form at this point, and we’re presenting it to Human Resource Services. The main emphasis is to make the form easier to complete so that we have more participation and also when you redo something, it has a tendency to revitalize that program, puts more emphasis on it, and that is our hope to do that. So, you will be seeing a new employee evaluation form for staff employees coming out shortly.

The second thing: We have revised our ethics statement. Our ethics statement is on the back of the walk-in if you care to take a look at it. I am proud to announce that we have been able to put our ethics statement on one page. I think that’s important, to be ethical on one page. I will also refer to the faculty ethics statement that happens to be on two pages and our friends at SPS, it takes three pages for their ethics statement. So, I don’t know what that means, I’m just reporting the facts.

A. Rosenbaum: We are more ethical.

A. Small: More ethical, well that could be, but we do have a new ethics statement, and I believe the university is working on those types of things so it’s very timely and appropriate for us to do that.

The next item is our outstanding service awards. I’m sure you’ve heard the announcements at this point. Kenlyn Bialas, Lincoln Fox, Brenda Jones and Kelly Steward are our four winners this year. If they are in your workgroups, please take time to congratulate them and give them the appropriate news.

Our Public Relations Committee: We, as you know, have a dependent scholarship program and since its inception, we’ve been able to give two $500 scholarships each year to our dependent students, students of employees here at the university, staff employees. This year, we’ve done so well, we have been able to give four of them $500 scholarships. So, in conjunction with the Vision 2020 program that has asked us to try and continue to increase the amount of scholarships that we give to students, I’m proud to report that the Operating Staff Council has done just that and has doubled our scholarships this year.

We have completed our operating staff revitalization and revisions of our constitution and are continuing to work on our bylaws.

I have noted here that our special guest for our next meeting (which does happen to be out at the Yordon Center, with a very prestigious football coach). Dr. Cunningham will be our guest and will be talking about the SPS audit as it relates to staff physicians on campus. I would also like to take a moment to thank the Lincoln Hall Dining Service. They hosted our last meeting in an effort to get the Operating Staff Council out and around on campus. We went to Lincoln Hall Dining Service which served breakfast. The executive secretary, Alan, joined us and President Todd joined us. We appreciate you taking the time to come and meet with us there. Very nice facilities; the one thing that I would like to just kind of tag onto Dr. Peters’ comments about
dorm residence hall revitalization, great breakfast, nice dining service. The dining service, as you may know, in Lincoln Hall, is just down six steps. Our guest speaker was in a motorized wheelchair, unable to attend breakfast with us. There is no way to get to the Lincoln Hall Dining Service in a motorized wheelchair, which I think to tack onto Greg Long’s report last time about continuing to help students that have types of disabilities or challenges on campus, I think that that’s a timely thing and I also applaud the administration’s job to try and increase our residence halls as far as attractiveness to students go and compliance to ADA issues and such like that.

That completes my report and if anyone has any questions, I’ll be glad to try and answer them.

**J. Peters:** All right, Andy. Questions for Andy Small? Seeing none.

L. Supportive Professional Staff Council – Todd Latham, President – no report

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

VII. UNFINISHED BUSINESS

A. Proposed revision of NIU Bylaws, Article 4.3, Student Representation – SECOND READING – ACTION ITEM – Pages 5-6

**J. Peters:** I think that’s the end of reports and now we move into unfinished business, and we have an action item, VII. A. This is a revision on student representation in the bylaws.

**A. Rosenbaum:** You might recall this is an item that was brought by the Student Association and what we’re trying to do is make the Student Association’s job a little bit easier. They have a difficult time getting the representatives to us in a timely fashion because of the timing requirements composed by the bylaw. The other issue had to do with the fact that the current bylaw limits representation from any one college and so right now, they are out of compliance because they have overrepresentation by the College of Liberal Arts and Sciences to the detriment of some of the other colleges. To make their job easier, they are suggesting that we change the bylaws in such a way that we eliminate the deadlines and that we allow them to select their representatives from whichever colleges they want without putting quotas on specific colleges. There is already part of the student representation that has to come from each college anyway, so this is really just the at-large, I think, members that we’re talking about. So, every college will have at least one representative, but this will free them up to get representatives from whichever college they want. This is a second reading, so we have to take a vote. It’s a bylaw change. We need two-thirds of the voting members, which means it has to carry with at least 41 affirmative votes. Before we vote on it, does anyone have any questions, concerns, or comments? Do you want to conduct the vote?

**J. Peters:** You’ll have to delay until our human resource director brings me my clicker. Duties as assigned, you know.

**A. Rosenbaum:** While he’s doing that, we can say that, if you look at your clicker, but don’t touch it yet, 1 will be a yes vote, 2 will be a no vote, and 3 will be abstention. We have to wait until Pat gives us the go ahead. We’re good to go.
J. Peters: We’re ready?

A. Rosenbaum: 1 yes, 2 no, 3 abstain. We need 41 yes votes to carry this.

J. Peters: Okay, go.

A. Rosenbaum: Everyone have enough time? Okay, we’ll close the vote. What do we got?

41 – YES
1 – NO
2 – ABSTAIN

A. Rosenbaum: Okay, the bylaw change carries.

J. Peters: Pass. These are wonderful aren’t they?

B. Proposed revision of APPM, Section III, Item 7, Academic Misconduct Policy/Grade Appeal Procedure – Pages 7-12

J. Peters: Let’s move on to VII. B., which is revision of APPM Section III, Item 7. That’s the academic misconduct policy grade appeal procedure. Karen Brandt is here.

K. Brandt: Yes, thank you very much. As you know, in our last meeting, I introduced this policy. It’s a revision of grade appeal policy, which will allow for persons, students that are appealing academic misconduct, to be able to appeal through the grade appeal policy. At that time, there were three suggestions that our committee took seriously and have incorporated into this policy.

I would refer you please to the first one, which is on page 8 of the academic grade appeal. It’s under section 3, it is highlighted, and you’ll see it’s in italics. This suggestion was made by my esteemed colleague, Sue Willis, who suggested that we have a timeframe placed on how long it would take this appeal to go through the process. You’ll see that our timeline here is one month post decisions by academic misconduct panel. The reason we thought that one month would be appropriate was number 1, it would give the student enough time to be able to put things in order in order to go through the grade appeal process and yet would not be so unwieldy as to interfere with the ongoing processes. So, if you could please take a look at that. That’s the first suggestion we made.

The second suggestion was on page 10, and this was made by Greg Long who is presenting as a guest at our meeting, and he suggested that the academic grade appeal process policy was a bit cumbersome in terms of language. While we recognize this, we also understand that as a committee, it’s very important for us to have a policy on the books that talks to this. So, Dean McCord was kind enough to try and clarify some of this language. That will begin with the statement, there’s a bullet there, “The dean may concur on the basis of the review,” which is, I believe that first paragraph there, “and the meeting with the instructor and/or students, there are no possible outcomes.” The two bullets that follow that would refer to some clarification, hoping that it will make it easier for students to understand what the process is.
The third point brought up by Alan was that, apparently in the current grade appeal process, there was a discrepancy. There was some language saying that in case of non-resolution with the instructor, that the dean would direct the instructor to change the grade, which was incorrect. It should have said was that the dean would then direct the registrar. So, what you’ll see here in that next, very next sentence, is a correction of that statement. Those were the three suggestions made, and our suggestions to correct those.

**J. Peters:** All right, so it’s on the floor. You’ve made a motion?

**K. Brandt:** Yes, I move to approve the changes.

**J. Peters:** Do we have a second?

**Unidentified:** Second.

**J. Peters:** We have a second. All right, discussion, questions, clarifications? It seems it got a good review last time we addressed these issues.

**A. Rosenbaum:** I just have one question. Under the introduction, at the end of the paragraph it says, “whether the student did or did not violate the standards of academic misconduct.” Do we want to sort of, are we really saying, “violated the standards of academic honesty or academic conduct,” as opposed to, “violating the standards of academic misconduct.” Can we correct that?

**K. Brandt:** Yes, thank you.

**J. Peters:** A friendly correction.

**A. Rosenbaum:** That’s my last comment about it.

**K. Brandt:** Friendly amendment is accepted, thank you.

**C.C. Lee:** The “excessive or inappropriate,” let me give you an example and then ask if that falls under that category. Let’s say a course has a total of 600 points and then out of 25 points is assignments. The student cheated on the assignment, so then we think it’s more serious than just giving that student an F on that particular assignment, decided to give the student an F for the whole course. Does the student have enough ground to appeal under these, “excessive or inappropriate penalty for misconduct”?

**K. Brandt:** I am speaking for myself and not the entire committee here, so my committee members, feel free to talk about this or chime in. That seems to me to be a valid case for an appeal for academic misconduct.

**C.C. Lee:** So, it’s possible that the instructor may lose and then need to withdraw the F and then give the student another grade instead?

**K. Brandt:** It is a bit, actually the way the policies are written, it’s a bit more convoluted than that. It’s not quite as straightforward as that. The student has a right to appeal through the academic misconduct, it’s a judicial board and I’m saying this wrong and I understand that it has
a very nice, long name, but they do have a right to appeal this. That board then either agrees or disagrees and says that the student is either innocent or guilty, if you will, of those charges. Once that is done, that’s the end of the process, per se. What we have done in the revisions to grade appeal policy is to say that, if the student finds that they still believe that the grade is, they can still appeal that grade of F in that course. So, they have another, that student has another avenue in which to appeal. That appeal in the grade appeal process goes through the department where the members of the grade appeal committee will take a look at the grade and talk to the student, talk to the instructor, and make a decision about whether or not the grade was, in simple language, fair or not fair. Following that, the final decision here, depending on what that appeal process says, there is a final action. They will talk to the instructor and hopefully there will be some reconciliation with the instructor, the student having gone through some other processes where other people, independent observers if you will, have had some say and some decision making to reconcile this issue. If that issue is not reconciled meaning, for example, that the instructor says, “Absolutely not, I’m staying with this grade,” the final end of this process is with the dean, and the dean can, if the dean chooses, make a decision to rectify the grade through the registrar. Am I correct on that?

J. Peters: Chris McCord, it seems like you’ve thought this through.

C. McCord: I just want to clarify, the end, only at the very last piece of that, at the end of the day, it is not the dean who makes the final decision. The dean implements the decision of the grade appeal committee, but it’s not the dean unilaterally deciding.

K. Brandt: Thank you so much.

C.C. Lee: To me, before the addition, the student has to prove that the grading is capricious. They have to provide evidence of that in order to prove their case. But now it seems that we are giving students another avenue that, if they claim that the grading or the penalty is too severe and they have a case. To me, it seems that giving students a penalty for like say cheating, unethical behavior, that seems to be the description of the faculty member and now, with that addition, when I’m trying to impose a penalty for unethical behavior a student commits, I have to think twice that am I too job ethic, or am I taking this too seriously?

K. Brandt: To answer that, I understand your concern and we did take that. What we are hoping is that in this policy, the terms, “inappropriate and/or excessive,” meaning that they are out of the realm of what you would see in, for example, the student handbook or something that is consistent across your department’s general policies, that it is outside of that realm. That is where the student would have grounds for appeal. So, we are hoping that it does not make it, does not put more pressure on the instructor to defend, for example, saying that a student cheated and in my syllabi, it says, “If you cheat, you’re going to get an F.” But, that there may be cases where there are excessive or inappropriate. What that is is up to the board and the appeal to decide.

J. Peters: Okay, more questions? Are we ready for a vote? Take up your clickers. So, 1 is a vote yes for these proposed revisions, 2 is a no vote for these revisions, 3 is an abstain. Are we ready? The vote is open, 1 yes, 2 no, 3 abstain.

A. Rosenbaum: This only needs a majority.
J. Peters: Close voting.

A. Rosenbaum: We have to revote.

J. Peters: All right, we had a malfunction. Let me know when you’re ready to vote. All right, now we’re ready to vote again, 1 is yes for the change, 2 is no, 3 abstain. Vote.

A. Rosenbaum: This time we’ll get it right so we don’t have to do another revote.

J. Peters: We may have to send it to grade appeals.

43 – YES
0 – NO
3 – ABSTAIN

J. Peters: Okay, 43 yes, 3 abstain. We have the revisions. Thank you. That strikes me, Karen, that your committee did some pretty tough work on a very difficult subject. Good work.

K. Brandt: Thank you.

VIII. NEW BUSINESS

A. Proposed revision of APPM, Section II, Item 14, Student Evaluation of Instruction – Pages 13-16

J. Peters: Okay, new business. Proposed revisions of APPM section 2, item 14, Student Evaluation of Instruction, pages 13-16. I think Chuck Downing is here to talk about that.

C. Downing: Thank you President Peters. As mentioned on page 13, you can see what the proposal is. I’m here representing the CUAE, the Committee on the Undergraduate Academic Environment. In short, this proposal is asking to add a second common question to the APPM. Currently, there is one common question, which you can see on page 15, which says, “My overall rating of the instructor’s effectiveness in meeting the course’s stated goals and objectives is…” This proposal aims to add a second question, which is right above it there, highlighted, which is simply, “The instructor treated students with respect.”

I’ll try and be brief with a little background on this and then take questions as you would like. Each fall, the CUAE hears a report from the Office of the Ombudsman. The Ombudsman summarizes data of what the students are talking about, what the complaints are, and follows trends over a period of years. In the last several years, the trend has been, and I’m quoting from this year, this fall’s given to us, given to the CUAE on 09/13/2011. “We are hearing more concerns related to issues of faculty/staff behavior and professionalism, academic advising and the availability of jobs for students on campus.” It is that first clause, “faculty/staff behavior and professionalism,” to which this new revision aims to address. I want to be very careful as a committee and me as an individual. No one is claiming this is an epidemic. We are grateful and appreciative of the outstanding faculty that we work with, in general. But both myself and the CUAE would hope that everyone in this body would agree that one instance of disrespect toward
a student is too many. Additionally, the CUAE hears reports from a variety of surveys, among them, the Foundations of Excellence Survey, etc., and many of these things point to again, a small number, but nonetheless, incidents of faculty showing disrespect to students. The last time this body met, we also heard from Greg Long, which talked about, from my listen, disrespectful behavior. Again, we’re not claiming epidemic, nor are we claiming that with the addition of one common question is going to all of a sudden solve this problem. But rather we see this as incremental movement towards doing something about what is maybe a small problem but nonetheless a very serious problem. At that point, at this point, I would be happy to entertain questions.

J. Peters: Okay, questions?

K. Thu: Not really a question, but a comment as a cultural anthropologist. We have a large contingent of students from different countries around the world and the nature of the relationship between the faculty and student and what respect means culturally is going to differ significantly. So, I’m not saying that to oppose this question but to recognize that respect is a culturally constructed concept that we have to be careful with in homogenizing a question like this across the board.

C. Downing: Duly noted. My response would be that what your words would satisfy me is the chair of the CUE, be careful. Be careful with it. If we have one student out of 50 from a particular culture where I don’t understand how respect is conveyed, I might research that. If I were to make a mistake, the numbers are small enough in that case that it probably wouldn’t show up as a giant problem on my evaluation.

K. Thu: Not necessarily. If you have classes that are in Southeast Asia, for example, a class on Sub-Saharan African culture, you may have classes where the majority of students are not from American culture predominately. So, to rectify that potential issue, and it may not often occur, if you could give faculty some wiggle room in not just mandating the question as stated, but something like that or comparable to take into account cultural nuances I think might be appropriate.

J. Peters: Okay, let’s…

J. Novak: Visual and Performing Arts. I’m replacing Jeff Kowalski. In the School of Music, we have spent a long time trying to find a good group of evaluations, and we chose certain schools and we pay them. I do not know if these questions are on these particular tests. Are you suggesting that if they’re not, that we add them onto the standardized form, or we just need to find all new forms altogether?

C. Downing: I believe, and someone who knows more can correct me if I’m wrong, I believe the suggestion is that yes, they would be added.

J. Novak: Okay, thank you.

J. Peters: All right, we can, what is your pleasure? Is this a motion?

C. Downing: I am moving, and with respect to the question, my motion would be to make these
revisions as written and with respect to the question, I would again say, if I took a trip to Japan on a business trip tomorrow, I would research the culture.

**J. Peters:** Alan, you want to? We have a motion.

**A. Rosenbaum:** Chuck, would you be agreeable to sending this to the Academic Affairs Committee for consideration, or do you want to handle this and bring it back?

**C. Downing:** I think, I would say what I said before. If there are people, like yourself, who know a lot more than I do about the procedures, etc., I would defer to you. If someone were to say, “This is the most appropriate way to handle it,” then I would, this doesn’t have to be handled this moment. Whatever the body and the leadership and Alan, I would defer to you. Whatever you think is most appropriate.

**A. Rosenbaum:** Well, I would think the safest thing to do is refer it to Academic Affairs, Academic Policy, and let them bring it back to us and hopefully that doesn’t take very long and perhaps we could even have it by the next meeting.

**C. Downing:** Okay.

**J. Peters:** So you are withdrawing the motion.

**C. Downing:** Yes.

**J. Peters:** And then it will be referred to the Academic Affairs.

**A. Rosenbaum:** Well, we have a motion, we will make the motion to refer it to Academic Policy.

**C. Downing:** Motion would be to refer to the Academic Affairs.

**J. Peters:** All right, so now we have a new motion to refer. Is there a second?

**P. Middleton:** Second.

**J. Peters:** There’s a second. All right, Sue has a question.

**S. Willis:** I just note, Academic Affairs is a committee of the Faculty Senate, I believe, so we’re referring to the Academic Policy Committee of the University Council.

**A. Rosenbaum:** Correct, Academic Policy.

**J. Peters:** Sorry about that. What is the instruction? To make it more culturally sensitive?

**A. Rosenbaum:** To consider all of the different ramifications other than to bring us a motion.

**J. Peters:** All right, take up your clickers. 1 is a yes vote to send to committee, 2 is no, 3 is abstain. Vote. Close voting.
J. Peters: Okay, so we have a majority to send it to committee to address those concerns.

B. Proposed revision of NIU Bylaws Article 13, University Faculty Senate – Page 17

J. Peters: Okay, the second item of new business, B proposed revision in the Bylaws, Article 13, University Faculty Senate, page 17. Alan Rosenbaum will bring this issue.

A. Rosenbaum: Okay, the essence of this, I’ll be brief, beginning in the spring of 1998, letters to the department concerning vacancies on the Faculty Senate included the line, “Please see the attached list of University Council members who, by virtue of their service on the University Council, are ineligible to be elected to the Faculty Senate.”

We have gone back and tried to find some source for that comment for that statement. We can find nothing in the constitution, and we can’t find any actions by the University Council with regards to establishing that. It does, however, make a lot of sense that somebody should not be able to simultaneously serve both on the University Council and as the department representative to the Faculty Senate. Two reasons, one because as a University Council rep, they represent their college and so how could they represent their college and their department at the same time? It sets up a potential conflict of interest. Secondly, it deprives the departments of a vote since a Faculty Senate member can only vote once, so if you are there by virtue of being a University Council member, you can’t vote in both your capacities, University Council member and as a Faculty Senate representative from your department.

So, for those reasons, I would like to make a motion that we send to our Rules and Governance Committee, the bylaw change that is on page 17 and the main change is in item 13.2.2.1 that what we’re doing is recommending that the following sentence be added: “Members of the University Council may not serve as the elected Faculty Senate representative of an academic department.” So, this would be the addition to this, and that would make it impossible for someone to serve in both capacities at the same time. So, my motion is that we send that to Rules and Governance for vetting and that it come back when they’ve successfully vetted it.

J. Peters: Is there a second?

S. Farrell: Second.

J. Peters: We have a second. Any discussion? It seems fairly straightforward. All right, take up your voting machine. 1 is yes to send it to committee, 2 is no, 3 is abstain. Are we ready to vote? Vote. All right, voting is closed.

38 – YES
1 – NO
3 – ABSTAIN
J. Peters: 38 yes, 1 no, 3 abstain, so it goes to Sue’s committee. You have work.

IX. COMMENTS AND QUESTIONS FROM THE FLOOR

J. Peters: Any comments or questions from the floor? Yes?

D. Haliczer: Todd and I would like to invite all of you to come to Tuesday’s SPS awards event. It’s an annual celebration of people’s accomplishments, and we’ll be giving out about 30 certificates of recognition to people all over the University for excellent service. We will be giving out two service awards to Dana Gautcher and Anne Hardy. We give out a special recognition to Steve Cunningham thanking him for all of his efforts on behalf of pensions and benefits, and our four presidential award winners this year are Jason Rhode of Faculty Development; Michelle Pickett of the Advisement Center; Deb Pierce, International Programs; and our own Todd-Latham. Join me in congratulating them. It’s Tuesday afternoon from 2-4:30 in the ballroom.

J. Peters: Good food?

D. Haliczer: Yes, excellent, and John Peters is our star speaker.

J. Peters: Oh boy, we are in trouble.

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

XI. ADJOURNMENT

J. Peters: Any comments or questions from the floor? If not, we stand adjourned until May 2.

Meeting adjourned at 4:25 p.m.