FACULTY SENATE MEETING MINUTES
WEDNESDAY, MARCH 31, 2010, 3:00 P.M.
HOLMES STUDENT CENTER SKY ROOM

Disclaimer: These minutes should not be taken as a verbatim transcript but rather as a shortened summary that is intended to reflect the essence of statements made at the meeting. Many comments have been omitted and, in some cases, factual and grammatical errors corrected. The full verbatim transcript is available online at the University Council website under Faculty Senate / Agenda Meeting Transcript.


Parliamentarian Ferald Bryan was present.


I. CALL TO ORDER

The meeting was called to order at 3:07 p.m.

II. ADOPTION OF THE AGENDA

The motion to accept the agenda with the addition of two walk-in items was made by C. Thompson and was seconded by J. Kowalski.

The agenda was adopted without dissent.

III. APPROVAL OF THE MINUTES OF THE MARCH 3, 2010 MEETING
(sent electronically)

J. Kowalski: suggested that Senators review the minutes, at least for the accuracy of their own comments in order to insure the integrity of the minutes.

A. Rosenbaum: Called the attention of the Senate to the disclaimer that is being added to all of the minutes, henceforth. This refers to the fact that the minutes do not represent a verbatim transcript but rather an abridged version of the transcript. The full transcript is also available online for those wishing to read it. This does not represent a change in practice or policy.
The motion to approve the minutes was made by P. Henry and was seconded by A. Gupta. The minutes were approved without dissent.

**Note:** Due to problems with the recording system, there are an unfortunate number of unintelligible statements. These minutes represent the best efforts to reconstruct the proceedings.

**IV. PRESIDENT’S ANNOUNCEMENTS**

A. Rosenbaum: introduced Clark Neher who is retired faculty and who is working with Nancy Castle on the True North Faculty and Staff Initiative, and has asked for a little time to talk to us. I think you all have received an e-mail from them. Clark will explain what they are asking us to do, so I will turn this over to Clark.

A. C. Neher – Faculty and Staff campaign

C. Neher: Good afternoon. I am Clark Neher, former member of the Department of Political Science here at NIU and now co-chair of a faculty committee, a committee on faculty and staff development, True North. True North is a part of the NIU Foundation and True North is the first in a comprehensive campaign that Northern has had to bring in money for faculty projects and now student projects.

True North has reached its goal of $150,000,000. That is a remarkable achievement. And it is going to use that money for faculty projects for endowed chairs, for student scholarships, among other things. And one might think that because they have reached the goal that this is the ending of the campaign, but that is not the case. In this last year, they want to emphasize student scholarships and faculty and staff involvement. In particular, they would be interested in the faculty contributing to this fund. It is not important how much one donates. The big issue is that we have a very small percentage of faculty and staff who have contributed and they want those percentages higher. That means that you could give $10.00 a month which would be $120 a year or $5.00 a month or you could give much more than that if you are able.

I think everybody at True North realizes that there could not be worse time to ask for money. The recession is in full swing as you well know. There have not been salary increments of any amount for a very long period of time. The cost of everything has risen. I just looked at President Peter’s memo to the faculty that seems incredibly bleak to me.

But there is a corresponding problem that many, many students who want to come to NIU can’t afford to come without some scholarship. NIU is significantly more expensive than before as you well know and virtually all of the money that the faculty and staff contribute to True North will go to student scholarships unless you designate your money for a particular area, and that of course is possible to do. If you go on the website which is alittlekindness.niu.edu there will be full details. As members of the Senate I would like to ask of you to talk to your chair of the department that you represent, talk to colleagues, and tell them that the Foundation and the University is looking for as full participation as possible. Thank you very much for all you do for NIU.
C. Thompson: Last year our dean asked if we could give money, and I did. Is this the same campaign?

C. Neher: If you gave money between July 1, 2009 and Jul 1, 2010, that is the fiscal year and it counts just the same as if you gave it now. I think there have been various memos and things that have gone out. If you do not designate it will go strictly to scholarships and not one penny will be used for any administrative costs.

A. Rosenbaum: Thank you, Clark. Regarding the emailed budget message from President Peters that we all received, I spoke to the president just before coming to this meeting. He did give me some information and I can tell you what I do know and answer some questions if you have them. First thing, the gross figure. The reason I think the president is coming forward with that in an e-mail is because he is releasing those figures publically and there is concern that these would be picked up by the news media and that people would be concerned that there is something going on behind closed doors that we are not aware of. Those numbers were requested by the legislature. They wanted to know what would be the impact on the university and the community of the budget cuts that are anticipated.

Several weeks ago, the president spoke to myself and also Jay and Bobby who represent the Operating Staff Council and SPS Council. At that time he described three scenarios. He described what he called the worst case scenarios. Then he talked about what he thought was the probable scenario and the best case scenarios. It appears that the best case scenario is unlikely at this point. The probably scenario seems to be getting less probable and we are inching a little bit toward the worst case scenario.

What was presented in today’s message can be characterized as the worst case scenario. That would mean layoffs of about 254 employees. He has said that there are no current plans to layoff anybody. So there is not, as some of the rumors have suggested, a set of pink sheets that are being drawn up. There is not a plan regarding who will be laid off.

President Peters has asked the deans and vice presidents to begin to close budget gaps by trimming about 3% from the operating expenses. My understanding is that the provost along with the deans and department heads would have some leeway in how to create those cuts. He also said that a fair number of the cuts would be made through attrition in other words failure to replace open positions, and so, it probably will not mean the firing of 254-56 current employees. It more likely means positions which are currently unfilled would remain unfilled, and that retirements, as they occur, would not be replaced. Now, this would certainly be preferable to laying off people, but as you can imagine, it will put additional pressures on faculty teaching loads and number of students. The expectation is that they will look for faculty input if it reaches the point where we are losing faculty. If that were to happen, we would certainly make our voice heard.

But again, the president was not talking in those terms. He asked me to assure the faculty that he is working tirelessly on this. It is his number one priority.
B.Jaffee: It just occurred to me that attrition sounds all well and good, no one is actively concerned about losing their job. In truth, it’s a grander mechanism. It would affect departments in ways that are really arbitrary. Attrition does not sound as comforting.

A.Rosenbaum: I don’t know that any of this sounds comforting. My understanding is that it is a choice between a rock and a hard place, so none of this is good. You have read his memos, heard this rhetoric before. We are facing major budget cuts. The legislature is not paying us the money they owe us. The university has a problem. We are probably ahead of the curve in the sense that other universities have been affected earlier and more severely. Whatever management strategy was used here, it seems to have protected us to this point. But it is going to get ugly. I think a loss through attrition is better than fresh blood being spilled. And so, the only thing we can do is play it by ear. We don’t have a reality right now. We don’t have a budget, we don’t have a statement that anything is being done. I think we have to wait and see what happens and act accordingly. This body can certainly speak for the faculty. We will at the point that we have something substantive to work with, we will process as we always do and we will speak our piece. I agree with you. We don’t want to lose any jobs; we don’t want to have increased teaching loads; we don’t want to have larger classes, but we also don’t want to get fired, lose tenure track faculty, or even untenured track faculty. We will stay on top of it.

P.Henry: Just a quick question, the memo that I read said something about a lapse of 2%. What does that mean, how does that tie into the deans cutting their budget, do you know?

A.Rosenbaum: My understanding is that the lapse means putting aside money from this year’s budget rather than cutting into next year’s budget. And so deans and vice presidents were told earlier on to protect more than that 2%. And this is not inconsistent with what the state does. Even if the state gives us our money there is nothing to prevent them from later in the year saying, “oh, by the way, you have to give us back some of that money,” and so the university always has to be aware of what we are going to do if that happens. Again, what they are trying to do is save the money in ways that do involve the loss of jobs.

A.Gupta: inquired whether the projected number of lost positions was based on average salary?

A.Rosenbaum: I believe that is based on an approximation of what it would take to get the amount of money we need. We cannot cut the 250 lowest paid people and think that this will make up the difference. In previous conversations with the president, I think that he has acknowledged that the cuts will have to come from a lot of different levels, including administrative levels. What we are hearing today may be different two weeks from today or even two days from today. As the president says in his memo, we don’t even know if the legislature is going to accept these. This is based on the governor’s budget. The legislature can cut the budget even further. The legislature can cut back on map grants which would put us even further behind. There are many different variables that are at play here. Also, I think that part of the objective here is to mobilize people. It was not accidental that the President mentioned the impact of $11,200,000 on the DeKalb community. What he is saying is that you folks living in DeKalb running Imboden’s or Fatty’s, $11,200,000 is going to come out of your pocket so even if you don’t work at the university, you might want to go to your congressman and say, “we need the university supported”. One of the things that I have heard is that the public universities are
almost all in Republican districts. Republicans have been opposed to tax hikes and so maybe mobilizing people in republican districts to talk to their congressmen will help get them more on board. It is clear that a tax hike is necessary. You cannot spend money indefinitely. So some of this is what is going to happen if you don’t do something about it. In each memo he notes that we should be contacting our congressmen and screaming bloody murder not as representatives of Northern Illinois University but as private citizens and the students should also. They are going to be looking at tuition hikes, they are going to be looking at fee increases, and the loss of financial aid.

Along those lines a second item, this just come to my attention earlier today. There is going to be an event on April 21 called the Save Our Schools Rally Day. I thought it was only K-12, and it seems to have a K-12 emphasis, but I called them and they claim that this is higher education as well. You can go to the website yourself. It is Illinoiseducationassociation.org.

R. Feurer: AFSME is also organizing that day.

J. Montiero: I also heard that the Annuitants’ Association is planning a bus to go there.

A. Rosenbaum: In fact the website they actually talk about making busses available for groups that want to send representatives down. So I encourage you to look at that.

I want to update you on the Library Resolution that was passed at the last meeting. The Library Resolution was, fortunately or unfortunately, covered by the Northern Star. Many of you read the details the following day. I met with Provost Alden and I gave him the Senate’s resolution. He said that he would look into it and investigate the situation. He has met with Dean Dawson and has also met with Doug Bowman who was here at the last meeting and has done a lot of leg work for the mathematics department. Alden’s intention is to hand this over to the Library Advisory Committee and he is asking them to develop a liaison process with the faculty. He intends to get the library committee together in the near future and get some action. As to the attempt to recover existing materials, he is concerned that he does not want to spend money for just one department; other departments may come forward subsequently and say what about our journals? So any departments that feel that they have lost significant materials that want the Provost to try and get those materials back, please send him a memo and say you would appreciate any efforts made to get those journals returned.

I don’t know whether all of the journals are recoverable so I would guess that any departments who want their journals back, would have to find out where those journals are. And then the Provost would have to consider the expense of getting those journals back. This would relate to our earlier conversation, namely that we are trying to cut money from the budget. It is difficult to say whether or not the provost would be able to find the substantial amount of money necessary to recover these journals.

P. Henry: It seems to me that each department has a member who deals with the library and can that mechanism be used in regards to this?
A.Rosenbaum: the hope is that the library advisory committee will come up with a plan that includes the library representatives. If the proposal they make to us is not to our satisfaction, then we can certainly say that this is not what we are looking for and we can lobby for a stronger response to our resolution.

P.Henry: the library’s own policy statement says that storage decisions made at the broad level are made by specialists in consultation with the departments, and I can see that putting it on JStor is not getting rid of it but it is a change in storage for sure and that is the source of concern that faculty was not consulted about that.

A.Rosenbaum: Yes, I absolutely agree with you. And my hope is that this will be brought to the attention of the Library Advisory Committee and I will make sure that Provost Alden is aware of these different issues.

J.Hurych: I just wanted to say the provost is meeting with the Library Advisory Committee on Wednesday after Easter, the third week, and that should be an open meeting.

R.Blecksmith: Doug Bowman and I wrote a letter to the head of AIM and that is where most of them, just about 3,000 journal volumes went. AIM is in San Francisco, California. They paid $5,000 to get the journal volumes and they very graciously agreed to return them to us but they would like their $5,000 and we would have to go through the expense of shipping them back. I would think the expenses for other departments, if their journals were shipped within the state, would not be nearly as great.

A.Rosenbaum: I think that is a good piece of information but it also would suggest that there is some work involved in finding out where these journals have gone. And so any departments that want any chance of getting their journals back would have to do this leg work and find out where theses journals are. I don’t think the library would do that. If you want to know how Doug Bowman found this out, maybe he would be willing to let you know.

A.Rosenbaum: You may recall that we passed as resolution regarding senate participation on the committee called the Raise Equity Committee, for lack of a better name. This grew out of the joint committee on Faculty Rights and Responsibilities and Economic Status of the Profession who are looking into whether or not raises are equitably distributed among the divisions of the university and between administration and faculty. The president asked us to participate in this commission. We set a deadline for that participation of March 19, and that deadline has come and gone. We have not been asleep at the switch. The committee has been working very hard to get the data we need. I will ask Rosemary Feurer to update you on the status of that committee. Rosemary is the chair of Faculty Rights and Responsibilities and she has been spearheading this faculty senate representation.

R.Feurer: I have to say that I have been very frustrated as a member of this commission. I understand that the administration suggested that the working papers cannot be made available to us, that they are not available in electronic form. The other thing that they raise is the issue of legal liability on revealing data that is provided. We have gone through a lot of hoops. We have tried to jump through every hoop that they put before us. I am not suggesting that there is
disingenuous behavior on the part of the administration, but after March 19th came and went, I made a decision as chair of Faculty Rights and Responsibilities to pursue acquisition this data on my own and with the help of several other faculty members have been acquiring a data base. Now, does it make me slightly offended that this is not my job and that there is a department with many, many people who are paid to collect data and turn it over and that this data is public information and I am having to build a data base myself. It does. But, on the positive side, we will have a data base. I promise you we will have a data base that we can use. I have to say that President Peters, as of yesterday, has agreed to turn over most of the requested information, so maybe we will have two data bases, but we will have a data base.

A.Rosenbaum: The committee requested a certain amount of data, certain pieces of data that we needed in order to address the questions. There were a number of obstacles that we faced. We have met each of them. The latest one having been that we put through an IRB proposal and it was approved as exempted research. Although we never thought of this as research, there was a concern raised that we would need IRB approval, so we did that. We have signed confidentiality agreements. Provost Alden and I on behalf of the committee wrote a letter to President Peters asking him to make available the information we had requested. That request was made four weeks ago. I received the response from President Peters yesterday afternoon. And so in that response, he has agreed pretty much to give us what we have asked for. And so we are supposedly getting all the material we have asked for. Unfortunately, we have no idea how long it is going to take to get this because the data has to be compiled. It is not available in the form we have asked for. I know people are incredulous, but I have talked to a number of people from different offices in the university and the answer is always the same, that yes, this data does not exist in the form that we think it exists in. It has to be put together. And now since the university is facing all sorts of financial problems, I don’t know how long it is going to take to get this data for us. Rosemary has referred to the fact that she and her committee have been working on getting the data themselves. We will more than likely bring that data to the committee and we will say, “okay, can we go forward with this?” Hopefully we will have something for you by the last meeting. The only thing I can do is assure you that we are not dropping this issue. We are determined to answer the questions that the senate has put before this commission. The committee is doing what it can and doing it as fast as it can.

M.Kostic: Once you or we get the data what will we be able to do with the data? What is our objective?

A.Rosenbaum: The plan is for us to do some sort of trend analyses from linear modeling to look at whether the trajectory of percentage increases are comparable across different divisions across the university. And so we will construe divisions in several different ways. One way will be to look at faculty verses administration; another way would be to look at the academic/student affairs side verses the FFO, finance, facilities, and operations side. These are initial questions. The committee has reserved the right, from the beginning, to ask additional questions as we develop those when we see the data.

R.Feurer: One of the questions that I ask regularly in the commission meetings is why can’t you just give us an electronic form of the working papers. The answer has been that it is a one-time request of ITS and that it is printed out. We asked that we have a one-time query. One of
the ex-officio commission members said why don’t you go to the working papers and write it down. That prompted us to do just that.

A.Rosenbaum: I believe the administration does not have this data in the form that we think they have it. It seems to be something that faculty, myself included are incredulous about. We cannot believe that they don’t have it yet, I have been convinced that they don’t. Maybe this is because of the way we keep records here or the fact that there are different so called silos that keep parts of the data set and they don’t communicate with each other in a way that would allow us to put the data together. I believe that they do not have the data in the form that we want it and it takes a great deal of effort to get the data in that form.

B.Jaffee: Do we have some sense of a new schedule or deadline?

A.Rosenbaum: I can’t say yes to that. We are determined to have something for you by that last meeting. They have missed so many deadlines already that I don’t want to promise anything. We are certainly pushing. The faculty members on the committee are really engaged in this. And again, the other piece of this is we want to be fair to all parties. We don’t want to rush out with something that may turn out to be inaccurate or ill-conceived. We need to get this right and we will do that even if it takes us longer and at the last meeting we have to say see you in September.

A.Rosenbaum: Okay we have an important item on the agenda. Last time I asked if you had nominees for the Bob Lane Eternal Vigilance Award. You remember this award is for somebody who is keeping an eye on the administration. It used to be the Thorn in the Side Award and then it was the Bottom of the Deck award.

P.Henry: nominated Rosemary Feurer. C.Garcia was second.

A.Rosenbaum: Seeing no other nominations, closed the nominations and called the vote. It passed without dissent. A.Rosenbaum congratulated R.Feurer and noted that this is the first time it has been given out since 2004.

V. ITEMS FOR FACULTY SENATE CONSIDERATION

VI. CONSENT AGENDA

VII. REPORTS FROM ADVISORY COMMITTEES

A. FAC to IBHE – Earl Hansen – report (pp 3-7)

A.Rosenbaum: Earl Hansen but he is not here to explain his report. You can read his report on pages 3-7. If you have any questions you can get in touch with Earl. Earl was not at the IBHE meeting, he derived this report from the minutes.

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

C. Resource, Space and Budget - Michael Morris – report

M. Morris: The Resource Space and Budget subcommittee met with Eddie Williams and Ray Alden last week. I think it is fair to say that Barbara Jaffee and I found the meeting very disappointing. For each concern that faculty raised, the administration seemed to have a pat, prepared response which were just “the university is dealing with fixed expenses for which they had no other options, that these were made at the college level or administrators who were not present at the meeting were actually responsible for making decisions. At the end of the day the meeting felt like a maze where we hit dead ends. It also seemed that we were dealing with differences between external and internal budgets. As Barbara and I were talking before the meeting, I think that she and I agree that the external budget is one where faculty already received considerable information. But we have many more questions about the internal budgeting and how that is done. The internal budgeting process is the one that seems to be shrouded in mystery and which the administration does not seem to be in any great hurry to disclose.

Research Space and Budget does have another meeting with Dr. Peters in two weeks, a last ditch effort to salvage something. Barbara and I would like to thank everyone who sent us their concerns for the committee. But what we can say, I think in general it is clear that many faculty feel deprived of a voice in these issues and that the people who should be hearing faculty concerns are not doing so and don’t care.

A. Rosenbaum: Any other comments, questions for Mike? I feel that this is an important issue for us and we are going to continue to serve as a faculty voice in Resource Space and Budget issues; we have asked the president and provost to maintain those meetings with the committee as they are supposed to do, according to the Bylaws.

A. Academic Affairs – Charles Cappell, Chair – report – walk-in

Note: this report concerns the committee’s charge to reconsider the disparate language in the Undergraduate Catalog and the Student Code of Conduct with respect to the issue of academic dishonesty. The objective is to come up with language that is acceptable to the faculty so that it might be adopted by the Undergraduate Coordinating Council and the Judicial Board for inclusion in both the Undergraduate Catalog and the Student Code of Conduct.
Conduct. The recording (and subsequent transcript) are defective and incomplete making distillation of this debate difficult.

C.Cappell: I want to thank the members of this committee who have been active in this – Professor Martin, Professor Collins, Professor Johnson-Hillary, Professor Nicolosi. We deliberated by email regarding the language in two separate initial drafts. Three options were proposed. Option 3 was developed by the committee and, among other things, it makes the decision of the Judicial Board advisory to the faculty member and the department. Option 1 was proposed by A.Rosenbaum and it retains most of the current policy in the Undergraduate catalog. It differs from the Student Code in that the judgment of the Judicial Board in matters of the penalty are advisory (non-binding). Option 2 was essentially the same as Option 1 with some wording changes. The three options are described in the walk-in report.

C.Cappell: given the sense of the deliberations, I move that the senate adopt option 2. B.Jaffee seconded.

A.Rosenbaum: My concern with option 2 is that the faculty does not have control over any penalty beyond an F to begin with. So if the faculty is asking for anyone to be dismissed by the university because of academic misconduct that is a decision of the board and not a faculty decision. The whole problem was that there was different language in two different places. It wasn’t that the language in the college catalog was not adequate language or that professors were having a problem with this. This was not a result of complaints by faculty regarding the process. What we are really doing here is trying to clean up the language. The judicial board can rule on the guilt or innocence as they do now. But if the student is found guilty or admits guilt then the penalty will be as specified in the syllabus. In addition to this is the question of whether we want to make any part of this appealable.

D.Wade: made an appeal for the adoption of Option 3, suggesting that the grade appeals process would provide the student with the due process that is apparently left out of that option.

Given the complexity of the issue and the limited time available for Senate members to consider the implications of the various options, a motion to postpone was made by D.Wade and seconded by P.Henry. The motion passed with one dissenting vote.

B. Economic Status of the Profession – Sonya Armstrong, Chair – no report

D. Faculty Rights and Responsibilities – Rosemary Feurer, Chair – no report

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

F. Elections and Legislative Oversight – David Wade, Chair – no report

IX. UNFINISHED BUSINESS

X. NEW BUSINESS
XI. COMMENTS AND QUESTIONS FROM THE FLOOR

XII. INFORMATION ITEMS

A. Academic Planning Council meeting minutes, February 22, 2010
B. Letter of Acceptance of Nomination from Alan Rosenbaum (pp 8-9)

XIII. ADJOURNMENT

Motion to adjourn was made by D. Valentiner, and seconded by C. Cappell.

The meeting adjourned at 4:36 p.m.