
J. Holt attended for R. Butler. D. Lonergan attended for D. Jones.

Parliamentarian Ferald Bryan was present.

THOSE FACULTY SENATE MEMBERS NOT PRESENT: Bisplinghoff, Burgess, Caldwell, Cordes, Elish-Piper, Ganesan, Ghrayed, Gregory, Hudson, Ilsley, Kay, Kolb, Larson, Miranda, Montague, Musial, Pierce, Ridnour, Song, Spear, Stephen

I. CALL TO ORDER

The meeting was called to order at 3:05 p.m.

II. ADOPTION OF THE AGENDA

President Willis: Let’s see, we have two walk-ins here. One is an advisory committee report. The other at least partly pertains to the item under the Academic Affairs Committee concerning the Honors College and so I would propose that we take that up at that time. Could I have a motion to accept the agenda with that amendment? Okay. All in favor? Okay.

The agenda was approved as amended.

III. APPROVAL OF THE MINUTES OF THE OCTOBER 31, 2001 FACULTY SENATE MEETING (Pages 5-24)

President Willis: Let’s move to the approval of the minutes of the last meeting. Are there any – do I have a motion to approve the minutes? Second? Any amendments or changes to the minutes?

M. Martin: I was here. I didn’t fill out the form.

President Willis: Well, if you don’t fill out the little thing then we don’t know you’re here. Okay. Any other amendments or changes to the minutes from last time? Okay then. If not then all in favor of approving the minutes? Okay.
The minutes were approved with corrections.

IV.  PRESIDENT’S ANNOUNCEMENTS

President Willis:  We do have President’s Announcements.

A.  President Peters will arrive at 3:30

President Willis:  I’m expecting President Peters to arrive at anytime.  We had actually spoken of having him come right at the beginning rather than sticking him in the middle somewhere.  He’s not here yet so I figure we’ll just go ahead, and then when he gets here we will have our time to ask him whatever we feel like asking him -- which I suspect, will have, at least in part, things to do with the budget.

Other than that, I just have one announcement, which is that, as you’ve probably heard we’re having a consulting firm, Lipman Hearne, doing a study of how we can better project our image to the outside world.  In conjunction with that, they are setting up a set of focus groups that they want to talk to.  One of those is a group of people in Faculty Governance so they’ve asked me to organize that.  What I would propose to do is to use the Executive Committee of the Senate since it has membership from all the colleges and then augment that with a few other people who might also be interested.  So I would ask that if you have suggestions for people outside the Executive Committee or if you yourself would be interested in being part of such a focus group would you please let me know.  Not necessarily right now but sometime.  That is all I really have to say except that I do appreciate all your patience and forbearance while I was ill last month.  They never did figure out what I had, but it seems to be gone so I suppose it doesn’t matter, but it was tedious and I’m glad it’s gone.

H. Rubin:  Did anyone ever tell you why we hired an outside firm to do the PR when we do have internal expertise?

President Willis:  I haven’t asked that specific question but I certainly can or when Peters comes you can ask him yourself.

H. Rubin:  The budget’s going to take priority over that.

President Willis:  Well, it has to do with the budget as I assume they are paying them money.  All right.  Let’s move on to the Reports from Advisory Committees.

V.  ITEMS FOR FACULTY SENATE CONSIDERATION

VI.  CONSENT AGENDA

VII.  REPORTS FROM ADVISORY COMMITTEES

A.  FAC to IBHE – Patricia Henry – report – walk-in
President Willis: FAC to IBHE, Pat?

P. Henry: Yeah, hello – this is the walk-in and it consists of three parts, basically. The report on the meeting, which is based on a draft of the minutes -- I’ve already noticed a couple of typos -- then the two attachments have to do with two items that were of particular interest. Just briefly, after an introduction by Dave Warner who is the Chancellor of SIUE we discussed in general the fact that there had been hearings on the part-time/full-time tenure/non-tenure track faculty issue that is being researched by the IBHE. The thing that’s labeled item roman numeral II “Update on Board Study of Part-time and Non-tenured Track Faculty at Public Institutions” is the material that is from the IBHE web site and, at this point, data is still being collected; Northern Illinois University’s Center for Governmental Studies is actually doing this survey and presumably by January there will be a report that the FAC can look at and in particular the personnel, sub-committee of the FAC, can look at and get some feedback back to the IBHE about it. We then broke into our sub-committees of which I am now on the Personnel Sub-Committee. We’re going to be considering four major issues this year. One is this full time/part-time faculty study as I mentioned. We’ll probably get that in January and discuss it in February. The post-tenure review is another issue that is of interest to the committee. At this point, it’s just – people are in the process of gathering information. A sub-sub-committee on early retirement is what I’m also a member of and I would be very interested actually in getting information from you people. At this point we’re just collecting information and hopefully will bring it together and synthesize highlights from it, as we find useful. Any people who have information, suggestions, opinions, and gossip, about how early retirement works and impacts especially personnel issues and staffing issues at NIU I would be happy to talk to you. The fourth issue is something we probably won’t really get around to until later. It has to do with corporations and privatization on campus. This involves more than just bringing in advertising firms or search people who do searches but apparently there is a possibility of bringing in private companies to teach courses on campus. I think computer material was particularly what seemed most likely. I consider this a fairly interesting question and I will be interested in finding out more about it later but at this point things are just in the preliminary, fact-finding stage. After meeting in sub-committees we then met back again as a complete committee and actually we are not any longer a committee. We are a council and the second addendum in the report is labeled “Procedures of the Faculty Advisory Council to the Illinois Board of Higher Education” which tries to set out in some detail what we are, what we do, who we are, representatives of the twelve senior public universities and there’s also twelve representatives of the private and proprietary institutions and twelve representatives of the public community colleges in the state. These procedures were approved by the FAC and presumably will continue to be sort of our guiding document. They’re mostly procedural. I’ll draw your attention under the first section “Representation on the Faculty Advisory Council” there’s a segment there, one, two, three – what is it, one, two, three, four, five, six – the sixth bullet down says “if a representative misses two consecutive meetings the chair will contact the member and inquire about his/her ability”. Later on in the paragraph it reads “should the institution not be represented at the next regular FAC meeting, the seat shall be considered vacant and the next eligible institution, determined by IBHE staff liaison will be given the opportunity to name a representative”. This does not apply to us. We always have a representative and if I was not able to do it and there wasn’t a substitute for me then somebody else from NIU would go. The other point perhaps that could be mentioned is on the next page under meetings. It does note that FAC meetings are open, actually
it says should be open but the agreement was that these are open meetings but non-members do not have floor privileges unless invited or recognized by the chair.

The next meeting will be in Springfield actually this Friday and I’ll have a report on that one after we have it.

**President Willis:** Any questions for Pat?

**J. King:** I was curious about the fourth item for the Personnel Committee organization. If that were to go through, who knows what’s going to happen to it? Who knows what it means, could it work out then that an out-of-state operation like the University of Phoenix could operate degree programs without any presence whatsoever? Just simply a coordinator, part-time coordinator/registrar/collector of fees and then just hire in private people to man their courses?

**P. Henry:** This was the sort of question that was being asked and indeed there was concern. I think there really is a range of options here including, you know, relatively benign situations where a very small college wants to teach a specialized class and brings in somebody to teach a computer science class. Obviously, there’s less benign ways in which this could work and they could fire the entire Foreign Language Department and hire Berlitz or something, which we don’t think would be a good idea at all. Indeed the matter of the on-line courses I think is a real issue so I’ll get back to you on that if we find out any more.

**President Willis:** Any other questions for Pat?

B. **BOT Academic Affairs, Student Affairs and Personnel Committee – Dorothy Jones and Dan Griffiths** – [report](Page 25)

**President Willis:** Let’s see. Report of BOT Academic Affairs, Student Affairs and Personnel Committee. Is Dan here? I know he wasn’t sure he could make it. Dan did put a written report in the packet. He was not sure that he would be able to make it today and I told him that if anyone had any questions on his report that I would transmit those to him. So does anyone have any questions on Dan’s report? I believe it’s on page 25. If you don’t have any right now, if you discover that you have one later after looking at it more and thinking about it, phone me up or e-mail me or just phone Dan or e-mail him then we can handle it that way as well.

C. **BOT Finance, Facilities, and Operations Committee – Sue Willis and Jim Lockard** – report

**President Willis:** All right. BOT Finance, Facilities, and Operations Committee. I attended that meeting. There were, let’s see, five action items at that meeting all of which passed. Three of them were additional funding for communications and network equipment and other things having to do with computers. There were communications cabling for Barsema Hall and for the Convocation Center. Network equipment for Barsema and also replacing the central data storage at ITS. There was another item for fixtures and equipment for the Convocation Center and then finally there was some funding for the reconstruction of parking lot 17, which is the pay lot. The Trustees were particularly interested in this one because that is where they park. So they were
aware of the necessity for that. There were also some reports. Some of these are just routine things that get reported semi-annually or quarterly or whatever. There was a progress report on active capital projects of more than 100,000 dollars. There was a summary of transactions that are between 100,000 and 250,000 dollars, which the President can initiate on his own but then he has to tell the Trustees what he did. There was a report on investments, how our investments have been doing which it turns out is not too badly since we’re not allowed to put any money in the stock market so it’s all in bonds and things. There was an update on utility expenses which it turns out our people have been actually rather clever about having locked in low prices last winter before – any of you that pay utility bills know what happened to the home heating prices last year and we managed to avoid that by judicious contracts having been signed before that. Then there is something called “court classroom technology skill center” in the law school where they received a gift for equipment for such a center but the University needs to provide the space for it and so there was a progress report on that. That was pretty much all that happened at that committee meeting. Does anyone have any questions? I do have all the details here if anyone wants to see any details I can get those to you. It’s kind of thick to put the whole thing in the packet. Okay.

D. BOT Legislation, Audit and External Affairs Committee – Judy Burgess and Jenine Povlsen

President Willis: Let’s see, the BOT Legislation, Audit and External Affairs Committee did not meet.

E. BOT – Sue Willis

President Willis: The Board of Trustees will meet tomorrow and so I will have a report on that meeting next time.

I see the President has just arrived and is getting coffee. So I would suggest that since he’s here, if you’re ready, we could have him now rather than trying to get started on the reports from the standing committees where we have a bunch of action items. So, why don’t we hear from President Peters and then once we’re finished with the question and answer session with him we can move back to the regular agenda.

President Peters: I don’t know if it’s old age or having a lot on your mind but about 10 minutes ago I found myself walking out of the office, getting in my car and going home. I drove in and I thought, “what am I doing?”

H. Rubin: That shows some wisdom.

President Peters: That’s not as bad as the time I was Dean of Arts and Sciences at Nebraska and I needed to get tickets for a performance at the Lied Center and they had a curb cut and I drove over and got the tickets and then it was about 5:00 and I went out to get my car and it wasn’t in the lot. It was, as it turned out, at the curb cut with the door open and the engine running. As I had left it at 12:30. You can do that in Lincoln, Nebraska.
President Willis: Well, I think – I know people have questions but I think if you could start perhaps by giving us an update on what the budget situation is I think people are certainly ---

President Peters: What budget? I’m really pleased to be with you again. It was kind of neat that last time that Ivan, Provost Legg could be with you and now I can so we give you two different views and I appreciate that. It makes sense because you get two different views.

I’m really pleased to be here to try to inform you as best I can as to what’s going on with the state budget this year, and share with you what information I have on some of the approaches that we’ve put in place and how you really handle this issue this year. Just as a little history and I’m sure most of you know this, but I think the background is important. We’re coming off of a string of some of the best years that any university, Illinois universities, the large, the public universities have had. That doesn’t mean we don’t want more. That doesn’t mean we don’t deserve more but yet it’s been good times. Good capital, good salaries. Program money. That’s unheard of in a lot of places. Our tuitions have been pretty good. We’ve kept it – it’s increased, but we’re affordable. We’ve been able to do that. We’re a public university. It certainly isn’t – I can, reel states off. I think I did that in front of the University Council. I keep a list of the damage that is out there and it’s just terrible. I was at one meeting with presidents and it was – I thought they needed to have a session on therapy because people were wringing their hands about 20% cuts and mid-year tuition and so that’s sort of a backdrop going into this.

When the budget for – I’m talking about the budget for this year – that’s what we’re talking about. Fiscal ’02. The one we’re in right now. The budget was put together by the Governor, passed by the legislature without much comment. There was not much legislative tinkering with the Governor’s state budget last year which he characterized, George Ryan, characterized last year in January as an austere budget. It was 51 billion dollars. Well, that stunned me – the austerity of 51 billion dollars and when it was all said and done, we got more, higher education, than IBHE had requested and it was new money at the level of about 157 million dollars, about 5.6, 5.8% increase. A good salary package, program money and so forth. Then our income fund on top of that. We had a 4.5% tuition increase which was a hard sell with the Trustees but we needed it and we used it well. There were those at the time that said that that budget was built on very optimistic revenue projections because when that thing was put together last year, you know the economy, if you look at the econometric data, started to – it was skidding but it really started to skid in March nationally. So there were those who said hey, this budget is not going to be able to cover itself. We got the money.

I sort of knew from my experience that we should keep our powder dry and Ivan Legg and I have been talking - between the two of us, I think we have something like 22 years of budget reduction experience. I won’t tell you the millions and millions of dollars that he and I have helped nip from state budgets. I’ve learned an awful lot from it, by the way. I’ve learned an awful lot about universities from that. I’m pleased to say we’re nowhere near that kind of situation. So that’s the good news. We’re really strong going into this.

So anyway, the Governor realizes he has a problem, the veto session was coming up and he had to do some things to stop the spending because there’s a shortfall, and today that shortfall is estimated in that 51 billion dollar budget at about 500 million. You get an idea of the magnitude
here. That really doesn’t sound like an awfully lot on a 51 billion dollar budget but it’s where you take the reductions that’s interesting. So the first round the Governor asked agencies that reported directly to him, and we are not one – we report to the Board of Trustees and are coordinated by the Illinois Board of Higher Education to the Governor but where do we get our sustenance? State, in part, the state. So the Governor put a hiring freeze on all state positions and he put a travel limitation on out-of-state travel and equipment, non-essential equipment purchases for code agencies and asked that other non-direct report agencies join in the effort.

At that point, we didn’t do anything publicly although every November we have a modified hiring freeze so we save some extra dollars on vacation cash out for new employees. We’ve been doing it for years and everybody expects it. We took a look – I immediately audited all of our budgets to see what our fund balances were. They were good, they were healthy. I mean one third into the fiscal year we were about where we should be and we had healthy fund balances. I did some other things as well to figure out where the resources were if we had a mid-year – they call it a reserve – a reserve or holdback – whatever you want to call it. I think the Governor refers to it as a reserve. I call it a holdback. Then things got a little more interesting for the Governor, and he had some real critical choices he had to make. He knew that given the budget number that was out there, he had to ask for more money. At that point, he asked higher education not to spend 25 million dollars of its appropriated general revenue funds for the '02 year, the year we’re in. He wasn’t saying, give it back to me – write a check. He was saying don’t spend it and you have until obviously June 30th of this year not to spend it. It is giveback or rollback but the accounting gets a bit archaic. All right, that was – you know when that happened. All right, that was not expected. As a matter of fact, I thought that that was, given the size of that budget gap, that 500 million, 25 million and that gets parceled out to the four-year publics like us, U of I, Western, Eastern, Southern. Community colleges. The Illinois State ISAP. Whatever that stands for – the public student aid function – and the Illinois Math and Science Academy, IBHE, there are a few other small entities but that’s higher education. We still don’t have an exact number on that but it’s not a monumental number and remember, it’s not spending authority so I put a plan in place. It’s really – this was a management issue. It wasn’t a budget cutting issue. You know, how could we manage not spending what amounted to about 1.1, depending on how you calculate it, let’s just say 1.3% of our GR budget, not our total budget, our GR budget which is about 118 million dollars. There were three components to that. I asked each vice president which would include Provost Legg, Dr. Williams and Outreach and everybody, me included, to develop a plan by January that would reserve or holdback about 1.25% of their GR budget. That was one part of the plan. The second part of the plan I immediately directed Dr. Williams to reserve all of the utility budget that he could that would result in energy savings. Everyday we have a day like today, that’s $25,000 in the bank. When we don’t have to turn on – there can be – we’re very efficient but pray, don’t pray if you don’t want to pray, hope, incantations – I don’t know what, but at any rate, don’t turn your heat on. Keep the windows closed. I said immediately put a stop to any expenditures on any excess income fund that we generated this year from having a larger enrollment than we budgeted for. It’s kind of hard because we’ve got to wait to find out how much that is. But a combination of those three gets us without a problem, there’s pain involved, but we had our share of the 25 million reasonably covered and maybe then a little.
That takes us up to last week. And being the hold hand at this that I am I never - you’re never out of it until you’re really out of it and we had been hearing rumors that it was just getting tougher for the Governor. He’s had critical choices to make and veto session was coming up and the legislature, I mean, you’ve read the news reports. The legislature wasn’t – now this is not me talking, this is a quote “wasn’t participating with the Governor in helping cut the budget”. So that meant the Governor had to come up with 500 million from agencies that he controlled and not programs that were under legislative control.

So the Governor then had another issue that compounded this. Last year when the state budgeted and set aside money to pay for our health premiums for GR employees – for employees on general revenue, because of raising costs of the premiums, a shortfall in that fund developed. A hundred million dollar shortfall for Fiscal ’02. A shortfall so – a big increase in premiums. Last year, by the way, was the first year that we have ever been asked to share in our base budgets with the increase in health care premiums and we did that. We didn’t have a choice. It was just budgeted that way. So the Governor asked – let me read what I have here. The Governor in a message “expected higher education to participate in reducing or eliminating the shortfall in state funds that have been set aside for the payment of state employees’ health benefits”. Again, the overall shortfall was 100 million for ’02 and higher education’s share of that is 45 million. So we had 25 million first time our in general, whatever, general revenue from any source and now we have a 45 million-reduction request specifically to cover the health insurance premiums. Now, we do not know as I said, precisely how the 45 million was derived. No one does. They’re working on it. Was it based on per head count employee? Was it based on base budget? Was it derived from looking at payroll? We don’t know. Why is that important? Because you’re know you’re going to get – your share of the 45 million is going to be based upon either a base budget or number of employees or whatever and we’d like to know because there’s a range of possibilities here. Likewise, we do not know if it’s just four-year higher education that shares the 45 million or is it the community colleges? ISAC, Illinois Math and Science Academy as it was with the 25 million? Probably not because I think community colleges pay for their own benefits through a different mechanism and I don’t think there’s an awful lot of payroll in ISAC. It’s basically a fund. There’s bureaucracy there but it doesn’t have the employees that we have or the U of I has. So you get the picture now. The complexity of this and why we have to be flexible and we have to have ranges of what we might have to do to meet this.

Right now we are working with IBHE, the Bureau of the Budget, CMS which is the bureaucracy that handles benefits, trying to cooperate as we must and as best we can to arrive at an equitable way of dividing 45 million. I don’t think this is going to clarify for a while. Okay. So, remember we’re talking about a one time giveback or reserve. All right? We’re still talking about the ’02 budget. I don’t know when we have to come up with that because the shortfall for this 45 million or 100 million, the gap begins January 1, not July 1. But maybe there can be some fund transfers so that the state covers it. We’ll be given some amount of time to identify where we’re going to come up with this. So, nothing has changed in terms of my plan. The only thing that’s changed is the number. The approach is still the same. There are three sources we’re looking at because they’re the only sources that are out there this year. We are looking at energy savings. We are looking at all of our unobligated fund balances. We are looking at anything left in our income fund from excess tuition. All right, as we sit today here, the best as I
can tell, just laying it on the line because this is serious but manageable. The range of possible cuts to NIU as we sit today is from 3.5 million to 6 million.

H. Rubin: That’s on the 45?

President Peters: That’s everything. That’s 25 plus 45. This is maximum damage assessment as I’m giving it to you today. I realize that’s a large range. But I think it’s appropriate. 3.5 to 6 million. Obviously if the number is closer to the lower range, there’ll be less disruption because we’ve already made some holdbacks centrally. Then I’ve got some criteria. If anybody asks you, your colleagues, anybody, and you want the party line, go the web site and read my press release of last Friday. This still is good today.

Now, I’ve got some criteria that we’re going to try this year to uphold. One is I’ve got a commitment to minimal disruption in student programs. I think that’s why we’re in business and really will be appreciated in the Statehouse. The trustees will appreciate it if we help students as best we can, but that’s the way we are so I don’t see a problem there. And remember we’re already in the year. I mean, we’re already doing what we do with regard to students. I want – obviously I want no salary – we’re not going to reduce any salaries or benefits for existing employees. That’s not anywhere near necessary. Strong efforts – strong efforts to avoid layoffs or furloughs. I don’t think that’s necessary at this point.

You know, when you think of the bigger context of this, this isn’t like most budget problems states have had over the past few decades. It’s not targeted as a sector. We’ve got an economic downturn that was accelerated by events of September 11 and there are individuals in the state – state public policy makers, they have some difficult choices to make because there are people out there, poor people who are going to be without medical benefits who have lost their jobs and who need their unemployment extended. There are terrible tradeoffs that they have to make to fix this budget and obviously tax increases and that, that’s just not – to me – I don’t think that’s a political option especially in an election year. So, I don’t see that necessary at NIU and our community. We have to take care of ourselves. We have to look out for each other in this and there are a lot of people who look to NIU for the sustenance and to put bread on the table and we don’t have to do that. If we have to, it’s bad management. There must be – we’re more creative than that.

Now, that’s where we are. I am reviewing everything. I’m working overtime to get try to get a handle on this situation. Now, it may not be over because it’s flexible. The situation. In January, new revenue reports come out. The legislature gets into session so we have to have a certain flexibility yet we’ve already begun the planning for this and I think that this year it will be handled relatively with some difficulty to real painful depending on what the final number is. I’ve talked to the deans today just to inform them. I basically told them what I’ve told you. The Senior Cabinet is meeting. I’m on top of this. Ivan and I have great experience at this. We’ve learned a lot about these sorts of things in the past and we’ll get through this okay, we really will.

Now, I have no idea about the ’03 budget. Way premature, but we have an eye on that but it’s way too premature to see. I know a healthy budget request went in to the Governor from the IBHE with a reasonable salary package and capital and so forth but no one in Springfield is
thinking about that right now. It’s all on the ’02. So, with that I’m going to end. I’ve tried to be as candid as I can. I hope I didn’t come across as more negative. I feel very confident that we’re going to handle this. I know what the numbers are. I’ve seen this coming since at least July and we prepared for it. And, I will try as best I can to cut as much centrally in ’02 to handle this with, you know, reserves and utility savings so we don’t have to pass it on down to the academic or the service units that provide service to health, safety, students, or curriculum. We’re okay. I’m sure glad I’ve got Ivan Legg because he and I have been through it together. We don’t even have to talk. We know all the moves and Dr. Williams has all the numbers at his disposal so we’re in pretty good shape.

President Willis: Okay, questions?

H. Rubin: Some clarifications before some questions. What’s our total base?

President Peters: Our total ---

H. Rubin: GR plus local.

President Peters: Our total GR base is 118. If you add in the income fund, tuition and so forth, we’re at about 160.

H. Rubin: And what percent of that is personnel?

President Peters: Oh, huge. I’m going to say in the 80% range. It’s not like Tennessee which was 95% personnel base. Because there was nothing left. We cut for seven years and there was no operating, there was no nothing. It was just personnel and vacant lines. People did their operating off vacant lines is what happened there.

By the way, I will fight like crazy not to reduce our total faculty base. We are already at a minimum. In other words, I hope in whatever happens in the next year – and I think the economy, and I’m an optimist, but I think the economy will bounce back. It won’t bounce back, I don’t know, maybe there’s an economist out there, third quarter, second quarter maybe but we’ve had some signs that things are a little deeper than we thought. But at any rate, I think we’ve got to hold on to our faculty base as best we can.

H. Rubin: So the hiring freeze, the soft hiring freeze right now is really anticipation of 03 because none of that will show up in ’02 money.

President Peters: Well, it will if you hire right now. If you obligate it right now, you’re spending it. Herb, I know – it took me a long time to realize that as a faculty member and department head that sixty- percent of the university is not on an academic rhythm. Sometimes I still forget I’ve got to admit.

J. King: I appreciate your candor and the efforts that you’ve already got in place. Why did they go after the health premium? Why just that particular item? I know that you’re a budget watcher and that you’ve been through in other states, have you ever encountered that particular targeted
President Peters: Is there any press here?

J. King: We have minutes. Verbatim minutes.

M. Morris: Just go off the record.

President Peters: I can go off the record a little bit.

General Budget discussion on FY 02 & 03 Budget.

President Willis: Do you have other questions?

H. Rubin: A couple of quick ones and then a big one.

President Willis: Sure.

H. Rubin: Back to the budget. Any sense of attempts to reduce medical coverage?

President Peters: I’ve heard nothing. I’ve heard nothing about that but I’m going to get on that. This has become so complex that I’ve got a team of people. You know, I have Steve Cunningham. I’m starting to have routine meetings with people to keep abreast of all of this and I have Steve looking at the benefit side of the implications of this. We have Kathy Buettner monitoring every bill that is potentially going to the legislature. You know, we do that routinely but we’ve stepped that up. I haven’t heard anything. Maybe you have, I haven’t.

H. Rubin: No, and then in terms of internal stuff. I don’t know if this is internal or outside the university, any thoughts on early retirement ideas?

President Peters: Any what?

H. Rubin: Any thoughts on early retirement ideas? You know incentives, cost cutting?

President Peters: I’m not ready.

H. Rubin: Well, you headed home at 3:00 in the afternoon.

President Peters: You know, there’s a – I don’t know where 30 and out is. The renewal of it.

H. Rubin: That’s pending.

President Peters: I think that it’s not going to be renewed from what I understand. So that means if you’re in that, you’ve got a choice to make. First of all, in terms of the budget situation at this moment, I don’t think an early retirement plan is necessary to meet a budget target. That being said, maybe it’s to the benefit of people who are approaching retirement and they want to
consider their options. Maybe it’s something we should look at. I’ve not had a fundamental conversation with anybody about that but I will Herb if you want me to.

**H. Rubin:** Yeah.

**President Peters:** I mean I really can’t say right now. I’d have to think through that. I think we’ve got to be careful about that. Early retirement, I mean, I need every good professor, we need every good NIU professor here, right now and – but, we have to do what’s best for everyone. But I’ve had no discussions on that. All right, what’s the big one?

**H. Rubin:** No, there’s not a big one.

**President Peters:** Was that the big one?

**H. Rubin:** No, but could I comment a little bit on what Jody said?

**President Peters:** Yeah.

**H. Rubin:** You know, my politics are fairly extreme. On this issue I’m actually very mainstream both academic and stuff like that. At different times I’ve actually had direct encounters with trustees who totally disagree with me on these issues and in total support of the ability to say – it’s a weird thing. I’d like to fight them and they’ve very supportive. I’m an outlaw in these issues.

**President Peters:** Well, they’re lawyers most of them and they’re used to argumentation and that’s important to them. Now, that doesn’t mean some of them aren’t patriots – another thing, this is a generational thing. A lot of them are sixties people which I’ve found to be a benefit and a curse sometimes, to be a sixty’s person. By the way, we have a new trustee that will be inducted tomorrow. Kathryn Adduci who’s a College of Business graduate and a Vice President at Unisys and is a wonderful addition. Very much interested in technology and students.

Anything else?

**H. Rubin:** Can I list off three questions? I don’t want them answered now because they’re complicated. Next time you visit with us? It has nothing to do with budget but these are things that ---

**President Peters:** You’re assuming that I’m coming back to visit.

**H. Rubin:** Well, anybody that’s leaving at 3:00 today shows such intelligence that will clearly he’ll come back. Some of things when people fantasize about breakdown destructions of the university – it’s impossible – it’s very hard for any of us looking from the outside to get a sense of what the budget of the university is. What the staffing breakdown is. How come – the university from an organizational theory, perspective, from a public finance perspective is almost obtuse in terms – I’ve had experts look at it, whether it was from, union perspective, public finance people and if you could do something to make it easier for us ordinary folk who want to have a sense of what the university looks like in terms of where our personnel are, where our
budget is, something like that would be greatly appreciated. That’s a request that I’m not doing now.

Secondly, at some other time if you could address, how do I put it, the increase in the business model on the campus? I mean, between IT and HR, we are moving in ways that are different than the collegial committee approaches that, you know, universities --- and somebody needs to do some thinking about how we want to have that extended and if we want to have it extended and stuff like that. Okay? Those are issues that I hope we can engage in on some other occasion. And then a quickie. I asked Sue, but she said ask you so I’ll ask you. Why did we hire outsiders to do PR for us when we have people inside?

**President Peters:** Because you’ll never get the kind of assessment we’re looking for unless you have – but, I went through this with the deans this morning. This university has – how much time do I have because I don’t want to – this isn’t a quickie but it’s a five-minute answer.

**President Willis:** Five minutes will work.

**President Peters:** I continue to be shocked. When I came here what I did was have each dean write me a confidential report that I shredded in Tennessee before I took the job as to what the strengths and opportunities and weaknesses were of their colleges and units. That was very valuable and I was very impressed because I knew they weren’t going to tell me any weaknesses. I’ve become more alarmed in the sixteen months in the gap that exists between our quality and what people nationwide think. My own friends that I know nationwide. That alarmed me. We had other reasons to do an assessment of what we are and so I talked to the Foundation to use their money, private money, to hire a consulting firm – the best – I think the best one in higher education happens to be right here in Chicago, Lipman Hearne, to do a quick – our contract is $78,000 which is – if you added up the amount of money this university spends down to the department level in marketing pieces and web site masters and marketing, Herb, you’d be stunned. We’d have the budget cut and then some taken care of. So, what you have to do is, you know, our own people are going to be used extensively. But you kind of need that outside methodology to get us going and it’s not a quick and dirty. As a matter of fact, I was talking to Sue, and we’re going to have a couple of faculty focus groups, we don’t have a lot of money to do this, probably this month they’ll be talking to people so that’s the reason. I really do believe in it. The other reason is as we move into a capital campaign, the people on our Foundation Board really wanted an externally validated assessment of what our strengths were. So, I wrapped it up in one ribbon and got somebody else to pay for it and it will be more heuristic than anything. Okay?

**H. Rubin:** Thank you.

**President Peters:** Okay. I’ve enjoyed this. I wish I could spend all afternoon with you but you have business to do. If I don’t see you, Happy Holidays.

**President Willis:** Thank you for coming again. Okay, let’s move on. We’re at Reports from Standing Committees.
VIII. REPORTS FROM STANDING COMMITTEES

A. Rules and Governance – Chris Hubbard, Chair

President Willis: The first one is Rules and Governance.

1. Coordinating of Start Dates for Executive Secretary and the Faculty Senate Membership. ACTION ITEM (Page 26)

C. Hubbard: Okay, this is on page 26 of your handout and this is the second reading of proposed bylaw changes which essentially change the time in which the elected members of the Senate take office from August 16 to the same time as the Senate President or, in this case, the Executive Secretary takes office which would be on July 1. They would be starting together. It also takes into consideration appointment of the Executive Committee at that time. Since one would not have been appointed newly during the summer, the previous Executive Committee would take effect at that point if there was some issue that needed to be dealt with at that time. So these are the two changes that we read before. This is the second reading. Any discussion on it? If not, then I guess we can vote on it.

President Willis: Okay. Yes.

M. Morris: I’m sorry I wasn’t here last time. I have no objection to the spirit or the substance of this. It’s just the wording of the Executive Committee sentence to the extent you use the word approved in the last line. I think you may be creating a standard that doesn’t exist. I don’t believe the Executive Committee is approved.

President Willis: Yes, it is, at the first meeting.

M. Morris: It actually has to be approved by this body?

President Willis: Yes, we do it at the first meeting in the fall.

M. Morris: Okay, then I withdraw my observation.

President Willis: Are there any other observations or comments or discussion? Do we actually have a motion on the floor?

C. Hubbard: I’ll make a motion that we accept this as written.

President Willis: Okay, it’s been moved and seconded that we accept the changes in our bylaws as they appear on page 26. Any further discussion? If not, all those in favor say aye. Opposed?

The bylaw amendment was approved.

President Willis: Chris, did you have anything further?
C. Hubbard: Not unless you want me to bring up the other issue of the alternate Executive Secretary. Wasn’t that further down the road here somewhere? Yes, that’s under New Business so I’ll wait for that.

President Willis: Yes, we’re going to refer that to you probably so we’ll get to that.

B. Academic Affairs – Jody Newman-Ryan, Chair – report

President Willis: All right. Academic Affairs, Jody?

1. Committee Progress Report on Honors College ACTION ITEM (Pages 27-31); Also D. Wagner memo – walk-in

J. Newman-Ryan: I have a motion. If you check the bottom of page 28. The committee moves the adoption of that resolution. I’ll read that. “Given that an honors college may better help fulfill the mission of the university, and given that the existing Honors Committee has substantial faculty representation, we resolve that the Faculty Senate support investigation of the creation of an honors college. We recommend that University Council work with the existing Honors Committee in this endeavor”. I will discuss that if it’s ---

President Willis: So you’re moving that as a resolution


President Willis: Okay. So there’s a resolution and a second. Now David I guess, had to leave but he has, if you look at the walk-in, he has a slightly different proposal under “B”. Jody’s committee is suggesting that the University Council work with the existing Honors Committee. David is suggesting that perhaps an ad hoc committee of the Faculty Senate could do the same thing. So I would be open to any discussion. Yes, Carol?

C. DeMoranville: I guess I’m loath to create additional committees when there are existing committees whose work is pertinent to this particular topic. I also serve on the Honors Committee and I think that investigating whether or not NIU should have an honors college is appropriate work for that committee. I guess I would much prefer that it is kept within an existing committee framework. And there is representation from all colleges on that committee. There are honor students on it as well. The acting assistant provost sits on that as well.

President Willis: Okay. Any other discussion or comments? Yes, Jim?

J. King: Since David had to leave and since he and I were seated together today, he asked me to make the pitch for his idea. The spirit behind it is that the honors college should be a faculty initiative and therefore, in his thinking, it should come out of the Faculty Senate not out of the University Council. So as I see it, the big fork here is that the resolution before you seems to shift this enterprise, according to this last sentence, to the University Council. David says no, let’s keep this in the Faculty Senate. Therefore, what he stood for is that the Honors Committee and the Academic Planning Committee jointly – that they join forces and work out a definite
President Willis: I think he meant the Academic Affairs Committee.

J. King: Let’s see. He wrote that down here. Yeah, I think so, exactly. So I’ve tried to articulate his point of view. It really is a difference isn’t it? It’s major. This would keep it in the Faculty Senate. It would not kick it over to the University Council. Then, his idea is that once it’s all finished and the whole plan drawn up, the designs made, the proposal would then come out of the Faculty Senate and go to University Council for final adoption. That’s it.

President Willis: So, are you making a counter-motion or ---

J. King: No.

President Willis: Is there any other discussion? Okay, well we have Jody’s motion on the floor. Are we ready to vote on this motion? Okay. All those in favor? Opposed?

The motion passes.

President Willis: If I could just comment. I’m certainly sympathetic to the idea of initiation for the honors college coming from the faculty which is why I moved to have it referred to Jody’s committee in the first place but it seems from the motion that with the work that they’ve done and the motion they’ve made, that they feel that its time. You know, they’ve done their initiating and it’s time to move it on to the Honors Committee. All right, let me see. Okay. So now Jody, do you have anything else? Okay.

C. Faculty Rights and Responsibilities – Carol DeMoranville, Chair – report.

President Willis: Faculty Rights and Responsibilities, Carol.

1. Recommendations for the Office of the Faculty Personnel Advisor. ACTION ITEM (Pages 32-33)

C. DeMoranville: As I’ve reported at the last couple of meetings, our committee has met and has several months to look at the office of the Faculty Personnel Advisor and we came up with several suggestions for changes to that office. You can look on pages 32 to 33 for a little bit of background and then we have a resolution. The resolution has actually three parts to it. One, some changes to the bylaws. This is NIU Bylaws and then two other suggestions where we are requesting that the University Council develop the appropriate language to add this to the bylaws. The particular changes to the bylaws that we want which I’ll just highlight for you. In the first paragraph there under Article 9 where it starts “The faculty personnel advisor is a resource person”. We want to add one word in the last sentence “The advisor’s role may include such activities as the following:” and we would like to add in that second list “to act as an advocate” for the faculty. There is nowhere in the bylaws that states that the Faculty Personnel Advisor should act as an advocate and we think that that is an appropriate role if the Faculty Personnel Advisor thinks it’s appropriate. So the language would be “To advise, assist or
advocate for faculty members who are experiencing difficulties with the personnel process”. The other is under section 9.24 and the problem here was that a number of cases, about 50% that come to the Faculty Personnel Advisor are from Supportive Professional Staff, who are on twelve-month contracts. Many of the issues come up during that one-month that the Faculty Personnel Advisor is not working, so it creates some problems. So we are recommending that it become a twelve-month, not an eleven-month position, and those changes are listed in section 9.24.

The last two items address some issues that the previous Faculty Personnel Advisor, Natalie Clark, brought up in her report and also Malcolm has talked about with our committee said there are those cases where there are two faculty members who come, or a Supportive Professional Staff person and a faculty member both come to the Faculty Personnel Advisor, and they don’t know which person they should represent or assist. So, to handle cases such as that, we’re recommending that there be an assistant Faculty Personnel Advisor or appoint an alternate Faculty Personnel Advisor. Our recommendation is that an alternate Faculty Personnel Advisor be the outgoing Faculty Personnel Advisor to be called in just on those particular cases. There’s not many of them but enough that we should have some wording to handle that. If the outgoing Faculty Personnel Advisor is not available, it is recommended that the Faculty Senate appoint or nominate someone to serve in that position.

The third item has to do with the files, which are accumulating in the office there and we’re recommending that they be kept for eight years and then destroyed. That was based on some feedback we got from George Shur, the University Attorney. And those files will be kept with the Faculty Personnel Advisor and will only be accessed by them or the alternate Faculty Personnel Advisor.

That’s our resolutions.

President Willis: Okay. Now, of course, we can’t amend the bylaws ourselves and so this resolution is to pass these recommendations on to University Council.

C. DeMoranville: Yes.

President Willis: Okay. Discussion? Herb?

H. Rubin: I probably – when Carol was talking about the special ad hoc committee I should have put up my hand and said I totally agree with Carol as she does with me. I basically agree with most of these things here although I have questions, comments and maybe a suggestion for some thoughts of change or something. I thoroughly support the ideas of the advocacy thing. I think we should, you know, have that language even more redundant elsewhere if possible. I think that role is totally missing. I have a question that – I don’t want to give up the floor to hear this – but, is there separate wording for Professional Support Staff elsewhere because some of these seem only to be referring to faculty? In terms – I mean can the Faculty Personnel Advisor act as an advocate for Professional Support Staff?
C. DeMoranville: The term faculty as it’s used in the bylaws here refers to Supportive and Professional staff as well. They’re considered faculty.

H. Rubin: Okay. On the second thing, this is something that you didn’t handle. One of the things – when we picked up Natalie’s report and we, ended up referring to your committee, she was doing what’s been in the bylaws for the last ten or fifteen years since they were written, which was reporting to us in a report that generally gets buried and that this year did not. I would be happier if somebody could come up with language, which – maybe at University Council – to observe the workings of the personnel process or recommend needed changes or clarification in a manner specified so it doesn’t get buried. You know, somebody operationalizing how that happens. I should have joined John Peters leaving at 3:00. My mind’s not thinking very quickly so I don’t have an idea but somehow so that it’s operationalized. Because that does occur in procedures and they usually get buried and we usually get real wisdom out of those reports. So, something to operationalize that and then probably – a more minor thing – is something maybe a dean or a lawyer or somebody should work out – the Faculty Personnel Advisor is a compensated position and now you’re asking someone to handle that task as a second one and somebody might want to think of some of the pragmatics of asking somebody. It’s not like you’re calling up somebody for ten minutes. Some of these disputes can run the eight years you are saving the files. It can run long periods of time and it’s not bad imposing on somebody who is doing it as part of his or her job but then asking the previous person or somebody else to step in to do something that can be incredibly time consuming, you have to worry about some mechanisms for freeing up that person for something.

President Willis: So you’re talking about the alternate.

H. Rubin: Yeah, the alternate, yeah. I mean you get involved in a case, you can get involved for months and, you know, the Faculty Personnel Advisor is paid for that. Hence, the other person has to do something.

C. DeMoranville: If I could just speak to that for a moment. I know our committee did discuss this and think about this issue but the number of times that an alternate would be required are very minimal. It’s only when both parties involved are faculty. It’s rare but it does happen and that’s why it was included in the bylaws. As far as additional compensation, frankly, after discussion, the committee felt that it was virtually impossible for us to try and predict how long these issues might last, how much time a person might put in. We just didn’t want to go there. I think that if we set up some parameters like the alternate shall be paid “x” that it’s certainly not going to cover all situations because in some cases it might be half an hour or in other cases it might be a couple of hours a week for two weeks or a month or two and it would be too hard to predict that.

H. Rubin: And what about the comments on the other – you know, specifying ways to make sure reports don’t get buried, you know.

C. DeMoranville: I think that’s a good idea.

H. Rubin: Just making sure we’re talking about that.
President Willis: Would you be willing to accept that as a friendly amendment?

H. Rubin: Yes, if somebody work out language – if somebody can be thinking very quickly – I need another cookie.

C. DeMoranville: You know, to move things along a little bit, there are additional issues our committee is going to be talking about and going to bring to the – probably the February meeting because we won’t have time before the January meeting to talk about them – and these have to do with workplace issues of Supportive and Professional Staff. So, I think perhaps to move things along a bit I would be happy to entertain adding the operationalizing position to that and we’ll bring it up at the next meeting as just a separate issue. Okay?

H. Rubin: That’s fine and we should all go with John Peters. All back to his house. Thank you.

President Willis: Yes, Jim?

J. King: I talked to not our current Faculty Personnel Advisor but to I think virtually all of the predecessors in the last dozen years about a question, that now comes up, that’s very interesting. That is advocacy. What did the committee understand by advocacy in adding that language? What is it for the Faculty Personnel Advisor to advocate?

C. DeMoranville: To advocate the position of the party that they’re – I don’t want to use the word represent because we’re not – the issue is confused by the fact that the last two Faculty Personnel Advisors have been attorneys. We don’t want the Faculty Personnel Advisor to have to act as an attorney because it’s most likely that they won’t be an attorney but to be the champion for that person at meetings and work issues.

J. King: Then I feel I can proceed with an alternative. That is to say there’s two downsides to advocacy as it’s shifting out of my conversations and I don’t think either of them is really minimal. The first is that frankly the Personnel Advisor’s access to the other side, the administrator, the department chair or the dean or whatever, is cut off if the Faculty Personnel Advisor is viewed as an advocate. That is to say this person is no longer a neutral party. Okay? This person is an advocate. The second point is related to this, maybe it’s the same, maybe it really collapses into it. It pretty well cuts the Faculty Personnel Advisor out of the role of mediator. I don’t know that there aren’t some cases where being mediator and I’m taking up a neutral stance, isn’t useful. Now, I know that your language says “or” not “and” but let’s face it. That “or” is going to be an “and” because any Faculty Personnel Advisor who does not advocate for her faculty member is giving that person the kiss of death. That’s sending the signal, I’m not advocating for so and so here because I don’t like her cause. I don’t think her cause is worth it. I think she’s wrong. I think the “or” becomes an “and”– I think that pretty well consistently the individual is going to have to advocate. I don’t know that that back door exit is open to – is going to be open to a person who, by the way, in office, is going to be held accountable for what this says. So, I’m not arguing against it. I know the theory is a second model, but it seems to me that it’s a change and I just wanted to voice some questions and learn what the community is
thinking about it.

President Willis: You were next. Do you still have a comment?

J. Kowalski: Jeff Kowalski from the School of Arts. I think you may have alluded to it and I hope you can answer this quickly but why was the word may added to the second sentence?

C. DeMoranville: For some of the exact points that Jim was just talking about. We didn’t want the Faculty Personnel Advisor to be required to act as an advocate but they could be an advocate, if they so choose.

J. Kowalski: Right.

C. DeMoranville: And because the Faculty Personnel Advisor may be presented with a case that they don’t think has merit and as such, they can assist the faculty or the SPS person through the process and advise them about what their actions could be but they don’t necessarily have to act as an advocate. That’s why the “may” was in there and the “or” was in there. It’s a role that the Faculty Personnel Advisor could --- I agree with Jim’s point that if they don’t then act as an advocate it may send a message. There was a lot of discussion in the committee that many past Faculty Personnel Advisors did act as an advocate, and a lot of committee members felt that they should but we didn’t necessarily want to back the Faculty Personnel Advisor into a corner to require that they act as an advocate if they didn’t feel comfortable doing so for a particular case. That’s number one. The number two thing that I’ll respond to Jim, since I’m talking, was about the neutrality and acting as a mediator. This line does not preclude them from acting as a mediator. If what you’re looking for is neutrality, we have an ombudsman who is required to be neutral and can advise and assist and that’s what that person does but this person we felt could be more of an advocate for the faculty if necessary. Because otherwise there is none.

President Willis: Okay. Kathryn?

K. Gately-Poole: I agree with that too. I think it’s essential for the faculty to have somebody who’s an advocate for them. I mean, I’m sure the administration has people who are advocates for them with us and I find it, it puts us in a very, very weak position that we never have an advocate for ourselves if we need one, so I think it’s desperately needed. I mean, I would like an attorney but I was told we don’t have the money for that so to me this is a – and I agree also that the ombudsman is a position of neutrality. That’s how I see the position and that’s how my department has used it. Thank you.

President Willis: Pat?

P. Henry: Just somewhat on the same line but I wonder with the advocacy – if it might have an unintended consequence – the necessity for having more of the cases using the alternate Faculty Personnel Advisor and that it would become something, I mean, this is not necessarily a bad thing – but there may need to be a little bit more specification of the alternate Faculty Personnel Advisor and that it may not be something as rare as it is thought to be now. There should be some language, without necessarily, nailing it down as to number of hours or compensation but
something that does take into account the fact that this person may be spending some hours and
that it shouldn't be left completely open as to how that person would be compensated.

President Willis: Okay, Herb?

H. Rubin: Somehow I must have offended Dan a year or two ago when he got me doing the
Faculty Grievance Committee, which did not do very much work fortunately, and then we started
this Grievance Committee which is a lifetime occupation in terms of stuff and I’d like to
comment a little bit on the issue and why I very strongly support the advocacy thing. First of all,
the norms of this campus are very, very strong towards mediation and nobody in their right mind
is not going to start off through mediation in the first place. People can end up very happy or a
sensible advocate is going to tell the person that he or she is advocating for, see if you can work
this out because you don’t end up with people going behind barriers to begin with. I think the
roles are very compatible. Somebody’s already mentioned we have an ombudsman for neutrality
and that role needs to be strengthened. I think we need more ombudspeople on campus but that
role was already there. The third point that’s coming out and this is why I asked President Peters
that question about the business model referring to both IT, which I think is a very easy thing to
answer, and HR which is a way harder thing to answer, where we’re ending up with internal
bureaucracies here, but by the very nature of internal bureaucracies, and this is not to cast
dispensers on anybody, it’s a major bureaucracy, you end up with people in fairly fixed roles
who end with cases that end up going over to HR, at least what I’m hearing, where you are in a
bureaucratic environment where people are presenting an administrative side and I don’t mean
that pejoratively you know, presenting the institution’s side, the hierarchy, superior side, are
issues and faculty are – I think this is way too weak. I really wish we could work for a full-time
attorney acting as an attorney in that role and if that’s impossible I really do think that the
Faculty Personnel Advisor needs to act as an advocate so at least we have somebody speaking up
against what is a system that’s accreting people who are advocating for another side. So, I really
strongly support this.

President Willis: Okay, Jeff and then Carole.

J. Kowalski: I’m going to withdraw my comment.

President Willis: Okay, Carole.

C. Minor: I’d like to speak to someone who’s had experience with the Faculty Personnel
Advisor and I would like to suggest that the change in wording here is not a significant change.
I’ve had the opportunity to consult with the Faculty Personnel Advisor on three occasions, two of
which resulted in formal actions being taken. On at least two of those occasions, the two that
resulted in formal action, I felt very much as though the Faculty Personnel Advisor was my
advocate. Not only did the person in that role, and it was – the people I consulted with were
three different people on three different occasions – not only did I feel that the person was
personally supportive to me but was an advocate for my rights as a faculty member. I also felt
that the first thing that came to each of these persons’ mind was, in the appropriate situation, was
mediation and in one of those cases a mediation situation was set up and it was resolved in that
way and there was a satisfactory – if anything like that can be satisfactory – resolution that was
handled through mediation. Although I had felt that the person who was acting as the Faculty Personnel Advisor in that case had advocated for me in the situation. The other person did have a different person and a different role on campus as an advocate in those proceedings also. The other thing is that – well, I guess I can’t really address the access to the other side being cut off but it seems as though if there comes a formal situation where information is needed, it gets presented at least in a formal situation. Maybe you don’t get access to that in an informal way but my feeling with my experience with the person in this office is this is not a great change in the way it has been enacted in the past. I don’t know how it’s proceeding presently, but in the past.

President Willis: Jim?

J. King: I thoroughly agree with that. I think the ones I’ve talked to saw their jobs as advocacy. I just wonder whether by putting this in, you’re creating more problems than you need to and it’s plain to me that the committee has addressed it and I don’t mean to second guess one of our committees. Okay? I just had some questions to raise.

President Willis: Yes, Jeff?

J. Kowalski: Jeff Kowalski again. At the risk of muddying the waters, I would like to suggest a way to perhaps split the difference in this concern by suggesting a friendly amendment to the language in which this sentence would read “that the role would be to advise, assist, facilitate mediation for, or advocate for faculty members who are experiencing difficulties with the personnel process” which gives you a sense that it’s kind of an ongoing set or types of actions that could be taken and not necessarily would involve advocacy in every instance.

President Willis: Carol, is that okay with you?

C. DeMoranville: Yeah. Let me just check the language “to advise, assist, facilitate mediation for, or advocate for faculty?”. I don’t have a problem with that.

President Willis: Okay, let’s see. We do have a motion on the floor. I can’t remember if we had a second or not. Yes, Tim and Jenine?

J. Povlsen: First of all, I’m Jenine Povlsen from Supportive Professional Staff Council and I’ve had an opportunity to understand the dynamics of what occurs in a workplace for our Supportive Professional Staff here at Northern. Again, I appreciate the committee looking at those issues and I’m looking forward to discussion in February but I think that simply due to the fact that these issues in the workplace are existing, it is more important than ever that the Faculty Personnel Advisor serve as an advocate. While I agree with Carol in her statement that the Faculty Personnel Advisor generally has been an advocate and I understand that to be true, the bottom line is that that is not the understanding that is shared at this institution and that, in fact, has been reflected to me that the role of the Faculty Personnel Advisor is not one of advocacy but simply to assist. So in terms of Supportive Professional Staff there are a multitude of issues that are affecting the workplace. We need an advocate and I agree with Herb’s assessment of what is occurring in HR in the sense that it is a very bureaucratic system. We do have policies in place
but if the policies are not going to be followed, then we need to have an advocate who comes in and says “you have missed this deadline; you need to do this” without somebody advocating for us and, in fact, the Personnel Advisor who advocates, the case is gone forever and there is no recourse for us other than to hire private attorneys. So we don’t want all of our cases to be at that level. I think most of us appreciate mediation and let me also point out, there are clearly some instances where mediation cannot be used, especially in issues of power and balances. So, I think the bottom line is for Supportive Professional Staff, and the stats are out there, the information has surfaced amongst many constituency groups, advocacy is extremely important to us and I would suspect that if advocacy continues and it’s strong, that many of our problems will not continue for so long. So, on behalf of Supportive Professional Staff Council I am very much indebted to you for looking at these issues that are impacting us. We are approximately a thousand strong here at Northern and we love our jobs and love our work and appreciate your support and your partnership with us.

President Willis: Tim?

T. Griffin: I have a quick issue or question for clarification from the committee on a somewhat different topic. I notice in the very last paragraph here where you talk about the files that are generated and they are “the property of the Faculty Personnel Advisor and shall be kept for eight years”. Is it the intention of the committee to be kept by the incumbent or will they be passed on to each successor.

C. DeMoranville: That they will be passed on.

T. Griffin: I wonder if having it delineated in some way by an additional phrase wouldn’t be help for future confusion that might arise in that regard. Just a suggestion. Thank you.

President Willis: Okay, any other discussion? Jenine?

J. Povlsen: I have a clarification. Tim raised another issue in reference to the maintenance of the personnel files. Help me understand this. If a Faculty Personnel Advisor originally starts with a case and then it continues into the next Faculty Personnel Advisor, there is an understanding that between those two parties that the file then also transfers to the next one, what is the intent of access to files that may have been closed by the first Faculty Personnel Advisor? Will the second Faculty Personnel Advisor then be willing to share information if an issue resurfaces? Do you know what I’m saying? Maybe you can help me Malcolm on this. A case is done by let’s say Natalie, and then the next person takes over which is Malcolm. An issue resurfaces which is related to the original case. How does that work?

M. Morris: If it’s the same individual, I have the file. I think Tim’s point addresses that if you change the language to “files generated by the Faculty Personnel Advisor are the property of the Office of the Faculty Personnel Advisor the, whoever is sitting in that office, has access to those files. So, yes, I think with that kind of an understanding I would clearly have the right to look at a file that Natalie had given me if, in fact, it was the same grievant. Does that ---

J. Povlsen: Yes, it does.
M. Morris: That’s my interpretation. It doesn’t make it right as I’ve often been told. I would make that as a friendly amendment if Carol is amenable.

C. DeMoranville: I’m very amenable.

President Willis: Okay. Is there other discussion?

M. Morris: I would just bring up one thing and I don’t know how to answer this. There are a variety of matters that come to the Personnel Advisor that really aren’t part of the personnel process per se. In other words, SPS people are not looking for tenure, they just have an issue with the supervisor or with a co-worker, however it arises. I’m not even sure as I reread that where that’s covered in our rules because it’s not part of a personnel decision although it could be. It could be an evaluation or something like that. What I’m leading to is should we use – if we’re going to use the word advocate – should we also add it to the clause immediately after the personnel process or is it your intention that the Personnel Advisor would only advocate on decisions regarding promotion and tenure or firing, which I think is the personnel process proper. Did I make myself clear?

C. DeMoranville: Yes and here’s my response. I think that the committee was using a broad definition of experiencing difficulties with the personnel process, a very broad definition of what that personnel process may include which could be evaluations, etc. The reason it was not included in the second one was because there was some concern that people who were just unhappy with the way things turned out would want the Faculty Personnel Advisor to then act as an advocate and I – I guess if that FPA didn’t think that was warranted, they shouldn’t have to, simply because someone is dissatisfied. If they were dissatisfied with merit, I think that would be found on the first clause where the word “advocate” is included. I don’t know if that’s a good explanation or not.

M. Morris: It’s fine with me if this body has understanding that the Personnel Advisor is supposed to give an expansive interpretation of the personnel process, then I’m comfortable with that. It’s part of the legislative history in the minutes.

President Willis: Do we have other discussion? Okay, so we have a motion with friendly amendments. Did we have a second? We have a second, all right. So this motion has been moved and seconded. Is there any further discussion? All those in favor? Opposed?

The resolution passed.

President Willis: Carol, did you have anything else?

C. DeMoranville: Yes, I unfortunately do have one other thing. It has to do with the Faculty Personnel Advisor’s Office.

President Willis: Oh, goodness.
C. DeMoranville: Malcolm sent me some information a couple of days ago about a situation that has occurred apparently also with this office and I want to bring it up to the Senate because I think it should be referred back to our committee and since we’re also going to bring forth to the Faculty Senate something about the operationalization of the reporting procedure we can consider this situation as well. His concern is that – in grievance hearings, the SPS grievance procedure specifically provides that attorneys are not allowed to participate at the Grievance Hearing Boards. Now, it just is a coincidence that Malcolm happens to be an attorney but he’s serving as a Faculty Personnel Advisor, well they wouldn’t let him go to the meeting. So he can’t advise, he can’t assist, he can’t advocate for a person and he can’t be at the meeting. Obviously, this is unlikely to happen unless the Faculty Personnel Advisor is an attorney but our last two have been and it may happen again in the future. So, their concern is that a person who should be there for SPS or for faculty isn’t allowed to be at the meeting and then a secondary concern is that just generally precluding Faculty Personnel Advisor from a meeting where they should be. I think Malcolm was also concerned that SPS grievance procedures – I’m going to read what he said “questioned whether the SPS Council or for that matter, any representative body on campus other than the council itself can promulgate a rule that derogates from the spirit and intent of University bylaws”. So, the rule itself that doesn’t allow attorneys is in question and then not allowing the FPA is in question too. So, if I can make a motion to refer that to my committee?

President Willis: Any discussion?

M. Morris: I just want to clarify for the record. An objection was made to my appearance at the hearing. It never got to the point where I was not allowed to attend the hearing. It hasn’t gotten that far, but an objection was raised which started a variety of other things to start rolling and I felt that ultimately, I brought it up to the University Council and then I sent Carol the note because I really think it is something we ought to address in the bylaws since we are reviewing the office.

President Willis: I would suggest also that since we referred to you at the beginning of the term Natalie’s report, I think you have a fairly broad mandate to look into the Faculty Personnel Advisor’s Office anyway. But I don’t mind us saying yes, you can look into at this in particular. Jim?

J. King: Carol, could you give me the reading of the rule that you cited just a bit ago? About the attorneys not being present.

C. DeMoranville: I’m reading from Malcolm’s note to me.

J. King: Okay.

C. DeMoranville: The SPS grievance procedures specifically provide that attorneys are not allowed to participate at grievance hearing boards. There is an exception to the grievance being dismissed.

J. King: So if an SPS was an attorney, they couldn’t go to the grievance? Right?
C. DeMoranville: Technically, I suppose so.

J. King: Oh, okay. I just wanted to be real clear on that.

President Willis: Herb?

H. Rubin: I don’t want to address the substance because the motion is to refer to committee even though I will be happily interviewing and not on this committee during February on sabbatical so I won’t be hearing the substance but I would suggest that while you look at the particular issue, you might want to expand it a little further and think about the different clauses that basically say that people who are in grievance procedures, I think this is primarily going to be Professional Support Staff, are not really allowed attorneys as attorneys because in this case, to me, he is an attorney, not acting as an attorney so I think it’s just something we need language clarification for. I’m upset that the rules basically preclude an ordinary Professional Support Person bringing in an attorney early on when the University, whether or not the person on the other side of the table is an attorney, these people have automatic consultation rights with the University attorneys who have an obligation basically to respond to them? The asymmetry in that situation really bothers me. You know, and the counter-argument is if you keep an attorney out you can mediate it. I mean, I understand where it came from but I’d like the committee to think about those issues.

President Willis: Okay. Any other discussion? Okay, all in favor of this motion say aye. Opposed?

The motion passed.

President Willis: Carol, do you have anything else?

C. DeMoranville: No.

President Willis: Okay. I would suggest, being that it’s two minutes to five and being that what happens between now and our January meeting is mostly Christmas and New Year’s and probably not much work is going to go on during that time anyway, not that I don’t love you all dearly and think that you work very hard, but I’m being realistic here – I would entertain a motion to postpone the rest of the agenda to the January meeting. Any discussion? Carole?

C. Minor: I would just like to make sure – our committee got skipped today in the list. I want to make sure we get on the list for next time.

President Willis: We will start with the postponed agenda.

C. Minor: And our committee is meeting tomorrow.

President Willis: Yes, I know. We will finish up in January. Yes, okay. I need a vote on this motion. All those in favor?
H. Rubin: I move adjournment.

The meeting adjourned at 5:00.


E. Resource, Space and Budget – Carole Minor, Chair – report.

F. Elections and Legislative Oversight – Gretchen Bisplinghoff, Chair – no report.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

1. Approval of Joan Quinn to serve on the HSC Board.

2. Substitute for the University Council Executive Secretary – see memo from Jerry Zar – refer to Rules and Governance. (Pages 34-36)

3. Statement of Professional Ethics – see statement from University Council – refer to Faculty Rights and Responsibilities. (Page 37)

XI. COMMENTS AND QUESTIONS FROM THE FLOOR

XII. INFORMATION ITEMS

A. University Council Agenda (latest available) (Pages 38-39)
B. Article from Chronicle of Higher Education, “Bandwidth by the Numbers: A Sampling of Colleges” (Page 40)
C. Article from Chronicle of Higher Education, “A New Approach to PeopleSoft Installations Sets Limits on Time and Cost” (Page 41)
D. Article from online, “State budget cuts could force special session” (Page 42)
E. Editorial from Chicago Tribune. “When Scholarship means scam” (Page 43)
F. Minutes from latest Academic Planning Council meeting (Pages 44-46)
G. Minutes from latest Graduate Council meeting (Pages 47-49)
H. Minutes from latest Undergraduate Coordinating Council meeting (Pages 50-54)

XIII. ADJOURNMENT