
VOTING MEMBERS ABSENT: Downing (PTP leave), Ferbuson, Garcia, Kolb, Leonhardt, E.Lopez, Munroe, Naples, Neal, Walker

OTHERS PRESENT: Bryan, Chakraborty (newly-elected), Chen (newly-elected), Doederlein, Falkoff, Hardy, Hathaway, Klaper, Latham, Nicklas, Weldy

OTHERS ABSENT: Armstrong (sabbatical), Blakemore, Gebo, Kaplan, McHone-Chase, Slotsve, Suttenfield, Thompson, Waas

I. CALL TO ORDER

D. Baker: Hi. How are you? Are we good? Call to order.

Meeting called to order at 3:09 p.m.

II. ADOPTION OF THE AGENDA

D. Baker: So, first adoption of the agenda. We do have one walk-in item on the pension reform statement and we’d like to put that under new business. Is there any other agenda items? Seeing none do we have a motion for the amended agenda?

R. Lopez: So moved.

D. Baker: Thank you.

S. Farrell: Second.

D. Baker: Thank you. Any discussion? All in favor?

Members: Aye.

III. APPROVAL OF THE MINUTES OF THE APRIL 2, 2014 MEETING

D. Baker: Can I have a motion to approve the minutes?

P. Vohra: So moved.

D. Baker: Second?

K. Thu: Second.

D. Baker: Discussion? All in favor?

Members: Aye.


IV. EXECUTIVE SESSION

D. Baker: All right, now believe it or not, we go to an executive session. So this is the performance appraisal portion of the year and so, at this point, we ask that our nonvoting members and media and everybody else gets to go stand in the hall and have a time out. And so I guess I need a motion and second. Do I have a motion?

D. Smith: So moved.

D. Plonczynski: Second.

D. Baker: All in favor?

Members: Aye.

D. Baker: Opposed? All right, go get your cup of coffee everybody else.

A. Report from the Committee to Evaluate the President of Faculty Senate/Executive Secretary of University Council

B. Report from the UC-University Affairs Committee on the evaluation of the Ombudsperson

D. Baker: Okay and I think we also need a vote to end the executive session and then come back if I’m right.

D. Smith: So moved.

Unidentified: Second.
D. Baker: All in favor of coming back in?

Members: Aye.

D. Baker: Opposed?

V. PRESIDENT’S ANNOUNCEMENTS

A. Recognition of University Council members whose terms are completed, who have been re-elected and who are newly elected – Pages 4-5

D. Baker: Okay, welcome back everybody. Can you believe we did a whole year? I don’t know – maybe it’s because I’m the new kid on the block – but that year went really fast for me. And I want to thank the council for your hard work this year and your adult deliberations on all the topics that we had this year. We’ve been through a lot and I really felt like you’re very productive and had great discussion across all the areas so thank you very much. We did a lot this year. We did a lot here; we did a lot across the university. It was a year of transition as we tried to get our bearings a little bit in this challenging environment. We still have a challenging environment. The legislature is still doing its thing. We’re not sure what’s going to happen in the budget, but certainly we have a governor’s proposal on the table to maintain the income tax level at the level it is, which would essentially give us a flat state budget. If that comes to pass, that’s good news. There are other ways to a flat budget and that’s by cutting costs and reducing taxes. And we’ll just have to see how that plays out in Springfield, but we appreciate their discussions around those issues and also the opportunity for us to testify a few times now about the impact of further budget reductions and its impact on the students and their success and our faculty and staff and their success. We’re hopeful. Today there are meetings in Springfield around increased MAP funding. A lot of people are there to support increased MAP funding for our students. That’s so important for them in their success. Thanks to all who participated in that this year.

We still have fiscal challenges from our main engine, which is enrollment. And, as I’ve mentioned before, with the demography of a large senior class going out and declining high school classes coming in, we’re going to be down in enrollment this fall. And that’s going to result in more fiscal challenges. We’ll have to figure out how to deal with that as we exit some people through this early retirement that’s occurring and look at the efficiencies of our systems and then rebuild back in strategic ways.

Vice President and Provost Freeman, Executive Vice President and Provost Freeman, and our CFO, Nancy Suttenfield, have both been working on budget principles. We’ve pulled suggestions on budget hiring principles for all the vice presidents and gone over those. We’ll be holding budget hearings with them in the coming weeks about hiring priorities and, as we get those priorities in place and then ultimately see what our revenue is going to be, then we can apply the priorities and approve the hires as we go forward. But we’re a bit at an early stage because we don’t know what the state’s going to give us and we don’t have as clear a picture on enrollment as we’re going to have in a few weeks. So we’ve got to get those pieces together before we open up the hiring. Lisa, do you want to say any more on those issues?
L. Freeman: I just want to say that these are difficult times and we’re approaching managing the fiscal challenges in a different way this year. Academic Affairs has led the way, because of the academic hiring timetable, in developing principles and trying to figure out the mechanisms for prioritizing positions and thinking about where we can find deficiencies and synergies. And I want the faculty and staff to know that they have been extremely well representative by their deans in this process. It’s been thoughtful and collegial and, although difficult in many ways, very heartwarming to see the NIU community come together and think about things in a new and thoughtful way as a team.

D. Baker: Thank you, Lisa. I must say that collegial atmosphere I saw exemplified in both sets of Bold Futures workshops this year as well. In the fall we took that on for the first time and had faculty, staff, students, alumni and community members come together to talk about some of our challenges and how we could collectively work on them. Good ideas came out of that and people acted on them. Great.

And then in the spring we did another round. Thanks to those of you who participated in one or both of those. The spring workshops – we had ten, five for returning folks in the fall and five for new folks. We took on retention as the focal topic and was it last week? I guess it was last week wasn’t it. We had the Bold Futures celebration down in the ballroom. We had about 500 people there and more than 100 reports on the findings from those teams that talked about what can we do to improve retention. Really exciting ideas, actionable ideas. And we’re going to pull those together now. There were a series of different topics that the teams looked at. We’re going to collate those and bring the themes forward for all of us to consider and then act upon. But I think we’ve got some really important ideas there and many of them are very actionable. So again, thanks to all of you for doing that. Thanks for talking with students. I’ve had a number of students stop me on the sidewalk and say: Hey some people came to talk to me about my experience here and about retention. Thanks for asking. So that was kind of heartwarming to open up. Jack, I don’t know if you’ve gotten any feedback from your perspective.

J. Barry: A little bit along the same lines.

D. Baker: Same lines. Well thanks and I think that’s part of the cultural transformation where we start talking together about what’s important and how to make the institution even more effective. Kind of this culture of assessment that I noted that we just went through with Alan. He’s probably wondering why we talked so long in here. But that’s what we’re going to have to do to get through this. We’ve got some challenges. We’re going to have to work together and we’ll figure it out together. So thanks for your collaboration this year. Eric, anything from your perspective on those? Well any comments or questions on those remarks before we go forward?

The next thing I’d like to do then is to thank Alan. And we’ve got a little award for him here and we’ve got a guy with a camera. Shocking. So if you want to come up. This has been my first year and I’ve needed to learn how faculty governance works at this institution. And I’ve had a good mentor. Alan has done a great job. He and I have developed a good relationship. We can talk frankly with one another even if we don’t agree with each other. We have honest, frank conversations and that’s been good for me. I think it’s helped him too. Seriously, I think we’ve
kind of learned each other’s styles but we’ve always spoken frankly and that’s been important. These are not easy issues that we face as an institution as we face fiscal challenges and enrollment challenges and cultural changes and community challenges and we talk about them and figure them out. You’ve been a great role model and a great mentor and, Alan, you’ve done a great job leading this council and the senate. So thank you very much and, on behalf of all, we have a little gift for you.

D. Baker: And it reads: Alan Rosenbaum, PhD. In recognition of five years (which feels like seven) of dedicated service to Northern Illinois University, Faculty Senate and University Council 2009-2014. Congratulations and thank you.

A. Rosenbaum: Thanks. I’d like to say just a couple of words. So first of all, I have really enjoyed being the executive secretary of University Council and president of the senate. It really has gone by very quickly. It hasn’t seemed like only five years. And I also want to thank President Baker because, what he said, I think I feel the same way, that this has been really a great change for NIU and we really have a spirit now that we can go forward and we can overcome whatever obstacles the State of Illinois tries to throw in our path and they are really trying very hard. But this has been great experience and I’ve enjoyed working with President Baker and with all of you.

And I’d also like to acknowledge a few people that have made this possible and certainly Pat Erickson who’s been a great administrative assistant. And as Bill will find out, this isn’t going to run without her work and she’s great. And I really appreciated having her help and support for all of these years. Ferald Bryan, our parliamentarian, has been parliamentarian for all the years I’ve been here. And he loves parliamentarianism and so you’ll still have and he’ll continue and that’s great. And then all of the people who have served as chairs of the committee and have served as a help to me: Andy Small and Deborah Haliczer, the presidents of the other two councils, we have worked together on a lot of things and I’ve really appreciated their companionship and their support and to all of you. So I really thank you all very much.

D. Baker: Any other comments, anybody? Nope. Okay thank you. All right, shall we do some recognition? Let’s do it together.

A. Rosenbaum: You are not allowed to make speeches so you can just come up and get a big hug from the president. And so these are all people who are completing their service to University Council and we really are very appreciative of all of the work. The shared governance system doesn’t work unless people volunteer their time and we know that many faculty members who prefer to be back in their labs or writing or in their studios, but you give your time to really help the university function and to make shared governance function. And we really appreciate and thank you for that. These are not in alphabetical order, they’re in reverse alphabetical order. David Walker. If you’ve not here, we’ll know you’re not here. Rosita Lopez. Rosita has also been on the University Advisory Committee and a bunch of other committees.

R. Lopez: And I always make motions for something so it shows that I was actually really here.

A. Rosenbaum: Thank you, Rosita. Paul Carpenter who is also leaving us and who has been a
great chair of our Resources, Space and Budget Committee. Abhijit Gupta who Abhijit and I came together and he has been chair of our Elections and Legislative Oversight Committee. Thomas Kapitan. Kendall Thu. Leanne VandeCreek. Peter Middleton. Charlotte Rollman. We have, as many of you know, some of you don’t, but we have the Office of Executive Secretary is decorated with art by our art faculty and we have lovely wall hangings and as Charlotte just – she wants her painting back. I hope she doesn’t really mean that.

D. Baker: I think she did.

A. Rosenbaum: Jeff Kowalski who has also been on the (applause) he’s retiring against his will. Being dragged kicking and screaming into retirement. Jack Barry our Student Association president.

D. Baker: Thank you, Jack, for all your service.

A. Rosenbaum: Miki Grace. The omnipresent Mike Theodore. Mike has been a great SA rep. He’s been on a load of search committees and has done a great job. We wish him a lot of luck. He’s graduating. Paul Julion.

D. Baker: And our new student trustee.

A. Rosenbaum: Ivan Garcia. Rebecca Clark.

D. Baker: So, among Rebecca’s many super powers is consolidating a lot of information. So remember the design charrette we did with all those drawings and everything? She took everybody’s comments and consolidated them down which was a mind boggling exercise, so thanks for doing that. She compacted them.


D. Baker: And so, Tony, you were like First-Year Student of the Year. So he transferred this year and is a junior and had like a stellar year. I’m really proud of all the stuff you did this year Tony, congratulations. Ron (applause) Leonhardt. Emily Perkins. David Downs. Deborah Haliczer our president of the Supportive Professional Staff Council and just re-elected, president in perpetuity, I think. Donna Smith. President of the Operating Staff Council, Andy Small. Amy Polzin.

D. Baker: That’s it. And I failed when we came back in to thank Sarah for all her work as the Ombuds. We appreciate all your great work and went over your review and very impressed so thank you for all your great work. All right, lots of recognition and deservedly so.

VI. CONSENT AGENDA

VII. REPORTS FROM COUNCILS, BOARDS AND STANDING COMMITTEES
A. FAC to IBHE – Sonya Armstrong – report – Page 6

D. Baker: Nothing on the consent agenda today and now we have reports from the standing boards and standing committees. The FAC report to the IBHE is a written only report and is here for your review.

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Dan Gebo and Andy Small – no report

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

D. BOT Legislation and External Affairs Committee – Deborah Haliczer and Rosita Lopez – no report

E. BOT Compliance, Audit, Risk Management and Legal Affairs Committee – Deborah Haliczer and Alan Rosenbaum – no report

F. BOT Ad Hoc Committee on Sponsored Research Activity and Technology Transfer – Greg Waas – no report

G. BOT – Alan Rosenbaum – no report

H. Academic Policy Committee – Sean Farrell, Chair – no report

I. Resources, Space and Budgets Committee – Paul Carpenter, Chair – report – Pages 7-9

D. Baker: The first report we’ve got is from Paul Carpenter on Resources, Space and Budgets, Paul.

P. Carpenter: Thank you. I’ll keep the report fairly brief. First I’d like to thank the committee members for all their work this year. It’s been a pleasure working with them. I’d also like to thank the president, provost and CFO for their openness this year in terms of the budget process. The committee’s really appreciated this year the ability to be involved and engaged in the budget conversation which is a stark improvement from some of the things that happened last year so we’re very appreciative of that. We have one more meeting coming up. As the provost indicated, the budget hearings are underway. On Monday, along with the APC [Academic Planning Council], we’ll be meeting to take a look at the priority list of vacancies. At that time, we’ll have an opportunity to make some comment. I hope after that meeting with the committee to put together a report that will probably then be read into the record, I suspect, next year.

In terms of the report in front of you, we last met with the president and provost a month ago, basically just before this meeting on April 2. Much of our conversation of that meeting was reflected in that report here and then was part of the president’s announcements. So rather than go through that again and get you to hear that again for the second time, I’ll let you read through the report up there, and if you have questions I’m more than happy to entertain them.
D. Baker: Great. Any questions for Paul? Paul, we’ve appreciated your collaboration this year and the committee’s collaboration. I think you’ve provided great feedback. You’ve been a good sounding board, and brought wonderful advice, so thank you.

P. Carpenter: Thank you on behalf of the committee.

J. Rules and Governance Committee – Jeff Kowalski, Chair – no report

K. University Affairs Committee – Bill Pitney, Chair – no report

L. Student Association – Jack Barry, President – report

D. Baker: Next Andy, the Operating Staff Council.

A. Small: I think you jumped Jack Barry.


J. Barry: I don’t really have much. I just want to say that it’s been an honor to serve in this role. I think it was a pretty unique year for NIU with the budget. I’m happy to see the direction that we’re going. I know we have our challenges ahead of us and I think we have the right people in place and I’m excited to swear the new people. Joe will be taking over; he gets sworn in on Friday. So I’m excited for that.

D. Baker: Great, thank you. And thank you, Jack, for your leadership and really all the student leadership. We’ve been great partners on so many things. From that fun retreat we had to talk about attendance and football games on through really substantive issues around academics and the support of the institution. So thank you very much. Big shoes to fill. Good luck.

M. Operating Staff Council – Andy Small, President – report – Page 10

D. Baker: Okay, Andy.

A. Small: Thank you, Mr. President. First of all I’d like to congratulate all the people who are going to retire. I think we wish we were going with you at this point, but congratulations as you embark on your new careers and good luck. A couple of things I do want to highlight: Our workplace issues committee, we did send out a survey, we had a 38 percent response rate. We were talking about survey responses earlier and stuff, 38 percent, I feel, is very good, maybe even excellent response rate for our constituents. We’re compiling those. We had hundreds of comments about good suggestions about what we can do to push the line forward here. Truly some good information that I’ll be sharing with the administration here shortly when we get that compiled. The elections and appointments, we’ve got 11 candidates running for five positions. That is a pretty good size pool for us so there’s obviously a lot of interest in people getting involved with our shared governance system here from the operating staff viewpoint and some very good people who have put their names forward. So I’m looking forward to those folks
Our Public Relations Committee has been busy, as you can see on my report, Brittney Bonebright, daughter of Sandra Bonebright from the Holmes Center food service; and Jacqueline Lorusso, daughter of Valerie Lorusso from Outreach, Engagement and Regional Development, were our dependent scholarship award winners this year. We’ve very proud of that program. Our other shared governance group has taken on that challenge of also putting out a dependent scholarship and I believe they’re awarding their first ones this year. So congratulations to you for doing that also for our dependents of our staff people here at NIU.

As you saw from the NIUToday, we announced our four Outstanding Service Award Winners. Out of a pool of 19, it was an extremely hard decision to make. I know that Amy back here who I’ve tried to acknowledge as much as possible because of the great work she’s done, which by the way she is one of the people who are retiring. Congratulations, Amy. I do wish I was going with you. Just kidding. Lisa Clark, Amy Deegan, Patricia Lee and Liz Wright – if you see any of these people make sure you take the time to congratulate them. Truly an outstanding class of people this year and we will be acknowledging them, I believe, a week from tomorrow at our service award banquet here on campus.

Just a quick note as far as my Employee Advisory Committee, we have been looking over an Exemptions Procedures Manual. I thank Bill and Celeste for helping me take a look at that with them. Exemptions Procedures Manual has to do with: Do we hire that position as SPS or do we hire it as an operating staff/Civil Service position. That’s going to be critical with the vacancies coming up that we all understand how to do those procedures properly. So it was crucial that we got that Exemptions Procedures Manual together and look forward to working with you folks on that. With that, it concludes my report unless there are any questions.

D. Baker: Any? All right, Andy, and thank you for your leadership of the staff this year.

N. Supportive Professional Staff Council – Deborah Haliczer, President –
report – Page 11

D. Baker: Deborah, you’re up with the SPS Council.

D. Haliczer: Thank you. SPS Council has been having a busy year and we wanted to start by thanking the administration and President Baker for beginning to acknowledge faculty and SPS sooner than 25 years. So we had our first celebratory event about a week ago and we had a good crowd. Alan was a wonderful person presiding over that and we were entertained by a faculty member who, in delight over his 25 years, did a cartwheel, a set of cartwheels in the front of the room to the astonishment of the multitude. So it was pretty funny. But we appreciate the recognition. We also have appreciated the many opportunities to have and to express our voice in university governance. So thank you for every opportunity we’ve had to contribute.

We’ve just finished our council elections and we’ll be informing the various representatives who have been elected. And we just completed the presidential election and so there is a president for the next two years.
We also awarded our first two dependent scholarships: one to Mason Bross, son of Lori Bross from Biology, and Lydia Moore daughter of Janet Love-Moore from Information Technology Services. And again acknowledging our colleagues in Operating Staff Council for inspiring us to do the good thing. Thanks, Andy.

**D. Baker:** Any questions for Deborah on those?

**O.** University Benefits Committee – Deborah Haliczer, Chair; Therese Arado, FS-Committee on the Economic Status of the Profession Liaison – report – Pages 12-13

**D. Baker:** Hearing none, put your other hat on.

**D. Haliczer:** Okay, flip hats. University Benefits Committee has had an agonizing year looking at the issues confronting all of our faculty and staff. The most significant of all of it has been pensions. We had a busy event last week with about 450 faculty and staff who came to the SURS forum explaining pension reform. About another 450 individual hookups happened on the streaming function. Hookups I say because we have no way of knowing how many people watched all of those. I remember attending one of the SURS webinars and it was me and my 18 clones who watched that on my connection. So a lot of people attended that event, people asked good questions, got a few minutes with the SURS representative afterwards and we’re working on getting his PowerPoint posted. We need his permission to do so but that should be coming soon.

Benefits choice is coming. You’ll be getting a notice about that. Not too much in the way of changes but our letter will tell you to be mindful, cautious, if you are in the open access plan because the out-of-pocket expense is going up considerably according to what we’ve heard. May 1 through May 31, HR will be available to help you with all of those things. And that concludes my report.

**D. Baker:** Questions, comments? Wow.

**D. Haliczer:** I’m shocked. I might faint.

**D. Baker:** I am too. I thought you might want to ask about some of those.

**D. Haliczer:** I will get 50 e-mails afterwards, but that’s okay.

**D. Baker:** That’s okay, you’re here to serve. Well thank you, Deborah. And thank you for your leadership this year as well.

**P.** Elections and Legislative Oversight Committee – Abhijit Gupta, Chair

1. University Council election of 2014-15
   Executive Secretary of University Council
D. Baker: Okay, next we have the Elections and Legislative Oversight Committee, Abhijit.

A. Gupta: This is Abhijit Gupta from Mechanical Engineering and also the chair of Elections and Legislative Oversight Committee. First turn to Article 3.2 of the NIU Constitution and Article 2.1 of the Faculty Senate Bylaws. I call your attention to the nominee for the office of executive secretary of University Council, Professor William Pitney. I make the motion to accept his nomination, to close the nomination, and to approve his election to this position.


A. Rosenbaum: One - yes, I suppose two - no, three abstentions. Are we ready? One - yes, two - no, three - abstention. Anyone need more time? Okay we’ll close it.

D. Baker: Congratulations, Bill. Would you like to say anything? We should have asked beforehand. Well thank you for being willing to serve. As I was saying before, big shoes and it’s an important task so I appreciate you taking on this leadership role.

45 – Yes
2 – No
2 - Abstain

VIII. UNFINISHED BUSINESS

A. Review of Guidelines for Online Courses Carrying Undergraduate Credit Offered by NIU, APPM Section III, Item 23 – Sean Farrell – Pages 14-15

D. Baker: Moving to Unfinished Business, I actually had one thing I forgot to say earlier and that was about the provost search. So we’ve had all three candidates through. The last candidate was through yesterday. So, if you’ve met those folks and want to provide comments, please do so. And I’ll be meeting with the search committee Friday, I believe, to have a conversation with them about their feedback and then we’ll go forward from there. But Alan chaired the committee and I appreciate his hard work and the committee’s hard work. We had an interesting pool and we’ll see if we can get a great candidate to come here and join us. So thank you.

I’d also like to thank Lisa Freeman for filling in on an interim basis this year as the executive vice president and provost. She started in the fall and has taken on a lot of hard tasks. She’s worked well with others in the administration, deans, faculty and staff. So my thanks go out to you, Lisa. I appreciate it.

And I’d also actually like to thank the other two vice presidents that are here today. Bill Nicholas, I keep putting stuff on his plate and he keeps doing it. So he’s been reinforced for taking on more and more stuff. But earlier this semester I asked him to add facilities and human resources to his plate which also included board relationships, community relationships and public safety. So it’s an awfully big portfolio and, Bill, we thank you for taking those on and working to improve everything we’re doing in those areas. So thank you.
And then Eric Weldy who is the vice president for Student Affairs and Enrollment Management. And we really asked him to be ground central for much of what we’re doing around recruitment, retention in the university; student learning activities in the co-curricular world and he’s taken that on with vigor. We’ve got a lot to do but he’s made a lot of progress already and I thank Eric for his tireless work this year. Thank you. And I appreciate the way they’ve come and collaborated with each other and those around the university. I think they’re great role models in that regard.

Okay unfinished business, we have a review of guidelines for online courses carrying undergraduate credit offered by the university and we need a motion, a second, and a discussion and a vote. So this is one we had before and do we have a motion?

S. Farrell: So moved.

D. Baker: So moved, second?

J. Kowalski: Second.

S. Farrell: Well, good afternoon. It’s my birthday today and to quote Bill [Bobagans] or to paraphrase, “48 years is far too short, the time to spend among friends like you” particularly when we’re talking about policies about distance education. I’d like to thank in particular, this is a second draft, obviously. Last time some questions were raised and I think I find public writing both contemptible in process and a waste of time and productive of bad policy so I appreciate shutting it down and then giving us a chance to have a look.

I’d like to thank in particular Jeff Kowalski, Kendall Thu and Greg Long for raising questions and giving me feedback on this and the Steering Committee for going over the particulars of the changes and thoughts behind it.

I thought it would be useful in talking about this to start by remembering the purposes of this review which first were to actually do a review for the first time in 13 years over things that were supposed to be reviewed every five years. And in the process updating what was embarrassing outdated language at best that was up on our website and in the APPM. The second aim here was to, in acknowledgement of the fast moving field of online education, to retain flexibility so that we don’t hamstring ourselves in the future. And finally it was to bring our policies into alignment with HLC standards, and best federal law guidelines through those, so that on future visits we can actually meet those terms.

There are, along those same lines, three revisions that I have made in consultation with the above aforementioned people and those deal with accessibility, using the words “policy” instead of “guidelines,” and then changing a couple of the “shoulds” to “musts” and the “musts” to “shoulds.” Let me say a couple words about each of those.

First on accessibility, I’d like to underline the fact that we’re not exactly on the cutting edge here. The University Wisconsin Madison, a little school you might have heard of 90 miles to the
north, an hour and 38 minutes if I’m driving, has the statement on its website in commitment for an institution of roughly 50,000 students, faculty and staff: “All students, faculty and staff should have full and equal access to information technology and applications at the entire University Wisconsin, Madison.” We might keep that in mind. Thus I’ve included an accessibility comment here, for what is education worth if students can’t access it.

The second changes, we changed “guidelines” to “policies.” The Steering Committee and individuals on the committee felt this was a stronger commitment if we’re going to use this as a way of articulating our support for HLC standards and federal guidelines. I think we should make a stronger commitment to that and “policies” is a stronger word there and a better reflection of other things in the APPM.

Finally, I changed a few of the “must” to “should” and welcome any of your comments. So that’s the background to the revisions I’ve made and thank you again for the consultation and help in this matter.

D. Baker: Great. Dean Block has a comment.

D. Block: Thank you for these revisions. I’m a big advocate of distance education. It’s been a big part of my professional life as an academic person. I do have a concern when we specify that distance education courses must be accessible to all NIU students as if that’s not something that’s important for all courses. And I have some concern with specifying it for distance ed. And I know these are guidelines and that, but specifying it for distance ed, separating out that specification for distance ed, so I just wanted to say that. I think that something, that accessibility is very important. When you create the distance education courses, it should be taken into consideration. But an edict like this, even though it’s a guideline, it’s not an edict, whatever, has a lot of cost considerations when we might not have anybody that needs a certain accessibility thing, I just have some concerns about specifying that for distance ed as opposed to all courses.

S. Farrell: The only way I would answer that is that the only thing that was under review here and the only kinds of classes that are under review here are distance education classes. I think I and others who have advocated for this would have absolutely no problem with other guidelines and other committees which are taking the revision of these guidelines including accessibility statements in their guidelines. Thus, I think in many ways this is designed as a way to start a conversation about revising this to make sure this happens across the board. I only had distance education in my committee and thus that’s all we can address.

D. Baker: Right, so it doesn’t exclude the others.

S. Farrell: Of course not.

D. Baker: So we can come back and have that conversation in Academic Affairs next year about all.

S. Farrell: Thank you.
D. Baker: Okay, others? Thank you, Dean Block. Are you ready for the vote? Are we voting with clickers? What would number one be for?

A. Rosenbaum: We’re going to mix it up a little bit. One would be yes, two would be no and three would be abstention. Are we ready? Vote: one-yes, two-no, and three-abstention. Anyone need more time? No. Let’s see it.

D. Baker: All right. Congratulations. Thank you for your good work and thank you for the edits that improved the documents.

43 – Yes
5 – No
1 – Abstain

IX. NEW BUSINESS

A. Pension Statement – Marc Falkoff – walk-in


M. Falkoff: Thanks. So first of all, I’m not giving advice about pensions, I just want to make that clear. So, as everyone knows, we’re all harmed in one way or another by the new pension reform law. But some of our colleagues are going to be harmed in a unique way. They are going to be put to an untenable choice that they are going to have to make imminently. And, basically, they’re going to have to decide whether to retire now in order to protect as many of their pension benefits as they can or else, hoping that the law in its entirety will be deemed eventually unconstitutional, stick around and risk that the law will be upheld by the courts. So that’s a difficult decision to make.

That’s the kind of situation where a preliminary injunction issued by the court keeping the status quo is usually in order. And, in essence, I was tasked by the Faculty Senate to see if I could find out whether any of the plaintiffs or the plaintiffs’ lawyers in any of the lawsuits that have been filed across the state have contemplated filing for a preliminary injunction and to see if there is anything that we could do to assist them.

There are five lawsuits that are pending, as far as I know. I believe there are five lawsuits pending in the state. They’ve all been consolidated before one judge in one court. There have been no preliminary injunction motions filed, but I’ve spoken with some of the lawyers and they obviously don’t want to reveal their legal tactics to me, but it sounds as if there may well be a preliminary injunction motion filed soon.

Is there anything that we can do to assist them? Well perhaps one thing is to try to gather the names of persons who are going to be put through this difficult choice in the next few weeks to see if they can be of any assistance in the lawsuit. And then, more immediately, it’s been suggested that statements by bodies like the Faculty Senate or the University Council could be of
some assistance. A statement along the lines that, basically, we are going to be experiencing brain drain at the university, that it’s unnecessary, that it is due in part to the fact that people are going to prematurely make retirement decisions even though they would perhaps prefer not to, simply because they don’t know what the status, the constitutional status, of the pension reform law is.

With that in mind, we drafted a statement, vetted it with some of the lawyers, presented the statement first to the Faculty Senate because it met more recently than this body, and the Faculty Senate actually adopted the language of the proposed statement that you see in front of you now. The gist of it is that, indeed, we’re expecting, we don’t know how many, retirements. The university is going to suffer. That it represents a brain-drain that is unnecessary. We’ve listed the two reasons why we think this is happening. One, and let me just give a caveat, the statement is not meant to be a legal argument. The lawyers are going to make a legal argument. It’s not meant to be a provocative, in your face, kind of statement. It’s purposely anodyne and it just lays out the two reasons.

The first reason is that there is a so-called mistake, sometimes discussed in the press as a typographical error in the new pension law. The idea is that annuities – there was supposed to be something like a grandfather clause in the pension law that would prevent a stampede of retirements at the end of May. The language in the law was unartfully drafted and makes it appear that, if you don’t retire by the end of May, you may well lose a year’s worth of benefit accruals. I can go into more detail if anyone wants me to but, again, I don’t pretend to be an expert about this.

The second issue is that, for those of us who are part of the money purchase plan, there’s going to be a change in the effective rate of interest when the new law takes effect and basically the idea is, again I won’t try to explain it, but you’re going to be out a big, in all likelihood, a big chunk of money if you retire before the effective date of the act. I’m sorry, you’re going to be out more money if you retire after the effective date of the act. So you’re put in a position where you have to decide whether or not. If you retire, give up your tenure and it turns out, for example, it turns out that the law is unconstitutional, you’ve retired unnecessarily and you can’t unretired. And, on the contrary, if you decide to stick it out and it turns out that the law is constitutional, well you may have just lost a big chunk of money.

So we have explained that in express in this draft statement. Expressed our hope that the court will take note of this fact and will hopefully issue a preliminary injunction that would keep the law from taking effect until its constitutionality is determined and hoping that the preliminary injunction will be issued. I guess that is my attempt to explain what this is. So does anyone have any thoughts or questions?

**D. Plonczynski:** Could you elaborate on the mistake. I’m not clear.

**M. Falkoff:** Okay, I was afraid someone was going to ask me that but, yes, I can try. Again, I don’t pretend to be an expert on this. But here’s actually the way SURS explains this. Minimum guarantee money purchase annuity. The money purchase annuity will never be, this is what the language of the new law says. The money purchase annuity will never be lower than the money
purchase annuity, the retiree would have received had he or she retired during the fiscal year preceding June 1, 2014. That’s roughly the language that’s used in the law. The intent of the law was to prevent a stampede at the end of the month where people had to decide on May 30 whether to retire or not. If they retired a month or so later, they would essentially be in the same position that they would have been on May 30. The problem with the language in the draft is that the fiscal preceding June 1, 2014, is commonly understood by people who have looked at this language to refer to your position during fiscal year ‘13 not fiscal year ‘14. In other words, they unintentionally bumped you back a year. In other words, the grandfather clause now says that you can’t be put in a worse position than you were in a year ago, meaning that in effect, if you retire after May 30, you will lose a year’s worth of benefits that accrued during the year. So that’s what the mistake is. Just the fact that I had to spend five minutes discussing it is why it’s not in the draft.

D. Plonczynski: Thank you.

D. Baker: Other comments or questions? Did we do an official motion? Can I have a motion to adopt this resolution?

M. Falkoff: I don’t know if I can make a motion. I’m non-voting so.

D. Baker: Does anyone want to make a motion to adopt it?

A. Gupta: Motion.

D. Baker: Do we have a second?

E. Arriola: Arriola, College of Law.

D. Baker: Any further discussion. I should have done that earlier on. Yeah, Dean?

C. McCord: It is not uncommon as University Council discusses issues for the question to come up of: Where are the appropriate boundaries for individuals to advocate and where are appropriate boundaries for the institution as an institution to advocate? We are frequently cautioned about taking a stand as a state employee on various political actions. It’s not obvious to me where this sits on the boundary of that. Is this something that would be appropriate for individuals as individuals to make statements on, but perhaps not so appropriate for the institution as an institution and University Council which cannot help but be seen as a voice of the institution? It’s not obvious to me. I don’t know what the answer is, but I think it’s worth raising the question.

D. Baker: Deb?

D. Haliczer: Okay, ethics question. Any individual can make any comment that they want on political issues as long as they are not identifying those as a representative of a public university. That being said, there’s a long history and custom for entities of shared governance to advocate and to pass along their thoughts on legislation. So the Faculty Senate and University Council
have been doing this for at least two decades that I am aware of in my involvement here. And so that would not violate the Ethics Act. It is one of the expected activities of shared governance bodies. So I don’t see it as an ethics issue.

**M. Falkoff**: I think Dean McCord asks a great question and I’ll also just note that this document expresses no views on behalf of this body about whether the entire pension law is or is not constitutional. And it was purposely written not to do that. It asks for the status quo to be maintained so that the university does not suffer these retirements, but perhaps there’s more nuance there.

**K. Thu**: Marc, can you tell us if there are other institutions, public institutions, universities that have passed something comparable to this? Or is this the same language that’s being used at other institutions?

**M. Falkoff**: No, this is not the same language. I don’t know that there are other bodies that have issued a statement of this nature. If you look in the news reports, you’ll see that the University of Illinois has, I don’t remember whether the Board of Trustees issued a statement or perhaps a trustee on the board made comments to the press, I don’t know. But I’m not familiar with other statements like this.

**D. Baker**: I can comment on that. Two Fridays ago, I was invited to present to the Board of Trustees and the University of Illinois on the impact of the pension reform on our university. And I think their board wanted to get a feel for: Is the impact across the whole system or is it just the University of Illinois. I think I reassured them that it wasn’t just them; it was all of us that were going through the same thing. Their chair, Chris Kennedy, then took it very seriously and the presidents of all the universities following that meeting signed a letter asking for the drafting error to be fixed. So we’ve sent that to the leadership of both houses. So that letter went off about a week ago to both houses. And then Mr. Kennedy and President Easter went down and visited with leadership in the legislature last week. I have not heard the impact of that.

Some of the descriptions we heard about the chances of injunctive relief were along the lines of how narrow it was going to be defined. So it has to be, it’s not the harm to an institution, an institution doesn’t have standing in this from what we were told. It’s the individual and whether or not you will be harmed by this. And, if you retire now and get the same benefit that you would have, it’s potential that the court would not say you’ve been harmed. So, from what we’ve been told, it looks like the courts would have a very narrow frame to look at this. So I don’t know what the odds of injunctive relief are at this point. We have been working in the background trying to rectify this. The timeline is short though and I don’t know what the courts are going to do.

**A. Rosenbaum**: I can also tell you that I sent a copy of the statement that the senate approved to the Council of Illinois University Senates. So that means that all of the senate presidents at the public universities in Illinois have been made aware of the language that we have approved. They did not, any of them, write back to me to say that they were bringing that same document to their senates. But, just so that you know, they have at least been advised of the document and the language and the reason why we did it.
D. Plonczynski: I’m one of those in the angst position and our president last month provided us with the shock and awe number of 750 at University of Illinois across three campuses. Could you explain where we got the 800 number for our one campus?

M. Falkoff: I made it up!

D. Plonczynski: Good.

M. Falkoff: No, it’s the number that, in all honesty, you see bandied about in press reports. So the 800 number I think there’s very mushy language in the document along the lines of it’s almost nonsensical up to 800 or more. So it was meant to be just a rough estimate.

D. Plonczynski: And a follow-up, how would this injunction, if it were to occur, impact those who have already completed their retirement paperwork?

M. Falkoff: That’s exactly the kind of question that I cannot answer. If there were a preliminary injunction in place, then presumably it would be unnecessary for you to retire out of fear that the new law would take effect and potentially diminish your pension benefits, so that’s really all I can say.

D. Baker: Celeste, I don’t know if you’re – is it legal for you to say anything about this. If there was an injunctive relief, let’s say in a few weeks, and somebody had already filed their paperwork. Can you comment on that? Or Deborah?

D. Haliczer: Okay, we don’t have any information on that; however, if a person, if something occurs with an injunction, if you have not yet retired, you would be able to rescind your retirement. Certainly you can rescind your retirement with SURS anytime up until you start getting an annuity. With NIU, we do not have to accept a person’s request to revoke their resignation but all consideration would occur through the process (inaudible.) We also have no idea how many people are retiring. That was the other question. So the number that’s been mentioned here is 800. If that’s correct then the number of people who are eligible, Celeste why don’t you talk about numbers.

C. Latham: So we show currently there’s about 400 people who are eligible to retire with no penalty; an additional 475 who could potentially retire with an age reduction.

D. Baker: So, the first 400, is that the money purchase group? No?

C. Latham: No; that’s eligible overall, about 50 percent of those would potentially be money purchase.

D. Baker: Okay so maybe about 200 money purchase folks in our faculty and staff. So that helps us with the numbers a little. Other questions? Oh Jeff, sorry.

J. Kowalski: This is not so much a question but just to come back to the question that was posed
regarding whether it would be unethical to endorse such a statement. Looking at it from another point of view, it might be unethical not to endorse such a statement and by that I simply mean that I don’t perceive this as a political statement. I don’t think it has to do with what we ordinarily think of as political affairs that tend to focus on sort of partisan points of view and issues, but more the kind of quandary in a situation in which various faculty and staff members at universities throughout the state have been put in as a result of the ambiguities, the uncertainties regarding this law and its implementation, and that they are feeling forced to make a decision without good, solid advise and a thorough understanding of the impact and potentially severe deleterious, if I can use a fancy word, effect that it will have on their financial future. And so I think it’s a profoundly ethical act to simply, as it says, ask that the courts consider issuing a preliminary injunction. It doesn’t even say we demand that they do so but that they would consider it. So that would be my comment.

D. Baker: Anybody else? No other comments? Yeah?

E. Arriola: I just want to make one more comment. I think Marc did a really good job of drafting the statement. I would say to put this in the context the representative aspect of it, we are all, as employees, theoretically represented in the class action lawsuits. And this body is simply representative of its own members who fall within the larger, sort of legal action. And this sort of addresses the whole question: Is this political? Is this legal?

I approached Marc earlier when I saw the initial draft and I said this is interesting this last paragraph. It’s in the context of something along the lines of image that you are part of this class action and you are approached by a reporter: Why are you suing? And you simply say because I’m upset about this mistake in the law and how it’s going to affect me. This statement just simply does that for a lot of people in a simple and easy manner. It is just simply our voicing our concerns and asking the courts to take notice of that grief that we have over what is happening. That is all that this statement does. It is not lobbying, it is not even telling the courts what to do because that is being taken care of in the lawsuit, itself. And the preliminary injunction – all it does is that it puts everything on hold until you actually lay out all the facts and go to trial. And it puts it on hold under a burden that is actually a very tough one to meet. Will we succeed? So that is also a big question whether or not. But I think voicing our grief gives us, I think, a better chance of getting that preliminary injunction.

D. Baker: Thank you. Other comments? Are you ready for a vote? Alan what’s a one for?

A. Rosenbaum: One is yes, two is no, three is abstention. So are we ready, Pat? Okay one-yes, two-no, three-abstention. Anyone need more time? Okay let’s see the vote. Okay good.

D. Baker: Thank you. Thanks for bringing that, Marc. We shall see.

39 – Yes
3 – No
3 - Abstain

X. COMMENTS AND QUESTIONS FROM THE FLOOR
XI. 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, Computing Facilities Advisory Committee
K. Minutes, General Education Committee
L. Minutes, Honors Committee
M. Minutes, Operating Staff Council
N. Minutes, Supportive Professional Staff Council
O. Minutes, Undergraduate Coordinating Council
P. Minutes, University Assessment Panel
Q. Minutes, University Benefits Committee
S. Policies Pertaining to Graduate Assistantships – Pages 17-42

D. Baker: All right a number of information items. Here at the end we’ve got the meeting schedule for next year on page 16. I want you to refer to that and then last item, Policies Pertaining to Graduate Assistantships, Alan could you brief us on that?

A. Rosenbaum: Okay, just briefly this is a policy change that comes to us from the Graduate Council. This does not have to be approved or considered by the University Council; however, the Constitution requires that, when there is a substantive policy change, that the University Council have the opportunity to send that back to whichever body created that policy or in this case the Graduate Council. This is APPM language and essentially I’m calling it to your attention. If anyone would like to ask questions about this or challenge it, if the body is convinced that there is some flaw in this, it can by a vote of the majority be sent back to that committee. It’s an informational item. We don’t call a vote on this, it’s up to if anyone has an issue with it or would like to voice that. That’s all there is.

D. Baker: Any comments or questions?

L. Freeman: I would just like to commend Dean Bond and the members of the Graduate Council for updating the APPM. It is a document that we refer to for many important process guidances, and there are large sections of it that are inconsistent, contradictory, and that haven’t been updated since 1997. Graduate students are a vital part of our community and clarifying the processes that are necessary to bring them on board in a timely fashion is an important step, so thank you for your hard work.
D. Baker: Yeah, thank you Brad. Other comments?

XII. ADJOURNMENT

D. Baker: Hearing none, I’d say that it’s time to party and we have a reception down in the University Suite down on the second floor. I guess that is on the other end of the building. I invite everybody down to celebrate a lot of hard work and good accomplishment this year and thank you all and do I have a motion to adjourn?

P. Julion: So moved.


Meeting adjourned at 4:40 p.m.