

Northern Illinois University
Special Hearing Board
March 7, 2024
11:00 a.m.
Altgeld Hall Suite 225

MINUTES

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

Absent: Eric Mogren

Staff/Guests: Joan Parrish, Anthony Del Fiacco, Abdoulaye Diallo, Paul Priester, Sarah Garner, Alan Clay, Tomoyuki Shibata, Melani Duffrin, Kelly Fiala, Janet Olson, Daniel Boutin, Bette Montgomery

Call to Order

Wright called the meeting to order at 11:00 a.m.

Adoption of Agenda

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

Approval of Minutes

Wright requested a motion to approve the February 29, 2024 meeting minutes. Petersen moved. Zhou seconded. The minutes were approved.

Public Comments

Wright inquired if there are any requests for public comment.

Promotion Appeal

Wright spoke about the nature of the term “parties”. He advised that the evidence previously requested was made available to the Board, but that it would not be shared outside of the Board meetings. We have built in time for the viewing of information today. Wright advised that cases of promotion and tenure were requested as evidence and asked Diallo to clarify if requesting additional cases would present new evidence.

Diallo advised that the requested evidence it is an example of a promotion to full professor.

The committee agreed to request the promotion/tenure information for Janet Olson.

Wright advised the committee of the predicted timeline for this hearing. Wright discussed the working definition of discrimination. Wright introduced Greg Brady, Sarah Garner and Alan Clay and made them available to the committee for guidance.

Wright advised that we left off with the college council asking questions. The Dean and College Council have returned in case there are additional questions.

Fiala advised the committee that program directors are appointed by the Chairs and the schools. She advised they had provided the Boutin MOU for the position of program director and that it was approved by Priester. Fiala also advised that Diallo was part of the committee that approved the hiring of the other hires that the committee are reviewing.

Boutin advised the differences between the cases that were requested and Diallo's case.

Fiala advised that Diallo and Priester have both served in the named parties.

Diallo gave feedback about his review of Fiala's CV and stated that she was not the main author on some publications. Diallo discussed the PC Chair position and the program director position that is currently being considered and how he feels he is not being considered for them.

Wright opened the floor for the committee to ask questions.

A committee member advised that he is confused by the lateral hiring policy. He continued that the confusion is that a lateral hire is based solely on a CV.

Fiala advised that her understanding is that administrative hires are always based just on a CV.

Wright advised that the consideration of tenure on a lateral and/or administrative hire is something that the committee could make a recommendation on. Outside of the discrimination ruling.

Diallo requested that the committee look at his file, look at his vote. He also advised that he had requested Fiala take his case back to the college because she had stated that she was new and that she had refused to do so.

Fiala advised that a reconsideration would need to occur at the FSPC level and that it had already been reconsidered by the college council.

A committee member asked the College Council how leadership is determined.

Fiala advised she had addressed this in an email response to the FSPC and that has been entered into evidence.

Boutin advised there are 3 voting members on the school PC. Two members of the PC deliberated on two of the pieces of evidence. One individual on the school PC determined that the evidence in question went toward leadership. The other member did not and voted against it counting. Then when the item came to the College Council, those items were reviewed again. He stated that it is the role of the College Council to determine if the PC is following its own standards.

A committee member asked if it was the “long-standing” part or the “leadership” part of the review that the college based the negative vote.

Fiala advised that the vote is confidential and that she does not know what the other members considered in their decision.

Olson advised that she had reviewed the application file that everyone had access to and was able to make a decision accordingly.

Wright advised Duffrin that she has the floor.

Duffrin introduced herself to the committee, remarked on her medical condition and that she is here to support Dr. Diallo. She advised that she has supported him throughout the process. She advised that she had counseled him that the committees would be diligent on checking qualifications. She advised that there are different ways to interpret the documents. She discussed with him the emails from the PC, that said what they typically look at. She advised that this has been consistent. She stated that she was one of the lateral hires with tenure that this board is reviewing and that she also received the due diligence that is being discussed. The PC had asked about her grants and her teaching to assure that she is who she says she is, because they are making an investment on bringing her in. She feels that Diallo was given ample support to get his materials reviewed.

Diallo advised he was not asked to bring additional evidence, that he did not know about a previous vote, he was not told. He advised that Duffrin went to the Dean about it and that he was not given an opportunity to address what was missing from his submission. Diallo said that he did not give consent for things to be considered behind the scenes. Diallo asked Duffrin if she had consent from Diallo about what was revealed to the PC.

Duffrin advised that at the first PC meeting, there was a majority negative vote. Duffrin felt that the materials were inadequate and disorganized. Duffrin asked the PC if she could give Diallo more time before the vote. They declined. The vote was taken and the result was negative. Duffrin asked the PC, if she got permission from the Dean, if Diallo could reorganize his materials. They agreed. Duffrin asked the dean and she also

agreed to the reorganization. Duffrin stated that she called Diallo and told him the vote was not in his favor and advised him that the committee would let him organize his materials and give supporting evidence. He agreed to that, they met and went over how to tell his story and to improve his documents. He agreed to do that and took that option. Duffrin then took the documents back to PC and he got a successful vote.

Diallo advised that just because the school voted yes, does not mean that there aren't issues with that vote. He advised that information that was important to his success was not included in the letter from the PC to the College Council and that the PC did this in such a way that their "fingerprint" was not there. He advised that this also happened to another applicant. Crucial information was missing. Diallo requested that the letter sent from PC to the college be entered into evidence.

Wright advised that these materials are in the evidence.

Wright asked Duffrin if she wanted to respond.

Duffrin advised that PC letters are not all inclusive and that they come from the PC Chair. The aim is to discuss why the decision was made. They are supposed to be objective. It is known that all of the candidate documents also go through. Those letters are technical and the documents are available.

Wright asked the board if they have questions for Duffrin.

No board members had questions.

Wright asked the board if they felt that any new evidence was needed or new witnesses called. If not, the next meeting would be targeted for deliberation.

A committee member asked Priester what he would have done if one of the other individuals reviewed had raised a race issue.

Priester replied that there has been a persistent pattern. Priester continued that Diallo's record was strong enough that there was no concern.

Wright asked the board if more time was needed with witnesses, or if they were ready to proceed.

The committee decided that they did not need to hear from additional witnesses.

Wright advised the parties that they will be allowed to make closing statements before the committee goes in to closed session to deliberate.

Meeting and Adjournment

Wright advised the next meeting would be held Monday, March 11th. Wright asked for a motion to adjourn. Littauer moved. Zhou seconded. The motion to adjourn was approved. Committee adjourned at 1:02 p.m.