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Spring 2-4-1998

Senate Meeting, February 4, 1998

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ACADEMIC SENATE AGENDA
TIME: 7 P.M., Wednesday, February 4, 1998
PLACE: Circus Room, Bone Student Center

Faculty Caucus to elect Faculty to Presidential Search Committee – 7:00 P.M
Student Caucus to elect Students to Presidential Search Committee – 7:00 P.M.

Senate Meeting begins at 7:15 P.M

Call to Order

Approval of Minutes of January 21, 1998

Chairperson's Remarks

Vice Chairperson's Remarks

Student Government Association President's Remarks

Administrators' Remarks

Committee Reports

Information Items:

1. 11.07.97.04 Deletion of Minor in Russian and Minor in Russian (Teacher Certification)

Action Items:

1. Election of Students to Provost Search Committee
2. Election of Faculty and Students to Ad hoc Committee on Shared Governance
3. 10.31.97.02 Adoption of Kellogg Statement – (Academic Affairs, Budget, Faculty Affairs, Student Affairs)
4. 11.07.97.01 Bilingual/Bicultural Sequence from the College of Education – (Academic Affairs)
5. 11.18.97.03 Master of Science in Environmental Health & Safety (EH&S) – (Academic Affairs)
6. ISU Constitution

Communications

Adjournment

Meetings of the Academic Senate are open to members of the University community. Persons attending the meeting participate in discussion 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
(Approved)

February 4, 1998

Volume XXIX, No. 8

Call to Order

Chairperson, Paul Borg, called the meeting to order at 7:26 p.m.

Roll Call

Secretary Joel Brooks called the roll and declared a quorum.

Approval of Minutes:

Motion XXIX-87 by Senator Lockwood (seconded by Senator Neulieb) to approve minutes of January 21, 1998. The motion was carried unanimously on a voice vote with no abstentions.

Chairperson's Remarks

Chairperson Paul Borg said:

- Read a 50-year column in the Pantagraph for February 4, 1948, saying there was a \$7.50 raise in fees per semester approved by the Illinois State Normal University Senate. This means that fees for ISNU, during the year were be \$40.00 per semester instead of \$32.50. Fees for the summer session will increase from \$16.25 to \$20.00.
- Distributed a letter responding to questions that were forwarded to the Chair of the Board of Trustees about the Presidential Search process. This information will be forwarded to people on the Search Committee.
- **The Student Caucus elected two students to the Presidential Search Committee:**
 - Valerie Uihlein, Eng
 - Jeremy M. Schenk, POS
- **The Faculty Caucus elected to the Presidential Search Committee:**
 - CAST – Franzie Loepp, IT
 - CAS –Charles Harris, ENG
 - COB – Khalid Razaki, ACC
 - COE – Frederick Noyes, SED
 - CFA –Aris Chavez, MUS
 - A/P – Larry Quane, ITHave all the committee except a graduate student, and will forward the name of the graduate student to the Board of Trustees by the end of the week. Will provide a list of the committee to all Senators.
- Concerned about attendance tonight, because the number of voters is important this evening. When deal with issues of the Constitutional amendment, the vote must be at 2/3 of the membership of the Senate. That means to pass the amendment, there must be 34 yes votes. Any decisions amending the amendment require only a majority of votes.

Vice Chairperson's Remarks

Vice Chairperson, Joe Jannazzo had no report.

Student Government Association President's Remarks

Jason Barickman had no report.

Administrator's Remarks

President Strand said Tuesday, February 17, 1998, the BOT will meet. The Board meeting will begin at 9:00 a.m. There will be a discussion hour prior to the meeting. The topic for the discussion hour will be Dr. Tak Chung, utilizing technology and showing how it can be helpful in various types of instructional processes. This will be an opportunity for faculty, staff, and students to have interaction with Board members prior to the Board meeting.

From 12:00–2:00 p.m. on February 17, 1998, the student leaders of the campus will be hosting the Board members for a luncheon and a tour of the Student Services Building. The Board members will be here for the Founder's Day Convocation, which begins at 3:00 p.m. The entire University Community is invited to participate in the Founder's Day Convocation at which time we will recognize many faculty and staff who have received various types of honors. We also will confer an honorary doctorate on Dr. Leon Lederman, a distinguished Physicist. There will be a reception following the convocation.

At the last Academic Senate meeting a question was asked with regard to the Kellogg Statement. One of the portions of the principles to guide academic reform is quoted as saying, "Containing costs. This institution is dedicated to containing it's costs." I would like to read a portion of the report that deals with this topic. "We will strive for the highest quality educational experience for students, while keeping college affordable and accessible, by containing costs, studying and adopting appropriate new management practices, allocating savings to efforts to improve the quality of undergraduate teaching and learning, and seeking the assistance of public officials, friends, and alumni to maintain the universities financial support."

Within the last week there was a national report that was issued on college costs, and that report included the following statements:

"If College and Universities don't behave more responsibly to control their costs, others will do it for them, with a lot less thought and consideration."

"Efficiency should no longer be a dirty word in higher education."

There needs to be sensitivity to cost containment. The IBHE has asked colleges to put in place five-year plans for cost containment with regard to tuition and fees. We are doing that with a very solid eye toward preserving the quality of the instructional process. We can maintain that balance.

With reference to the discussion on the revisions to the University Constitution, from my perspective, the Board of Trustees is attempting to balance its support of shared governance, with the language of the law under which the Board was established. Enclosed are passages of the Illinois Statute, which pertain to the establishment of the BOT. This language is identical for all public universities in Illinois. (Appendix A) Article 20 states, "This Article may be cited as the Illinois State University Law." It then says, "There is hereby created a body politic and corporate which shall be styled the Board of Trustees of Illinois State University (hereinafter called the Board), and which shall operate, manage, control, and maintain Illinois State University in accor-

dance with the rights, powers, and duties now or hereafter vested by law in that Board.” On the second page, references are made to the powers and duties of the Board.

As the Board tries to move between the spirit of shared governance as it exists at Illinois State University and its legislative mandate, I thought it would be helpful to have the context as a frame of reference.

Questions/Comments:

Senator Razaki said when the Board met the last time, in the one hour set aside for interaction, most of the hour was taken up by a presentation. How is there time for any interaction or a statement of ideas or opinions? *Reply* – President Strand we were never sure how many people would appear. Twenty minutes of the sixty minutes was taken up with the presentation and dialogue, with forty minutes for interaction.

Senator Reid said the program went the opposite, 35 minutes of presentation and 20 minutes on interaction. *Reply* – President Strand said, I stand corrected. The program was designed to last no more than twenty minutes. If there is sufficient interest in visiting with the Board, we can revisit that. The night before, the Campus Communications Committee is invited to the dinner which will have Board members present. This will be an opportunity for interaction between the Campus Communication Committee and the Board members.

Senator Brooks said on the second page of the handout (lines 28 & 29), it says under powers and duties, the Board has the power “to prescribe the courses of study to be followed, and textbooks.” If the Board were to try to exercise that power, I think you would understand how some of the faculty would be exercised by that. Don’t we have to take a more realistic view of these powers? It was also the power of the previous Board to choose textbooks. Realistically a Board may decide not to exercise some of these duties and use discretion and let those who have the expertise make the decisions. Isn’t it a little dangerous to assume that we should take a literal interruption of the Board using this law? *Reply* – President Strand said I did not indicate that the Board should take a literal interruption of the law. I provided this as a context within which the Board is considering the topics. I agree that judgement would be exercised as to how literally the Board would look at every aspect of the legislation.

Senator Brook asked for the location of the events on Tuesday, February 18, 1998. *Reply* – President Strand said the 8:00–9:00 session will be in the Founder’s Suite, the 9:00 public meeting will be in the Old Main Room, and the Student Leader group will meet in room 375 of the Student Services Building.

Senator White asked what is the date of the next Campus Communication Committee meeting? *Reply* – Chairperson Borg said they are meeting on Friday, February 6, 1998, at 2:00 p.m.

Provost Urice excused absence.

Vice President Boschini said the students are gearing up for student elections. In the next six weeks the SGA should have new officers.

Vice President Taylor had no report.

Committee Reports:

Academic Affairs: Senator Lockwood said Academic Affairs met tonight. We discussed the draft on the report baccalaureate degrees. This report will be circulated to the campus community by Friday. This will be brought to the February 18, 1998, Academic Senate meeting as an information item.

Administrative Affairs: Senator Clark said Administrative Affairs met January 28, February 3 and February 4. We now have an administrator evaluation document that is ready to go to the President for discussion.

The academic calendar for 2001–2002 will be finalized at our February 18, 1998, meeting.

Questions/Comments:

Senator Razaki asked if the administrator evaluation document will come to the Senate? *Reply* – Senator Clark said yes it will come to the Senate. It will be distributed to the whole faculty this semester.

Budget: Senator Nelsen said Budget Committee met tonight with Dr. Torres to discuss the Bilingual/Bicultural Sequence and address the monies that will be related to the Library resources.

We also met with Dr. Morrow to discuss the master's degree in Environmental Health and Safety.

Faculty Affairs: Senator Razaki said Faculty Affairs Committee met last Wednesday. We discussed a proposal made by a faculty member regarding access to faculty personnel documents.

We also discussed the proposed ASPT document that will be distributed to the campus. The ASPT Committee plans two forums on February 16th and 18th. A copy of the proposed document will be available to all faculty members by Friday, February 6, 1998.

Senator Blum said Faculty Affairs Committee sent invitations to the faculty and administrative professionals for nominations to the IBHE Faculty Advisory Committee.

Rules Committee: Senator Cook said Rules Committee met last week and discussed proposed revisions in the COB By-laws. We received small additional communications and will forward the By-laws to the Executive Committee as an information item for the next Senate meeting.

We discussed the ISU Constitution. We received suggestions for the wording from Board Chairperson Sulaski. We made modest adjustments, but because of the serious nature of the suggestions, we will bring them before the full Senate, for a full-scale discussion.

We met tonight to discuss the proposals sent forward from University Review Committee; the ethics and grievance policies and access to personnel records. We will wait until the subject and contents of those documents have been discussed in Faculty Affairs, before we meet jointly with them to talk about proper placement.

We looked at revised by-laws for the Council for Teacher Education. This will be an information item at the February 18, 1998, Senate meeting.

Student Affairs: Senator Brook had no report.

Information Item:

1) *Deletion of Minor in Russian and Minor in Russian (Teacher Certification) –11.07.97.04 – Academic Affairs.* Senator Lockwood said this was a strong program, but the interest on the part of students in taking Russian, has declined. There is a cooperative arrangement between the department and Illinois Wesleyan University, where students from ISU can go and participate in Russian studies. There are five students this semester attending part-time at Wesleyan with this program.

Questions/Comments:

Senator McCaw asked if the program was declining before or after Dr. Keiser left the University?
*Reply –*Senator Lockwood said before. The declining interest in Russian is a nationwide trend.

Senator Kurtz said the Russian classes were drawing less than a dozen students before Dr. Keiser left.

Senator Brooks asked how a university that has a student body less than a tenth of our size can have a Russian program? *Reply –* Senator Kurtz said only 5% of the students on campus take a BA that requires foreign language. With the exception of Spanish, the other foreign languages are struggling. *Senator Brooks* said is that an argument not to get rid of Russian, but change the requirements for BA/BS? *Reply –* Senator Kurtz said yes.

Senator Clark said we should not just change requirements to keep the program. The question is are the programs warranted?

Senator Lockwood said that, from the proposal the summer language program in Russian will be dropped, but there is still an exchange program. There are strong ties between this community and Vladimir, Russia so the potential for this program coming back if such changes should occur, are quite good.

Senator Craddock said as information item we want to delete a minor in Russian, and as an action item we are adding a Bilingual/Bicultural sequence in the COE. A concern in Budget Committee meeting was integrating other languages, other than Spanish involved in the Bilingual/Bicultural sequence. The Bilingual/Bicultural sequence was deleted before and now is coming back. Would it really be in our best interest to delete this certification in Russian at this time? *Reply –* Senator Lockwood said there is no demand for this program. Bilingual/Bicultural issues are open to increasing other languages. The demands for Spanish are very intense.

Senator Chelluri said nationwide the trend for Russian is going down.

Senator Varner said as a university should we re-examine the foreign languages in our curriculum. I find a university of this size to drop one foreign language program after another is a very sad. We look at each program in isolation. Do we have an overall strategy on how to deal with this issue? *Reply –* Senator Lockwood said the Senate has already begun to alleviate this problem

when the General Education program was passed and the accommodation was made for Foreign Language. You will also address this by changing the requirements for the BS degree.

Senator Brooks asked to what extent has the Academic Affairs Committee been pro-active as opposed to being re-active in taking the overall strategy to the decision to delete programs? The second question relates to what role you think is appropriate for student demand to dictate curriculum. Should this be the sole criterion in determining what we teach? *Reply* – Senator Lockwood said we approve as many programs as we delete. If there is no demand for a program, then you have to deal with the program. **Senator Brooks** said in determining demand, has there been any consideration of consulting people in public relations? *Reply* – Senator Lockwood said the responsibility of Academic Affairs is to determine the qualitative aspects of the program. It is not to do the PR work. That is the responsibility of the programs themselves. The demand issue should be addressed to the department.

Senator Blum asked what possible roles the Russian minor could take, given that business opportunities exist in the countries surrounding Russia. *Reply* – Senator Kurtz said our department has constant discussions with any department who would listen to us, with regard to the importance of Foreign Language. **Senator Blum** asked if we are going to lose student enrollment if we do not offer these languages? *Reply* – Senator Lockwood said the demand for Russian is low, not only in this university, but also in other colleges and universities.

Senator McCaw asked if the faculty line in Russian is being re-allocated within the department. What is that re-allocated to? *Reply* – Senator Kurtz said Spanish.

Senator Razaki said it seems there is a dangerous trend of elimination of Foreign Languages. Does the university have any policy to strengthen Foreign Languages? *Reply* – President Strand said the BA/BS degree pattern requirement is not conducive to encourage people to take Foreign Languages. Until those degree programs have their requirements, and their protocols adjusted, languages are going to be subject to the variations of popularity and student interests. It is the faculty of the university, not the administration that has to change BA/BS requirements. We can promote things as much as we want, but unless there is a revised curriculum pattern, it is not going to happen frequently enough for all of our languages to have the enrollment. **Senator Razaki** asked which Senate committee should deal with this issue? Is it Academic Affairs? *Reply* – Senator Lockwood said yes.

Action Items:

- 1) *Election of Students to Provost Search Committee.* The students elected:
 - Jonathon Packer, CIS (3)
 - Jennie Pohlman, PSY (1)
 - Patrick Smith, GSAG (Graduate)

- 2) *Election of Faculty to Ad hoc Committee on Shared Governance:*

CAST	Myrna Garner, FCS
CAS	Ron Strickland, ENG
	Jim Reid, FOR
CFA	Pamela Ritch, THE
COB	Khalid Razaki, ACC

COE Paul Baker, EAG
Milner Steve Meckstroth

3) Motion XXIX–88 by Senator Lockwell (seconded by Senator Jones) to approve endorsing the *Kellogg Commission on "Statement of Principles to Guede Academic Reform"*, (10.31.97.02) as a statement of guidelines for the University.

Questions/Comments:

Senator Clark said we need to support our students and do what it takes to provide our students with the best education that is possible. I support the document, but it is wasting money.

Senator McCaw said the University has been restricted on construction expenses over the past few years and faculty salaries have not been at the recommended rate. This is a waste of public money.

Senator Nelsen said his concern is having the statement go forward and then more meanings read into the statement at a later point. The statement on the surface is very solid. If we approve this it should be on general principles, not at the expense of the educational experience.

Senator Lockwood said this is a coherent statement of things we are already doing. These are simply guidelines. This is prone to misinterpretation with the tendency to read things into the statement. We are already containing costs.

Senator Reid said students come to the United States from all nations because of incredible quality of our Universities, but in recent years there has been a push to reduce their expenditures. It is dangerous to support this statement.

Senator Razaki said from public relations it is good to adopt, but this may cause problems in the future. ISU is a very cost-effective institution. The BOT should look at the faculty salaries at ISU as a major cost to be improved. We should reject the acceptance of this document.

Senator Brooks said he does not see the value of an Academic Senate adopting something with these platitudes. We should reject this.

Senator Reeder said we are being too defensive. These in general, are good values. I will vote for this proposal.

Senator Lockwood this provides the opportunity to show that we are cost-effective.

President Strand said the reason this was brought to the Academic Senate is that Land-Grant Universities are trying to become more like Illinois State University. This document is a way to nudge land-grant schools in that direction. The full report places these statements of principle in a broader context, which makes this defensible and meritorious. Other factors at work at the University have put us in a defensive posture about something that has more noble motives than it has destructive motives.

Senator Jannazzo said regarding the containing costs. If the students can't afford to come here, it is not worth their time and effort.

Senator Reid asked, what exactly are we voting for? *Reply* – Senator Borg said endorsing the list of items. *Senator Reid* said, not the report itself. *Reply* – President Strand said no. As a part of the motion, you may place the statement within the context of the full report.

Senator Newgren said, as a parent there is nothing here that I would not want to see listed in the University documentation. I support this motion.

Senator Razaki said if higher education is out of reach financially for the student, there will be no higher education; but there is a certain relationship between costs and excellence.

Senator Jannazzo said it does not say anything about *cutting* costs, it says *containing* costs.

Senator Craddock said that currently the institution is dedicated to containing its costs. In the future it is not going to necessarily contain its costs at a higher degree than it already is.

Senator Garner said to call the question. Senator Gore objected.

Senator Gore asked was the Kellogg Statement designed as the seven items are listed, in priority order or as equal items? *Reply* – Senator Clark said equal level.

Senator Brook said this dedication to containing costs should be something we would want to accept. We do not want to sacrifice quality of education, for costs. I support this proposal.

Motion XXIX–88 passed on a roll call vote with 22 aye, 12 nay, 3 abstentions.

4) Motion XXIX–89 by Senator Lockwood (seconded by Senator Nelsen) to approve the *Bilingual/Bicultural Sequence from the College of Education (11.07.97.01)*.

Senator Lockwood said Dean Pancrazio and Dr. George Torres are present to answer questions.

Motion XXIX–89 passed on a voice vote with 36 aye and 1 abstention.

5) Motion XXIX–90 by Senator Lockwood (seconded by Senator McCaw) to approve the *Master of Science in Environmental Health & Safety (11.18.97.03)*.

Senator Lockwood said Dean J. Robert Rossman, Marilyn Morrow, and Tom Bierma are present to answer questions. This is a very strong program that developed over a 10-year period of time and actually strengthened the graduate program.

Motion XXIX–90 passed on a voice vote with 36 aye and 1 abstention.

6) Motion XXIX–91 by Senator Cook (seconded by Senator Jannazzo) to approve of the revisions to the *Illinois State University Constitution* as presented in the buff document.

Senator Cook said there are 10 items on the cover memo of the revised Constitution draft to be discussed with questions and debate:

- Items 2, 3, 4, and 8 are quite small.
- Item 1 on page 1 describes the role of the Constitution. A third part has been added at the suggestion of Board Chairman Sulaski, which adds “and processes by which representative advice on educational policies is provided to the President.”
- Page 22, the re-wording of the last sentence on paragraph of presidential responsibilities. It says, “Members of the university community consider the following responsibilities to be those of the President.” This can be characterized as the expectations that the campus has of its President. Chairman Sulaski suggested this.
- Pages 23 & 24. Selection of the University President. Chairman Sulaski was concerned to include language which indicated we would try to attain some diversity among the members of the Search Committee, and that the various constituencies should bear that in mind. We got a clear statement from Chairman Sulaski.
- Page 25 is a clean up of the language.
- Pages 34 & 39. This was a proposal of Chairman Sulaski. This is a major change. Rules Committee feels we need to bring this forward to the Senate as a whole, rather than have Rules alone make a decision. We will take any suggestion and discuss it openly.

I will summarize the impact of this different language:

- This language does say that if after two rounds of discussion between the President and the Senate, the President still is not willing to sign-off on and support something which has been passed by the Senate, that the President can change it, but must come back and explain the change.
- It is conceded that this makes for a more controversial relationship between the President and the Senate. It is conceded that this makes it less attractive for the President to reach agreement with the Senate, since the President will have the last word.
- An effect of this is a shift in the pattern of governance, because if these two parties cannot reach an agreement, the President moves forward with something other than what was passed by the Senate. Then, it would not be the Senate which is in a position to respond to that confrontation. The response would need to come from the University Community as a whole. This is a shift of some of the responsibility for governance to university, faculty, and student wide meetings and discussion. This is more of a town meeting style of government than a Senate style of government. If stalemates are not resolved within the Senate structure, they would still need to be resolved.
- We need an opportunity to get something signed and agreed to by both the Academic Senate and the Board or Trustees.

Questions/Comments:

Senator McCaw said my e-mail from faculty say that one should not write a Constitution that depends entirely on good will or generous interpretations. Why don't we re-write the statement so that we are not just recommending names? He says we have the power to appoint representatives to this committee, why doesn't it state that? *Reply* – Senator Cook said are you suggesting a “friendly amendment”. On the bottom of page 23 that the bottom sentence should be, “Universities representative groups shall *forward* names?” ***This will be a friendly clarification.***

Senator Clark said that on pages 34 & 39, we are not taking away the power of the Board, we are saying that this is the prescribed method by which the policy will change. There should be agreement of both the Senate and the President before this is implemented. I support the wording in these sections from two weeks ago and have severe reservation about the present wording.

Senator Brooks said he wished to clarify that as a member of Rules Committee, I do not support this version of the Constitution. Rules Committee did not vote on this Constitution. This is a courtesy by presenting the Board Chairperson's version of what they would like. This does not provide a town meeting style of government. It provides for a dictatorship. The wording on pages 34 & 39 permit a future President, if he/she disagrees with the Senate, to implement something different and inform the Senate after the fact that this was being done, and the Senate could do nothing. This is not shared governance, it is dictatorship. The changed wording that Sulaski wants, is not consistent with shared governance. If we vote for this, we are voting to make ourselves a politically impotent body. I urge Senators to listen to the forthcoming amendment.

President Strand said in regard to pages 34 & 39 with respect to the relationship between the actions of the Senate, President, and the BOT. There are intermediary steps between an action the President might take under this language and town meetings. Current Board regulations have three mechanisms by which members of the faculty or the university committee can get a message to the Board:

1. The President is duty bound to report to the Board on matters of difference of opinion.
2. The Campus Communication Committee reports at each BOT meeting on topics of interest to CCC, as well as topics on the agenda.
3. Members of the University Community have the opportunity to request to speak to the Board.

There are additional steps in the process, should this wording be included in the Constitution.

Senator Kurtz said the wording as it stands does not represent a shift to the university wide government structure. There is no provision made for a town meeting arrangement. We want to build into our governmental structures the protections of lines of communication. This is a step backwards rather than forward. The language of the legislation does pertain to all the public universities in Illinois. The structure wording being proposed by the Board is in no sense mandated by the enabling legislation, but is simply their preferred interpretation. Regarding communication, anyone can write a letter or e-mail. We are talking about the capacity of the elected representatives, of the faculty and students being able to take efficacious actions on policy regarding our institution. Communication is not enough. We need the power and authority to take action.

Amendment Motion XXIX-92 by Senator Reid (seconded by Senator McCaw) to move an amendment to the present document (Appendix B).

Chairperson Borg said this amendment refers to pages 34 & 39 respectively. This amendment is to replace the two sentences that are in the buff document.

Questions/Comments on Amendment:

Senator Schmaltz said who decides what the common ground is? *Reply* – Senator Reid said for negotiation. It has to be two parties. *Senator Schmaltz* said if they do not reach common ground, then the old policy would stand? *Reply* – Senator Reid said that is correct.

Senator Reid read a statement in support of the amendment (Appendix C).

Senator White urged the Senators to vote for this amendment. We received this revision to the Constitution 2 days before we had to vote on the Constitution. This gave little opportunity to consider alternative language and no opportunity for our community to comment on the Constitution. The revisions to the Constitution by Sulaski would provide a disincentive to pursue policy at all. What Senate would send forward an ASPT policy revision knowing that it is completely open to revision by a single individual. The best way to reform higher education is to find alternatives. This revision says that the Senate will determine policies, unless the President determines them. The BOT should take seriously, as Trustees, that ISU be a reflection of the State of Illinois' democratic ideals.

Senator Razaki said he supports the amendment. This is a question of relationships in the governing structure. How are a bunch of businessmen and a lawyer going to govern an academic institution and make policy for us? We have to say no and go further. The lines of communications with the BOT are very distorted. The BOT talks to the President and his staff all the time. The A/P, Civil Service and faculty are given a very small amount of time. The BOT should hear the side of the faculty and students in the negotiations. Also, all policies regarding tenure have been taken out of the current Constitution and put into the ASPT document. The ASPT document does not have the same standing as the Constitution. The notion of tenure should be put back into the Constitution.

Senator Clark said he supports the amendment. The BOT are governs; it is a question of the means by which that is accomplished.

Senator Lockwood said we should approve this amendment. This amendment provides an opportunity for us to work together with the administration and the Board.

Senator Reid repeated an argument by a colleague. "How could we vote a document that takes out of this our ability to fully debate an issue? A document that allows decisions to be made without critical thinking at a certain point."

Motion XXIX-93 by Senator Nelsen (seconded by Senator Clark) to move the question for Motion XXIX-92, amendment to the Constitution.

Motion XXIX-93 passed by a voice vote with 34 aye, 3 abstentions.

Motion XXIX-92 passed on a voice vote with 34 aye, 3 abstentions.

Questions/Comments on Motion XXIX-91:

Amendment Motion XXIX-94 by Senator Blum (seconded by Senator McCaw) to amend the primary motion on page 31 deleting the phrase *non-voting*.

Senator Clark said he is not in favor of changing the wording.

President Strand said he has no problem with the statement as contained in the Constitution with all due respect to the amendment. The actions of the Senate come to the President for approval,

and in the case of a close vote, it would be better that another person be the determining vote. *Reply* – Senator Blum said there might be a time when Academic Senate would want to know how the President would vote.

Senator Reid said that BOT are the ones who initiated this change. *Reply* – Senator Cook said Rules has discussed variations on the proposal since September. In the last meeting with Mr. Sulaski, he felt that there could be a conflict if the President is voting and then approving. This is voting in two positions on the same issue.

Motion XXIX–94 not-passed on a voice vote of 4 aye, 31 nay, 2 abstentions.

Questions/Comments on Motion XXIX–91:

Senator Lockwood asked to have the status of the revisions to the Constitution. *Reply* – Chairperson Borg said have agreed to so far:

- Friendly amendment on page 23. The final sentence is amended to read, “The University’s elected representative groups shall *forward* names to the Board of Trustees for appointment to the Presidential Search Committee”.
- The voted amendment changes sentences on pages 34 & 39.

Amendment Motion XXIX–95 by Senator McCaw (seconded by Senator Brooks) to strike the bold word *ordinarily* on page 2.

Senator McCaw said he does not want to give the Board the option to say this was an extraordinary circumstance. Ordinarily is subject to interpretation.

Senator Craddock said the BOT have the ultimate law. They have the law on the institution as they see fit. *Reply* – Senator McCaw said the statement refers to the governing document calling for participation of the university community. If they are going to act, they should consult the University Community.

Senator Nelsen said he does not accept this motion.

Motion XXIX–95 not passed on a roll call vote of 4 aye, 28 nay, 5 abstentions.

Questions/Comments on Motion XXIX–91:

Amendment Motion XXIX–96 by Senator Razaki (seconded by Senator Brooks) on page 14, Article III B to restore items 1, 2. On page 15 item 3. The final line on the bottom of page 16, to restore the rest of the item under Section 3B. Restore Section 4A, B, 1, 2, & 3.

Senator Razaki said putting this language into the ASPT document provides less protection to the faculty members. The ASPT document can be changed on the Senate floor.

Senator Cook said this was removed to the ASPT document at the suggestion of the joint committee.

Senator Strand said the ASPT Review Committee is ready to submit a report to the University Community for consideration. Do we know if the proposed changes in the ASPT reform process

are consistent with the language we are considering placing back in the Constitution? *Reply* – Senator Razaki said some proposals are consistent with this, but that is not the final document. It has to come before the University Community. Chairperson Borg said if we leave the wording in the Constitution and something comes forward that disagrees with it, we would be in the position of amending the Constitution again.

Senator Schmaltz said he supports this proposal. The ASPT process can be changed with a simple majority.

Senator Brooks supports this proposal as an important protection.

Senator Clark said the Academic Senate has been given the authority on ASPT. I do not feel this is necessary to have in the Constitution. I suggest a change to say the ASPT changes require a 2/3 majority vote. *Reply* – Senator Brooks said the issue goes beyond taking tenure away from people who currently have tenure. The issue relates to the future.

Senator Walters said he supports the amendment. Tenure is a matter of immediate and great concern of the faculty.

Motion XXIX–96 passed on a roll call vote of 24 aye, 3 nay, 10 abstentions.

Questions/Comments on Motion XXIX–91:

Motion XXIX–91 passed on a roll call vote of 34 aye, 3 abstentions.

Communication:

Senator White thanked the Rules Committee members for their work on the Constitution.

Adjournment:

Motion XXIX–97 to adjourn at 10:10 p.m. by Senator Razaki (seconded by Senator Craddock). The motion carried unanimously on a standing vote with no abstentions.

February 4, 1998

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Name	Attendance	Motion	Motion	Motion	Motion	Motion	Motion	Motion	Motion	Motion
		#87	#88	#89	#90	#91	#92	#93	#94	#95
		all aye		36 aye	36 aye	34 aye	34 aye	34 aye		
Barickman	excused	no abst.		1 abst.	1 abst.	3 abst.	3 abst.	3 abst.		
Bender	X		aye						nay	nay
Blum	X		nay						aye	abst.
Borg	X		aye						nay	nay
Boschini	X		aye			abst.	abst.	abst.	nay	abst.
Brook	X		aye						nay	abst.
Brooks	X		nay						nay	aye
Chelluri	X		aye						nay	nay
Clark	X		aye						nay	nay
Cook	X		nay						nay	nay
Craddock	X		aye						nay	nay
Deakins	X		aye						nay	nay
Dodson	absent									
Ehlers-Zavala	X		aye						nay	nay
Garner	X		aye						nay	nay
Gore	X		aye						nay	nay
Hohner	absent									
Jannazzo	X		aye						nay	nay
Jerich	excused									
Jones	X		aye						nay	nay
oyce	absent									
Kurtz	X		nay						nay	nay
Lockwood	X		aye						nay	nay
MacDonald	X		nay						nay	nay
McCaw	X		nay						aye	aye
Nelsen	X		aye						nay	nay
Neuleib	X		nay						nay	nay
Newgren	X		aye						nay	nay
Ori	absent									
Razaki	X		nay						nay	aye
Reeder	X		aye						nay	nay
Reid	X		nay						nay	nay
Schmaltz	X		nay						nay	aye
Schwartz	X		aye						nay	nay
Strand	X		abst.	abst.	abst.	abst.	abst.	abst.	abst.	abst.
Taylor, C	X		aye			abst.	abst.	abst.	abst.	abst.
Taylor, J-M	X		aye						aye	nay
Thompson	excused									
Timmerman	X		aye						nay	nay
Urice	excused									
VanVooren	X		abst.						nay	nay
Varnier	X		aye						nay	nay
Walters	X		nay						aye	nay
Weldon	excused									
White	X		nay						nay	nay
Young	absent									
Zielinski	X		aye						nay	nay

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Motion	Motion		
6	#97		
	all aye	Motion #88-Kellogg	22 aye
	no abst.		12 nay
abst.			3 abst.
aye			
aye		Motion #89 - Bilingual	36 aye
abst.			1 abst.
aye			
aye		Motion #90 - Master of Science	36 aye
abst.			1 abst.
nay			
aye		Motion #91 - Constitution	34 aye
abst.			3 abst.
abst.			
		Motion #92 - Amend. to Const.	34 aye
aye			3 abst.
aye			
abst.		Motion #93 - Move question	34 aye
			3 abst.
abst.			
		Motion #94 - Amend non-voting	4 aye
aye			31 nay
			2 abst.
aye			
aye		Motion #95 - Amend - ordinarily	4 aye
aye			28 nay
aye			5 abst.
aye			
aye		Motion #96 - Restore tenure	24 aye
aye			3 nay
			10 abst.
aye			
aye			
aye			
aye			
aye			
abst.			
abst.			
nay			
nay			
abst.			
aye			
aye			
aye			
aye			

1 provisions of this Article are inconsistent with the 3490
2 provisions of any other law, general or special, the 3492
3 provisions of this Article shall be controlling, except for 3493
4 the Board of Higher Education Act. 3494

5 ARTICLE 20 3497

6 Section 20-1. Short title. This Article may be cited as 3500
7 the Illinois State University Law. 3501

8 Section 20-5. Object. The object of Illinois State 3504
9 University is to offer such courses of instruction, conduct 3506
10 such research and offer such public services as are 3507
11 prescribed by the Board of Trustees of Illinois State
12 University or its successor, subject to the provisions of 3509
13 Section 7 of the Board of Higher Education Act. 3510

14 Section 20-10. There is hereby created a body politic 3513
15 and corporate which shall be styled the Board of Trustees of 3514
16 Illinois State University (hereinafter called the Board), and 3515
17 which shall operate, manage, control, and maintain Illinois 3517
18 State University in accordance with the rights, powers and 3518
19 duties now or hereafter vested by law in that Board. 3519

20 Section 20-15. Membership; terms; vacancies. The Board 3522
21 shall consist of 7 voting members appointed by the Governor 3524
22 by and with the advice and consent of the Senate, and one 3526
23 nonvoting member who is a student at Illinois State
24 University. The method of selecting the student member shall 3528
25 be determined by a campus-wide student referendum. The 3530
26 student member shall serve a term of one year beginning on 3531
27 July 1 of each year, except that the student member initially 3532
28 selected shall serve a term beginning on the date of his or 3533
29 her selection and expiring on the next succeeding June 30. Of 3536

1 Section 20-45. Powers and duties. The Board also shall 3743
2 have power and it shall be its duty: 3744

3 (1) To make rules, regulations and bylaws, not 3746
4 inconsistent with law, for the government and management of 3747
5 Illinois State University and its branches; 3748

6 (2) To employ, and, for good cause, to remove a 3750
7 President of Illinois State University, and all necessary 3751
8 deans, professors, associate professors, assistant 3752
9 professors, instructors, other educational and administrative 3753
10 assistants, and all other necessary employees, and to
11 prescribe their duties and contract with them upon matters 3754
12 relating to tenure, salaries and retirement benefits in 3756
13 accordance with the State Universities Civil Service Act. 3757
14 Whenever the Board establishes a search committee to fill the 3758
15 position of President of Illinois State University, there 3759
16 shall be minority representation, including women, on that
17 search committee. The Board shall, upon the written request 3761
18 of an employee of Illinois State University, withhold from 3762
19 the compensation of that employee any dues, payments or 3763
20 contributions payable by such employee to any labor 3764
21 organization as defined in the Illinois Educational Labor
22 Relations Act. Under such arrangement, an amount shall be 3766
23 withheld from each regular payroll period which is equal to 3767
24 the pro rata share of the annual dues plus any payments or 3768
25 contributions, and the Board shall transmit such withholdings
26 to the specified labor organization within 10 working days 3769
27 from the time of the withholding; 3770

28 (3) To prescribe the courses of study to be followed, 3772
29 and textbooks and apparatus to be used at Illinois State 3773
30 University;

31 (4) To issue upon the recommendation of the faculty, 3775
32 diplomas to such persons as have satisfactorily completed the 3776
33 required studies of Illinois State University, and confer 3777
34 such professional and literary degrees as are usually 3778

AMENDMENT
to the January 28, 1998 draft
of the Illinois State University Constitution.

Motion to:

1. strike the following sentences:

Article V, Section 1.E.:

“The President shall then implement them or explain any changes to the Academic Senate before implementation.”

Article VI, Section 1.A.:

“The President shall then implement any legislation or explain any changes to the Academic Senate before implementation.”

2. replace these sentences with:

Article V, Section 1.E.:

“The President shall then implement them or continue negotiating with the Senate until they have achieved common ground.”

Article VI, Section 1.A.:

“The President shall then implement any legislation or continue negotiating with the Senate until they have achieved common ground.”

Appendix C

The purpose of this amendment is to ensure that the Academic Senate can carry out its responsibility to safeguard the future quality of the university's academic mission. The amendment ensures that any policy or legislation passed by the Senate cannot be unilaterally changed by the President. At the same time it maintains the requirement that all policy or legislation passed by the Senate be approved by the President. In other words, it establishes a situation in which differences of opinion between Senate and the President must be solved by negotiation and the good faith search for common ground.

Without this amendment, in my opinion, the Senate will abrogate its responsibility to protect the future quality of the university's academic mission. Why? The answer lies in the structure of the university as determined by the new Board of Trustees. The new Board has repeatedly insisted that the President is accountable only to the Board, not to the faculty or the students. The President, in their words, is their "manager," "their CEO." Moreover, Chairman Sulaski has repeatedly stated that the Board will not be constrained by any list of presidential responsibilities that the Senate might put into its constitution. Moreover, I would submit that events last year showed us over and over that this unilateral accountability of the President was already a reality.

How would the President, as the Board's manager, use the power to unilaterally change policy or legislation, a power granted to him or her by the draft in front of you? This depends upon how the Board wants him to act. And the Board has repeatedly demonstrated that its primary interest is in increasing the power and flexibility of the President so that he can best reallocate resources and minimize expenses. This is completely in line with the dictates of the Association of Governing Boards, to whose meetings the Board regularly send representatives. According to the AGB, most university senates are dysfunctional and their power should be given to the President.

Only once, during the last four Board meetings, did the Board show an interest in Academic issues. This was during a presentation of the new Foundations course. And the one question they kept asking, was whether the course would attract enough students in order to be financially viable.

It is of course appropriate that the Board be concerned about financial issues since this is their area of expertise.

If we are to judge by the Board's statements and actions during the last year, the President, as the Board's manager, would use his or her new power to subordinate academic to economic interests. It insists that the Faculty have no power to counter that priority. And frankly, the requirement that the President explain changes to faculty and senate would have little effect on an administrator who is accountable only to the Board, as events over the last year have also confirmed.

I thus urge you to pass this amendment, so that the Senate can continue to carry out its responsibility, by insuring that the quality of the university's academic mission will have an equal voice with the cost of this mission.