

Spring 2-17-2016

## Senate Meeting, February 17, 2016

Academic Senate  
*Illinois State University*

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**Academic Senate Minutes**  
**Wednesday, February 17, 2016**  
**(Approved)**

***Call to Order***

Senator Kalter called the meeting to order.

***Roll Call***

Senator Lonbom called the roll and declared a quorum.

***Chairperson's Remarks***

Senator Kalter: You have reminded me that we have a couple of Senators to introduce to the entire group. We have got some sabbatical replacements, etc. I think I have not yet introduced to the full Senate, Brent Beggs from KNR, Senator Lim from IT, Senator Stewart from ART replacing Senator Bushell for his sabbatical, and Senator Suh, also from IT. Welcome and thank you for serving. The only other thing I have to say for...oops. Oh yes, I'm sorry I didn't realize that. Senator Cichon, welcome, and thank you for serving. Also, Senator Logan, not to be neglected. Thank you for serving. The only other thing I have for chairperson's remarks is to echo the words that I heard on the radio this morning from the students at Eastern Illinois University: Fund our future. Some say that we have to make Illinois more business friendly before we can help citizens in need. I will say that it is business unfriendly not to invest in our MAP Grant students and our universities and it is unfriendly to the greatest degree. That's it for chairperson's remarks. Anybody have any questions?

Senator Stewart: I want to concur with what the chairperson said.

***Student Body President's Remarks***

Senator Powers: Thank you and good evening. This past Monday night, the Town Council met in this very room I believe for the first time for their General Council meetings. SGA has been working on this for over a year now so it was a great event. The goal was to get students to go to the meetings and meet their town council members who represent them when they usually do not. We hope that this will turn into an annual tradition and I don't see it not turning into one of those. Last Friday, I had the opportunity to talk at a press conference regarding the lack of funding and appropriations and MAP Grant funding. I think it was a success. Before spring break, SGA will be hosting a call-athon. The event will let students have the opportunity to call their state senators, state representatives, anyone who represents them in Springfield and let them advocate on funding higher education and MAP Grants. Details will come out soon. We are still working on those, so please let your students know when we get that information out. I yield for questions.

Senator Kalter: Are there questions for Senator Powers?

Senator Winger: How are we going to get that information? Is that going to go out in an email to Senate?

Senator Powers: That will most likely go in an email that I will send out to the entire students, but I will send one to Cynthia that she can pass to the entire Senate once we get the information.

Senator Winger: You were saying the dates. That was awfully quick.

Senator Powers: There were no dates yet. We are still working on a good date when we know students will be available to come and do the call-athon.

Senator Winger: Thank you.

Senator Kalter: Further questions? And I just want to say that Senator Powers, Senator Joyce and the other people who participated in that press conference were absolutely wonderful and made us proud. Thank you for that.

#### ***Administrators' Remarks***

- ***President Larry Dietz - Absent***
- ***Provost Janet Krejci Absent, but sent comments below***
- ***Vice President of Student Affairs Brent Paterson - Absent***
- ***Vice President of Finance and Planning Greg Alt -Absent***

Senator Kalter: I believe that we have no administrators here, is that correct? We do have, however, administrator remarks from Senator Krejci. So I will read those. She says:

Founders Day: Please remember the events surrounding Founders Day and a great time to celebrate our outstanding teachers, researchers, distinguished professor, university professor, creative awards and team efforts.

Enrollment/Admissions UPDATE: We are grateful to the many of you who are engaged in our student recruitment work. February is a key decision point month for parents and students so our best work pays off well right now. We appreciate everyone welcoming all to campus

We are in the midst of our Presidential Scholars competition in which many of the best students from the entire state are here hoping to earn a slot in our great academic programs.

We have had standing room only recruitment receptions in Schaumburg and Naperville (800+ attendees at each) where the crowds are responding positively to our message that despite the state of Illinois' condition, Illinois State is "strong and steady!"

In addition to student recruitment being at a peak right now, we are pleased that our freshman progression rate into the spring semester is up a bit from last year. (94.3 last year 94.5 this year). Your commitment to our students' success is crucial to maintain graduation rates and persistence rates; these outcomes are crucial to student and parent choices for college.

Troy Johnson continues to work with departments to attempt to alleviate obstacles to capacity.

Enrollment Numbers as of 2/15/16

FTIC: Fall 2016 enrollment: Applications fairly even compared to Fall 2015/Admits also even: Enrollment Deposits down 7% from Fall 2015

Transfer for Fall 2016 Applications up slightly (1%): Admits up by 292 or 40%

MCN Search: We are hoping to have announcement very soon

Are there any questions that we can record for her that you would like us to convey? Seeing none. We will move to our first item of the night, which is an Information/Action Item.

#### ***Information/Action Item:***

##### ***02.05.16.02 Minors Policy (Sam Catanzaro/Academic Affairs Committee)***

Senator Kalter: You may remember that back in the fall and also last spring we saw the Minors Policy. We have it on the agenda tonight as what we call an Information/Action Item. So we will start out in information session

if there are any more comments or questions about the policy as written and if not, we will make a motion to move into the action phase. The copy that you received, you may notice that it has some comments that are marked SK and that means Susan Kalter and when we received this to go on the Executive Committee Agenda, I took a quick pass through it and made these suggestions, passed it by the legal office and I believe they accepted them all as friendly amendments as I recall. So you will see on the second page SK1, “perhaps change to background check procedures conducted by Illinois State University.” SK2 was to add a third exception which says “provision B.13 below applies.” In other words, there is an exception if that provision applies. Another one eliminating extra space, that’s really editorial. Suggesting in SK4 “unless the program falls under provision B.13 below” and possibly add again another reference to the Minors Activity Compliance Committee. I believe that those were it. Let’s see if there is another one. There’s a couple on the second to last page. One of them suggesting moving the parenthetical from one sentence to another and rewording it slightly and then finally suggesting, rather than saying while the university defers, suggesting changing it to the university must defer since legally speaking, we actually cannot conduct those background checks. With those pointed out to you, are there any other comments or questions about the policy.

Senator Ellerton: With reference to item 6, I still have some concerns. It is one that I have struggled with trying to make sense of in the real application. Let me explain. It states “university program or activity involving minors must implement a process so that those responsible for,” “must implement a process for obtaining prior written permission, etc.” I have no argument with obtaining the written permission. It is the “must implement a process” that concerns me because many of the institutions with which we work already have such permission for people working with minors or the IRB process involves that. So I was going to suggest an amendment such as the following or at least to ask that it be discussed. So the preliminary line involving minors “must ensure that.” So those responsible “must ensure that prior written permission from a parent, legal guardian, etc. is obtained” or has been obtained and that would be open to discussion, but to simplify that. Reason being there is potential conflict or duplication if there is a mandate that must implement a process.

Senator Kalter: Lisa and Wendy, would you like to come to the microphones and let us know whether that would be an acceptable friendly amendment? This is University Counsel Lisa Huson and Wendy Smith and I thought I saw Sam come to the table. Yes, Sam Catanzaro. Is your title Associate...

Dr. Catanzaro: Assistant Vice President.

Senator Kalter: Not Assistant Provost.

Dr. Catanzaro: I will start and then invite my colleagues from General Counsel Office to elaborate as they see fit. I think that suggestion is fine. The second sentence of that paragraph number 6 I think would address the concern you have, is my thought. The goal is to make sure that there is prior written permission. If one had prior written permission documented and it was a school district, for example, that had already secured it and they were confident that it covered the activities of the ISU faculty member or student, I cannot imagine a scenario where someone will come and say, you have got written permission, but because you didn’t implement the process personally, we are going to penalize you. Nonetheless, your phrasing may be more clear and I will ask my legal colleagues what their opinion is.

Ms. Smith: I don’t think it changes it legally.

Ms. Huson: Yeah, I think it makes it more clear. What worries me is that they will ensure, but I suppose that is actually the most correct answer, so.

Dr. Catanzaro: So I guess we are accepting that as a friendly amendment.

Ms. Huson: What’s it going to say? Must ensure...

Senator Kalter: Let me read what I heard. What I heard was “those responsible for planning or undertaking any university program or activity involving minors must ensure that prior written permission from a parent/legal guardian, for,” probably we should say “the” minor. I’m sorry. I guess it should be “for minor participation in the program or activity has been obtained.”

Senator Ellerton: That is what I would suggest. My main concern was the potential duplication or confusion because if someone really took it literally and said, it looks like I have to do it, the parent or guardian gets inundated with a second request and turns off the whole project. It defeats the purpose of obtaining that permission. So thank you for that.

Senator Kalter: That sounds good. I am wondering if “for minor participation” is right or should it say “for the minor’s participation.” Which is more correct?

Ms. Huson: Either one is fine.

Senator Kalter: I think I would probably suggest a friendly change in that to “the minor’s.”

Ms. Huson: It does sound better.

Dr. Catanzaro: Fine with me. Sounds better.

Senator Kalter: Any other discussion?

Senator Sanden: I have a question about section 8. It says “university agents, representatives, including, but not limited to employees, students, etc. who have direct contact with minors in any university program or activity are required to complete and pass a successful criminal background check and online sex offender registry check,” which we don’t require now. Are we saying we are changing that policy? I see down in the addition that it is saying that faculty, staff, etc. are expected to conform to the requirements of those institutions. Are we saying that is instead of that requirement? That is still unclear to me.

Ms. Huson: What you said is right. If they are on the outside, we go with whatever is required of them, similar to the amendment that we just did. So the first part says... How would you want to change it?

Senator Sanden: I think that if we are suggesting that faculty and staff and students working in schools, etc. are expected to conform to the requirements of those institutions regarding background checks instead of...

Ms. Huson: I think the distinction is, up above it says, “in any university program or activity” and the other one is if they realize they are in a program or activity but they are somewhere else. So that’s how I distinguish it.

Senator Sanden: So on site it’s one way, but out in other places and can language be added to make sure that we are clear about that.

Ms. Huson: What would you suggest? Go ahead and suggest.

Senator Sanden: I guess in any university program or activity on campus.

Ms. Huson: They might not be on campus.

Ms. Smith: I guess the other distinction is, what we are trying to say is that your requirement for the university is to have a background check. We get the results of that and we make the decision on that. If a program outside requires an additional background check or a different one, we can’t change that requirement. We can only deal with the requirement that we have. We can’t always get the results of the other requirement either, other

background check either. So you may end up doing both, but if you do it for the university, you do it once, not every time you have a program with a minor, but we can't change the external expectations and so you may have to do one for the external agency and for us.

Senator Sanden: Right. I guess I am speaking for the teachers who go out and supervise student teachers and clinical students in schools. At this time, they are not required to have criminal background checks and online sex offender registry checks. This policy would change that, is that what we are going for?

Ms. Huson: Yep, I guess that is what we are going for.

Dr. Catanzaro: Yes.

Senator Kalter: Can I make a suggestion? I think part of the issue there is that we have got two levels of exceptions in number 8 and I think some small formatting could help to clarify. Either adding a "however" prior to the added sentence about faculty, staff and students working with minors, etc., when they are working outside, saying "however." Or we could add, right beneath that you will notice it says additional exceptions and the difference between that first exception and the second exception is for the second exception, you still have to go through the MACC, the committee that is on campus. For the first one that is mentioned, you do not. So we could either add a "however" and separate those two paragraphs to make it more clear or we could add a one line "Exception:" or "Exceptions:" and that it would mark out visually for people that there is an exception and then there are also additional exceptions. Would that help at all, Senator Sanden?

Senator Sanden: I think so. "However" or even "are expected to conform instead to the requirements of the institution's regarding background checks."

Senator Johnson: Just as a point of information, as an education major, I have had to many times in courses or for practicum field based student teaching, I have had to do a background check with the school and they require one for the school I am going into, so that is a practice that is currently in place for at least the Special Education Department.

Senator Thurman: The same in Nursing as well.

Senator Kalter: Now we have three possibilities, however, instead or formatting to put in exceptions:

Ms. Huson: Wendy and I sort of said different things. I was saying that it would be whatever the place required of you and Wendy brought up a good point that we might have to do them both. Sam, do you remember whether the committee looked at that or not. It's been a long time, I know.

Dr. Catanzaro: It's been a long time. I don't think we dug in at that level of detail.

Ms. Huson: I think the question is should our faculty who are going out to schools be background checked and if they should, then you leave it the way it is. You don't do the however, instead or exception because we are saying that we are going to have them do both. Is there a reason why faculty who are working with students shouldn't have to get background checked?

Senator Sanden: I am not suggesting that one way or the other. I just want the language clarified because when I took this back to our faculty in TCH, they wanted to know because that is not currently the policy.

Ms. Huson: We are doing it for students, right? So if we do it for students, maybe we should be doing it for faculty. I don't know.

Ms. Smith: One of the problems we have run into with the student ones is that the institution that they are getting it done at, let's say they are going to Normal High School, they don't have to provide it to us. So if they get a response back saying they can't student teach because of their background check, we can't get a copy of that. So it is safer to have our version of it and our copy of it, which is done once and then if the school requires something else, we can't change what that school is requiring. But for nurses, for teachers, we usually cannot get a copy of that based on the new state law change. So it is difficult because then you have a situation where someone can't go and you have no idea why. So we are safer doing our own background check, us getting the results, we are paying for it.

Ms. Huson: But what she said though is that the school districts are not requiring our faculty who go into the schools to get it, so that is not exactly the same. I think the question is are we going to have faculty who are working with minors somewhere else do a background check with us regardless of whether... I mean think through that. Let's say that we had somebody, this is farfetched, but we had somebody who had a hit and we sent them out and something happened, and then we have got this policy where we have now said that if they were on campus, they would have to do it but if they go out somewhere else, then we are not going to make them do it.

Dr. Catanzaro: I do think it was the spirit of the committee's conversation that we would not want that kind of a situation to occur.

Ms. Smith: And some of the nursing faculty are having to do it in clinicals and hospitals. I don't think that is common to the education world yet, but it has crossed over into the nursing where the faculty who are doing clinical supervision are required to get a background check based on state law. So it just creates a discrepancy that we treating people who are on our campus different than who we are sending out.

Senator Kalter: I guess I am little bit concerned hearing this conversation because it has been almost a year since the first time we saw this and we are just now making a major policy decision on the floor of the Senate.

Ms. Huson: I actually think that it had been made. I wasn't on the committee for a long time. I think it was made by the committee.

Ms. Smith: Yeah, that hasn't changed. It is just how it was described because that last line got added and it wasn't even in the first round of the committee.

Dr. Catanzaro: As you are describing the possible edits, I would be leaning toward the paragraph break, however option, and the more I think about it...

Ms. Huson: However, Sam, makes it so that they are not getting it if they go out to the schools.

Senator Kalter: It sounds to me like what is happening right now is that we are deciding between "however" and "also."

Ms. Huson: I think it is "also."

Senator Kalter: In other word, is it an exception that when they have another institution that they don't have to have our background check, or is it in addition to our background check they also might have to go through an external agency background check. I am concerned that that is just coming here now.

Ms. Huson: I don't think it is, Susan. I think they decided that at the committee level.

Dr. Catanzaro: We did.

Senator Kalter: It hasn't been worded that way for the last year as Senator Stewart just said.

Senator Stewart: The way I am reading it is if we have any contact with minors on campus, we need a background check, but going out to the schools, it depends on what the school's policy is that we get a background check. Now what I am hearing in the conversation is if you are supervising student teachers, you should get a background check. I don't read that in this section of the policy.

Senator Kalter: How much by the way do background checks cost and who would be paying for them?

Ms. Huson: The university pays for them. The same way that, this is all going to be paid for centrally.

Senator Kalter: And how much do they cost per check?

Ms. Smith: If it is non-fingerprint check, it is usually around \$30. If it's a fingerprint check, it is slightly higher.

Senator Crowley: How much higher?

Ms. Smith: I would have to get the exact figures. It is probably less than ten dollars more because you have to pay for the fingerprint.

Senator Dawson: As I sit and think about what you are talking about with background checks, who has to have one and who doesn't. Some food for thought. Why are we not requiring a background check on everybody at the university either at their start or something or do a phase in or something. That's best practices in HR. It can turn up a lot of information. So it is something to think about very strongly I believe.

Senator Grzanich: I would like to say I feel it is an invasion of personal privacy. If there is not a reason for a search for personal background information, it is kind of excessive to go search in somebody's background.

Ms. Huson: The reason for it would be because they have direct contact with minors.

Senator Grzanich: And I understand that, but a general background check of all the population of ISU is excessive, especially with \$30 per person.

Senator Alcorn: When you said that U of I has just implemented this for everybody, so whether or not they are going to have direct contact with minors?

Ms. Smith: Most campuses that have implemented an all background check policy have had a tragic event happen and then I think the trends are changing. When I first researched it, it was mostly campuses that had a tragic event and they implemented all. Now it is starting to trend towards all to begin with because of all of these laws with student teachers, student nurses and it is just starting to trend that way. Also the liability of not even checking, especially the sex offender registry site, which is free. There is a lot of liability in not even checking that and then putting someone in a school with minors and they were on a public website. So I think that is where it is kind of trending.

Senator Thurman: I think we have already talked about this. I do recall us talking about this last time this came up that we were thinking about implementing that as I recall and we talked about how U of I implemented it and they had that tragic event come up with one of their faculty. So I think that is not old news, but it is new news to this committee. So I think that should be known.

Senator Kalter: My recollection is that when we talked about it, we as an institution had rejected the option of background checks for all staff and faculty. Because for one thing, they don't last very long as I recall. They expire within a certain number of months or a year, among other things.



Senator Stewart: I just wanted to make clear that I am not objecting to the idea that faculty who are supervising student teachers get a background check. My point was that I don't read that in number 8, so I think it needs to be reworded to be clear.

Senator Dawson: There are many other things that a background check can stir up. Felonies, fiscal irresponsibility when they are fired from a job. I don't think we want people who have mismanaged money to a large amount in the accounting department or at the cashier. There are many more things that background checks uncover. I don't know how we could implement such a thing here, but I think starting with new hires would be a good idea. Are the building service workers background checked?

Ms. Smith: There's a law called the Campus Security Act which requires any employee that is in a security sensitive position to be background checked. There is a list of the security sensitive positions online and there are a huge number of employees that are background checked. Anyone with a master key. Anyone with financial implications. The biggest group that is not background checked is faculty. There is a huge group of other ones. That's why this is so new and we are saying that working with minors is in a way a security sensitive position and we should be background checking people who work with minors, no matter what category they are in. But there is a huge amount of people who are background checked currently and that list is available on HR's website if you are interested.

Senator Dawson: I have minors in my classroom, 16, 17, and I can tell you that they didn't even check if I had a legitimate diploma when I was rehired.

Ms. Smith: Anyone who is registered in a university class is exempted. First of all, because you can't get any record on a minor because it is a juvenile record. So in a way, it is a waste of money in a lot of ways to check a minor.

Senator Dawson: I am talking about myself as a faculty member.

Ms. Smith: Because you had minors in your classroom though. I was saying that minors in your classroom are not considered minors for this policy.

Senator Kalter: Let's make sure we stay focused on the minors policy rather than the question of whether or not we should background check all people.

Senator Dawson: I was just throwing it out there for a thought.

Senator Johnson: Can we just add the word "also" to the second to last line in front of the word conform? To also conform to the requirements.

Senator Kalter: That was where I was about to ask procedurally. Does anybody have a strong opinion about the fact that we are essentially changing the sense of the policy here tonight from what we have understood it to be for the last year, to the opposite of what we understood it to be? We can go forward and move this into action if people are comfortable with that. If not, we should take it back off the floor.

Senator Ellerton: I do agree that there needed to be clarification of those points. It was still of some concern to me because of potential conflict. It was not clear. That clarifies it by adding the word "also." My only comment would be to beg not to split an infinitive and say "are expected also to conform."

Senator Kalter: Are also expected.

Senator Ellerton: Are also expected. That would also be fine.

Senator Sanden: I would ask, because the sense that I got from this for the past months that we have been talking about this, is that we were trying work the wording out, not change the entire policy. So I would ask for time to take this back to the TCH faculty and get a sense of their understanding about this.

Senator Kalter: I think that is very fair, because this very question came up and we were headed in the direction of it being an exception. Now we are saying, no, we have decided that we need to background check everybody. As Senator Stewart said, I don't have an objection to the substance of that, but I am disappointed that we are learning this now here tonight. So I think that you are right that we should probably keep this at information right now, allow people to circulate it to their constituencies and then come back with it as an Information/Action Item next time.

Senator Hoelscher: I have no objections to that except that I would like to get a feel for how desperate we are to get this policy passed. What is our risk and are we violating laws by not having a policy in place? I think we need to be sensitive to the fact that we have been trying to do this for a while and we may be under significant pressure to get this done. So if ya'll would address that.

Ms. Huson: I would say that it should be done this semester. We are already so far behind on it. This thing started four years ago, but it really needs to get done this semester because then we will go into next year and nobody will remember it again next year. So I mean if you want to take it back, that works. I would say, Susan, I just want to note that it really didn't get changed. That was the intent of the committee. And it got garbled, or not garbled, but it got... When that new language was added, then it added that layer of question to it that didn't exist before. So when it came before you, that's how it was when it came before you. So it hasn't really changed. I think the understanding may have changed, but what had been recommended was never changed.

Senator Kalter: I agree that we should get this done this semester, so in that spirit, are there other things people have questions about so when we bring it back, we can bring it back as an action item? Any other things for the information session? Alright, good, great, seeing none, we will stop at the information part of the information/action item and we will see it again in two weeks after people have circulated it to their departments and other constituents. Great. Thank you very much.

***Information Item:***

***02.10.16.02 Milner Bylaws-Markup (Senator Crowley/Rules Committee)***

***02.10.16.02 Milner Bylaws-Clean Copy (Senator Crowley/Rules Committee)***

Senator Kalter: Now we move on to our information item on the Milner Library Bylaws and I will turn that over to Senator Crowley.

Senator Crowley: It is my pleasure to recommend that we pass the Milner Library Bylaws. The Rules Committee unanimously recommends and endorses these current bylaws. We are particularly pleased to see the inclusive language that reflects the diverse designations of personnel at Milner Library and the diverse mission of our Library. We are also pleased in the bylaws that we see a reflection of sensitivity to the unique context in which these bylaws are relevant to Milner's very complicated work environment as well as the articulation of responsibilities and duties of the Milner Library Council. So there is a great deal of new organization brought to this document and we really appreciate the way in which our Milner colleagues worked very collaboratively with us and we admire the document that they bring before us.

Senator Kalter: I think we do have a single representative from the library as well as our library senator sitting next to me. Sometime Senator Ward, Dean Ward, do you have anything to add to give us any context on this revision?

Dean Dane Ward: Thank you very much. It has been a pleasure working with the Academic Senate's Rules Committee and appreciate your support for our bylaws. I guess the context is really kind of interesting. The

library is very different from the other colleges. Half of our employees are civil service staff who have never had a voice in our Council. It was a movement, unanimous, well not unanimous, but all of the employee classification groups in the library approved the idea that we wanted to be more inclusive and make sure everybody did have a voice. So this is really a document that reflects a very inclusive way of approaching shared governance. I guess that was the biggest shift in why the markup document and the final document are so different.

Senator Kalter: Senator Lonbom, do you have anything to add?

Senator Lonbom: Senator Stewart was just kind enough to point out a typo.

Senator Kalter: So rather than context, it would be text.

Senator Stewart: In the very last line, if a simple majority of those voiting means voting. It is just a little spelling glitch.

Senator Kalter: We are in information session. Does anybody have any questions or comments? I have a couple.

Senator Grzanich: What employment is the student employees? It says one shall be selected from the student employees. What department is that coming out of?

Dean Ward: Student employees work in many departments in the library. Many of them are in the access services circulation area.

Senator Kalter: Other questions? I have a couple of typo things like Senator Stewart, but I will give those afterwards. The substantive questions. So this is essentially expanding the faculty council to an all library council and on page 5, at least in my copy, under the crossed out article 9, powers and duties. There is a mention of existing policies and procedures and their revision. My question is who now makes policies. There doesn't seem to be a specific reference in the revised bylaws indicating that the council has the power to make policies as opposed to some of the things that are articulated under the powers and duties on the first page.

Dean Ward: You are looking at the markup copy? I only brought the other one, but your question really concerns who is making policy.

Senator Kalter: Yes. Does the council for example, it is described as advisory to the dean. Is it like the Senate's advisory nature to the president where if we vote on a policy essentially the president either approves what we did and carries out that policy or explains to us why that policy is not workable.

Dean Ward: Exactly. In fact there is a place under Purpose. All council discussions and recommendations are advisory to the Dean of Milner Library who will report rationale for the acceptance or non-acceptance of these recommendations and policy is similar. Typically there is an advisory to the dean, but there is a conversation there and it is a shared process.

Senator Kalter: I would just recommend that that be clarified explicitly that policy is included in the things that the council can write and weigh in on.

Dean Ward: That's intended. That is easily a friendly amendment.

Senator Kalter: I hoped it would be. My concern there is that as deans come and go over the next couple of decades, we don't want something that was assumed in one era to fall through the cracks in another era.

Dean Ward: That makes a lot of sense.

Senator Kalter: Another one that I wondered...there is a mention, and I will just state this one. Under the powers and duties it is crossed out "to follow up on the implementation." I think that maybe the intention was what you just read, but I wondered is there a need to explicitly mention that the council will follow up and you don't have to answer that. That is just a question in the air. One of the questions that I had under Membership was if this is advisory to the dean, why the dean would vote. Is there a rationale for the dean being a voting member of the council?

Dean Ward: No. I am not sure. Is it a question of the numbers of people all together, having an odd number?

Senator Kalter: I wondered about that, if it was simply to be there as a tie breaker.

Dean Ward: It could be. I don't know if there was a real rationale beyond that. That is probably a legacy from the previous version that we didn't change. I don't remember.

Senator Kalter: To articulate a little bit more what could be a concern. It may not be. If it is advisory to the dean and this idea of a sort of back and forth between the council decides something and the dean either accepts it or says here is why we can't do it, the dean voting can have the effect of overweighting the committee's discussion and opinion rather than as receiving advice.

Dean Ward: Double dipping.

Senator Kalter: Double dipping, essentially, yes. So something perhaps to think about in the next couple of weeks whether or not that should be as it is. Whether it is important enough to have that as a tie breaker. Maybe adding a student employee to have two students or something would help or what have you. So those are my three observations. Like I said I have some very picky other stuff that I will just give to Kathleen afterwards.

Dean Ward: Great. Thank you.

Senator Powers: I was curious why the student has to work in the library to serve?

Dean Ward: I think that there was an interest in a student who is knowledgeable with the operations of the library in order to be able to recommend what is working, what's not working in that area or other areas they are familiar with in the library. So I think it was mostly about the types of, knowledge of the library.

Senator Powers: Were there any talks about bringing in a second student with an outside perspective in the library on this committee?

Dean Ward: No, we hadn't talked about that. Would you recommend that?

Senator Powers: Personally, I would recommend that just so we can continue the shared governance practice where SGA nominates a student to most committees. That way you kind of have an outside perspective that maybe that student grows to know how everything works and maybe an outside perspective might...

Dean Ward: Do all of the colleges have an SGA representative?

Senator Powers: I am not sure, but usually most committees will have, not an SGA representative, but the Student Body Vice President will appoint the student representation. In this one, it seems that the representation is appointed internally and not externally.

Senator Kalter: Around five years ago, we had a big movement towards that and I could not recollect whether every single one of the councils accepted that arrangement or not.

Dean Ward: I don't think that there would really be an objection to that because the idea is that we are trying to connect the library as much as possible to serving students, serving faculty.

Senator Johnson: I am not sure that this has been addressed yet, but at least on the clean copy there is a numbering issue with articles. There are two Article VIIs.

Senator Kalter: Thank you.

Dean Ward: Thanks.

Senator Dyck: On our college council, we do have students that attend and are part of that college council, but they are nursing students and they are selected from within that population. The library is probably somewhat different because they provide a service to the entire campus. However, that is the way we do that and so they are not appointed by the SGA that I am aware of. Would Senator Thurman know?

Senator Thurman: No.

Senator Heylin: My question would be this committee is separate from the Library Committee that reports to the Academic Affairs Committee, correct?

Senator Crowley: Yes.

Senator Heylin: So because then on that, we have SGA members and non SGA students, so I think that is more a role for other outside students to sit on that committee. I think this committee, if I am correct, is more about the library procedurally and how they function. That is why I think it makes a little more sense to have student workers that sit on the committee than just outside students. I think that the committee that reports to the Academic Affairs Committee is more responsible for the other opinions.

Dean Ward: That's a good point.

Senator Crowley: I am sure that the person who would be representing students, that the library would be in touch with the needs of students and any request from SGA. That student would really be a student representative.

Senator Powers: I think that there might be a conflict of interest if it's a student employee that is going to be serving on the committee. That is why I was entertaining the thought of bringing in a second student just outside of it.

Dean Ward: It's a great idea. I guess it is a shared governance kind of thing and lot of the focus is on is the climate for all of the employees good. I think that Senator Heylin had a good point, that there is a difference between the university Library Committee. We have had great student participation in the university Library Committee in the last two years. The university Library Committee serves as a liaison and helps the library connect to campus in a way probably that the library council does not quite function in that same way. It really is very much about how do we govern ourselves. I appreciate your perspective, too, because we are continuing to try to find ways to connect the library to campus.

Senator Kalter: Senator Powers, could you articulate what the conflict of interest might be?

Senator Powers: It would just be the sense that they work for the library and then they are on a committee that is trying to advocate changes and they might down the line, a student might not want to share his opinion assuming that he might next semester not get rehired. A conflict of interest can arise at any point.

Senator Kalter: Thank you very much.

Senator Cox: Two points. The first is that we have employees too of a different population that may similarly have conflicts of interest including those who have been appointed, elected or hired in certain positions where perhaps their vote may somehow imperil their future. I don't know. So I don't see how the student incurs any more risk than another employee would. The second point I had really had to do the viability of the vice president of the student body appointing a student to regularly attend and serve on the library council when it has been difficult to find students to serve elsewhere, for example at the Bone Student Center, which has not had regular student representation for quite some time. That situation is a little different because here we have a case where the student would be voting and if they are the tie breaker, the odd number and we don't have regular student participation as an appointee, I am not sure that it would serve the council any better.

Senator Stewart: This is about how the library works internally. These are all employees of the library and it's an opportunity to have a say in how your job functions. The other people who work in the library might not know the job a student has and they would be able to give feedback about this might be impossible or there are already too many things going on to be able to take this on, etc., which a lot of people in their jobs don't have an opportunity to talk about the reality of each job that is going on. So it is really important for a student who is an employee at the library to sit on that council and have a voice explaining what those jobs might be. That's the way I see this.

Senator Kalter: Thank you. Are there further comments, questions, observations?

Senator Huxford: This is from the sublime to the ridiculous, but I take it that we are still calling it the Library Faculty Council in the line below Article 2, Purpose.

Senator Kalter: Thank you. We thought that we had eradicated all of these.

Senator Huxford: And in the line, Article 3, Powers and Duties, below that we are still saying that there.

Senator Kalter: That is more sublime than ridiculous. Thank you very much. Those were some of the picky things that I have to convey, but I had missed that, but I was looking for it, so thank you. Further comments, observations.

Dean Ward: I missed that. Would you say that again?

Senator Johnson: It is not in the clean copy so that might be why you are missing it.

Dean Ward: It's not in the clean copy?

Senator Johnson: No, it is only in the markup one.

Dean Ward: Thanks.

Senator Kalter: Anything further on the Milner Bylaws? Alright we will see these again some time soon.

Dean Ward: Thank you.

Senator Kalter: Thank you very much.

***Committee Reports:***

We move on to committee reports. I understand that we have full committee reports. Congratulations are in order to our Faculty Affairs Committee who came up with a chairperson, but I will wait on that and go to Senator Daddario first.

### **Academic Affairs Committee**

Senator Daddario: Academic Affairs met with Sandy Colbs this evening to hear some background about a new law that was passed in the State of Illinois requiring that students be given an option to list a contact with whom information about their mental health state could be shared. There is a provision in the law that requires that a policy to be made in conjunction with this and most of the language in the policy is matching up with legal requirements, so there wasn't anything there about language, but we were just curious to hear the background about where this came from, if people thought this was a good idea and what was the deal with it basically. Since this is required by law and Vice President Paterson wants to get this moving pretty quickly, we went through everything and we will be sending it back to Exec and I imagine it will show up very soon as an information/action item. That was the primary thing we did today.

### **Administrative Affairs and Budget Committee**

Senator Hoelscher: The Administrative Affairs and Budget Committee met on February 3<sup>rd</sup> and again on February 17<sup>th</sup>. On the third, we began finishing up our Academic Impact Fund Report. That is, Senator Lessoff has graciously agreed to do that and I was grateful to him for it. So we are writing that report now and it will come before our committee one final time for review and then it will come before the Senate. This last time, we are beginning the administering of our presidential commentary. That is all done; it is on Qualtrics. You should see it come to you on February 22<sup>nd</sup>, that is assuming that tomorrow's test works just fine. I am fully confident it will. We should be through with that on March 14<sup>th</sup> and then we will get that written up and that will probably be our semester. We also are finishing our review, because we worked on this in the fall, of the dean evaluation forms. I am not ready to tell you exactly when that will come before you, but we made great progress on that today.

Senator Kalter: Looked like there was a full house on the Faculty Affairs Committee. Senator Rich, would you like to report on that.

### **Faculty Affairs Committee:**

Senator Rich: Sure. Despite months of legal maneuvering, benign incompetence and even a rope-a-dope strategy, we have drafted a chair. That would be me. With the assistance of my colleagues, in particular Senator Mattoon continuing as our communications director, I have agreed to do it. We are in the midst of a discussion of the Intellectual Property Policy, which addresses substantial interests of faculty, substantial interest of students in many cases and certainly interests of the university. I will note, if I am not incorrect, the current policy has been in existence since 1999. I think some things in the external environment for intellectual property and certainly some things at this university have changed in the time since then. We last time met and had administrative guests, Legal, Research and Sponsored Programs staff, talk about several issues and as AVP Baur brought up the role of education in making sure people are aware of the intellectual property issues around campus that affect them. This time we had members of the Intellectual Property Committee, which includes representatives from each college share their experience and their thoughts on the proposed policy. Next time, the committee members will be discussing the policy. I would be happy to take any questions.

### **Planning and Finance Committee:**

Senator Marx: The Planning and Finance Committee met two weeks ago and tonight. We are current working on the Institutional Priorities Report. We spent the last two sessions primarily brainstorming ideas for the report, which will soon be prioritized and hopefully help us along the way to creating that report in a timely manner.

### **Rules Committee:**

Senator Crowley: Thank you very much. We had a very, very busy meeting tonight again and we evaluated the Economic Interests Disclosure Policy 3.1.16 and then we went onto examine Parts A, B and C of our AFEGC Policy and we have one more part left and we will be bringing that to your attention as soon as we possibly can.

***Communications:***

***02.09.16.01 Insurance Benefits Sense of the Senate Resolution (Senator Alcorn)***

We will move on to Communications and you have before you a Sense of the Senate Resolution that Senator Alcorn has written for us about insurance benefits. Senator Alcorn, would you like to give us a little background on this?

Senator Alcorn: This resolution simply comes from hearing from a number of my colleagues in my particular college and in conversations around campus that this was becoming an issue for people. So when I mentioned it and said it seems like there is not really anything we can do about this, and yet it seemed appropriate to have a Sense of Senate Resolution. That's the background.

Senator Kalter: Thank you. I believe on these we move directly into debate. Do we have any debate?

Senator Crowley: I would like to express gratitude to you and my colleagues who put their ideas on paper and brought this to our attention.

Senator Rich: A comment perhaps in dissent. I should note that in usual times, the state subsidy of university health care amounts to, depending on each individual's situation, from 30% to 50% in addition to your salary in terms of what the state coming from Springfield pays. The reason I mention that is because there is an ongoing concern for the university of the potential of cost shifting where those benefit costs rather than coming from Springfield would be the burden of the university. We faced more a substantial and explicit threat of that a few years ago and that cloud passed. I am no expert and we are without the administration tonight who might provide greater expertise on this, but I would not be surprised that the ultimate budget resolutions that occur may resurrect some of that issue as well. I will note that and also that I have a number of concerns both in terms of short term and long term impact of the state budget impasse. This being somewhat far down on my list even though it impacts myself and my family with real effects that you have mentioned.

Senator Dawson: I don't recall where I heard it, but it was said that the results of the AFSME bargaining with the State of Illinois or waiting to bargain, that it would affect other areas under CMS, what that they are able to arrive at. I need somebody to tell me that it is a possibility or not.

Senator Kalter: I am not sure that we have anybody in the room who can authoritatively answer that question.

Senator Dawson: Okay. I will do some research.

Senator Kalter: I apologize that I cannot. It should go to Senator Alt. Is there further debate?

Senator McHale: I would like to agree with Senator Rich that there are other financial concerns, particularly for me, the MAP Grants. I guess at this point I am very impressed that President Dietz has stepped up. So I think there are some other concerns that could be addressed that are maybe a higher priority than this. Yet, I still lend my support to this resolution because it is an issue for real families, as Senator Rich said and I would like to get my teeth cleaned. Thank you.

Senator Powers: To your point about MAP grants, there will be a Sense of the Senate Resolution written by Senator Heylin and two other SGA members at the next Academic Senate meeting.



Senator Alcorn: I just wanted to mention that certainly on my part and I think on anybody's part there was in no way an effort to suggest that this is more important than anything else, but that it is an issue that deserves to be recognized because for some people, it has become a very difficult aspect to deal with.

Senator Kalter: Further debate.

Senator Winger: I would like to hear from Senator Rich exactly what the concern is. That there are other priorities that are steeper? Are we going to get in hot water? Sounds like we are whining? I am not sure exactly what you meant to say about this resolution.

Senator Rich: The first half about the cost of the resolution itself talks about premiums that we pay and there is no recognition of the substantial subsidy that state tax payers provide for our benefit. So if there is a tonal issue, I would put there. I mention, and it just a personal thing, there are other bigger issues and I agree with Senator Alcorn's point that that doesn't necessarily negate supporting this concern. My bigger issue is the first one, is that I think we are saying that we pay these premiums and so where is our health care. Why is it being delayed and there is no recognition in this of really the actual financing of that and the temporary nature of that set of issues. They are under obligation to pay the ones that are being deferred and they are under obligation to pay with penalties.

Senator Kalter: Without coming down on one side or the other of the resolution, I just want to say that I personally would not use the term subsidy to describe what the state contributes to our health care. When I worked for private universities, there is also a contribution on the part of the private university. I think that most people think of that as their contribution, etc. I think what Senator Rich is pointing out is that tax payers ultimately pay for that and so they may perceive that as a subsidy, but I personally see as a contribution just like they make contributions to our pension plans, etc.

Senator Rich: If I could clarify. My meaning of that term is to the university, the degree to which state tax payers pay benefits and the degree to which the university bears directly that cost. Some of that, there is legal environment that requires that, but that has been an issue politically in the past and I would not be surprised if it arises again.

Senator Alcorn: I certainly don't have any personal attachments here. I simply drafted this on behalf of the Senate, so if you all feel like we should, if we want to add an acknowledgement about that in there, I certainly have no problem with that.

Senator McHale: My suggestion would be possibly for a friendly amendment that might recognize that. "We appreciate the support from the state as would be the case in many employment situations that contribute to our health care" or something along the lines where we recognize the state tax payers give us this benefit and we are grateful for it and those are the kind of benefits that you get in private schools or any other job situation. So my words are not coming out very well, but I think you understand the spirit of what I am suggesting and maybe that addresses Senator Rich's concern.

Senator Stewart: On the other hand, that payment is like our salaries. It is part of our compensation package. It is something that we have earned. It is not something that we are freeloading and feeding at the public trough for nothing. It is part of our compensation package and I think that should be understood.

Senator McHale: I think that is in my friendly amendment. It is one of those promised recompense of the job as it would be in the private sector or any other sector. It is part of the employment recompense.

Senator Winger: I just have a question and this comes from my inability to keep track of briefings on spreadsheets for more than a week. Does the state contribution come directly and apart from the state appropriation, which is roughly of 18% of operating funds or is it part of that?

Senator Kalter: Associate Provost Jawahar behind you is nodding his head. So I am going to take that as an authoritative yes and just historically speaking, I am pretty sure that this is for the 150 plus years of ISU, although I don't know exactly when...it must have been from the 1940s on when insurance came in to the country as a whole. Because we are state employees, the state had always paid in full the entire part of the employers' contribution. Some time within my time here, it was probably half way through, about seven years ago, they started shifting costs onto the individual universities. I think that percentage right now is about 3% of the total employer contribution and Senator Rich is pointing out it may become more and more until they get to 100%. In other words, to answer your question succinctly, yes, it is different from the 18% that they contribute to the mission of the university. Further debate? Does anyone wish to call the question?

Senator Powers called the question, seconded by Senator Stewart. The Senate majority agreed to call the question. Senator Bockrath abstained.

Senator Kalter: Now we move on to voting about the Sense of the Senate.

The majority of the Senate endorsed the Sense of the Senate Resolution. Senator Rich voted no and Senators Bockrath and Cox abstained.

Senator Kalter: We have a Sense of the Senate Resolution. That will go to the president and also to the other senates in the state in case they...they have actually been ahead of us on this, by the way, so some of them may already have their senses of the senate on this issue, but we will send it around to let them know in case they want to take that up. Are there further communications for the Senate?

### ***Adjournment***

Motion by Senator Schaab, seconded by Senator Feiz, to adjourn. The motion was unanimously approved.