I. CALL TO ORDER

P. Stoddard: Welcome everybody for Dr. Baker. I trust everybody had a fulfilling Thanksgiving break. The L-tryptophan has worn off so we can get back to work.

II. ADOPTION OF THE AGENDA

P. Stoddard: The first order of business would be the adoption of the agenda. Anybody like to do the honors? Thank you Cason; seconded by Dr. Baker. Any comments, questions, additions, deletions? All in favor of adopting the agenda say aye. All opposed? Thank you.

Snow moved; Baker seconded. The agenda was approved as written.

III. APPROVAL OF THE MINUTES OF THE OCTOBER 31, 2007 FS MEETING

(Pages 3-4)

P. Stoddard: Next up approval of the minutes? Let’s not always see the same hands. Thank you, Jeff and Mike in respective order. Any additions to the minutes or comments on the minutes? Okay, seeing none, all in favor of adopting the minutes or approving the minutes say aye. All right, we have minutes. Thank you.

Michael moved; Jeff seconded.

IV. PRESIDENT’S ANNOUNCEMENTS

A. Janet Rintala and Bobbie Cesarek will discuss NCAA Compliance Issues.
**P. Stoddard:** Under announcements we have a couple of guests with us today who will talk to us about NCAA Compliance Issues and then after they are done I’ll have a couple of words about some issues as well. So I’m going to turn it over now to Bobbie Cesarek and Jan Rintala and they will talk.

**J. Rintala:** It’s nice to be here. I haven’t been at a Faculty Senate meeting in quite some time; it’s nice to see some faces again. Bobbie and I in our roles related to Athletics, Bobbie as the Director of Compliance and me as the Faculty Athletic Representative, have responsibility for making sure the institution and all of its people within it follow the various rules and guidelines stipulated by the NCAA. As faculty members, we impact athletics and the athletes probably in a lot more ways than we’re aware of. What we do in our classes, some of the curricular decisions we make as faculty in our departments and, in many cases, some of the activities we do within our own classes can have impacts upon our student athletes. What we’re going to focus on today however is the ways in which we may unknowingly put student athletes or perhaps the institution in jeopardy by virtue of the NCAA rules and regulations that sort of guide student athletes in the way in which they operate within the institution so I’m going to let Bobbie take care of most of this as the Director of Compliance. This is her everyday job and I will pipe in a couple of instances as well.

**B. Cesarek:** Okay, great. Thanks Jan I appreciate it. I was told I have to use the microphone even though I do have a gym voice. These are the topics that we’re going to hit today and the NCAA major infraction is really kind of our introduction into the how’s and why’s of our meeting today but also some of the things that are really, really key to the NCAA which is institutional control, ethical conduct, because when we talk about NCAA regulations, it is the institution which is a member of the NCAA and therefore everybody at the institution is a member of the NCAA and it’s just not the Athletic Department and that’s what we’re going to try to share a little bit today. Okay. Unfortunately in our past, you may have recalled if you’ve been here and I assume most of you have had for a couple of years, we’ve just finished as of August 2007 a one-year probationary period for a NCAA major infraction. Unfortunately – it was the first in our history – we did have to go through it. We will be scrutinized for the next four years. We’ve already passed the first but they’ll take a look at us very tightly for the next four years because of that and the reason that I bring it to you and will continue to do so through the college and department levels is because it involved an institutional staff member that was outside of the Athletic Department that provided what’s called “extra benefits” to a student athlete and did so without maybe some knowledge, without finding out about ahead of time if it was permissible to do these kinds of things and as much as we pleaded with the NCAA during an infractions hearing down in Indianapolis, we were unsuccessful in getting them to think it was something other than a major infraction. The other reason that Jan and I are before you today is that the NCAA reviews every institution once every ten years and NIU is up for their once in ten year review in the fall of 2009 and truthfully it takes starting now until they arrive in the fall of 2009 to prepare and have everyone on board and what the NCAA is not the Athletic Department to pull out all their forms and all my protocol and say this is how we run things. They want the institution – ala faculty and staff – outside of Athletics to be involved in really taking a serious look at intercollegiate athletics by all the guidelines that are established from the NCAA and establishing a protocol – not a protocol necessarily – but a review of the program through the
protocol that’s established by the NCAA to see indeed if we should be certified for the next ten years. So Jan certainly will be coming to and knocking on a few doors asking for your involvement because that will be really key for us. Okay. We have – I left it on my desk – we have an NCAA manual that’s about ??? thick – it’s about 466 pages at last count and it’s got all sorts of rules and regulations for the student athletes, for the department but for the institution itself and the first couple of bylaws, the 1’s, 2’s and 3’s really apply to everybody and the first one is the principle of institutional control and that basically says that the institution – not necessarily again just the Athletic Department – has to be in control of what’s going on in intercollegiate athletics, have some insight into what’s happening, have some oversight as well which is why we have an Athletic Board. I have a compliance oversight committee of which I have three or four faculty serving on that to assist me but it’s the responsibility of the institution to have some oversight and you’ll notice the scope of the responsibility, and I have underlined it for you, includes the actions of NIU institutional staff members and please don’t take offense when they say institutional staff members. They mean everyone who’s employed here, not separating out faculty, operating staff, supportive professional staff as we do. Okay?

Rules compliance. This is why I’m employed. We have to comply by the rules which means that we have to know what they are first of all. I just did a one hour rules education meetings this morning with a number of coaches. We’ll do the same thing tomorrow morning so we’re constantly doing rules education with our coaches, with our student athletes, with our support staff within intercollegiate athletics but with this violation, the NCAA insisted that we extend that rules education to institutional staff members which is why in the fall of 2005, you got the brochure that’s in front of you right now. So even though it’s a year and a half old, believe me it still applies. That was handed out to all staff members. I’ve provided you with another copy in case you don’t have it but as an institutional staff member again, you are part of what the NCAA looks at relative to NIU. So our rules education again must extend much beyond just those in intercollegiate athletes. Ethical conduct is a huge thing for the NCAA of course and as you might know, its banned drugs, gambling, those kinds of things that are involved but the other one that’s really, really important is that when you know of an NCAA violation, you don’t immediately report it. I was just sharing with our coaching staff this morning one rules violation that took place at Purdue. An assistant coach was concerned about something, approached the head coach, the head coach made the determination that it’s really not a violation and we won’t worry about it but never followed the protocol of the institution which was to alert either an athletic director or a compliance staff member. As such, they had a rules violation that actually, you’ll be unhappy to hear, involved academic fraud and as such, the assistant coach that was involved lost her job and will not be able to coach for five years because of being involved in that particular situation of knowledge about the academic fraud and not reporting it. So it’s so important for you to be aware of the responsibility that you have for knowledge of the rules first of all and then reporting them second of all. What we’ve decided within intercollegiate athletes is to assign myself as the Associate Athletic Director for Compliance and Jim Phillips as our Director of Athletes as the two individuals that need to go to the top. So if we have a staff member who does think that they might know about a violation, they can certainly tell their immediate superior which may be their head coach or their sport athletic director but they absolutely have to come to one of the two of us and in discussions with Jan, we’ve added Jan’s name to this list for our faculty members and our institutional staff members outside of athletics who may feel more comfortable picking up the phone and dialing a colleague as opposed to
someone over in athletics that they might not know quite as well. So if you are aware of any NCAA violations, become aware, have questions, aren’t sure, want to check ahead, you need to contact Jan. Certainly, you’re free to call myself or Jim Phillips if you would like to inquire but that’s the route we want to take because what happened with our violation again, is that we weren’t aware of it for six months. Had I been aware of it within the first couple of weeks of the extra benefits taking place, we could have stopped it right there. We could have had a payback and we would have been fined. It wouldn’t have been a problem. It went on for six months. The dollar figures were well into the thousands and therefore that’s why we had our major infraction. Okay.

What in the world are extra benefits? The NCAA sets up a whole list of things that we can and cannot do for student athletes so they make it easy. They say anything they don’t outline as permissible is impermissible and is therefore an extra benefit so that makes it a little tough. What happens in extra benefits by the way, as soon as we know a student athlete has received an extra benefit and actually I just found out about one a week ago – no, last Friday – the student athlete was competing on Saturday – a small one, five bucks, and it seems like not much but it’s still following the rules the way the NCAA has set them out. I declared him ineligible until such time as he paid back, according to NCAA protocol; he paid back that money to the charity of his choice. Not to the institution, not to whom it came from but it goes to the charity of choice so we did that even though they were on a bus trip and going on somewhere else. They took care of it, faxed it back to me. When I got the receipt that I needed to get, I deemed him eligible. So it happens even for little things but it’s very, very important.

Here’s a list of some of the things that fit in the extra benefits and awards category that the NCAA has set up. So any of these expenses may be permissible yet at the same time, may not be depending on the circumstances and who’s providing them money. Most generally the NCAA provides the opportunity for medical expenses, housing and meals if it comes from the institution to the student athlete. So people who want to donate to the Huskie Athletic Fund, they cannot give the money directly to the student athlete. That would be an extra benefit. But they certainly can give money through the Huskie Athletic Fund to be designated to his particular sports program and at that time, the head coach, sport AD assistant coaches will make the decision of how best to spend that money. The problem is the direct benefit to a particular student athlete or groups of student athletes that’s given by an institutional staff member. And you may do so just not thinking about it. You know, you did a great job on that test; I’m so proud of you – I’m headed down to lunch – you want to join me? - probably not a good idea if it’s a student athlete and that’s unfortunate because you might do that for another student of yours but you may not be able to do that with a student athlete. Okay. Extra benefit – any special arrangement by an institutional employee. So again, it’s anybody who works for NIU, even volunteers that help out in our department that provide something to the NCAA, again, that’s not expressly authorized.

The violation also extends not just to the student athlete to the student athlete’s parents, relatives or friends. Interesting to note. Not that you may with them but probably not. Here’s some of our examples and unfortunately, our use of telephone, our use of credit card, money, use of automobile, transportation, those were involved in our extra benefit. So these are some of the things that you cannot provide to a student athlete that you may just arbitrarily feel comfortable providing to a regular student. You’re headed to the post office, it’s raining, and you want to
pick somebody up and maybe they’re headed toward Geneva and you’re going and you know you’re going and you’ve got something and you’ll give them a ride in your car. You can’t do it with a student athlete unfortunately.

One of the other things is just – even simple things. Now I don’t know that you would do it necessarily but it’s happened many a time at collegiate institutions because you want to try to help the kid out. They’re moving from the residence halls and next year they’re going to be in an apartment and they live out of state and they’ve got lots of stuff and you just want to store it in your garage for a couple of months while they’re home for the summer, whatever. Again, that’s not something that you would offer to any other student on campus. Again, you may to particular students but you wouldn’t open your garage doors to absolutely everybody, therefore it’s impermissible also for a student athlete. So what we encourage everybody to do is always ask before you act. So while you may or may not know who some of your student athletes are, I would imagine you may, you don’t – okay.

N. Churyk: I have a question. I mentor first connection students, future diversity leader students and I bring all my students to lunch – the first connection ones – lunch, the future diversity leaders lunch, dinners. One of those is going to happen to be a football player. Can I not bring him to lunch or dinner like I do all my other mentees because he is a student athlete? Do I need to ask that?

B. Cesarek: That’s a great question.

N. Churyk: He’s been too busy because of football season so as luck has it, he’s been too busy other than to meet in the office once or twice.

B. Cesarek: One of the bylaws does permit that if it’s a business meeting and the student athlete is part of a group that’s going, that they certainly can attend that. Absolutely. So you’re okay.

N. Churyk: Okay, so as long as he’s with the other future diversity leaders students he’s fine?

B. Cesarek: And that they’re there for the purpose and he’s there because he’s involved in that entity and not because he’s chosen as a football player or student athlete.

N. Churyk: It has nothing to do with that; it has to do with KPMG.

B. Cesarek: Perfect. You’re good.

N. Churyk: And do I notify you first?

B. Cesarek: At this point, you just have and it’s fine. But I do get calls. I get a couple calls from – Dean Schoenbachler I know has called me from the College of Business because we have a couple of student athletes who are involved in that college and she wants to make sure that again we’re doing things the right way. So I welcome calls. I know Jan certainly would when it came to that. If you know you have some student athletes and there are certain circumstances. We just want to make sure that we’re doing it right and we appreciate that because all of you are
certainly involved even though you may not have known that. Jan?

**J. Rintala:** Just to add a point. We’re obviously trying to get these things before they occur but as Bobbie indicated, sometimes it just happens. You weren’t aware of it; you may not have known it was a student athlete when it happened. Even after the fact, to report it because if it’s reported soon after the fact and we can create some discussions about what happened, it oftentimes can be reported as a secondary violation as opposed to it getting to be a great big one, major, because it’s allowed to grow and grow and grow. I don’t know how many secondary violations Bobbie puts together on a regular basis but a lot of these kinds of things happen, not with intention but simply lack of knowledge of the rules and I can guarantee you that if some of you call me with a question, I may very well take your phone number and call you back because, as Bobbie said, that little book is 400 and something pages and probably about 10 to 15% of the rules change every year so it becomes almost a nightmare to try to keep up with it but any kinds of questions like those even if we know about it after the fact, if we get it very soon after the fact, we’re able to take care of it as a very minor situation and not get the institution or the student athlete in quite the amount of hot water that we ended up with what we had a couple of years ago. Other questions?

???: Are we going to take any tests about the knowledge of those rules or not? ?? are there other things to worry about?

**J. Rintala:** To the best of my knowledge we’re not giving any tests on whether or not you know the NCAA rules. I’m hoping to heck they don’t give me a test on knowledge of the NCAA rules. A little test. For many faculty members athletics isn’t a high concern and it isn’t one that people want to spend a whole lot of time with and I can understand that. The issue is, however, that we can do some things unknowingly that harm the student because as Bobbie indicated, you know, if a student ends up receiving an extra benefit, he or she is immediately ineligible. Now I don’t know how many of you have ever been involved in an activity that was a passion to you and then somebody said sorry, you can’t do it anymore. That’s what the student athlete would be facing if she or he were caught up in an infraction of some sort through no intention of anyone and the institution can get itself in hock as well not only from sort of a reputation kind of a thing but the time and the energy that some individuals on campus also have to go through in addressing these concerns. So I would hope that you’d at least be willing to be aware of things and, as Bobbie suggested, ask before you act if you’ve got any question about things being problematic.

I also just want to say a couple of other things about the athletic certification process that Bobbie mentioned briefly. I kind of grin as I come before some of you right now dealing with certification because I’ve had a little involvement with some of you earlier on some certification issues but as with most of these processes, there will be a – a key component is going to be a self-study. The President in the fall – well, in the spring, the President will have to be appointing somebody to chair the self-study as a steering committee chair. There will be a necessity for a steering committee to be set up and a number of subcommittees. With the NCAA it is important that all factions of the institution be represented on these. So there will be faculty members on the steering committees as well as some of the subcommittees. There will be non-faculty staff, there will be students, and there will be administrators involved as well. The majority of the work will take place beginning next fall. Our report is due early May of 2009 and fall of 2009
will be a site visit. I don’t exactly know how the President plans on putting the steering committees together and all. I’m sure he and I will meet shortly but I do want to just call your attention to that. If any of you have a particular interest in becoming involved, please let me know. Otherwise, some of you may just simply be hearing from us and getting tapped for that particular responsibility. Any other questions?

W. Tolhurst: Given the complexity of all ---

J. Rintala: I think they want a microphone there.

W. Tolhurst: Given the complexity of all these regulations, my sense is that the best thing we can do is just call Bobbie if we’re inclined to do something that might benefit a student athlete to find out whether or not it’s okay and if it is how it ought to be done. But, I mean, some things that you might think would be okay I’m not sure about anymore. Suppose a prof wanted to throw a pizza party for everybody in the class at the end of the semester, not treating the student athlete any different from anybody else, would that be okay?

B. Cesarek: Yes it would.

W. Tolhurst: Okay. Secondly, suppose somebody were to do something that benefited a student athlete in complete ignorance of the fact that the student was an athlete, I mean that could happen too. How would the NCAA treat that?

B. Cesarek: Unfortunately they would look at it like you probably should have known and that’s all I can say.

W. Tolhurst: But they have no idea how clueless we can be.

J. Rintala: One of the issues here and I agree with you, it’s somewhat kind of baffling with everything else we have to do to think we have to pay attention to the minutia of some of the NCAA rules but the way the NCAA looks at it is that it is an institutional responsibility to make sure we all know what we are supposed to do and not supposed to do. In reality, it wouldn’t be a punishment of you it would be in some cases a punishment of us for lack of institutional control because we didn’t do the job to educate you well enough about all the kinds of things that go into this so that’s why, you know, our hope is that we catch a lot of these things early then we can afford these things because we can get them off as a secondary infraction based out of ignorance and not let it sort of snowball into something much bigger.

N. Churyk: Might someone send us that little slip saying how are they doing or let us know the first of classes that we have an athlete because usually we don’t know if someone is on the golf team. Because we would never know they were an athlete until we get that fifth week notice saying how are they doing five weeks later because that’s the only way we know they’re an athlete until we get the how are they doing in the class. Is there any way that someone could inform us?
**B. Cesarek:** Well you know with the new student information system I don’t know how student athletes are going to be labeled and what we’re going to have access to. I know that compliance will be in charge of rooster management so I will actually go in and designate – or one of my assistants – will go in and designate student athletes as members of specific teams and they will then be designated as such but how that’s going to carry out in this new system so that you might be able to be aware of it by looking at that student in the new student information system I don’t know, but that’s a great question. You could also just ask if you have any student athletes in the class if they might want to identify themselves at the end of class and come just have a meeting with them. They might be inclined to do so. Other questions? Yes?

**C. Garcia:** If the student athletes, if you do something for the whole class, can you consider every time you do something for your whole class and there is student athletes involved in that class, you are safe right?

**B. Cesarek:** That’s correct. Thank you. Other questions? Yes sir.

**R. Greene:** Given all that you’ve said so far and the fact that oftentimes we may not know who these people are, if we do know who they are my sense of feeling here is that we’re almost going to discriminate against them, hold them at arm’s length and say if you’re an athlete, I’m doing nothing for you.

**B. Cesarek:** Unfortunately, while the NCAA puts the rules together and puts all these restrictions out there to say you are not to be treated any differently than any other student on campus, they are in fact treated differently than any other student on campus from the academic requirements they have every semester, every term, percentage degree that they have to attain in order to be eligible. They are treated entirely different yes and that is a difficulty.

**J. Rintala:** I think again the thing to keep in mind and it sort of goes back to the question that Clersida asked earlier, in your daily operation of things if you’re not doing anything particularly unique with an individual student that you really wouldn’t do with any other student, you’re not going to generally get yourself in hock in any way. So I think that’s probably a pretty close guideline to operate under. If for some reason you’re looking at doing something a little bit unique with one or more students, that may be the time to check whether or not it’s a student athlete or not. We’ve kind of made this sound really, really onerous and stuff like that but in reality the number of time in your semester that you’re liable to be doing something specific with that student that you wouldn’t normally be doing, you know, with other students in your class or with your advisees or anything like that probably isn’t going to be an issue.

**B. Cesarek:** I’m sorry. You had another question?

???: I was just reading this little brochure here too and I wanted to clarify. Does it matter if they’re on scholarship or not? All athletes are treated the same ---

**B. Cesarek:** Yes that’s correct.
--- and then there are some sports that are very high profile like basketball and football but this is any sport?

**B. Cesarek:** Any student athlete, absolutely.

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Okay. Even – do we have club sports here?

**B. Cesarek:** No, club sports are not included. Club sports are out of campus recreation. Intercollegiate athletes hosts seventeen intercollegiate sports. I could list them for you if you wanted.

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That’s okay.

**B. Cesarek:** But only the intercollegiate sports are those that the NCAA supervises.

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Thank you.

**B. Cesarek:** You’re very welcome. My thought in presenting to you – for Jan and I today – was certainly for you to be knowledgeable about this and be aware of it but also as representatives of your various departments is to bring this information back. I hope again to be working with – okay, get me right Tim – faculty senates and college committees? No, I said it wrong. College councils and college senates. Okay. But I hope to get with them during the course of the year as well. I picked up another staff member this year which is making my life a little easier which means I can get out and actually do some more public relations and rules education around the institution which I hope to do. But please share this in conversation over coffee, at the water cooler, when you meet with people just so that staff members that you might interact with are also aware of this and again, I’d be happy to entertain questions from anybody throughout the course of the year. Feel free to pick up the phone and I know we’ve taken up enough time so thank you so much Paul for the opportunity. I do appreciate it.

**J. Rintala:** And you can take Bobbie or I out for coffee without being ???.

**P. Stoddard:** Okay, thank you. Something else to worry about. Okay, while Bobbie plays with the computer – no pressure there Bobbie.

Last time we got into a discussion about the students who ran afoul of the RIAA and were downloading or making music accessible, making copy written material accessible on line and a lot of concern was expressed about students being cut off from Blackboard and e-mail and thus being placed at an academic disadvantage. I’ve done some checking into this and I don’t know how much clarification you want but basically students are not getting in trouble for just downloading music. They’re getting in trouble when they make that copy written material available to the entire web which with certain services and software you can do. So you download a song, nobody is coming after you but if that song is available for everybody else to download then you could be in trouble. The university has engaged in some rather limited cooperation with RIAA. They’re not giving out any names; they’re not identifying anybody to the RIAA. They’re cooperating basically because the university provides the internet service and
therefore is a conduit for this activity to happen and is at some liability and in order to protect themselves, the university has to provide this minimum cooperation. Basically, I think they’re identifying addresses but they’re not giving out names that go with those addresses. When the university finds that a student – or when the university has been approached about a student the student’s port in their dorm room gets cut off so they are no longer able to access the internet from their dorm room. This does not apply to students who are living off campus. They are not using the NIU system so they’re not involved in any of this. A student still has access to their account. They can still go anywhere else on campus or off campus and access Blackboard and their e-mail accounts. If they have ??? they can go downstairs here and access it. They can go to any computer lab and access it so they are not really at a disadvantage. The problem arises when the university tries to contact students and leave them e-mail and also voicemail if you’ve been disconnected from your port, you may not be aware of your e-mail. A lot of students don’t check their NIU e-mail regularly. Anyway, let me back up. If a student gets contacted, they’re given ten days to get in touch with ITS and resolve the issue. Resolution of the issue is basically the student signs a note saying I realize what I did was wrong and I promise not to do it again and then they’re back as well in terms of the university as though nothing happened. RIAA still might try to go after them. The problem arises when the student can’t be contacted for ten days because they don’t check their e-mail or they don’t check voicemail. I suggested that in those cases the university might actually try sending a letter. Remember letters? The first reaction was to everybody and I said no just to the ones you haven’t been able to get in contact with. That might fly so there might be a way to get folks notified if they’re having trouble with more modern methods. So basically I think the concern was very legitimate that students were being placed at a disadvantage but I think the reality is that this is a very small number of students who are not addressing the problem. Sometimes it’s during the summer when there is no academic disadvantage if they’re off campus and not in classes and then there’s a couple of occasions where they’ve run into trouble because they didn’t read their e-mail or listen to their voicemail. So I think it’s a small number and I think it’s not a systemic problem but I’d be happy to listen to any other questions or concerns that you might still have.

V. ITEMS FOR FACULTY SENATE CONSIDERATION

P. Stoddard: Okay.

VI. CONSENT AGENDA

VII. REPORTS FROM ADVISORY COMMITTEES

A. FAC to IBHE – Earl Hansen – no report

B. BOT Academic Affairs, Student Affairs and Personnel Committee – Joseph “Buck” Stephen and Ferald Bryan – no report

C. BOT Finance, Facilities, and Operations Committee – Paul Stoddard and Nancy Castle – report – walk-in
**P. Stoddard:** Moving on, we’ve got nothing else to consider or attend consensually to so the first report should be a walk in which I believe is in front of you. I think Professor Castle would like to say a word or two.

**N. Castle:** I always wanted to do this, check, one, two, check. The Finance and Facilities meeting Board of Trustees. You’ve got the report. There were a couple of action items. One had to do with continuing the energy conservation program. This is the program that is provided by state law that allows the university to enter into a contract with a private contractor basically who will execute changes or improvements to buildings and then they get to recoup the energy savings costs for up to ten years until their costs are covered and we then get left with buildings that are more energy efficient so it’s kind of a win/win. Northern was one of the first universities to take advantage of it. You all might remember when we redid the lighting in DuSable, probably eight years ago, and so we continue to move forward. They’re going to be doing windows, door replacements and so and so forth as listed in the various buildings that are listed and no I don’t have a list of exactly what’s happening in what building.

The second item was that the Mass Transit Board which is primarily students did put together an RFP for bus services for next year. They did have a few additions to it. One was they wanted it environmentally friendly. They’re doing some green considerations. They’re also looking at disability accessible considerations. They put out their RFP to nineteen vendors; only one vendor replied. That is the current contract holder and so the request was to approve the contract with the current vendor.

NCAA years ago before we got spanked on a Title IX violation and the time has come that we have to pay the piper basically and so we’re being required to provide a NCAA regulation track for the women’s team and so the Board of Trustees was asked by this committee to approve a budget of 3.2 million to seek bids, execute the work and they have this track laid out on west campus, west of the stadium.

The last action item was to give DeKalb township permanent easement to be able to bring Bethany Road all the way around to loop DeKalb down to Route 38. It’s unclear when they’ll actually do that but the university will give them – I think it's ten feet or something of land that they can use to bring that road down.

Then the last two things are informational items. They do routine reports, you know, expenditures under $100,000, how the investments are doing, etc. Two are of interest. There was a discussion on an internal policy for the naming of facilities and a report on the logistics of the east campus chilled water plant. That’s the construction project that will start in summer of 2008 sort of behind the Campus Life Building to the east of the parking lot or in the parking lot. I had to leave early and so I’m looking to Paul to bring us up to speed on the internal policy for the naming of facilities.

**P. Stoddard:** I think I left early too. I don’t remember that but they’ll touch on that again at the full Board meeting on the 6th so we’ll be able to report more fully on that and I think that chilling project is going to result in the tearing up of Normal Road over the summer so you may want to
rethink your travel plans either on campus or getting off campus for the summer. Any questions for Nancy? Okay, if not thank you Nancy.

D. BOT Legislation, Audit and External Affairs Committee – Jay Monteiro and Bobbie Cesarek – report (Pages 5-6)

P. Stoddard: Board of Trustees Legislation, Audit and External Affairs Committee. Once again Bobbie is with us sitting in for Jay to talk about that.

B. Cesarek: Yes thank you. I appreciate it. Ken Zehnder reported on both the 95th General Assembly and the Congressional Report as Kathy Buettner was still in Washington I believe. As we know, the Governor has still not signed a budget so there’s nothing new there but regarding the appropriations for higher education, he talked about that particular bill and you can see some of the information and unfortunately the state’s general revenues rose but we had reductions in two areas and elimination in one relative to grants and funding which is not good and of course the General Assembly has not been able to reach any kind of capital budget consensus but again our Stevens Building is high on their priorities list so we’re thankful for that at least.

Regarding the Congressional Report, there were three items that you see before you that were addressed with the Higher Education Reauthorization Budget Reconciliation Law. Unfortunately, Jay did the report on this. I’m reading it on his behalf and I don’t remember if they said they passed it or they didn’t pass it or it’s still in discussion. Do you remember Paul?

P. Stoddard: I’m sorry, which one?

B. Cesarek: The Reauthorization Act? The Higher Education Reauthorization?

P. Stoddard: I think that’s still in discussion.

B. Cesarek: Okay, but these are some of the things evidently that it addresses. They also talked about the peer-to-peer file sharing which we have discussed just recently. What was interesting about it was that they were going to require the top twenty-five higher education institutions that have received the highest numbers of infringements to notify the Secretary of Education about their policies regarding implementing technology to deter such things from happening so I thought that was interesting. I don’t know exactly how that’s going to come to play but that was part of it.

Deb Pierce also did a presentation because we were talking about audits and in the past they were concerned very much with the student loans and the third party programs coming in and basically being the only program that an institution would use for loans. She talked certainly about her program and the fact that the students pick their own program and then as such the Study Abroad Program doesn’t interfere or interact at all with how the funding for those Study Abroad Programs take place on behalf of the student and that they’ve never accepted any free or discounted travel by any of those providers. The vendors of the scholarships are just passed on to the students for them to review with their families and to make decisions upon themselves.
Certainly, if you have further questions on that at all you can address Deb Pierce.

State University Compliance Audit – Steve Cunningham did a presentation on the audit and covered all the procedures that were pertaining basically to civil service employment and they had four different findings which you’ll see again in front of you that are being addressed by Human Resources and the institution to try to take care of for the future and then finally of course their proposal for committee meeting dates for 2008. Unfortunately for our scheduling, they do their committee meetings by the calendar year and not the academic year so sometimes it’s a little difficult to schedule. Respectfully submitted by Jay so I’ll be happy to entertain questions but certainly can refer to Jay for further questions if you would like. Thank you.

P. Stoddard: I would just mention on that peer-to-peer sharing, that’s the RIAA again, Wally Czerniak over at ITS pointed out that something like 90 or 95% of all the illegal activity is going through conduits like Verizon and ComCast and universities are really a very small percentage of the problem but we don’t have flocks of highly paid lawyers so we’re the easy targets to go after but most of the problem is not with the universities yet we’re the ones who are targeted.

E. BOT – Paul Stoddard – no report.

VIII. REPORTS FROM STANDING COMMITTEES

A. Academic Affairs – Kendall Thu, Chair – no report

B. Economic Status of the Profession – Cason Snow, Chair –report

P. Stoddard: Moving on to the standing committees, I show that perhaps Cason has a report. Is that correct? If you can grab the mike.

C. Snow: Right, so we were charged with assessing graduate assistant stipends and if they were competitive within the state and basically what the deal was. I sent out e-mails to six different institutions in the state; two replied. So comparing Eastern, Northern and Western Illinois universities, it holds that Northern is competitive as far as GA stipends, what they’re being paid, and our fees are competitive as well except for one thing and that is health insurance. We have a huge health insurance fee. It’s $350.00 a semester and most other universities are paying about $100.00 a semester if they have health insurance at all. So I guess in the grand conclusion, we’re fairly competitive and I think this is no longer an issue.

P. Stoddard: All right, any questions? Yes, Professor Sons.

L. Sons: What were the other institutions you attempted to get data from. I sent to Illinois State, Southern, University of Illinois-Chicago, and Northeastern.

L. Sons: My concern is that if we’re really making comparisons where our GA’s are primarily situated in terms of really making comparisons, is where we have PhD programs. Eastern and Western are not places where there are a large number of PhD programs and certainly not at the caliber of what we have at Northern, no offense, but a fact I think of life and so it is not clear that
your data is really what we need in terms of comparison. We need to be talking in terms of institutions that are generally comparable to us and in the disciplines and in the areas that GA’s are that have the comparability if I made sense.

**C. Snow:** If they were willing to offer their data sure, I’d use it, but since they never got back to me.

**L. Sons:** Well, I’m just saying that I don’t think your committee’s job is done. I think your committee needs to try to pursue some things that are going to give us the kind of comparison data that we really need for our graduate students. Now I think some of this has been done already on campus quite frankly; I think a number of departments have, in fact, done some effort on this but, you know, I’m not putting down what you’ve done, I’m just saying hey, there’s a whole level of comparison here that’s not being done and that I think is where we really lose graduate students, that is the competitiveness comes where we’ve got the PhD programs and things like that.

**P. Stoddard:** A good idea might be to check actually with the Graduate School where they might have some ideas and perhaps Professor Sons can let you know some departments she’s aware of that do actually have that type of data at hand or certainly departments who feel that they’ve been losing graduate students to competitors based on stipends so – Bobbie?

**B. Cesarek:** If we’re talking about comparative institutions we might want to look at the Mid-American Conference. I’d be happy to share with Dr. Sons the – or Dr. Snow – the contact information I might have with the Conference institutions and we can get a hold of graduate schools there and see what we can find out.

**P. Stoddard:** Yes?

???: ---nobody talking about ??.

**P. Stoddard:** The question is are the stipends determined by the departments by the university – well, the department gets a budget from the universities so, I mean, the department might decide how it splits that money up.

???: Does the university maybe have a minimum amount of stipends. We need to know what we are talking about I think.

**P. Stoddard:** Yes, the university does have a minimum amount. Professor Willis. Welcome back.

**S. Willis:** Yeah, I was just going to address that. I’m here for Carol Thompson so – the university establishes a minimum stipend. There’s also supposed to be a maximum that’s twice the minimum but that is not necessarily strictly enforced. If a program has more money than that, and in particular if students are supported on grant money, they often exceed the supposed maximum. There’s supposed to be some interaction with the Graduate School to justify paying
more than the maximum stipend but I don’t think that’s ever been a problem but the university
does establish a minimum.

**P. Stoddard:** Okay. Any other comments? All right. A little bit more work for you there.

C. Resource, Space and Budget – C. T. Lin, Chair – [report](Page 7)

**P. Stoddard:** We’re on Resource, Space and Budget. C. T.?

**C. T. Lin:** The report is on page 7 and the report is prepared by Professor Linda Derscheid. This is simply a summary and on October 24 where we had Executive Vice President Dr. Eddie Williams come to give us an update on resources, space and budget. Related to the budget, he said you know the current budget’s increments went for salaries adjustment. He also said salary increment come also come from tuition increase and upon the members request, he made the following information for us. He said that the tuition increase in the last 20 years has increased from 30-33% of the budget to nearly 54% of the budget. That’s the tuition increase and at the same time, the state support to NIU in the last 20 years has gone down from 45-46% to 26-28%. So those are the details to the budget and, you know, he said that in the past 5 years we didn’t have, you know, any approved budget on capital improvement but some of the capital improvement he put into two categories. On is called the non-instructional facilities and these have been improved by using gifts/donations for capital projects. The other type is for the institution such as for example the library repair reported about a few minutes ago so those are the things related to instructional facilities. Then related to space and resource, two buildings have been recently flooded in August. One is the power station and the need to replace the transformer so NIU tried to get the $250,000 from FEMA. I don’t know if they got it or not. The other thing is related to Kishwaukee Hall in the School of Art also got flooded and he said – I don’t know if the decision has already been made or not – but he said because of the safety of students, faculty and staff that building needs to come down see. Then what did he say – he said that related to building, the Monsanto building – upon the request of a member – he indicated the Monsanto building is ready and ITS already moved in. Some of the others such as Speech and Hearing Clinic, physical therapy rooms, and the Tri-County clinic they are all ready to move in.

That’s the report that we have. I don’t know we have more or not.

**P. Stoddard:** Thank you C. T. Questions? I could get electrocuted.

**B. Joffee:** Concerning Kishwaukee Hall and the School of Art. Indeed, it was flooded in August but it is my understanding that whatever the situation is compromising that building’s ongoing viability, it’s not connected to the flood and so I really want to clarify that. I think that’s important because the building is suffering from a kind of ongoing, benign neglect but it doesn’t seem to be the case that anything happened to it in August that necessitates it being taken down as a result.

**P. Stoddard:** Thank you. Any other comments? Bobbie?
B. Cesarek: I just have a question. Do we have a time frame at all for the move in of the Physical Therapy and Tri-County Clinic and Speech and Hearing Clinic? Does anybody know if those have been established?

N. Castle: It turns out that almost all of those are in the school that I am a faculty member of the last we heard, they’re shooting for a March move-in but at this point in time there’s no furniture and we don’t know what the plan is to get furniture and certain equipment that’s needed in the clinic so it will probably be sometime near the end of the spring semester.

B. Cesarek: Good, thank you.

N. Castle: I believe that IT is already there and Publications is actually in one of the buildings out there – the NIU Press – part of Publications is out there.

P. Stoddard: Any other comments? All right, thank you C. T.

D. Faculty Rights and Responsibilities – Alan Rosenbaum, Chair – no report

P. Stoddard: Next is Faculty Rights and Responsibilities, Dr. Rosenbaum.

A. Rosenbaum: No report.

P. Stoddard: No report, all right.

E. Rules and Governance – Nancy Castle, Chair – no report

P. Stoddard: Rules and Governance has no report.

F. Elections and Legislative Oversight – Earl Hansen, Chair – no report

P. Stoddard: No report from ELO.

IX. UNFINISHED BUSINESS

P. Stoddard: Any unfinished business anybody thinks we should attend to?

X. NEW BUSINESS

P. Stoddard: Under new business, there was one issue I want to raise. I don’t think we have to tackle it today but I would like you to start thinking about it. Believe it or not, we’re actually getting to the point in the calendar where next year’s increments have to start being flushed out. I’m not sure why since the Legislature won’t vote any money until next August, but they want to be prepared just in case. Last year the Senate gave a recommendation the Provost which was by and large followed. That recommendation was that any increment, half would be – we termed it across the board – that wasn’t exactly right but it was essentially everybody who had merit would get at least half of whatever increment was available and that the rest of it would be pure
merit based. That’s essentially what the university did for the faculty. My question would be do we want to suggest that again or is there another model people would like to see this year? So again, we don’t have to consider that today but probably we want to be thinking about it and that’s probably a discussion that’s going to be best for the full Senate but we can – since we saw most of the options last year so are there any thoughts on that now you want to share? Otherwise, yes?

C. Garcia: I noticed that you said before we proposed half of the increment for anyone over the number that we considered merit and then the other half was for just merit but I hear everybody talking about everybody got 4% increment. Is that – did they apply the same thing.

P. Stoddard: No, not everybody got 4%.

C. Garcia: Not everybody got 4%.

P. Stoddard: I don’t know, the individual departments might do things differently but I think the dean would have a problem with that. 4% was the average give or take. Maybe it was a little – I think it was supposed to be 4% was the average.

B. Joffee: I was going to comment on that as well but there was a different in the way SPS applied that and the way the faculty did. The numbers did turn out different so there was a between 2% to 6% raise potentially for faculty and for SPS it worked out to between 3 and 5% and had to do with the sort of structure of across the board for SPS versus for faculty, the use of minimum merit. So, it worked out differently and I think we might want to look at that.

P. Stoddard: It’s not uncommon for it to work out differently between SPS and faculty. I mean SPS has their own board and they come to their own decisions. Generally, if I may oversimplify, they’re more interested or they have been traditionally, more interested in across the board. Faculty have, while they’d like to see everybody get something, faculty have been stronger towards a merit component. I mean that’s the way faculty voted last year. The 4% increment, the 2% minimum that you cited, that would have been the “across the board”. The difference is that there are some faculty, I don’t know who, who don’t show up to teach or don’t do their jobs very well and we never intended in our discussions to necessarily include those folks. We were saying anybody who does their job deserves at least something in order to help keep up with inflation and so forth. So that’s where that 2% came in and then up to 6% was, you know, that’s the other half if it all averages out to 4. So that’s where we came from. I don’t know, Bobbie if you want to talk about your scheme over there ----

B. Cesarek: Happy to do that. I think we have an interest more in cost of living increases and then providing the opportunity for merit afterwards. But you have to understand that right now SPS are little apprehensive about merit only in the fact that we do not have current job descriptions. We are not evaluated on a consistent basis. We are working diligently with HR in that area but it’s difficult to be evaluated on a merit when you don’t have a job description that’s current nor have you received an evaluation in the last five years and then therefore it’s a little bit more of a personality contest than anything and I think that’s why we lean a little bit more toward the across the board. Even though we provided that particular recommendation that was
not exactly accepted by the administration. They trekked it in their own way to do some kind of merit because the deans are very interested in that merit and when President Peters came to our last SPS Council meeting we did let him know that indeed – we still don’t again have the evaluations, have the job descriptions – and he was really going to try to work to see if we could get a 90% return on those because right now it doesn’t exist.

P. Stoddard: Other thoughts?

XI. COMMENTS AND QUESTIONS FROM THE FLOOR

P. Stoddard: Any comments or questions from the floor?

XII. INFORMATION ITEMS

XIII. ADJOURNMENT

P. Stoddard: Any motions to adjourn from the floor. Thank you Dr. Tolhurst. Thank you. We stand adjourned. If I don’t see you, have a good break.

The meeting adjourned at 4:12 P.M.