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ACADEMIC SENATE MINUTES

April 7, 1993

Volume XXIV, No. 12

Call to Order

Seating of New Senate

Roll Call

Approval of Minutes of March 24, 1993

Action Items:

Election of Officers,
Executive Committee Members,
and JUAC Members

Information Items:

Nominations for Academic
Freedom Committee and
Faculty Ethics and Grievance
Committee

Communications:

Resolution to Rescind

Committee Reports

Adjournment

Meetings of the Academic Senate are open to members of the University Community. Persons attending the meetings may participate in discussions with the consent of the Senate. Persons desiring to bring items to the attention of the Senate may do so by contacting any member of the Senate.

ACADEMIC SENATE MINUTES

(Not Approved by the Academic Senate

April 7, 1993

Volume XXIV, No. 12

CALL TO ORDER

Vice Chairperson Matt Shimkus called the meeting of the Academic Senate to order at 7:05 p.m. in the Circus Room of the Bone Student Center.

SEATING OF NEW SENATORS

Parliamentarian Ira Cohen welcomed the new academic senators:

STUDENT SENATORS:

Rich Barker, I.B.
Laura Chernicky, ART & PUR
Tracy Graumenz, ACCOUNTING
Janis Groeneveld, ECE
Allison Kush, EED
Allyson Laughlin, PUR
Monique Leon, HISTORY
Mike Malee, ACCOUNTING
Jaime Manzo, CJS
Amy Mersinger, PSY
Renee Mousavi, PUR
Casie Page, PARKS & REC.
Dee Swartzkopf, PIB
Diane Shaya, POS
Elgie R. Sims, POS and ENG
Jonathan Taylor, EED
Jordan Wilner, PHILOS. & HISTORY
Heather Zenk, GRAD STUDENT, POS

NEW OR REELECTED FACULTY SENATORS:

Susan Amster, Art
Victor Devinatz, MQM
Ken Jerich, Curr. & Instruc.
Eric Johnson, Geography
Jane Liedtke, Ind. Tech.
Ann Malone, History
Jonathan Rosenthal, FOR
Leonard W. Schmaltz, PSY
Juergen Schroeer, Physics
Curtis White, English

ROLL CALL

Parliamentarian Cohen called the roll and declared a quorum present.

APPROVAL OF MINUTES OF MARCH 24, 1993

Senator Zeidenstein had several corrections: Page 8, second paragraph, second sentence should read: "This may be a program eminently qualified to get virtually all the \$60,000 maximum from all colleges, not just CAST."

Page 9, second paragraph ends with a question mark.

Page 15, second paragraph, first sentence should read: "Do students who want to see the Dance Major retained after they are gone believe they are protected?" and the last sentence in that paragraph should read: "I would vote against these amendments because with all candor, they verge on the fatuous."

XXIV-67

Motion to approve Academic Senate Minutes of February 24, 1993, by Razaki, (Second, Zeidenstein) carried on a voice vote.

SBBD PRESIDENT'S REMARKS - NONE

ADMINISTRATORS' REMARKS

PRESIDENT WALLACE - NONE

PROVOST STRAND HAD AN EXCUSED ABSENCE.

VICE PRESIDENT FOR STUDENT AFFAIRS GUROWITZ - NONE

VICE PRESIDENT FOR BUSINESS AND FINANCE ALEXANDER - NONE

ACTION ITEMS:

- 1. Election of Officers, Executive Committee Members and JUAC Members**

XXIV-68

Senator Zeidenstein: I nominate Len Schmaltz for Chairperson.

XXIV-69

Motion to close nominations by Ken Strand (Second, Liedtke) carried on a voice vote.

Len Schmaltz elected Chairperson of Academic Senate on a voice vote.

Chairperson Len Schmaltz assumed the chair. Thank you for your confidence, I will try to keep it.

XXIV-70

Senator Fox: I nominate Rich Barker for Vice Chairperson.

XXIV-71

Senator Chernicky: I nominate Renee Mousavi for Vice Chairperson.

Motion to close nominations by Zeidenstein (Second, Semlak) carried on a voice vote.

Senator Razaki: Can the candidates say a few words to the entire Senate?

Senator Mousavi: I would like to address what I feel is the most fundamental concern of the entire senate. That is who would be the most qualified Vice Chairperson. I think that my attendance and participation during the last year reflect my commitment to the Senate. I served on the Budget Committee and participated in those meetings. This taught me a great deal about the Senate and the entire University. I feel that I have the qualifications to serve as Vice Chairperson. I am fully aware of the responsibility the Vice Chairperson has to represent the entire student body. I also have ideas of my own that I would bring to the entire Senate. I believe every institution can be improved, and I would like to see that happen. I would enjoy serving as Vice Chairperson of the Senate this next year and ask for your support.

Senator Barker: Fellow senators, I would like to begin this by saying that my participation over the past year has been very active. I have spoken on several issues, whenever I thought the students' needed a voice. I too have been a leader on campus as well as far as other activities. I believe that the Senate system needs to have more of a student voice. My goal is to get student senators to work together. I would also like to work alongside the faculty to see that the policies that we have are for the betterment of the entire university. I have several experiences in government outside of the Academic Senate, including ties with the current SGA as well as the past Student Body Board of Directors. I have leadership abilities in all areas. I would be more than happy to answer any questions. However, I think my experience of being vocal on the Senate speaks for itself.

Senator Mousavi was elected Vice Chairperson of the Academic Senate.

XXIV-72

Senator Insel: I nominate Jan Cook for Secretary.

Senator Zeidenstein: I nominate William Semlak for Secretary.

XXIV-73

Motion to close nominations by Senator Rosenthal (Second, Ritch)

Senator Semlak: This is my first full term on the Senate. Last year I served on the Faculty Affairs Committee. I have been active at ISU for fourteen years. I have served on just about every Senate related committee from the URC through the CFSC and my department DFSC. I served as the Director of the Honors Program for two years, the Chair of the Department of Communication for five and one half years and the acting Chair of the Foreign Language Department for one year. I believe in fair play and cooperation and working closely between the students and the faculty on the Academic Senate to preserve shared governance at ISU.

Senator Cook: Thank you. I am at the end of my second term on the Senate and I have served as the Secretary of the Senate for two years and I have served as Chair of the Senate in the past. I have been on the Budget Committee for the past two years and have chaired that committee. You will receive a budget report from us later. I do, however, have a statement that I would very much like to present to the Senate. It is an opportunity to explain why I would like to continue to be the Secretary of this body.

I have demonstrated that I can indeed take Minutes of our sessions, even in the absence of Mary Edwards and our tape recorder. That does take talent. But the primary function of the Senate's secretary is to serve on the Senate's Executive Committee. In the past month it has become evident that the importance of that role is growing fast.

As the University responds to the pressures of diminished budgets and the Higher Board's demands that we cut back on academic programs, the Senate and its external committees are pressed to recognize crises and to handle them fairly.

We are a legislature. We are elected by our faculty and student constituents to represent their needs and concerns, to make those concerns heard in the right places, and then to try to strike a balance with the needs of the rest of the University. And in a major crisis, at the last meeting of this body, we dropped the ball.

The rest of the University picked up on it instantly. Look around the room. Meeting by meeting we get three or four observers and the people whose proposals are on the agenda. There are no such action items on today's agenda. These people have come to observe us, acting for them.

But at least fifteen of us weren't Senators at the time of the last meeting. Let me recap for a moment.

The Monday after Spring Break the Executive Committee of the Senate met to set the agenda of the March 24th meeting. I was stuck in an Amtrack car trying to get from New York City to Normal. I don't know where the Blizzard of the Century caught you.

But, I was told that, at that meeting, someone brought up the "fact" that the Board of Regents had told ISU that documentation of program discontinuations should be submitted to the BOR by July 1, and the second "fact" that ISU could not meet that deadline if we went through normal procedures established by the Senate. Someone wanted authorization to skip standard appeal and reconciliation procedures established by the Senate under the ISU Constitution, and "just face facts and go ahead". All the Senate had to do was agree to set aside the University Constitution.

Set aside the Constitution and just act! Some rulers may dream of that, but democracy won't buy it!

After discussion, the Executive Committee decided not to place the issue on the published agenda of the March 24th meeting. It appeared that the matter was dropped.

At the end of the March 24th meeting, under Communications, Provost Strand handed us a copy of a proposed Sense of the Senate Resolution, and Senator Paul Walker called for a closed session to discuss it. The discussion, recorded in closed Minutes, made clear that, while a Sense of the Senate Resolution has no binding power, the President and the Provost would treat passage of this motion as authorization to send the paperwork discontinuing University programs to the Board of Regents without following University procedures. Senate-approved ISU procedures require that someone tell the Undergraduate or Graduate Curriculum Committees that ISU plans to cancel the program, with the reasons. The affected Department can appeal, or can file a statement saying why the degree was a good one but was being discontinued for economic cause. That statement protects students who have completed the degree when they are challenged about the value of a degree that their University has since dropped.

Most issues are listed on the agenda and discussed at two consecutive meetings. For this issue, faculty and students from the colleges affected had no advance notice, nor time to consult with their colleagues. GOOD GRIEF! Canceling whole graduate and undergraduate degrees is a big thing in a University. We heard AFTER the meeting about a range of unresolved problems. Department Chairs told us, "We thought that ISU would follow standard procedures and that we could work out these problems together. We may have to drop the program, but there are still issues to be resolved."

This was an emergency that did not need to be an emergency. If, as the Senate of the Senate Resolution states in its WHEREASES, the Senate had voted to disestablish the programs in October, then ISU administrators should have started the disestablishment process in October. If the departments received their first formal confirmation of the programs to be "disestablished" in the Provost's memo of February 22, then the Provost's Office should have filed statements of intent to the appropriate University Curriculum committees that week. Why are we dealing with an "emergency" now when the University knew what was coming down in February?

WE, the senators, trusted administration to file the proper statements with the Curriculum Committees, allow the departments in question to grieve for their lost programs, and go on to face facts. Administration didn't do that. There was time. Perhaps there was pressure.

The pressures on the University are real. The role of the Senators is also real. We represent our constituents. We need to know what is coming down so we can get back to our constituents to poll their concerns. No one of us knows all of the disciplines we represent. We have to check back. That's why standard Senate procedures say a new issue is brought in on the published agenda as an Information Item, then brought back two weeks later for Debate and a vote. Pressure is real. So is fairness. Honesty. Doing the right thing. We need people on the Executive Committee of the Senate who can keep fairness in focus. I think that I can do that.

Senator White: I think Senator Sendlak should be allowed to respond.

Senator Sendlak: I don't disagree with many of the points that Sen. Cook said. I think if I were to serve on the Executive Committee, I have a long tradition being interested in working with shared governance at all levels. I wasn't on the Executive Committee at the time the things that she discussed happened, and I don't think she alledged that I was. (No.) I think she has a position that she feels very strongly about and has presented it to you. If I felt the same way about an issue, I would also present it the same way. I don't disagree with much of what she said.

Sen. Cook was elected secretary.

JUAC REPRESENTATIVES

XXIV-74

Senator Schwartzkopf nominated Jordan Wilner for JUAC representative.

XXIV-75

Senator Barker nominated Amy Mersinger.

XXIV-76

Motion to close nominations by Fox (Second, Sendlak), carried on a voice vote.

Senator Schwartzkopf requested speeches from the candidates.

Senator Mersinger: My name is Amy Mersinger. I am a Sophomore, Psychology major. I am very active in the University. I serve on two advisory committees: one to the Student Life and Programs Office, and one to the Student Counselling Center. I also work Women's Transit Authority. After receiving the nomination at our Senate Orientation Meeting, I spent some time reading minutes of past JUAC meetings, trying to educate myself about what actually occurs at JUAC. I have spoken with JUAC representatives, Paul Borg, Len Schmaltz, and Jim Hoffmann. I am aware of the time committment that JUAC is going to take, especially when travelling to Northern. I am willing to miss my classes. I will speak with my professors on the first day of class about having to miss for JUAC meetings, and if there is a problem I will drop the class, because students do need representation on JUAC. I am also aware of the possibility of the elimination of this position if the Board of Regents is eliminated. I am not afraid to speak out and I am not afraid to ask questions. I have already done so. I attended the breakfast with President Wallace earlier this semester and I discussed what I thought to be ISU's adversarial relationship with the Illinois Board of Higher Education. I am a dedicated person. I am dedicated to the students, and I would appreciate your vote.

Senator Wilner: My name is Jordan Wilner. I am a double major honor student with majors in History and Philosophy. My purpose for being on the Senate is because as an adult I plan to become a professor and teach

college. This is my fraternity, or sorority, or whatever you want to call it. If you want dedication, Senate is the only commitment that I have as of right now. I feel that I can definitely serve as a representative of the University. If you have any questions, I would be happy to answer. Again, this is my life.

Senator Schroer: I would like to ask either candidate if they have served on the Senate before?

Both candidates answered "no."

Sen. Mersinger was elected as student representative to JUAC.

EXECUTIVE COMMITTEE

XXIV-77

Senator Liedtke nominated Paul Walker, Agriculture, for Executive Committee.

XXIV-78

Senator Cook nominated Khalid Razaki, Accounting, for Executive Committee.

XXIV-79

Senator Hesse nominated William Semlak, Communication, for the Executive Committee.

XXIV-80

Senator Borg nominated Pam Ritch, Theatre, for the Executive Committee.

XXIV-81

Senator Cook nominated Ken Strand, EAF, for the Executive Committee.

XXIV-82

Motion to close nominations by Newgren (Second, Johnson) carried on a voice vote.

Faculty members elected to the Executive Committee: Khalid Razaki; Ken Strand; Pam Ritch; and William Semlak. Chairperson Schmaltz and Secretary Jan Cook serve as members of the Executive Committee also.

XXIV-83

Senator Leon nominated Rich Barker as student representative to the Executive Committee (Second, Mersinger).

XXIV-84

Senator Kush nominated Tracy Graumenz as student representative to the Executive Committee (Second, Razaki).

XXIV-85

Motion to close nominations by Fox (Second, Barker), carried on a voice vote.

Senators Barker and Graumenz were elected as student representatives to the Executive Committee. Vice Chair of the Senate, Renee Mousavi; and Student Government Association President, Diane Shaya, will also serve on the Executive Committee.

INFORMATION ITEM

1. Nominations for Academic Freedom Committee and Faculty Ethics and Grievance Committee

Chairperson Schmaltz announced additions and corrections to the green sheet of nominations for the election on April 21, 1993:

Academic Freedom Committee:

Add: Ralph Weisheit, Criminal Justice
J. Chris Eisele, EAF

Remove: Nzwe Nnakwe, HEC
(She currently serves on that committee on AFC)

Faculty Ethics and Grievance Committee:

Add: Jim Palmer, EAF

Senator Barker moved that the Senate take a ten minute recess.
(Second, Zeidenstein) Motion carried.

Academic Senate recessed for ten minutes at 7:50 p.m.

COMMUNICATIONS

XXIV-86

Senator Winchip presented a Senate Motion, dated April 7, 1993:

"WHEREAS, University administration officials above the Department level proposed on October 2, 1992, to eliminate five ISU academic programs, including the B. A. in Dance, as an institutional response to the Illinois Board of Higher Education PQP requirements,

WHEREAS, the Health, Physical Education, Recreation and Dance Department did not initiate the proposed elimination of the B. A. in Dance,

WHEREAS, the elimination of the B. A. in Dance was not submitted as a proposal to the Executive Committee of University Curriculum Committee by those proposing its elimination,

WHEREAS, the Senate passed on March 24, 1993, a motion to endorse the elimination of five academic programs, including the B. A. in Dance, without informing the Department of HPERD of its inclusion on the agenda,

WHEREAS, the ISU University policy for Disestablishment of Academic Programs was not followed,

WHEREAS, the Department of Health, Physical Education, Recreation and Dance, subsequently has appealed to the Executive Committee of the University Curriculum Committee for the purpose of investigating the disestablishment of the B. A. in Dance,

AND WHEREAS, eliminating the academic program without strict adherence to the University policy for the Disestablishment of Academic Programs establishes a precedence with implications for all University programs,

THEREFORE, I move that the motion passed by the Senate on March 24, 1993 to endorse the elimination of five academic programs, including the B. A. in Dance, be reconsidered and rescinded, in order that the University policy regarding Disestablishment of Academic Programs may be followed.

(Winchip, Second, Barker)

Chairperson Schmaltz: Senators Winchip and Barker, I would ask if you voted on the prevailing side at the March 24th meeting? (Both Senators answered "yes.")

Senator White: Motions to reconsider and rescind are separate motions. They have been presented here as a single motion.

Parliamentarian Cohen: Rescinding a motion is under the Senate Bylaws. I will first talk about reconsidering a motion. Reconsideration has a time limit and is usually supposed to be made at the same meeting by someone who has voted on the prevailing side. A motion to rescind can be made at any time providing nothing in the motion when it passed has been put into effect. We have sloppily confused the two. A motion to rescind is a cleaner motion than a motion to reconsider. A motion to reconsider would require a ruling of propriety of time, and then after you vote to reconsider, you still have a main motion on the floor. A motion to rescind does away with the main motion and there is nothing left on the floor. I would say this should be treated as a motion to rescind. Under the Bylaws this requires a two thirds vote. Senator Winchip can move this a a motion to reconsider or a motion to rescind. It cannot be both.

Senator Winchip: I would like to make it a motion to rescind. Strike the words "reconsidered and".

Senator Nelsen: Has any action been taken on the March 24th motion?

Parliamentarian Cohen: If someone knows of any action that has been taken they can give us that information. Roberts Rules of Order and our Bylaws say that.

Senator Zeidenstein: A motion requires a two thirds vote for passage under our Bylaws?

Parliamentarian Cohen: Yes.

Senator Zeidenstein: Does that two thirds vote also apply to a Sense of the Senate Resolution, which is not policy at all?

Parliamentarian Cohen: If you are treating it as a main motion. Sense of the Senate resolutions somehow live in an atmosphere with transferred calls that never got transferred, and things like that. If you are treating it as a main motion which was the purport of your discussion two weeks ago, therefore I think it should be treated as a main motion.

Senator Zeidenstein: Even though it is not legislative policy, but a Sense of the Senate Resolution, which is a fancy name for editorial comment.

Parliamentarian Cohen: Yes, I would expect so. But that is up to the Chair of this body.

Senator White: I know this is the communication section of the Senate Meeting. I was not aware that this section of the meeting was appropriated for a main motion.

Chairperson Schmaltz: It is appropriate for a Sense of the Senate Resolution.

Senator White: This is not being presented as a Sense of the Senate Resolution.

Senator Walker: My question is, was what we did at the March 24th meeting a motion or a Sense of the Senate Resolution? Are they the same or different?

Parliamentarian Cohen: In what way are they different, and in what way are they the same? Was this Sense of the Senate Resolution going to be treated as if it was a main motion? If it was, the Rules Committee ought to look into Sense of the Senate Resolutions, especially if they are going to be more and more legislative. Clearly, I think the import of the motion passed on March 24th was legislative. But, technically, it wasn't.

Senator Zeidenstein: The March 24th Sense of the Senate Resolution, as it is titled in the Minutes, was offered and passed during the Communications section of the meeting. In that case the question raised by Senator White about whether it is appropriate to bring up this motion to rescind under Communications could be answered that it makes sense to do so, as the original resolution was brought up during the Communications section, whether it was a main motion or not, surely a

motion to rescind it could be brought in the same section of the meeting. It would be silly to say that a motion has to put on the Senate Agenda and take place during the regular meeting to rescind something that was never itself ever on the Senate Agenda.

Chairperson Schmaltz: The Chair has so ruled that this is an appropriate Sense of the Senate Resolution. It is a motion to rescind and has to have a two thirds majority to be passed.

Senator White: What we have here is that last week we passed a resolution which is by definition non-binding and a rather curious creation to begin with. This week we are going to consider passing another resolution which rescinds the previous resolution. So we will have something passed last time which has no particular authority, and something passed this time without authority rescinding the previous resolution which had no authority. Now, I ask you does that make sense?

Senator Borg: In looking at this Senate Motion dated April 7, 1993, if you get past all the WHEREAS clauses, it says that the motion passed by the Senate on March 24th be rescinded. I might suggest that we rephrase this, eliminating all of the WHEREAS clauses, and use only the last clause, changing it to read:

XXIV-87

"The Academic Senate resolves that the Sense of the Senate Resolution passed by the Senate on March 24, 1993 to endorse the elimination of five academic programs, including the B. A. in Dance, be rescinded, in order that the University Policy regarding Disestablishment of Academic Programs be followed."

(Friendly Amendment: Borg)

Senator Winchip: I accept that as a friendly amendment.

Senator Barker: As seconder of the motion, I accept it.

Senator Walker: I request permission to yield the floor to Chair of the Department of HPERD, Dr. Marlene Mawson, to discuss this issue.

Chairperson Schmaltz: That is acceptable with Senate concurrence.

Senator Zeidenstein: Has the Chair ruled whether a two thirds vote will be required to pass this.

Parliamentarian Cohen: A motion to rescind comes under the Senate Bylaws, not Robert's Rules of Order. It is Section I, Subsection 1.2.b. "The motion to rescind or to amend a previous action of the Academic Senate requires a two thirds vote for passage with or without previous notice except that a majority vote is required when the motion to rescind or amend a previous action has the positive recommendation of the appropriate internal committee of the Academic Senate and has proceeded through the filing, promulgation, and decision stages." This has not done so, so it requires a two thirds vote.

Dr. Marlene Mawson, Chairperson of HPERD: First of all, I want to thank you for allowing me to come forward to speak this evening in behalf of this motion. I want you to know why we are bringing this motion to you. It is because last week when I was at a national professional meeting, I learned through a fax sent to one of my faculty that this Senate was voting on a program that was essential to our Department and a program that we knew was on a cut list, but on a proposed cut list, about which we had asked several questions previously. We first knew that this program was on the cut list when we were told on October 1, 1992, that it would be announced October 2, 1992. We were told that it had already been decided. We were not a part of that decision. This we were told was not reversible, but that we would have opportunity for dialog. Some of you may have remembered on October 5th, which was the Monday after the announcement on Friday the 2nd, that there were dance classes held on the Quad in demonstration of protests against this measure that was taken without informing us. After that, on Wednesday October 7th, I sat in front of this group (not all of you were senators at that time) and was asked to be present to address the elimination of the Coaching Sequence that our Department had initiated. It was this way that I knew that this was the proper process for eliminating a program. Some of you know that I have only been at the University for three years, and have not read the University Policy Handbook from cover to cover. But, I knew from the process that had taken place before that this process was not usual. Therefore, when I returned, I asked about this process. Let me tell you further that our Department did respond to a Provost's call for information about our program. We turned it in on the due date. It was read on the date that we were supposed to be notified. We were not notified, but the date went by in November and on the 7th of January, a letter was sent from the Provost to our Dean (not to our Department) who then showed the letter to us, indicating that even though the information that we had given showed that the Dance Program was a quality program, still there were guidelines in the PQP that had to be addressed, and therefore our program was still on the cut list. I responded by a letter to the Provost through the Dean, asking if this didn't have to be a Senate process. I have received no response yet. Therefore, this is the reason that we are bringing this before you to consider whether or not you would like to allow us to go through the process of deciding whether we want this program, or whether we can verify its quality. We will do that at some later date, if you will give us the opportunity to go through the process.

Senator Winchip: I would like permission to yield my turn to a student in the Dance Program who wishes to speak to the Senate, Michelle Blakely.

Michelle Blakely: I would first like to thank you for the opportunity to speak this evening. My name is Michelle Blakely, and I represent the Dance Program. I understand the focus of this discussion is not about the pros and cons of maintaining or eliminating the Dance Program. Instead, tonight we are presenting the need for this appeal. Among the programs identified by ISU for elimination was the B. A. in Dance. The HPERD Department believes that the Illinois State University Policy for the Disestablishment of Academic Units has not been followed. This policy is contained on pages 151 through 153 of the University Policy

Handbook. In Part II of the Disestablishment of Academic Units Policy, two procedures for the elimination of academic programs are listed. Those two procedures are: (1) "a proposal should be initiated at the lowest possible level of the curriculum process; or (2) all other academic unit disestablishment and all support review proposals shall be submitted to the Executive Committee of the University Curriculum Committee....." On March 24, 1993, neither of these procedures were followed. This demonstrates to me the need for an appeal. A mistake was made, and the decision needs to be rescinded.

Senator Winchip also yielded the floor to student, Jackie Conrad.

Jackie Conrad: My name is Jackie Conrad. I am also a dance major here at ISU. I am also an instructor in Community for Dance. Most importantly, I am a student here at ISU. That is how I would like to appeal to you tonight -- is to put you in the position that we were put in as students and faculty members, to find out on the news that our program was being cut, or from word of mouth, walking through the Quad. I would just like to say that due to those reasons, that we have not been informed about any progress or any other changes since October, except through the media, as to the events that occurred on March 24, I would like to appeal to you to take this into consideration and please not be intimidated, and to use your own consciences in making a decision.

Senator White: It seems to me that we have two separate issues are being confused here. The first issue has to do with whether or not the procedure that the administration, the Senate, and the entire University community has been following for the last year of considering the IBHE's PQP initiative. That issue is being confused with the issue of whether or not the Senate should consider whether or not the Dance Program has a right to reconsider its particular case. Now the notion that this Senate could say in good faith that it has been unaware that it has been operating under extraordinary circumstances and extraordinary procedures for the last year, seems to me incredulous and maybe hypocritical. I know that Senator Cook has sat on the President's Committee of 27 (the President's Advisory Committee). I know that no senator, including Senator Cook, has objected to the process that was in place, or appealed to the Constitution during the last year. It seems to me that there was at least a de facto understanding that we were proceeding under extraordinary terms. Now, I have no problem with an appeal from a particular program that feels its case wasn't heard. I think I can be very sympathetic to that. But that notion is being confused that this entire process has been fraudulent. It is a process that was thrust upon us at the last moment. I think that is dead wrong. This resolution insofar as it asks us to reconsider the entire process and

pretends as if some gross constitutional foul has been committed against us, I object to that, and will vote against this. If you want to submit a resolution that has to do with the Dance Department's feeling that it has not been heard yet, I think I could support a resolution to that effect. But, it seems to me that a lot of people here are ignoring the obvious of what we went through the last year, which was open to everybody.

Senator Leon: I would like to note that there are a number of new senators here this evening who were not present when the resolution was passed.

Senator Fox: A lot of the comments that I have were just stated by Senator White. I was a senator who was here all year and did participate in this process. I also have one question, What would take place is this resolution that we have on the table this evening were passed? What would be the result at that point?

Parliamentarian Cohen: We would do away with the Sense of the Senate Resolution passed on March 24th, and be back to ground zero.

Senator Fox: I, too, will vote against this resolution.

Senator Thomas: In contradiction to Senator White, who was not here at the last meeting, there were appeals to the Constitution. I made one. Senator Cook, I believe made one. Senator Zeidenstein made a statement about due process. I believe that this is not an issue about the Dance Program, but an issue about the Constitution of this University. What we have done violates the the ISU Constitution which states on Page 16, Paragraph D. "Academic ProgramsThe establishment of new academic programs, disestablishment of existing academic programs, or changes in existing academic programs shall follow procedures established by the Academic Senate." That is a part of the Constitution of this University, which is a part of the documents of the Board of Regents of this University. It is a part of something that most of us have as part of our contract with ISU. This is not a light matter. It is something we should take very seriously. I think that our action at the last meeting was very serious miscarriage of the Constitution.

Senator Razaki: The only part of Senator White's statement that I would agree with is, that there are two different issues being discussed here. One of them deals with the merit or lack of merit of a particular academic program on this campus. The second one is the issue of whether the Constitution and the proper legal procedures have been followed or not in this particular case. I cannot talk about the merits of any particular program, because I don't have enough information, but for quite some time in the past I have been asking the administration about this process. I have here a copy of the Senate Meeting on October 28, 1992, Page 8, which read:

Senator Razaki: I know that the administration is going through a program review internally at the University.

Are there any programs that are being considered for elimination or consolidation at the University that are not on the IBHE list?

Provost Strand: Yes. But, I would not want to identify those programs at this time.

Questions were being asked on the floor of the Academic Senate about the programs that were going to be eliminated. The Administration had a list which they might have shared with the President's Advisory Committee, but not with the Academic Senate in general. By the time the list came out, because of pressures created by some demands of the Board of Regents, it was felt by the Administration and maybe some senators that due process should be violated. When I first heard about it at the Executive Committee Meeting on March 15th, I had grave doubts at that point. I said so at that meeting. I went home and thought about the issue. Then on the floor of the Academic Senate, I opposed it last time. I am sorry that Senator Thomas did not include my name on the honor roll of senators who opposed this last time. I consider it to be an honor roll. This is an American campus. If there is to be any bastion of freedom and decency and legality in the work, it should be here. All that we have are the constitutions of various organizations of principles, procedures, legalities, modalities that are accepted. Those are hereby violated in this case. At the last meeting, I also said that my department was not affected. In this particular case, my department was not losing anything, but at some point this might apply to us. All of us who live under the same system of laws should uphold those laws. There was a procedure violation, and this Academic Senate should vote to rescind that violation. I will definitely vote in favor of rescinding the March 24th resolution.

President Wallace: The response by Provost Strand which was referred to was a request about whether there are other programs being considered by the Administration (other than those which had been publicly identified). There was no secret listing of programs.

Senator Razaki: I am not saying that the Administration did this behind anyone's back. What I was trying to say, and perhaps did not say properly, was that if there were other programs being looked at by the Administration, I took it for granted that proper procedures were being followed -- that curriculum committees at the different levels, the department, the college, and the University level had been consulted, and the proper process had been in place. I was informed earlier this evening, that Provost Strand made a comment that the College of Business Council had voted to eliminate a program in the BEA Department. Now I am told that faculty members checked the minutes of the College of Business Council meetings, and there has been no such resolution that was passed by the College of Business Council. It seems to me that there is a lot of misunderstanding and miscommunication. If that is a fact, I think the Administration should go back and follow proper procedures. I was not hinting that the Administration has done something sinister or dirty or engaged in skullduggery.

Senator Zeidenstein: Senator Thomas read the relevant portion of the ISU Constitution which states that "disestablishment of existing academic programs, or changes in existing academic programs shall follow procedures established by the Academic Senate." Shall in legal terms means **must**. Secondly, the Academic Senate has established procedures on March 1, 1972, and revised them September 14, 1977. So, it is not as if the Constitution dictates the following of procedures, and there are no procedures established by the Senate. There have been procedures established since the early seventies.

Third, it was stated a couple of times at the last meeting of this body, and it may be offered again in debate this evening, that these procedures are not applicable because the demand or push for retrenching of programs came from outside the university. That argument was raised last week, and was accurately responded to last week, including by one of my colleagues who was sponsoring the resolution that was adopted by a one-vote margin. The existing Senate policy can and would cover recommendation for disestablishment of a program no matter where the source. The source may have originated outside the University, but it came and was channeled through the inside through the administration and advisory bodies including many people that the administration put together. So we have a Constitutional mandate to follow a policy. We have a policy that could have been used. The last point that I raised as an archaic point of law, as one non-lawyer to another lawyer, I am not at all sure that last week's Sense of the Senate Resolution that we passed, if it meant anything did not itself in passing it, violate our own Constitution. Because, we adopted a Sense of the Senate Resolution that ignored a policy that our own Constitution dictates should be followed. We may not even arguably have to rescind what constituted an unconstitutional Sense of the Senate Resolution. Someone could write an article for a Law Review on that, if they do, I would ask that my name be footnoted and spelled correctly.

Senator Schroeer: I have not read the Constitution carefully, or various documents that relate to the running of this University, but somehow I was under the impression that everything that we do is advisory to the President, and final authority rests with the Board of Regents. If the Board of Regents has incorporated our Constitution as part of their regulations, then I propose we have a problem. Otherwise, maybe everything that we do is advisory, and the President and Board can do what they want without us. I would also ask if anyone is here from the other departments affected by the resolution, and would they like to speak for their programs?

Senator Walker: I would like a clarification of Senator Schroeer's comments. I believe there is some question on the statement on whether policy put forth by the Senate is advisory to the President. I believe if you read the Constitution carefully, that the Senate does indeed set its own policy. Depending on who you are, you may disagree with it, but I believe the Senate claims that it makes policy, it does not advise policy to the President. I would ask the Parliamentarian if that is a correct interpretation.

Parliamentarian Cohen: When you read the Constitution, there are three different varieties. The Senate determines most Academic policies. The Constitution has three forms of language in referring to the authority of the Senate: "determines policy," "participates in the formulation of," and in one statement, "advises the President on any matter, at his or her request or on the initiative of the Senate." The Constitution of Illinois State University is a Board of Regents Document. Any amendment to this Constitution must go through the Board of Regents. So the answer is, it is a Board of Regents Document as long as the Board of Regents exists.

Senator Ritch: There are many students and some faculty members here from the Department of Theatre. You asked if other departments will be affected by the resolution. Clearly, we are. Our students came for two reasons. One was to show their support and appreciation for the dance training that they as actors and artists receive. The second, larger reason from what I understand, was to show support for due process and the Constitution of ISU, in the hopes that if they were ever on a similar list, they would be similarly afforded the Curriculum Process as set forth in the Constitution. Some of them are still here, and I want to thank them for coming. This has been an unusually hot topic of conversation in our department for the last couple of days. Believe me, there are a lot of people in the Theatre Department who feel very strongly not only about the Dance program, but about this process that we are going through. I voted against the resolution two weeks ago, and will vote to rescind it tonight.

Senator Winchip: As a point of clarification about the resolution this evening. It was put forth to give all the departments, including Dance a chance to be heard and to present their case to the Senate.

Senator Hesse: I voted for the resolution the last time around, and will continue to support that resolution. I will vote no against the resolution tonight. As I thought long and hard about this, the one thing that I wanted to make sure would happen is an opportunity for people to be heard that I don't think have been heard. I think their presence here this evening is testimony of that. At the risk of splitting legalistic hairs and having people jump all over me, that passage on Page 16 of the Constitution is an interesting passage, ".....disestablishment.....shall follow procedures established by the Academic Senate." The reason that I voted for the resolution last time was because I thought we were establishing on the spot a procedure. In other words, it was something that was going through the Senate, not something that was being hidden. I am casting in with my fellow anti-American here, Curtis White. Once again, I will give my full sympathy and support to people who feel that they haven't been heard. I think that the ultimate good of the thing is that nothing has been ruined by our actions.

Senator Ken Strand: While I would like to present some of my own views and ask questions, I would like to show respect for one of our colleagues, Senator Kenneth Jerich, Curriculum and Instruction, who is not able to be here tonight, and has asked me to read a paragraph to the Senate:

"I respectfully suggest that the Academic Senate reflect upon the Senate resolution to eliminate academic programs, e.g., B. A. in Dance, in relation to whether or not appropriate protocol was followed in accordance with University Policy for Disestablishment of Academic Units." I would invite further discussion in relation to the above resolution to the extent it impacts the quality of professional development and preparation programs at Illinois State University."

Senator Razaki: I would like to request permission to yield my turn to a representative of the Department of Business Education and Administrative Services, Dr. Thomas Haynes.

Dr. Thomas Haynes, Associate Professor of Business Education and Administrative Services: A number of faculty in our department are at a national conference this week and are unable to attend the Senate meeting. I have been asked to represent them here this evening. The faculty of the Department of Business Education and Administrative Services requests that the Academic Senate at Illinois State University rescind the recently passed Sense of the Senate Resolution. This resolution by de facto, if not by de jure, provides for an expeditious elimination of the identified program units without a full hearing of the concerns of impact on faculty, without a complete and in depth review of the affected programs through an established means suggested by the College of Business Council, the Academic Senate, and the Board of Regents, such as the Disestablishment Procedures, Program Review Information, and comparative costing. Without an effort to seek more effective arrangements to improve efficiencies, and program quality, these efforts have been suggested without response from the Provost in regard to a required report by our Department Chair regarding these proposed changes to our impacted program. This is similar to what has taken place in HPERD regarding the Dance Program. In addition, these proposed actions took place without consideration of the statewide impact on a significant group of educators in Illinois who will be seeking graduate education in business because of Illinois early retirement opportunities to the public school personnel in the state. Most disturbing to us was the lightning quick process that was completed during the Spring Semester of 1992 and 1993. The process used during these exercises is the focus of our dissent. It is not the focus of the factual data regarding our program's effectiveness, cost effectiveness, etc. Objections to this process which have brought us here tonight to support the rescinding of your motion are: that the Administrative Council of the College of Business made a decision without considering or utilizing a unanimously supportive process promulgated by the College Council for reviewing programs to identify modifications for efficiency, cost saving, or reallocations. There was some indication that the Administrative Council concept would not be fully understood. That is a body which includes in the College of Business, the Dean, Associate Dean, and Department Chairs, with the Graduate Program Director also involved. Additionally, the Administrative Council in the College of Business made program elimination decisions, although several members were not present at the College of Business Council hearing concerning these matters. Finally, the College of Business Council did not officially make any recommendations concerning program eliminations proposed by the Administrative Council of the College of Business at either of their meetings on April 10, or April 24, 1992.

Senator Walker: You talk about two councils: the Administrative Council, which is essentially the College of Business administrators, and the College of Business Council, which is probably synonymous with all of the other colleges. (Haynes: That's correct.) You say that the Administrative Council made this recommendation to eliminate the BEA program, but the College of Business Council did not.

Dr. Haynes: That is correct. The Administrative Council made the decision on program elimination.

Senator Walker: That is the council of administrators. The College of Business Council, which has faculty representation, did not discuss or vote on the elimination?

Dr. Haynes: There was a hearing, but there was no vote on the matter.

Senator Fox: Through the discussions two weeks ago and what I am hearing tonight, I have heard a lot of comments that there has been a lot of lightning quick action, that we violated due process, and that the Senate has not been aware of what has been taking place. Ironically, on October 7, 1992, the Senate passed a resolution saying: "The Academic Senate of Illinois State University therefore urges the Illinois Board of Higher Education to disregard both the revised mission statement and the recommendations for program elimination and reduction prepared by the IBHE staff. The Senate further urges the IBHE to direct its staff to carefully consider and recommend the proposals prepared by Illinois State University as part of the PQP process." That seems to be a contradiction to what everyone has said so far this evening, because the Senate did participate, they participated in violating due process, the Senate was aware of what was taking place because as President Wallace said, those programs on October 1, had been identified to departments and around the University. So, I really don't see how everything stated this evening means anything. On October 7, 1992, the decision was made by the Senate.

Senator Schroeer: I would like to ask if any of the other departments besides HPERD and BEA would like to speak up. Do senators from the departments of Mathematics or Economics wish to speak up?

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Senator Thomas: I wish to call the question.

Senator Walker objected.

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Senator Thomas: I move the previous question (Second, Ritch).

Senator Ken Strand: I request a roll call vote.

Roll call vote: 29 yes, 10 no, 3 abstentions.

Main Motion:

The Academic Senate resolves that the Sense of the Senate Resolution passed by the Senate on March 24, 1993 to endorse the elimination of five academic programs, including the B. A. in Dance, be rescinded, in order that the University policy regarding Disestablishment of Academic programs may be followed. (Winchip/Barker)

Senator Barker: I request a roll call vote.

Roll call vote on original motion: 28 yes, 8 no, 6 abstentions.

Senator Walker: Where is the Senate in terms of the PQP process and the recommendations of the central administration for elimination of programs?

Chairperson Schmaltz: The Senate has just rescinded its earlier support for that. I don't know where we are.

Senator Walker: According to your interpretation as Chair of the Senate with help from the Parliamentarian, if these recommendations go forward to the Board of Regents, they carry no weight from the Academic body? Does that recommendation for elimination of programs go to the Board of Regents carry weight or no weight from the Academic Senate?

Chairperson Schmaltz: It carries no weight from the Academic Senate.

Senator Alexander: I think Senator Fox read a statement from the Sense of the Senate Resolution passed on October 7, 1992: "The Academic Senate therefore urges the Illinois Board of Higher Education to disregard both the revised mission statement and the recommendations for program elimination and reduction prepared by the IBHE staff. The Senate further urges the IBHE to direct its staff to carefully consider and recommend the proposals prepared by Illinois State University as part of the PQP process." We raised the question as to what that meant when we passed it. I think that the issue is fairly well settled. The Senate did not rescind that resolution. It has to have some meaning. What is the meaning?

Senator Walker: Where does the Senate stand on this issue? I want an explanation.

Senator Liedtke: I have a question, since the debate period was cut off early. As a new Senator returning after a three-year hiatus, I would like to know as a point of information whether or not any of the departments in the last seven months came to the Senate and requested that the Senate follow appropriate procedures? During that time frame, in October when they knew they would be eliminated, until the last meeting when the Senate passed that resolution.

Chairperson Schmaltz: Not to my knowledge.

President Wallace: Senator Alexander raised the question that I wanted to raise. I know when the Board of Regents meets next week will want to know what all this means. The Senate passed a resolution at one meeting, and rescinded it at the next. We have this October 7th Resolution. I think you said on October 7th that you "recommend the proposals prepared by Illinois State University as part of the PQP process." I would like to be able to answer the Board's questions. I would like to point out that we came to the Senate Executive Committee and reported that we were inquiring of the Senate what was the appropriate process. Senator Hesse made an important point that has been neglected. The Constitution says that the Senate determines the

process. I would suggest that the Senate had an option to do whatever they felt necessary to do for a process to fit the situation. That is what I thought you were doing with the Sense of the Senate Resolution on March 24th. Regardless of what the Senate decides to do as a process, as we have seen here today, it is not a question of the quality of the program. We tried to save it in the beginning. We have said over and over that it is a matter of having to reduce the scope of the University. We have been saying that for a year. I would point out that every chair of the Academic Senate committees on the President's Advisory Council, and they participated in the process.

Senator Cook: What is the process of that committee? Most of the Senators don't know that.

President Wallace: I would really appreciate before the April Board Meeting for the Senate to indicate (1) What process the Senate would use. (2) Take a position on the October 7th Resolution; and (3) If it is possible to complete the process by July 1, 1993.

Senator Borg: Partly in response to Senator Walker's question about what the Senate does now, I would like to read two statements from the ISU Constitution. On the first page of the Constitution, it says:

"The Illinois General Assembly representing the people of the State, exercises ultimate control over Illinois State University by virtue of its authority to enact and amend laws pertaining to the University and to appropriate funds for the continued operation and expansion of the University."

At the end of the next paragraph, it reads:

"When acting on curriculum, subject matter and methods of instruction, instructional materials, and research, the Board will accept and ordinarily follow the advice of the Academic Senate as transmitted to it by the President."

My question to Senator Wallace is, What option does the University have if the Board of Regents does not accept our recommendations?

President Wallace: Well, the Board is our governing Board. If they wish to differ with the University, they do not have to follow our recommendations. The Board of Regents has the power to eliminate programs. The IBHE does not have the power to eliminate programs.

Senator Borg: What impact would that have on our interior process?

President Wallace: I think you are going way down the line. We ought to stick where we are, and that is that we are trying to have a process at this University that fits our circumstances, where we can go to the Board of Regents and say that we have followed that process. We need to decide is what we want to follow as a process and set up timetables for that process, so the Senate can give a fair hearing.

Senator Borg: Can you suggest something that we can do in the next week that might acknowledge the question that you raise about what to say to the Board of Regents?

President Wallace: We talked about this at the last meeting. The Senate or the Executive Committee needs to decide on a process and set a timetable that will enable us to get this to the July Board of Regents meeting. I would hope that the Senate will stick to that plan.

Senator Borg: If in fact, we act as a Senate body, following the procedures that have been established for this, it would be advantageous to know if the Board is going to accept our recommendations.

President Wallace: I think the Board is willing to accept whatever programs we recommend. We do need to adhere to their timetable. All of the programs recommended for elimination may not wish to testify. As Senator Lietke pointed out, these departments have not come forth so far.

Senator Borg: At least, they may wish to follow the established procedures.

Senator Walker: Point of order. I think this discussion is getting down the wrong track. We have a Disestablishment of Academic Units Policy that clearly spells out with II. B. how it can be done. The Executive Committee of the University Curriculum Committee responds to Academic Affairs. At time line can be submitted by Academic Affairs, if indeed a request comes to Academic Affairs to eliminate the programs. Established procedure can be followed. We had that option at the last meeting, it was made available to every senator in the room, and they chose not to follow that. This week the Senate chose to change their minds. I would suggest that we follow the established procedures we looked at on March 24th. The Central Administration needs to file a request with the Academic Affairs Committee, have them charge the appropriate curriculum committee with the time line suggested by the Central Administration, follow the process and see what occurs.

Senator Zeidenstein: An even easier solution under the Disestablishment of Academic Units Policy, II. A. second paragraph: "An appeal of a decision to disestablish an academic unit would be initiated at the University Curriculum Committee or the Graduate Curriculum Committee level." The departments who wish to challenge the decision that has already been made can simply now file their appeal with the University Curriculum Committee or the Graduate Curriculum Committee. The initiative is now up to those departments. The guidelines are right there in the policy.

Senator Walker: Has it not been so for six months?

Senator Cook: No, it hasn't. I have a comment about the time line. We did pass a motion in October. We passed a motion to persuade the Board to listen to the counter-proposals coming from the University. If that was intended to be our final proposal, we should have filed our intent to disestablish programs with the appropriate university curriculum committees at that time. We didn't. That is why I kept the illusion that this was still a matter of negotiating the list. By February, there was an official document. It was clear on February 22, that the final decision had been made. At that point it was possible,

presumably, to assume that that statement would be handed formally to the curriculum committees in question where an appeal could be made. I think the departments from what they have told me in interviews in the last two weeks have been expecting the process to be started by the person who made the decision, and that has not happened.

Senator Walker: I assume the answer to my question was that the Senate will endorse II. B. to be followed. Is that your interpretation.

Chairperson Schmaltz: I agree with Senator Zeidenstein that it is up to the departments now to appeal their cases.

Senator Walker: No. Senator Cook is correct. No decision to eliminate a program has been filed under II. A. of the policy to either of the curriculum committees. She is exactly right. Until that is done, they technically have nothing to appeal. One program has appealed, but technically, they had nothing to appeal. II. B. is the process when a disestablishment does not come up through the ground level, when it comes from the top down. Let's be clear about it, that is what has to occur if you want to follow your Constitution. I would assume that the Chair and Executive Committee of the Senate will inform everyone accordingly that II. B. is the process we will follow with a time line.

Chairperson Schmaltz: Frankly, I would like the opportunity to discuss this with the Executive Committee.

Senator Alexander: Point of information. I am confused. I was not here when this policy was written. It says: "A proposal (including rationale) to either disestablish an academic unit or review the level of support necessary to maintain its viability may be submitted by any member of the university community." The Department Chair indicated that on October 1st she received a letter from the Provost Office suggesting that her program was going to be eliminated. I don't know what further notice should have been given with respect to a process that everyone was already aware of. I would have assumed that letter would trigger the right to appeal or do whatever was required.

Senator Walker: Basically, I agree with you. When they recommended the elimination of Agriculture, we came out kicking and screaming. But, at the same point in time, I think if you read up above in item 1, and come on down, a recommendation has to be made before it can be appealed. That was the point I was trying to make.

Senator Semlak: I would think that it is very clear from the vote tonight that the Senate expects one of these two provisions of the Constitution to be followed. No one has argued any other point of view. I think it would be very appropriate. It seems to me that the Academic Affairs Committee should meet and quickly determine which of these is most appropriate and inform all parties involved to begin the process including generating what is a reasonable time line. We went through this same issue at the last meeting when we said we are on a very tight time schedule, that is one of the reasons many people voted to do it the way we did. Now we are under an even tighter time line. The Academic Affairs Committee is the appropriate committee of the Senate, and I think if they were to meet and determine which would be

appropriate, and inform all of the parties, that would be the most effective way to deal with this issue.

Senator Nelsen: Point of order. Is there an Academic Affairs Committee at this time?

Chairperson Schmaltz: No. New Senate Committees will be approved by the Senate at the April 21, 1993, meeting.

Senator Walker: I thought the old committees ran until the new ones began.

Chairperson Schmaltz: No. Some of those people are no longer on the Senate.

Parliamentarian Cohen: The Executive Committee would have a right to name any committee of the Senate on an interim basis for that committee to start to meet until the committee is approved in final form. The Executive Committee as early as tomorrow could put together the Academic Affairs Committee or a special committee. The Executive Committee acts as the interim body. Approval of its minutes is approval of the action of the Executive Committee. The Executive Committee has the authority to act right now. They can meet after Senate tonight.

Senator Ken Strand: My thoughts were pretty consistent with Senator Semlak's as somewhat amended by the Parliamentarian.

Senator Liedtke: A point that Senator Walker made last week, about whether they could be compared. We sat a new Senate tonight with about one third of the members who are new. They did not vote on this issue. President Wallace brought out some important points about the October 7th resolution, which clearly gave these departments the opportunity to do something over the past six or seven months. I think we need to address that issue and stop skirting it. I think we should adjourn and call a faculty caucus to discuss this.

Chairperson Schmaltz: Would you suggest that the Senate adjourn and then hold a faculty caucus?

Parliamentarian Cohen: If you adjourn, the meeting is over. On the October 7th resolution, it is too late to rescind that. It is too late to rescind if actions have been taken place on the resolution.

Senator Liedtke: I don't intend to rescind the previous resolution, I intend to reaffirm it.

Senator Razaki: I would like to say a couple of things to President Wallace. I have some understanding of your position in this whole affair. I know that you have to go to the Board of Regents and tell them about what we have done in regard to the PQP initiative. Now that you are faced with this, perhaps you can go to the Board of Regents and say that we have identified the programs and now we are trying to follow proper constitutional procedures and it is going to take some time. And perhaps the end result will be the same or different. We do not totally blame the administration for this.

Senator Winchip: I would like permission to yield my chair to Dr. Mawson to respond to questions.

Senator Liedtke: Does Chairperson Mawson have more information to present than she did earlier this evening?

Senator Winchip: She would like to respond to some of the questions that have been asked regarding what information Chairs received.

Senator Razaki: Perhaps she can tell us why her department did not respond to the elimination.

Dr. Marlene Mawson: All I really wanted to say was that the reason we brought this issue to you tonight, I think you caught the essence, because your vote showed that. What I want to call your attention to first of all is that the department has already filed an appeal to the University Curriculum Committee. But, we filed an appeal that was really false, because there was nothing in their committee to appeal. Nothing has been filed with them to appeal. We were sort of lost about how we could respond to what was happening to us. As you can see in the University Procedures for Disestablishment of Academic Units, Pages 151 - 153, there are two options for eliminating or disestablishing programs. The first one says that the department or the lowest level of the unit starts this. That is also the one that says how to appeal. There is no way to appeal the second option, but we have tried to anyway, because we have no other avenue. That is why we came to you because we thought that you might be able to give us an avenue for a voice. We have never had a voice. The voice has come from above the department level. We have only been told what is happening to us, We have never had an opportunity to participate in that other than to respond once. We would just like to have that opportunity.

President Wallace: I think the comment by the Chair of HPERD reinforces what has been said at the last two meetings, that the situation that we have does not fit the process that we have talked about. I would go back to the suggestion that we need to define a process and a given time frame which will hopefully get us to the July Board Meeting. What I would like to point out though is that people keep referring to who should start the process. I would like to remind everyone here that the recommendations for program eliminations came from the Deans and that the Chairs knew about those decisions by October 1, 1992. I think that it would be very inappropriate to follow the suggestion that the administration responsible for these decisions start this process. I find no where in our documentation where it says that administration should start this process. I think it is very clear that anyone can start the process. What I would suggest is that it is the department's responsibility to start the process. I would like the Senate to define that. I would hope that the Senate could give in the near future the process that it intends to follow, even if it is reaffirming something that already exists, and a time frame, and also point out who should initiate the process. If it is at the department level, they need to spell that out.

Senator Alexander: As I sit and listen to this I become more and more distressed. I don't understand what we are doing. I raised the point about the October 7th resolution because I thought our subsequent resolution was really redundant. That's fine that we rescinded it. I listen to our discussion about process. I am a lawyer. I am trained as a lawyer, so I value process probably to the point that it causes me a lot of anxieties around the institution. I am very concerned about process. But, I am not concerned about form over substance. I am really to a point where I don't understand what the Senate is going to do. We have a process which was driven by us being given a dollar number that we were going to drive to. I am assuming that the dollar figure has not changed. So we are going to drive to that dollar figure. We are going to do it with the programs that are on the table in which event going back through a process to reach the same conclusion is absolutely meaningless after we have had this type of discussion. Or, we are going to go through the process to determine that there are a whole alternate set of programs that is going to have to be addressed. I question whether the Senate is now prepared to describe a process that is going to be addressed by July, that is going to put programs on the table that have never been put on the table, because that is the only way that I see for this Senate to now respond to the issue that has been put before it. I am troubled that we have gotten caught up in a debate about construction. I think we can start looking at the Constitution which is meant to be a legal and living document. You live out what is the will of the body. I can't see any end. This is like a circular exercise. We started on a roll, we took a position, we enhanced that position, and we reversed that position, and we are going to establish another process to take us to a point where we don't have a good choice to make. I really don't understand it.

Senator Walker: I have a question for President Wallace, and a response to Senator Alexander. I am not sure I understood President Wallace when he said it was not a central administration recommendation for program elimination. He said the Deans recommended programs for elimination.

President Wallace: The Deans recommended the programs for elimination.

Senator Walker: But who is putting together the document for the recommendation of elimination of programs, the central administration, the President's Advisory Committee, the Deans? What I am getting at, is I am not sure who is supposed to make a recommendation to the Executive Committee on what programs are to be eliminated. I am as confused as Senator Alexander is here. I was under the opinion that the Deans make those recommendations to the central administration which was advised by the President's Advisory Committee, and essentially concurred, did not disagree anyway. I was there at every meeting and never heard anyone object to the final recommendations. I will concur with that. We may not have agreed, but no one stood up and said that we were doing the wrong thing to cut this program or that program. That was not said in the President's Advisory Committee. I am unclear. It is my opinion that the central administration is preparing the document for what programs we are going to eliminate, and they are the ones who need to initiate the process to the Executive Committee or the proper curriculum committee or Academic Affairs -- that these are the programs that the University is recommending for elimination.

President Wallace: I guess that is one interpretation of what the document says. I read the document to say that the department would have the opportunity to question the decision that has been made. I use the word decision, because the Deans replied to the Provost with the recommendations of what programs were to be eliminated.

Senator Walker: You made the assumption that the Deans before they made their recommendations to the Provost had already worked it out with the Chairs and the faculty of the departments.

President Wallace: Let me make it a little broader than that. Some of you may recall that we began our year-long process of reviewing programs with a document that had guidelines. That document was circulated to the Senate, the A/P Council, Civil Service, and many groups on campus. In that document we said very clearly that programs would be eliminated. The Vice Presidents had the chore after the guidelines were approved to take care of the process in each Vice Presidential area as they were requested. I am assuming that the Deans of the Colleges did the same, and based their recommendations to the Provost on the guidelines.

Senator Walker: I think the problem was, even when we passed that resolution, knowing full well what programs were recommended for elimination on the second of October. It was the Senate's understanding that due process would be followed. I think a lot of us thought it would be according to the ISU Constitution and the Procedures for Disestablishment. Along with Senator Alexander's comment of a minute ago, if the Senate runs through process and this Disestablishment II. B. procedure, you made the statement that there was a dollar figure to arrive at, and was the Senate prepared to do that if they reviewed these programs, and kept one, what other programs would be brought forward. I am not sure the Senate was ever aware of a dollar figure that was driving anything. In terms of what the dollar figure is. So if these programs on an academic basis are not recommended for elimination, I am not sure the Senate understands on what basis they should come back with a dollar figure.

President Wallace: This exercise had to result in \$2.5 million dollars reduction. Let me remind you that when we started the process, we said that we had to reduce the scope of programming to find money to fund programs. The point that we have a misunderstanding is that

I do not find anywhere in the documentation where it says that any particular group of administrators is responsible for kicking off this process. I don't see that. What I am getting at is that for due process, the Senate could establish a group of Senators and anyone else that will allow the Departments come to make their case.

Senator Walker: No. I think the process is outlined in II. B. It can't be any more clear. It says anyone can initiate it. This includes administration. My question is, that the HPERD Department is not going to recommend that their Dance programs be eliminated, is it then up to the Deans to make the recommendation? The Deans made these recommendations because they were charged to come up with either/or situations. So, they chose what they thought was expendable. I assume

that went to the Provost. Should the Provost initiate this? Or does it go to the President's Advisory Committee, and they initiate it?

President Wallace: If we need to identify someone, I would think the Deans should do this. I would expect the Departments to react to what the Deans told them.

Senator Walker: In your interpretation, we are back at what Senator Zeidenstein said earlier, that the Departments had six months to make an appeal, but they claim they did not know who to make an appeal to, because nothing had been initiated, and they were waiting for due process.

President Wallace: The Deans made the recommendations for what programs were to be eliminated. The Departments were told of this. Now, I think the process we have should allow the Departments to go through the process based on these recommendations.

Chairperson Schmaltz: The hour grows late. The Executive Committee of the Senate meets on Monday at 4:00 p.m. in the President's Conference Room. I would like to invite any senators who wish to come to that meeting to discuss this.

Senator Nelsen: When previous programs were eliminated like Library Sciences and others, there was a document promulgated at some location, typically a department, that went forward with the recommendation for deletion. Will there be a set of documents promulgated on each of these programs recommended for disestablishment that go forward through the regular channels?

President Wallace: I don't understand the question.

Senator Nelsen: Will there be a set of documents and forms that go forward that have the rationale as to why these programs are being eliminated.

President Wallace: Those should exist now. The Deans should do that.

Senator Semlak: I was Chair of the Department of Communication when Library Science was eliminated, and in fact there was a set of documents. That set of documents was internally generated through the normal program review process which was set up at that time on a five year cycle. It is now a seven year cycle. Everyone knew the procedures, everyone followed them. I think this time, the reason we are having this debate, and I said so two weeks ago at the last meeting, is that it was very clear what to do then, because that was an internally driven process. This time we have an externally driven process, and while everyone says it is so perfectly clear, the fact of the matter is the steps have not been followed which is exactly why we need to in the future amend this procedure to make it clear, and in the short run we need to have the Executive Committee meet and start the ball rolling.

Senator Lietke: If we are going to allow all the departments to go through this due process, what is President Wallace going to take to the IBHE in the next couple of weeks for our cuts. Are we going to sit back and allow the IBHE to decide what we cut on our campus while we wait for due process.

President Wallace: We have a meeting next week with the IBHE and again the first of May.

Senator Zeidenstein: You said something about July, what happens then?

President Wallace: In July the Board of Regents expects us to come forward with our recommendations.

Senator Zeidenstein: Is that the deadline then for the Board of Regents?

President Wallace: That is the date they have requested.

Senator Zeidenstein: Everyone is looking for work to do for the Executive Committee, etc. I concur with President Wallace that the initiative should be taken by the departments. Any documentation necessary should initiate there. To simplify what happens under our established procedures: the proper university curriculum committee establishes an investigating committee, their responsibilities are spelled out in the university procedure document. Their two initial responsibilities are to inform all appropriate academic units and administrative officers of the submission of the proposal and give them an opportunity to respond; and to determine whether or not de facto disestablishment of the unit is taking place. They can decide first of all whether or not to hold an investigation, in which case the chopping block comes down right there. If they do decide to hold an investigation, the procedure lists five further responsibilities. The academic unit may decide to disestablish, or support the recommendation eliminating them. If they decide to disestablish, they may write a minority report which will be forwarded to the Academic Senate. An appeal may be made which comes to the Academic Senate. Ultimately, on the top of page 153, if the Academic Senate supports or rejects an appeal of the recommendation of the Investigation Committee, the Academic Senate after appropriate deliberation shall transmit to the President its recommendation together with all documents received from the Investigation Committee. It boils down to the fact that if it comes to the Academic Senate, it comes through and from and out of the curriculum committee. We don't have to create any new side shows, the procedures tell us exactly what to do.

Senator Taylor: Could President Wallace ask the Board of Regents for a time extension?

Senator Wallace: No.

Senator Borg: I am a member of the Joint University Advisory Committee which advises the Board of Regents. The discussions at committee meetings and open meetings with the Board have included discussions about the time lines created for this PQP process. Members of JUAC

and the Provost's Staff mentioned to Board members that it would be hard to meet time lines. In one of the meetings of the Academic and Student Affairs Committee, one of the Regents told us, "that's too bad." Indeed, the time line pressure is there.

Senator Taylor: Is that date line set in stone?

Senator Borg: They were not willing to talk about it. Students and faculty at the universities and on committees must complete their business by the first week in May.

President Wallace: If the Senate decided that they could not get the job done by July, that would be unfortunate. We asked the IBHE to let us determine what programs we would cut ourselves, and if the University cannot have a recommendation on time, it tells people in higher education outside the University that ISU does not have the ability to get the job done.

Senator Cook: I have a Budget Committee report which will be distributed to Senators.

XXIV-90

Motion to adjourn by Senator Razaki (Second, Thomas) carried on a voice vote. Academic Senate adjourned at 10:00 p.m.

FOR THE ACADEMIC SENATE

JANET M. COOK, SECRETARY

NAME	ATTEN-DANCE	VOICE						VOICE	
		XXIV-86	XXIV-89						
ALEXANDER	P	ABSTAIN	ABSTAIN					XXIV-67	X
AMSTER	P	YES	YES					XXIV-68	X
BARKER	P	YES	YES					XXIV-69	X
BORG	P	YES	NO					XXIV-70	X
CHERNICKY	P	YES	YES					XXIV-71	X
COOK	P	YES	YES					XXIV-72	X
DEVINATZ	P	YES	NO					XXIV-73	X
FOX	P	NO	YES					XXIV-74	X
GRAUMENZ	P	YES	YES					XXIV-75	X
GROENVELD	EXCUSED							XXIV-76	X
GUROWITZ	P	ABSTAIN	ABSTAIN					XXIV-77	X
HESSE	P	NO	YES					XXIV-78	X
INSEL	P	YES	NO					XXIV-79	X
JERICH	EXCUSED							XXIV-80	X
JOHNSON	P	ABSTAIN	YES					XXIV-81	X
KUSH	P	YES	YES					XXIV-82	X
LAUGHLIN	P	YES	YES					XXIV-83	X
LEON	P	YES	YES					XXIV-84	X
LIEDTKE	P	ABSTAIN	NO					XXIV-85	X
MALEE	P	YES	YES					XXIV 86	X
MALONE	P	YES	YES					XXIV-87	X
MANZO	P	YES	YES					XXIV-88	X
MC CARTY	EXCUSED							XXIV-89	X
MECKSTROTH	P	NO	YES					XXIV-90	X
MERSINGER	P	YES	NO						
MOUSAVI	P	YES	YES						
NELSEN	P	NO	NO						
NEWGREN	P	NO	YES						
PAGE	P	YES	YES						
PARR	EXCUSED								
RAZAKI	P	YES	YES						
RITCH	P	YES	YES						
ROSENIHAL	P	YES	YES						
SCHMALTZ	P	NO	NO						
SCHROEER	P	YES	NO						
SCHWARTZKOFF	P	YES	YES						
SEMLAK	P	NO	NO						
SIMS	ABSENT								
STRAND, D.	EXCUSED								
STRAND, K.	P	YES	YES						
TAYLOR	P		YES						
THOMAS	P	YES	YES						
WALKER	P	ABSTAIN	NO						
WALLACE	P	ABSTAIN	ABSTAIN						
WHITE	P	NO	YES						
WILNER	P	YES	YES						
WINCHIP	P	YES	YES						
ZEIDENSTEIN	P	YES	YES						
ZENK	EXCUSED								
		28 YES	29 YES						
		8 NO	10 NO						
		6 ABS.	3 ABS.						