

**Northern Illinois University**  
**Special Hearing Board**  
**February 29, 2024**  
**11:00 a.m.**  
**Altgeld Hall Suite 203**

**MINUTES**

Present: Brianno Coller, Melissa Fickling, Jinsook Kim, Heidi Kuehl, Kim Martens, Eric Mogren, Rob Peterson, David Taylor, Paul Wright, Lei Zhou, Don Zinger

Absent: Amanda Littauer

Staff/Guests: Joan Parrish, Anthony Del Fiacco, Abdoulaye Diallo, Nene-Bella Diallo, Alpha Diallo, Paul Priester, Daniel Boutin, Janet Olson, Bette Montgomery, Jie Chen, Tomoyuki Shibata, Manuel Valdez, Alan Clay,

**Call to Order**

Wright called the meeting to order at 11:01 a.m.

**Adoption of Agenda**

Wright requested a motion to approve the agenda. Peterson moved. Martens seconded. The agenda was approved with no changes.

**Approval of Minutes**

Wright requested a motion to approve the February 26, 2024 meeting minutes. Peterson moved. Martens seconded. The minutes were approved.

**Public Comments**

Wright inquired if there are any requests for public comment.

**Promotion Appeal**

Wright discussed the scope of the appeal, service requirements of other colleges, professional ethics and the findings of the FSPC:

Recommendation on FSPC appeal: The FSPC recommends that the appeal be granted due to misalignment of school and college application of bylaws and policies due to conceptual differences in terminology and what is considered evidence. The department and college had different understandings of the term leadership as well as application of what was counted as evidence.

Lunch arrived at 11:30 a.m. The committee ate lunch for approximately 12 minutes.

Wright invited Diallo to make a statement or ask questions. Diallo advised that he experienced discrimination prior to his promotion request. That it has been ongoing. Diallo asked Priester to elaborate about the hiring process.

Priester remarked that Diallo was a lateral hire of associate professor with tenure. He continued that the Personnel Committee was willing to hire Diallo as an associate professor, but not with tenure. Priester stated the college council also decided it should be a hire with no tenure. Priester advised that he reached out to the Vice Provost at the time, Chad McEvoy, who also felt there was no reason that tenure should not be awarded. Priester stated that he felt so strongly about this, that he reached out to Affirmative Action. Priester admitted that there have been many personnel changes and that he is not sure if this is a case of discrimination against race, national origin or ability.

Diallo advised that he has not seen the letters that were written and but feels they minimize his accomplishments. Diallo stated that another faculty member of tenure was also minimized in writing about their performance. He continued that the faculty member had not received a grant and feels that this was overstated. Dr Shondra Clay is the faculty member that he is referring to. Diallo stated that it was possible that the committee might be hiding things from him. Diallo states that his "high quality" research was not included in the letter. He added that the PC Chair stated that he didn't have time to make this inclusion. Diallo advised that he has proof of this in emails.

Boutin stated that in the spring of 2020 the Personnel Committee was asked to review Diallo's CV as a lateral hire, with rank and tenure. Concern was expressed that all that the Personnel Committee had to make this determination was a CV. The PC committee voted to not recommend tenure. Boutin stated that there is a report on that. Boutin advised that Priester commented that "if you go that way, people will think you are racist". Boutin stated that Priester reconvened a new personnel committee in the fall. The new personnel committee voted to bring Diallo in as an associate professor with tenure. Boutin stated at this point, he was now on the college council. Boutin advised that the college council voted to not award tenure. Boutin continued that this matter was then brought before the FSPC. Boutin read an email from Chad McEvoy about the process.

Clay advised that there was an email sent to affirmative action from Priester.

Olson advised that she was on the college council at that time. She stated that she reviewed the information, in the same route that they normally review information and that at this time she had not met Dr. Diallo. Olson stated that the College Council asked why they were only provided with a CV.

Priester advised that the College Council asked for a complete tenure file and that normally this was not required on lateral hires.

A committee member asked about the schools' bylaws, are there guidelines about how letters from one committee to another committee are to be written?

Priester does not believe that there is.

Boutin advised that the Personnel Committee felt that there was a need for more information than a CV in the Diallo case. Because they were "told to by the Provost", they reviewed only the CV. Boutin continued that the college council advised that they needed more evidence in the Fiala case. They were advised by the dean at the time to "just to review what was provided".

A committee member remarked that according to the evidence, it appears that two of the three cases were handled differently. Except pressure being exerted from other parties, why was Diallo's application handled differently than the other two cases?

Boutin advised that the Personnel Committee was not able to make a determination solely from the CV and that the reason it was handled differently was pressure. Boutin advised that in the other cases, the roles were administrative, not operational within the college. That this is what the other people were asking for, not the college. The Dean, the Chair, and the Associate Dean, at the time, were the people that were asking for them to just use the CV's.

A committee member asked, where is the tenure home for these people?

Boutin advised, in the school.

A committee member asked if there is a MOU about the hire in the tenure home?

Boutin replied, not to my knowledge.

Wright gave Diallo the opportunity to respond to the written statement provided by Duffrin.

Diallo suggested that he would prefer to wait until Duffrin can attend. Diallo further advised that the written statement was completely inaccurate. Diallo reinstated that Duffrin should be here. Diallo continued that he had also discussed becoming a program coordinator with Duffrin and that now Duffrin is saying that the new chair will make that decision.

Wright welcomed the college to make a statement.

Fiala advised that as the documents came to the college, both school and college criteria were reviewed. Anonymous votes were taken. Fiala states that she has implemented

some additional training in policies and procedures, and they are also doing work to clarify them. Fiala advised that their immediate focus has been STARS and course releases. Fiala recognizes there is work to be done on lateral hires. And there needs to be clarity on offer letters. Fiala stated that in her email response to questions posed by the FSPC, she went over this information a little bit more.

Olson added that the College Council reviews every applicant that they have, in the same light. They look at teaching, research and service to determine if they meet the policy. Then an anonymous vote is taken. Olson did not see any difference in this case. The College Council views what the applicant submitted. Olson advised that she did not personally base that decision on race, country of origin or disability. Nor did she see it from Dean Fiala or the College Council. It takes three votes to move a decision forward.

Boutin advised they take the same approach to every decision that is made. The role is to present the material in the same way.

Wright called on Shibata to share his evidence.

Shibata stated at the time of the review, he had not met Diallo.

Chen was called upon to offer evidence. Chen stated they had followed the same procedure for all candidates. She stated she also had not met Diallo before the decision was made.

Diallo stated that he thinks it is ridiculous to say that they have never met a person before they are reviewed. He knows of cases where people change their names prior to submitting applications for review.

A committee member asked about the fact that the school found grounds for promotion, but that the college did not. How did that happen?

Fiala said that this is what was found by FSPC, they are looking at the same documents, but there is language that is open to interpretation. Fiala continued that it has been clear from the get-go that there are different ways of looking at the criteria.

A committee member stated that when he was promoted at the school level, they were following the school policies. Why, if the school policies were approved at the college level, did you not accept how they found on their criteria?

Fiala advised that this "question" was a judgement and not a question. It was decided that it is the role of the college to uphold policy. Fiala continued that she does not feel that the college should be bound to a decision made the department.

### **Meeting and Adjournment**

Wright advised the next meeting would be held sometime next week as Parrish has been unable to find a day and time when quorum can be achieved. Wright asked for a motion to adjourn. Zhou moved. Fickling seconded. The motion to adjourn was approved. Committee adjourned at 1:16 p.m.