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 Web site under Faculty Senate / Agendas, Minutes & Transcripts.


VOTING MEMBERS ABSENT: Abdel-Motaleb, Blecksmith, Chandler, Deng, Fang, Farrell, Gaillard, Greene, Gupta, Johnston-Rodriguez, Kapitan, Kolb, Kowalski (on sabbatical), Lee, Lopez, May (on sabbatical), Middleton, Mogren, Mohabbat, Munroe, Poole, Rheineck, Shortridge, Walker

OTHERS PRESENT: Bak, Bryan, Griffin, Haliczer, Hansen, Latham, Small, Sunderlin

OTHERS ABSENT: Freedman, Prawitz, Quick, Rintala, Snow, Waas

I. CALL TO ORDER

Meeting called to order at 3:03 p.m.

II. ADOPTION OF AGENDA

   A. Lash: made the motion, C. Downing: was second.

The agenda was approved as written without dissent or abstention.

III. APPROVAL OF THE MINUTES OF THE AUGUST 31, 2011 FS MEETING

   J. Novak: made the motion. W. Pitney: was second.

The minutes were approved as written without dissent or abstention.

IV. PRESIDENT’S ANNOUNCEMENTS
A. Rosenbaum: I don’t have a lot of announcements to make. Two things: the President has approved the purchase of clickers that we will use for voting at both Faculty Senate and University Council meetings. This gives us an instant tally of the votes so we don’t have to bother Ferald and Pat to count all the hands and reconcile any differences. It will also give people who want to vote “no,” but don’t like being the only one raising their hand, an opportunity to express themselves. So, we may have more close votes than we have had in the past. We will have a box of clickers at the door, and you’ll pick one up as you come and nobody will know it’s you and then you’ll drop it in the box on your way out. They have been ordered and, hopefully, we will have them in place by the next meeting.

The second item I wanted to mention concerns the Senate Blackboard community. I know that when I post something and track the number of views, it is very disheartening. If you have tried and can’t get into the Blackboard community, let Pat know and she’ll figure it out.

A. Lash: I was looking for the minutes of several meetings behind. Do you remove them? I couldn’t find one set of minutes. I was looking for May I think. I couldn’t find them. Do you take them off?

P. Erickson: No, they should be there permanently. I can help you find them.

A. Lash: All right, thanks.

A. Rosenbaum: Pat is keeping up very well with also posting the minutes of every committee that reports to the UC.

S. Martin: I would like to go back to your first item. I’m just confused. Are Faculty Senate votes and principles supposed to be anonymous?

A. Rosenbaum: I don’t think the Constitution specifies. I think there are certain votes that are supposed to be by closed ballot; for example, when we vote each year for the Executive Secretary. There doesn’t seem to be anything that specifies that ballots have to be open. So, Ferald, do you know of any requirements in that regard?

F. Bryan: Well, since this is the first I have been informed of clickers, I was looking over the voting procedures of the University Council, which are in 3.3.1. The question of whether roll call vote shall be taken may be incorporated in a motion or a motion to amend may be offered. So, we’ve always had the option of having a roll call vote. They have been very rare, but if a roll call would be necessary, for whatever reason, that could be incorporated in the motion itself.

V. ITEMS FOR FACULTY SENATE CONSIDERATION

VI. CONSENT AGENDA

VII. REPORTS FROM ADVISORY COMMITTEES AND COUNCILS
E. Hansen: All right, this is going to be a brief report. We met at Western Illinois on the 16th of this month, and we had a presentation given by one of our members on the performance funding issues. Later on, the legislators came in and we had a panel discussion. Bob Pritchard, our representative, was there. The components of the evaluation metrics for the funding have broken the four-year institutions into three categories: Comprehensive four-year universities, research universities, and community colleges. The real issue on the pay-per-performance thing is what it’s going to do in regards to the quality of education. They’re going to be asking for us to graduate more people and the question then becomes, “Are you watering down the curriculum or are you watering down another type of criteria for getting people into school?” At the conclusion of the meeting, Robert Rich, the Director of the Institute of Government and Public Affairs at the University of Illinois at Champaign/Urbana and his research assistant, Jordan Shaffer, came in. They got to talking about the PBF and had a handout on their performance-based funding models, and an assessment was passed out. Basically, there’s no best practice out there. The last paragraph on page 8 gives you a brief update on that. They talked about the funding and “Was there going to be any funding for this and new money?” There’s no new money to fund this and if you’re not doing what the legislature is going to want you to do, they’re going to be taking two to four percent out of your budget, out of your university budget as a fine, I suppose, for lack of a better word. The thing I found – and most of us found – really frustrating is that this Robert Rich has been studying this for a number of years, and he’s never been asked by any legislator to put his two cents in on what they should be doing on this particular issue, which probably doesn’t shock a lot of you. But anyway, it is what it is. You can read this. If you have questions you want to ask me after you read it, feel free to shoot me an email or give me a phone call or something like that.

D. Goldblum: It sounds like it’s sort of like merit pay, that kind of scale. We’re talking about a few percent on top of the budget. Is that the scale we’re talking about here?

A. Rosenbaum: David, if I understand the question you’re asking, it seems like the statistics that I’ve seen indicate that the amount of the budget that’s allotted to the performance-based component is generally less than five percent.

D. Goldblum: It’s analogous to merit pay for faculty, and the base budget for the university would be 97 percent of what we’re getting and they would quibble with the top two percent.

A. Rosenbaum: And I think there are also questions on whether that would be extra money or money that comes out of the original budget. Knowing the State, it’s probably not going to be additional money, but that still is undecided. Any other questions for Earl? Yes, Sue?

S. Willis: I have a remark and/or questions. I guess one is that there is a sense in which monkeying around with the University budget on the few percent level is not really quite like merit pay in the sense that some vastly large fraction of the University’s budget, like 95 percent or something, is personnel. At least the departmental budgets are like that, I don’t know about the University as a whole. You have a lot of fixed expenses and so cutting at the margins can be more significant than just tiny changes might suggest.
The other comment or question that I wanted to make was that, speaking of Texas, I have noticed that one thing that has come up recently in the State of Texas is that they are proposing that physics departments, something that is near and dear to my heart, who graduate fewer than 25 majors over a period of five years be phased out, or at least that the major be phased out and they remain service departments or they teach the introductory courses, but that they not have majors. Is that, are we looking at, is there a chance that we’re looking at, something like that here, not necessarily with physics, but with departments that have small numbers of majors? Once you start talking about performance-based funding, are they at risk?

**E. Hansen:** No. I’ve heard what they were doing in Texas, but we have not heard anything of what they’re going to do here. The legislature is being quite quiet on the whole front. They’re not doing anything in the open where anybody can see what’s going on, and every university has somebody down there watching them like a hawk.

**B. Student Association – Austin Quick, Speaker** – report – Page 10-11

**K. Bak:** Hello, my name is Kyle Bak. I first want to apologize for Austin’s absence. He is getting ready for a Washington, D.C. trip with many members of our Executive Cabinet in the Student Association. The first thing I want to touch on is that we had our Senate elections yesterday and today, so we’re going to be finishing those today and tomorrow. We will have 40 student representatives over the campus. Then, we have our meeting this Sunday at 6 p.m. in this room. I know many faculty are faculty advisors for student organizations, which work very closely with the Student Association. So I encourage you to come so we can create a bond between the student and faculty so you guys see what we are doing and that we are a respectable student organization. Other than that, I thank you guys for letting me be here and I yield.

**C. BOT Academic Affairs, Student Affairs and Personnel Committee – Kerry Freedman and Andy Small** – no report

**D. BOT Finance, Facilities, and Operations Committee – Alan Rosenbaum and Greg Waas** – no report

**E. BOT Legislation, Audit, and External Affairs Committee – Todd Latham and Rosita Lopez** – report – Pages 12-15. This report was given by **T. Latham.**

**F. BOT – Greg Waas** – report – Pages 16-17. This report was given by **A. Rosenbaum.**

**VIII. REPORTS FROM STANDING COMMITTEES**

**A. Faculty Rights and Responsibilities – Rosemary Feurer, Chair**

**A. Rosenbaum:** Next, we don’t have formal reports from most of the standing committees. We do have some, but I would like to go through the different committees and ask the chairs just to update you on what is working through their various committees. First is Rosemary Feurer, Faculty Rights and Responsibilities. Rosemary?
R. Feurer: Well, the main thing that I am here to report on with great enthusiasm is the Salary Equity Committee. We actually are working toward a final report and should have one fairly soon. Let me give some background for those of you who are new or need to be updated on this.

This question was raised two years ago from the Faculty Rights and Responsibility about the comparative equity between the various divisions on merit pay increases and salary increases in general. The question was “Do administrators in certain divisions get a better increase when there is an across-the-board increase?” We raised that question with the University through a joint committee of Faculty Rights and Responsibilities and Academic Affairs and didn’t get quick answers. A Presidential Commission was established on salary equity and the faculty members pressed the University to give us some data from which to draw conclusions. There was an initial report given to us, but not much data, and we continued to press for the actual data. Eventually, we started to look through the Working Papers and, at that point, we were told that we would get some data. And in February of this year, we finally got a data set. We had asked for specific points of information. Not all of that was released and so it’s a compromised data set. Nevertheless, the faculty members of the committee of the Presidential Commission have been working on that. And I would like to praise the members, in particular, Charles Cappel and George Slotsve. And then another non-Faculty Senate member, Bala Hosmane, has worked on that. And we do have a report pending. It’s not final. What we are obliged to do is to take it back to the Presidential Commission, and that is what we are planning to do. There are some other issues that the Faculty Rights and Responsibility Committee is working on, but that’s the big one.

A. Rosenbaum: And one of those would be the joint appointment policy.

R. Feurer: Yeah.

A. Rosenbaum: Okay, is that making any progress?

R. Feurer: No progress right now.

K. Thu: Well, I’m delighted to hear that this is finally coming to fruition. Can you tell us a little bit about the process of what’s going to be done with the data besides going to the Presidential Commission?

R. Feurer: I did forget one important thing. We were asked to come up with a solution to any problem that came out of this report. So, if we did see problems, we were authorized to make proposals. So that is what we will set out to do. But we’ve also agreed to go back to the Presidential Commission and so that’s why I can’t tell you anything more about what the data set says. But we are committed to come back to the Faculty Senate and give that report.

B. Academic Affairs – Charles Cappell, Chair

A. Rosenbaum: Okay, next, Academic Affairs, which is one of our very busy committees. Charles Cappell is our Chair.
C. Cappell: A brief summary on three issues before the Academic Affairs committee.

The plus/minus grading system proposed change is now being reviewed by a subcommittee comprised of two members from APASC and two members from the Senate, Steve Martin and myself. We have met once, and the concerns of APASC have been relayed to us. We are collecting information from other universities and from within our own that can address these concerns, and we will be making progress on trying to promulgate the plus/minus grade change through the proper channels.

The second item is the online course evaluation concerns. Several issues have been identified. A subcommittee of the Academic Affairs Committee has been formed that will take the primary responsibility for putting together a status report on what the current policies and responsibilities are and possibly make some recommendations. We would like to have that done by the end of the semester or the first part of next semester.

The third item is the academic misconduct procedures, which we will discuss later.

C. Economic Status of the Profession – Michael Kolb, Chair

D. Rules and Governance – Gretchen Bisplinghoff, Chair

E. Resources, Space and Budgets – David Goldblum, Liaison/Spokesperson – [report]
   – Pages 18-19

D. Goldblum: Speaking to the economic status of things, this report is much like we have given in the past few semesters. The numbers are a little bigger and things look a little bleaker, but I’ll give you a quick report. The co-chairs met initially with Dr. Williams, who wasn’t able to make it to our full committee meeting. As you may have seen in previous documents today, the State owes us about $43 million. What is different this year is they have extended the period of time to pay us. Usually they have to pay us by the end of June and now they have until the end of this calendar year, so December 31st. The State also owes us money from MAP grants, $11 million. NIU has already fronted that money to students as we are obligated to do. The State appropriation for Fiscal Year 2012 is down about $1.1 million from last year and, as we spoke to Dr. Williams about it, it has been a slow drop since 2002 and I think we’re now below 2002 levels in current dollars.

There was also a discussion about the decrease in student enrollment. We’re about 3.1 percent down for Fall 2011 over last year. And since we’re not getting much money from the State in a timely fashion, a lot of our operating money comes from tuition. So this is causing some consternation in administration. There is an awareness that we’re at risk of continuing the slide, and they’re starting to put an emphasis on improving the condition of what students see on campus like the dorms and the physical appearance of campus, the website. I just want to mention the fact that parents are looking at this as well with their students. So, there was concern about the amenities on campus, safety issues on campus, they have been hiring unfilled police positions, trying to make sure there is a lot of EMT trained officers on campus. Dr.
Williams is concerned if we have a perception of being an unsafe campus or unpleasant campus to be on, we’re going to have a hard time attracting students in the future.

We talked a bit about performance contracts as well. Hopefully we can use those for some pressing issues like some roofs that are leaking on campus. There was also, after the meeting with just the committee without Dr. Williams, some discussion about the True North campaign. We had asked last year for a breakdown of where the money was coming from, from True North, and where it was going. Laurie was given a pie chart, which gave us just percentages of amounts, no details on where the money was being allocated, who was making that decision. So, we were going to try to find out more about that. Particularly if faculty are being asked to contribute, it would be nice to be able to determine where that money is going and who is deciding that.

F. Elections and Legislative Oversight – Therese Arado, Chair

A. Rosenbaum: Therese Arado is our Chair and remember this year we asked Therese that perhaps the Elections and Legislative Oversight committee would do more than just elections, which is what we have done in the past. We’re going to actually try and get legislative oversight.

T. Arado: I’ll just hit a couple of highlights of things that you might want to have on your radar.

The traditionally called veto session in Illinois starts October 25th this year. Last year, it turned into something more than a veto session so we want to be aware of what the legislature is doing that can affect us, good, bad, indifferent, whatever our views are. So, October 25th they’re starting. There has already been one legislator from I believe Schaumburg who has put the proposal back on the table for requiring retirees to start paying some level of health benefit insurance. That was Senator Jeff Schoenberg, I believe he’s from Schaumburg. Other legislators are on board with this, so if you have an opinion one way or the other on that, you may want to get in touch with your legislators.

The other issue I came across that wasn’t on anyone else’s report that is something being considered – and I believe this is coming via the City of Chicago – a way to reduce benefits is to go to the “use it or lose it” policy for vacation and sick time. So, just something to be aware of that could be coming through when the legislature is looking at benefits and issues to deal with budgetary problems.

IX. UNFINISHED BUSINESS

A. Academic Misconduct Policy – Pages 20-25

A. Rosenbaum: Okay, the next item on our agenda is actually the last item on our agenda and that is the Academic Misconduct Policy, which is under Unfinished Business. For the benefit of new senators and for the benefit of others who are having some trouble unscrambling this, I will do a bit of a history of this so you know what’s going on. There may not be an issue here, but I wanted to give the Senate an opportunity to express itself in case there was.
This issue began in the Fall of 2009 and at that time, the Provost’s office expressed some concerns about the fact that we had different language regarding academic misconduct in the Student Code of Conduct and the Undergraduate Catalog. The main difference centered on whether the Student Judicial Board could not only rule on the guilt or innocence of a student with regard to academic misconduct, but also whether they could alter the penalty that had been imposed by a faculty member. The Student Code of Conduct said that they could, the Undergraduate Catalog said that they couldn’t. The fact that we had different language in both of these places created a legal problem for the University and, in fact, we did have a significant case prior to this being brought to our attention.

Interestingly, neither this Student Judicial Board nor the UCC, which is responsible for the Undergraduate Catalog, are under the auspices of any one organization that could tell them both, “This is the policy you have to adopt.” So, what was decided is that the Senate would try to propose language that was acceptable to the faculty and then, hopefully, both the UCC and the Student Affairs Office would accept this common language and we would have the same language in both the Student Code and in the Undergraduate Catalog. That was the principle.

We brought it to the Senate, it went to Academic Affairs. Charles Cappell’s committee came up with a proposed language for the Academic Misconduct Policy. That language was approved by the Faculty Senate on 04/21/2010.

What happened after the Senate approved it is that it was sent to the Vice Provost’s office for distribution to both Student Affairs and to the UCC. Student Affairs accepted the language that the Senate proposed and, in fact, many of you have seen this handout that was included with the Northern Star. The language in here is actually close to what the Senate suggested.

However, apparently, and if we need more of this, David Wade is familiar with what happened, UCC and APASC had some disagreement. They had a disagreement not only with each other but also with the Senate and the bone of contention was the last line. What the Senate proposed is, “In cases where the student feels the penalty is inappropriate, an appeal of the penalty only may be made to the College Council.” Now, the sentiment – and this is my take on it – the sentiment that I thought the Senate was trying to express is that we did not want non-faculty to have a say in the penalty and so it was thought that the College Council would contain only faculty in that college and, therefore, it would remain a faculty prerogative. Now, the reason we put that appeal in was because there was concern that a faculty member could be unreasonable and ignore an innocent verdict by the Judicial Board and still penalize a student.” So the appeal process was put in to provide some due process to students.

Apparently UCC and APASC had some some disagreement about this. I posted on Blackboard, the minutes of the March 3rd meeting of the UCC, and you can see some of the discussion that went on. At any rate, what was reported out from that committee, and ultimately approved by the UCC, was the language that you have on page 21 in the agenda. As you can see, it is pretty much the same until you get to the last line. In the last line it says, “In cases where the student feels the penalty of less than or equal to an F in the course is excessive and/or inappropriate, an appeal of the penalty only may be made through the grade appeal process. Now, this is the grade appeal process that appears in the APPM. The wording in the APPM does not really accommodate grade penalties as a result of academic misconduct. So the UCC also made
changes in the grade appeal process to include the grade penalty that is assessed due to an academic misconduct finding. So, what we now have is the language for the Catalog, which is on page 21 under “new.” We also have the new, or I should say rewritten, grade appeal process which is on pages 21-25, and that weaves the misconduct grade penalty into the grade appeal process.

Now, the points that may be of interest to us are that students may now appeal the grade penalty resulting from an academic misconduct finding if they feel the penalty was excessive or inappropriate. The Grade Review Board that would hear the appeals regarding a grade penalty consists of two faculty members and one student from that department. There is a student involved, but there are two faculty members. In practice, the two faculty members can outvote the student if necessary and, as in the current policy, the dean may set aside the changes suggested by the Grade Review Board. So, if the Grade Review Board recommends a penalty that is different from the one the faculty member imposed, that goes to the dean. The dean can support the faculty member, the dean can support the student, or the dean can throw it back to the Grade Appeal Committee. If the dean throws it back to the Grade Appeal Committee, then the decision of that Grade Appeal Committee is binding.

These are two separate policy changes: One is the change to the Undergraduate Catalog; one is the change to the Grade Appeal Policy in the APPM. Those must be reported to the University Council. Once they are reported to the University Council, the University Council has some choices. The University Council can do nothing, in which case, this will become policy. The University Council can send it back to the UCC and say, “We don’t like it and this is what we don’t like.” If the University Council takes that second choice and sends it back to the UCC, the UCC can either take the recommendations of the University Council and change the policy; they can withdraw the policy; or the third thing they can do is ignore the University Council and keep the policies the way they’re written. If they choose that, then the University Council has six weeks to veto the policy. It will take a vote of two-thirds of the voting members of the University Council to veto the policy.

These policy changes have now been reported to the UC, or at least they will be as of the October 5th meeting. At that point, if we have a problem with this policy, the University Council members who are Senators, would have to carry the argument. So, the purpose of this is to make you aware of the changes that have been made to this policy. If the Senate is happy with it, nothing needs to be done. But, if Faculty Senators feel that these changes are inconsistent with what we want in this policy, then we have to ask the University Council Senators to represent that position at University Council next Wednesday.

**K. Thu:** To frame the discussion, I would like to make a motion that the Senate recommend to the University Council that the proposed language change in the Undergraduate, in the Catalog be sent back to the Undergraduate Council.

**R. Feurer:** Scond.

A lengthy and lively discussion followed in which the following points were discussed:
Whether the current grade appeal policy needed to be re-written or whether foreseeable situations could be accommodated by the current wording. Although Senators were somewhat split on this issue, it was generally agreed that the many, but not all, possible situations were covered by the existing policy. However, it was also agreed that not all possible situations were covered by the proposed policy, either.

There were several examples of ambiguous wording in the proposed policy, however, several of these were present in the original policy and not a consequence of the re-write.

The Senate agreed that, while faculty should retain sole jurisdiction over grade assignment, some form of appeal should be made available to students in order to protect against an excessive or unreasonable penalty being imposed by a faculty member.

The re-written policy was thought by most to be reasonably consistent with the sentiment of the Senate in crafting the proposed language upon which the re-written policy was based.

Ultimately, the motion was defeated by a vote of Yes – 12; No – 22; Abstain – 6. Interested parties can read the full transcript of the entire meeting, including this discussion.

S. Willis: Offered to make a flow chart of the new policy.

X. NEW BUSINESS

XI. COMMENTS AND QUESTIONS FROM THE FLOOR

T. Griffin: I would like to make an offer of assistance having worked with hundreds of grade appeals here in the last 20 years and dozens of those subsequent to a finding of not in violation of academic misconduct. If I can be of any assistance to any of you in the process of proceeding with this, please do not hesitate to ask.

A. Rosenbaum: Thank you.

XII. INFORMATION ITEMS

A. Alternate Policy – Page 26
B. Annual Report, Athletic Board
C. Annual Report, University Benefits Committee
D. Minutes, Academic Planning Council
E. Minutes, Admissions Policies and Academic Standards Committee
F. Minutes, Athletic Board
G. Minutes, Campus Security and Environmental Quality Committee
H. Minutes, Committee on Advanced Professional Certification in Education
I. Minutes, Committee on the Improvement of Undergraduate Education
J. Minutes, Committee on Initial Teacher Certification
K. Minutes, Committee on the Undergraduate Academic Experience
L. Minutes, Committee on the Undergraduate Curriculum
M. Minutes, General Education Committee
N. Minutes, Honors Committee
O. Minutes, Operating Staff Council
P. Minutes, Supportive Professional Staff Council
Q. Minutes, Undergraduate Coordinating Council
R. Minutes, University Assessment Panel
S. Minutes, University Benefits Committee

XIII. ADJOURNMENT

Meeting adjourned at 4:30 p.m.