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Senate Meeting, April 6, 1994

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ACADEMIC SENATE MINUTES

April 6, 1994

Volume XXV, No. 12

Call to Order

Seating of New Senators

Roll Call

Approval of Minutes of March 23, 1994

Chairperson's Remarks

Vice Chairperson's Remarks

Student Government Association President's Remarks

Administrators' Remarks

ACTION ITEMS:

1. Election of Academic Senate Officers
2. Election of Executive Comm.
3. Election of JUAC Members
4. Selection of Nominations for Pilot Implementation Committee (Action Postponed Until 4/20)

INFORMATION ITEMS:

1. Nominations for Panel of Ten
2. Nominations for Academic Freedom Committee
3. Nominations for Faculty Ethics and Grievance Committee
4. Administrative Affairs Comm. Presentation of 1995-96 and 1996-97 Academic Calendars
5. New Student Code of Conduct

Communications

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 6, 1994

Volume XXV, No. 12

CALL TO ORDER

Vice Chairperson Renee Mousavi 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

Vice Chairperson Renee Mousavi introduced the new Academic Senators elected in the Spring 1994 elections:

FACULTY SENATORS:

Cecile Jagodzinski, Milner Library, 1997
Mark T. Kaiser, Foreign Languages, 1997
Nancy Lind, Political Science, 1995
Douglas Love, Accounting, 1997
Steven McCaw, HPERD, 1997
Kim Pereira, Theatre, 1997
Louis Perez, History, 1996
Kenneth Strand, EAF, 1997
Ronald Strickland, English, 1995
Shailesh Tipnis, Mathematics, 1997
Dave Weber, Biology, 1997

STUDENT SENATORS:

Jill Bruzzini, BSC
Christine, Brzana, PUR
Jennifer Cowsert, POS (SGA Chair)
Alexa Giacomini, FOR
Zoevera Hayes, GS
James T. Hoffmann, POS (Student Regent)
Paul M. King, PSYCH
Kyle Lentz, POS
Nicole Levy, PUR
Sunit A. Muzumdar, Finance
Melissa Norris, PUR
Diana Onken, ENE
Bina Patel, GS
Robert Patterson, PHY
Cebil Riley, GRADUATE
Stacy Shull, EED
Jordan Wilner, HIS
Christopher Zervic, POS/PHIL

ROLL CALL

Vice Chairperson Renee Mousavi called the roll and declared a quorum present.

APPROVAL OF MINUTES OF MARCH 23, 1994

CORRECTIONS TO MINUTES:

Senator Johnson, Chair of Rules Committee: In the faculty appointments to Senate External Committees at the last meeting, we inadvertently appointed Linda Cummins, Sociology, to the Council on University Studies. The Blue Book Description of this committee stipulates that the person has to be a representative the College of Arts and Sciences from the Humanities discipline. Therefore, we would like to replace Ms. Cummins with Dr. Mark Siderits from Philosophy.

Senator Zervic: The Minutes state that the meeting was held in the Circus Room, when in fact, it was held in the Old Main Room.

XXV-93

Senator Wilner moved to approve the Minutes of March 23, 1994, as corrected (Second, Bruzzini). Motion carried on a voice vote.

VICE CHAIRPERSON'S REMARKS:

Vice Chairperson, Renee Mousavi: I wish good luck to the new Senators.

STUDENT GOVERNMENT ASSOCIATION PRESIDENT'S REMARKS

Student Government Association President, Jennifer Cowser: Our student agenda for the year has a lot of things to work on. Our first Student Government Association meeting of the new administration is next Tuesday, April 12, 1994, at 5:00 p.m. in Room 375 of the Student Services Building. At that time we will be appointing our legislators.

ADMINISTRATORS' REMARKS

PRESIDENT WALLACE had an excused absence.

PROVOST STRAND had no remarks.

VICE PRESIDENT FOR STUDENT AFFAIRS, WILLIAM GUROWITZ had no remarks.

ACTION ITEMS

1. Election of Academic Senate Officers

XXV-94

Senator Liedtke: I nominate Len Schmaltz for Chairperson.

XXV-95

Senator Borg: I move to close nominations. (Second, Johnson) Motion carried on a voice vote.

XXV-96

Senator Borg: I move that we elect Len Schmaltz by unanimous consent. (Second, Razaki) Motion carried on a voice vote.

CHAIRPERSON'S REMARKS: Thank you for your confidence. I will try to keep your confidence and respect.

We are desperate for your committee preference sheets. Please turn them in tonight.

At your places you received a communication from Ed Hines, our representative to the Faculty Advisory Committee of the Illinois Board of Higher Education. There was a topic of some discussion at the faculty caucus and March 23rd Senate meetings about the IBHE workshops. He reports in the second paragraph who will be attending the workshops.

Senators also have at their places a copy of the present Student Code of Conduct. People on the committee thought it would be of value to have the current Code of Conduct.

For new senators, I would like to introduce Mary Edwards, secretary to the Academic Senate. She mans the Senate Office, in Hovey Hall 208. If you have questions, or committee work, she will be able to help you.

Ira Cohen is our Parliamentarian. He serves at the request of the Chair, and interprets parliamentary procedures for the Senate.

XXV-97

Senator Razaki: I would like to nominate Senator Jordan Wilner for the position of Vice Chairperson.

XXV-98

Senator Borg: I move that nominations be closed. (Second, Zervic) Motion carried on a voice vote.

XXV-99

Senator Lind: I move to elect Senator Wilner Vice Chairperson of the Senate by acclamation. (Second, Razaki)
Motion carried on a voice vote.

XXV-100

Senator Ken Strand: I nominate Senator Susan Winchip for the position of Secretary of the Academic Senate.

XXV-101

Senator Liedtke: I move that nominations be closed. (Second, White) Motion carried on a voice vote.

XXV-102

Senator Liedtke: I move to elect Senator Winchip as Secretary of the Senate by acclamation. (Second, Thomas)
Motion carried on a voice vote.

2. Election of Joint University Advisory Committee Members

XXV-103

Senator Cowser: I nominate Alexa Giacomini to serve as student JUAC representative.

XXV-104

Senator Wilner: I move that nominations be closed (Second, Rosenthal). Motion carried on a voice vote.

XXV-105

Senator Zervic: I move to elect Senator Giacomini as student JUAC representative by acclamation. (Second, Lind)
Motion carried on a voice vote.

The faculty member representatives to JUAC include: Len Schmaltz, Paul Borg, and Wayne Nelsen, who will all continue in their terms.

3. Election of Academic Senate Executive Committee

XXV-106

Senator Lind: I nominate the slate of faculty members for the Executive Committee: Khalid Razaki, Accounting; Cecile Jagodzinski, Milner Library; Kenneth Strand, EAF; and Paul Borg, Music.

The Chairperson and Secretary automatically serve on the Executive Committee because of their positions.

XXV-107

Senator Johnson: I move to close nominations (Second, Amster). Motion carried on a voice vote.

Faculty representatives to the Executive Committee elected by acclamation.

XXV-108

Senator Cowser: I nominate Bina Patel and Christopher Zervic to serve as at-large student representatives to the Executive Committee.

XXV-109

Senator Muzumdar: I move to close nominations. (Second, Borg) Motion carried on a voice vote.

Student representatives to the Executive Committee were elected by acclamation.

The Vice Chair of the Senate and the Student Government Association Chair serve on the Executive Committee because of their positions.

4. Nominations for Pilot Implementation Committee

Chairperson Schmaltz: Senators received in their packets a memorandum from the Provost in their packets regarding nominations of two Academic Senators to serve on the Pilot Implementation Committee. The faculty senators have not had time to caucus and choose any nominees.

Provost Strand: At its last meeting, the Senate adopted a part of the document for the Pilot Implementation of the Proposed General Education Program, an implementation schedule which called for the appointment of a Pilot Implementation Committee during the month of April, 1994. There is representation from the Academic Senate on this committee. I sent a communiqué to the Senate dated March 17, 1994, requesting the Senate identify two nominees for this committee. Because of the turnover of the Senate at this time, there is no time to have a regular nomination process through committees. Usually, a request for nominations goes to Administrative Affairs or Rules Committee, and they identify and speak to candidates. But, if we are to move fairly quickly on the implementation of this Pilot Implementation Committee, we need to have some action by the Senate this evening. The Executive Committee discussed the possibility of bringing forward one or more names. If this does not happen tonight, there is a possibility for waiting for the next meeting of the Senate. However, your committees will not be fully operational at that meeting either, and you may still have a problem. I would encourage faculty members of the Senate to try to choose these nominees this evening.

Chairperson Schmaltz: The Chair would only respond that your communication to me was included in Senators' packets. To date no one has expressed an interest in serving on that committee.

Senator Borg: I was going to ask about the Senate process for choosing a representative.

Chairperson Schmaltz: The Chair of the Senate will call a faculty caucus prior to the next Senate meeting, at which point we could come up with nominees. If it is really crucial that we do it this evening, we could adjourn Senate to have a short faculty caucus to discuss this.

Senator Wilner: Can students attend that caucus?

Chairperson Schmaltz: Yes.

Senator Razaki: Senators should be aware that there is a stipend attached to this committee. Members will receive \$3,000.

Senator Liedtke: Do we know what departments and colleges are already represented on this committee?

Provost Strand: No, we do not know that this evening. That is one of the advantages of having the nominations come forward this evening. We are receiving twice the number of nominations as there are positions from all the colleges and groups that are sending names in. In order to have the balance of college and gender when we start filling those slots, it would be beneficial to have all the nominations in.

Senator Amster: What are the time constraints for this?

Provost Strand: This would be a committee that will begin operations before the end of this semester and would be involved over the summer. Every member of the implementation committee would be a liaison to the inner core curriculum committee. Those committees will be working over the summer. This is why there is a stipend associated with the work. The inner core course development committees will be working over the summer.

Chairperson Schmaltz: The Senate will recess later and discuss this matter.

(Senate held a caucus at 8:30 p.m., and decided not to bring forth any nominations this evening. Action Item postponed until April 20, 1994.)

INFORMATION ITEMS

1. Panel of Ten Nominations

Chairperson Schmaltz: The description of the Panel of Ten appears on Page 42 of your Senate Bluebook. The Administrative Chairperson Selection Committee (Panel of Ten) is not an external committee of the Academic Senate, but its members are elected by the Senate. Nominations are made from each academic department. These, accompanied by a one page vita for the nominee are sent to the Academic Senate Office for transmission to all Academic Senate Members before the election. Due to a revision last Fall, the election for the Panel of Ten will now occur during the second April meeting of the Academic Senate. The Function of this committee is that individual members of this panel shall be selected to be the Chairperson of the Selection Committee for upper level administrative positions in the University such as university administrators, college deans, provost, and vice presidents.

1994 Panel of Ten Nominations: Tak Cheung, Biological Sciences; Sharad Chitgopekar, MQM; John F. Chizmar, Economics; William J. Crampton, Accounting; Jim Grimm, Marketing; James Johnson, Psychology; Jean Memken, Home Economics; Willard Moonan, Milner Library; Barbara Nourie, Curriculum & Instruction; Patrick O'Rourke, Agriculture; John T. Rehm, Music; Pamela Ritch, Theatre; Margaret Steffensen, English; Ken Stier, Industrial Technology; Iris Varner, BEA; David Wallace, ACS; and Henry J. Zintambilia, Geography. Election will take place April 20, 1994.

2. Nominations for the Academic Freedom Committee

The Academic Freedom Committee consists of 24 tenured faculty members, of whom eight are elected each year by the Academic Senate for staggered three-year terms. Nominations are submitted annually by departments. The function of the Academic Freedom Committee is to ensure faculty and administrative cooperation in resolving problems pertaining to retention, reappointment, or dismissal of faculty.

1994 Academic Freedom Committee nominations: John Binning, Psychology; Joseph Braun, Curriculum & Instruction; Leger Brosnahan, English; Janet M. Cook, Applied Computer Science; Tom Craig, Accounting; Dennis French, Art; Nick Maroules, Sociology; and Rick Whitacre, Agriculture. Election will take place April 20, 1994.

Senator Cowsert: Point of information. Can we receive vitae on these candidates also.

Senator Johnson, former Chair of the Rules Committee: That point was raised last year, and it is still under consideration. It is a matter of paper and killing trees.

Chairperson Schmaltz: A great many faculty find it a chore to provide a one-page vita.

Senator Johnson: The current catalog has information on faculty members, as well as the Illinois State University telephone directory.

Chairperson Schmaltz: If you wish to change the Bluebook requirements for this, you need to submit a request to the Rules Committee.

Senator Amster: On the Faculty Ethics and Grievance Committee list, the departments were switched for two candidates: Julie Satkamp should be Art; and Jan Susina, is from the English Department.

3. Nominations for Faculty Ethics and Grievance Committee

The Faculty Ethics and Grievance Committee consists of 18 faculty on tenure or tenure track. Six members are elected each year by the Academic Senate for three-year terms. Nominations are submitted annually by departments or by petition signed by at least ten faculty members. The functions of the Faculty Ethics and Grievance Committee are to identify and adjudicate whether any proposed grievances relate to an alleged violation by a faculty member of the Code of Ethics, or whether it is a type of grievance involving matters exclusively the domain of the Faculty Status Committee of the Academic Freedom Committee.

1994 Nominations for the Faculty Ethics and Grievance Committee: David Allen, Communication; Norvella Carter, Curriculum & Instruction; Wendy Duffy, Accounting; Daniel L. Holland, Physics; William C. Lesch, Marketing; Cynthia Nordstrom, Psychology; Julie Satkamp, Art; Jan Susina, English; Roger Thomas, Foreign Language; Jim Toppen, Industrial Technology; Joaquin Vila, ACS; and Cheryl Wachenheim, Agriculture. Election will take place April 20, 1994.

4. Administrative Affairs Committee Presentation of 1995-96 and 1996-97 Academic Calendars

Chairperson Schmaltz: Continuing senators will recall that this item was brought up at the March 23, 1994, Academic Senate Meeting as an Information Item, and after some discussion, it was decided to place this item on the Agenda for this evening.

Senator Curtis White, former Chair of the Administrative Affairs Committee: These calendars came before the Senate in June of 1992. There was considerable discussion about the Fall Break Day vs. the day added to the Thanksgiving Break. It was decided not to act on the calendars until after one year of the long Thanksgiving Break, so that reactions could be received. The new calendars return to the one day fall break and the regular four day Thanksgiving Break in November.

Dr. Alan Dillingham of the Provost's Office is here to answer questions.

Senator Liedtke: On behalf of Senator Nelsen, I would ask if during the fall semester 1995 and the fall semester 1996, will there be Saturday classes on October 7, and October 12, the day after fall break.

Dr. Alan Dillingham: As far as I know there will be. I am not aware of any discussion about this. However, it is the case that we have very small number of Saturday classes, in some cases four, and each of those classes met for a minimum of three hours; one upper division class met for six or seven hours. I would say that Fall Break Day is exactly that, Fall Break Day, and that Saturday classes will meet as assigned.

Senator Amster: I was wondering about school starting before or after the Martin Luther King Holiday.

Dr. Dillingham: I was not involved in the original discussions about the calendar, but the Martin Luther King Day is a national holiday.

Senator Amster: We have had hallway conversations about school after the holiday.

Dr. Dillingham: The calendar is developed by the ending date.

Provost Strand: The Spring semester follows a schedule that is triggered by the Fall Semester. The Fall Semester moves in a seven year cycle. The break period between fall and spring semesters, determines whether or not classes begin before or after the Martin Luther King Holiday. One year we may not have started classes yet, and the other, we have had one week of classes and then have a day off and a four day week because of the observance of this holiday.

Senator Liedtke: I have another question for Senator Nelsen. Why is there a different number of weeks in the fall semester rather than the Spring Semester (14 in one and 16 in the other).

Dr. Dillingham: University policy dictates the class time per semester hours of credit, so what we are really talking about is the number of class days. The fall semester of both of these years has 76 days of classes; and the spring semester has 74 days. The semesters are of equal length in terms of classes.

Senator Levy: I notice that the Thanksgiving vacation begins at 5:30 p.m. at night. Isn't this rather late for students to be driving home?

Dr. Dillingham: 5:30 p.m. is the traditional time that this break has started. If we make the break time earlier, there will be some classes that are shorted. This would also increase the tendency of students and faculty to miss class.

5. New Student Code of Conduct

Senator Gurowitz, Vice President for Student Affairs: I have three people here to assist in answering questions this evening: Willard Moonan, Milner Library, the Chair of the Committee that rewrote the Code; Linda Timm, Director of the Student Judicial Office; and Renee Smith, University Legal Counsel.

The current Code of Conduct dates back to 1967. Life today is quite different from what it was back then. I formed a committee to review the Code of Conduct and recommend changes. The charge to the committee included reviewing the Code of Conduct and making recommendations for change, taking into consideration: (1) the educational statement of philosophy of the code; (2) the examination of regulations relating to student behavior; (3) review of procedures to determine if the current due process procedures provide for fair and expedient disposition of cases; (4) review of issues such as incivility and harassment and use of technology. The language of the code should reflect the values of educational community and the educational value of the document itself.

Willard Moonan: The Committee first met in February of 1992. We met 34 or 35 times and rewrote most of the code. In the process we went through student codes of other universities. We had some committee hearings on academic dishonesty. Last October we held open hearings for the University community. The first revision was ready in February of 1993.

Linda Timm: We sought input from the Student Government Association Chair and Vice Chair. SCERB reviewed the proposed code, and you will find our comments and recommendations dated September, 1993. I was not a member of the committee.

Renee Smith, University Legal Counsel: I reviewed the new Student Code of Conduct in regard to student's rights under the Constitution. My suggestions were incorporated into the document.

Senator Wilner: How many students were actually involved in writing this document?

Willard Moonan: Originally six students were on the committee. However, we had problems keeping students on the committee. The average attendance of a student was two times; and the highest number of meetings attended was five. I would write to students and call them, but they would come a few times and then not show up again. There was a lot of work involved in the committee meetings.

Senator Wilner: You checked with other universities on their codes. What other universities in Illinois have a code like this?

Linda Timm: The University of Illinois has a different code. It has several layers of processing. Some codes are less legalistic. What we have is much easier to understand and use and serves the educational purposes of the University.

Senator Wilner: I have a question about Page 4, III. B. "Students must carry their Illinois State University Student ID cards at all times and present them on request. These cards are non-transferable. Students may not lend their ID cards or use the ID cards of other students." I have heard a lot of questions about this. How is a student to have his ID on them at all times, without the use of tattoos, and secondly, who are the students supposed to present them on request to?

Willard Moonan: The purpose of this requirement was to distinguish students from non-students. Parts of the University, like the Library, require a student ID to check out a book.

Linda Timm: The student would present their ID to a university officer or representative.

Senator Lind: On Page Three, II. A. 5. "No student may substitute for another in any quiz or examination." Why doesn't this specify no other individual?

Willard Moonan: We were concerned primarily about students who take tests for other students.

Senator Lind: A substitute could include other individuals.

Linda Timm: The University has no way to have jurisdiction over non-students.

Senator Lind: On Page 9, Section VIII., Student Judicial Office Procedures, Point D: "Once an administrative sanction has been applied, the student will be officially notified in writing." Why only the student? Shouldn't the faculty member be notified, too?

Linda Timm: In a case of academic dishonesty, the faculty member is notified.

Senator Lind: But, that is not stated in here.

Senator Lind: On Page 11, number III at the bottom, Disciplinary Probation, "Only three Disciplinary Probation sanctions are allowed in a student's academic career at ISU. It is recommended that any violation of University regulations after the third Disciplinary Probation results in Disciplinary Suspension or Disciplinary Dismissal." How was the number three arrived at?

Willard Moonan: The number three was arrived at through our committee discussions. I had served on several student hearing panels, and we were concerned about students who continue to get sanction after sanction, year after year, without apparently changing their behavior.

Linda Timm: As things currently exist, if a sanction is intended to be a deterrent, the record at times does not get caught up with the itself. A student may be involved in two or three incidents in close succession.

Senator Kaiser: On page 3, Section II., D., "Students shall take no action which disrupts or tends to disrupt the peace." Does this include such things as students gathering on the Quad? From time to time, there are people of religious persuasion on the Quad, preaching, would that be considered disruptive?

Renee Smith: This is not as harsh as the penal code. Disruptive behavior would include protests, riots, etc.

Senator Kaiser: Also on page 3, Section II. B. "Students shall not knowingly tear, mark, render imperfect, or otherwise damage or destroy or wrongfully appropriate library materials." Does this also apply to other University Property, such as sticking a pencil in a disc drive? We have a terrible problem in our computer laboratories with the equipment. I don't see anything in the document that specifically addresses this. Is there some reason that we could not change library materials to University property?

Willard Moonan: The reason that we have that in there is because the Chair of the Committee was a Librarian.

Linda Timm: Many times when damage is done, we cannot find the perpetrators. General Regulations, I., B., refers to damage: "Students shall take no action which damages or tends to damage public or private property without consent of the owner or person legally responsible."

Senator Kaiser: Then, that covers computers?

Renee Smith: Yes, technical equipment would be included in that.

Senator Kaiser: On page 6, IV., A.: "Faculty members should clearly identify on each course syllabus and in all explanations of course requirements the University, departmental, and course specific standards regarding academic dishonesty." Does this mean that if I do not include on my course syllabi definitions of dishonesty, plagiarism, etc., that this could not be prosecuted. To what extent, how specific do I have to be, on my syllabus?

Willard Moonan: We thought the faculty would realize what the definitions are.

Senator Kaiser: Psychologically, that is not how I want to start out my courses. I assume that students know what cheating and plagiarism are. Making those kinds of statements on my course syllabus, assumes that the students are going to be doing that sort of thing, and makes the faculty member a policeman from day one.

Provost Strand: While that may be a laudable scenario, reality demonstrates that we have students who have pleaded, "I didn't realize the consequences of my actions would lead to this severe disposition." We are trying to make sure from the starting point that the ground rules are defined for the student as well as the faculty members.

Chairperson Schmaltz: The document reads: "Faculty members should clearly identify on each course syllabus," -- that doesn't mean "are required to."

Senator Weber: It might be more appropriate to have a definition of plagiarism and cheating in this document, rather than requiring each faculty member to put it in his syllabus.

Senator Kaiser: Page 6, Section IV., C., "If the student acknowledges the act of academic dishonesty and the faculty member is satisfied that the incident has been effectively resolved." Does this imply that the faculty member will

have a great deal of leeway what the penalty for the student is. One faculty member could say, "My penalty is for the student to receive an F in the course, if you are caught cheating in an exam; whereas another faculty member could say, "You will have to retake the exam."

Willard Moonan: This is the way it is currently done. The committee did not feel that it could dictate the classroom behavior. There are a variety of ways to punish a student -- you don't have to give them an F.

Senator Hoffmann: Page 2, subsection I. D. "Students shall not possess or use firearms, explosive devices, or any other devices classified as a weapon by the State of Illinois." As I read this statement, any student on or off campus, cannot possess a firearm. For instance, I am a student, and I live off campus, and possess a firearm. Am I in violation of the Student Code of Conduct? I would question the constitutionality of this.

Renee Smith: If it is on the property of ISU, it would be illegal. This pertains to any firearm on campus.

Senator Hoffmann: I would like to suggest that we add the wording "on University property."

Chairperson Schmaltz: Do the people in ROTC know about this?

Vice President Gurowitz: They have proper dispensation.

Willard Moonan: We could add wording to clarify that any firearms would be subject to local and state laws.

Senator Razaki: Is there a similar rule for faculty members about carrying firearms?

Renee Smith: That is a University regulation.

Linda Timm: There is a state statute about weapons on State supported property.

8:30 p.m. - Recess for fifteen minutes.

Senator Liedtke: Why are we stopping at this time.

Chairperson Schmaltz: We usually break after about an hour and a half.

Willard Moonan: I discovered that we have been looking at two different documents. The document that went out in the packet was dated February 19, 1994; while the one that we should be looking at is dated March 9, 1994. The next time we meet, we will have the proper document in front of you.

Chairperson Schmaltz: The next time you have a question, refer to the Item number.

Willard Moonan: There is a section added to the Preamble: "The University understands that in society, laws in general constantly change. As such, the University cannot foresee each and every circumstance that may arise and which may not be included herein. As such, a student may be subject to disciplinary sanctions when such behavior is detrimental or disruptive of the purposes and/or goals of the University and not provided for herein."

Senator Liedtke: Can we have the corrected document in advance of the next meeting? I may remind the new senators, that procedurally, the Senate is able to ask questions even in the Action Stage as well as make amendments.

Senator Gurowitz: The proper document with the changes in it will be distributed.

Senator Liedtke: How will the changes at the back be incorporated?

Senator Gurowitz: Those suggestions were known to the Student Affairs Committee. They can be incorporated into the document.

Linda Timm: Those comments were sent to the original committee.

Senator Walker: I am beginning to have questions about this. We do not have a Student Affairs Committee at this time. I would rather do this with a committee to answer questions. I would suggest we prolong the action on this.

Willard Moonan: Do you want a committee of the Senate to look at this?

Senator Walker: Your ad hoc committee was to report to the Student Affairs Committee of the Senate. Technically, the Student Affairs Committee should do this.

Chairperson Schmaltz: We will have a Student Affairs Committee at the next Senate meeting. Presumably, they could review the document and bring it back as an Action Item.

Vice President Gurowitz: When will the Student Affairs Committee be formed? If we waited until after the April 20th meeting, this item would have to be information and action at the May meeting.

Senator Liedtke: This document went to the Student Affairs Committee on October 4, 1993. They did nothing with it.

On Page 2, General Regulations, Section I. D., on firearms, was it not clarified about the use and possession of firearms, etc., on University property, could we not add to that the functions that are sanctioned by the University -- there could be a field trip or party where someone brings a firearm.

On page 5, Section II., E., 1. "Students who serve as advisors must have a course load of more than six semester hours and faculty-staff must have a minimum of 3/4 time appointments. I don't understand the purpose of limiting someone's appointment.

Linda Timm: This has been part of the Student Code since the mid-80's. There is not a provision for legal counsel for a student unless there were concurrent criminal charges. At the time this was put in, there were adjunct faculty who were attorneys. We are looking for someone with a more full-time commitment to the University.

Senator Liedtke: I don't see the need for number one at all.

Renee Smith: A student has no legal right to have an attorney in a matter. They can have an advisor. They can have an attorney sit in on a hearing, but not advise them. In an informal hearing, due process rights, students do not have the right to an attorney to participate in the hearing. The attorney can sit in on the hearing.

Willard Moonan: There is a limit of one.

Senator Liedtke: Is there a limit as to whom the person can have as an advisor?

Renee Smith: We were concerned with the rights of students.

Provost Strand: There are occasions when parents become very emotionally involved with these cases, and they may want to act as advisor for the student. That is one of the reasons for the definition. In regard to the minimal due process rights of students, one of the reasons for this is that at some universities many years ago there was an attorney for the students, and the attorney for the institution resulting in a judicial but not an educational process.

Senator Liedtke: On Page 6, Section III., G. "The right, upon request, to have reasonable steps taken by the Student Judicial Office to prevent any unnecessary or unwanted

contact with the alleged assailants." Is it the implication here that all victims will be assailed?

Willard Moonan: This is to protect the accuser from the violators.

Linda Timm: When someone has stolen something from you, and you are still in the same class, that person may harass the victim. This is to protect the students.

Willard Moonan: This statement will cover what we want it to. It was put in because the students thought this would help them. It lacks the more educational aspect.

Linda Timm: A reference to the Code of Conduct here would be helpful. This document provides more clarity than the previous document. The faculty member needs to state: "If you cheat in my classroom, I will fail you."

Senator Walker: I would ask that whatever committee is considering this, that if any simple statement regarding cheating or plagiarism exists, that that statement be included as a part of this Code of Conduct. You will have all kinds of different definitions from faculty members. I would like to include the minimum in my syllabus. There should be one place on campus that states what the rule is.

Senator Zervic: Could you explain why the committee made the change from a hearing panel where the students could choose the composition to a committee with one student/one faculty member and then the student only gets to choose what the status is with the other panelist.

Willard Moonan: It was the feeling of the committee that the hearing panel should reflect the student's right to choose the panelist.

Senator Wilner: Does the faculty have anything like that?

Chairperson Schmaltz: I am going to rule that out of order.

Senator Zervic: I would like to direct my question to Vice President Gurowitz. You mentioned a press for time. What was the press for time and the reason for it.

Vice President Gurowitz: In order to have the revisions in the Student Code of Conduct for the coming year, it will have to be passed soon in order to be printed for the fall semester.

Senator Walker: Will the Student Affairs Committee review this and report on it? Is the ad hoc committee aware of

where revisions should occur? Are the Minutes sufficient for this?

Willard Moonan: We have been noting changes and questions.

Senator Walker: On Page Three, Section II., A. 1. - the word students was going to be replaced with "individuals."

On Page Six, IV., Academic Dishonesty Procedures, A. "Faculty members should clearly identify on each course syllabus and in all explanations of course requirements the University, departmental, and course specific standards regarding academic dishonesty."

Perhaps whatever statement is supposed to occur in a syllabus should be in the Faculty Handbook. Most faculty will not read the Student Code of Conduct. If this is going to be required on a syllabus, faculty members should know it.

Chairperson Schmaltz: The document reads: "faculty members should....."

Senator Walker: On Page Nine, I think it ought to be in writing under VIII., D. "Once an administrative sanction has been applied, the student will be officially notified in writing." I think the faculty member should also be notified.

Senator Onken: Page Eleven, Disciplinary Sanctions Available, I. Technical Violation - Is an official statement that the student has violated the letter, but not the spirit, of a University regulation." Could you give us an example of a technical violation?

Linda Timm: Certain residence halls are alcohol designated residence hall, where twenty-one year olds are allowed to drink in their rooms. If a student were to take a call in the hallway and be outside of his/her room with a beer in their hand, that would be an example of a "technical violation." They would not be drinking in the hallway which is against University regulations, but would be breaking the letter of the law, by being present in the hallway with a beer in their hand.

Senator Bruzzini: (unintelligible)

Senator Onken: On the first page, under Jurisdiction, it says, "All Illinois State University students and Registered Student Organizations shall be held responsible by the University for actions occurring on campus which violate University regulations. All ISU students and Registered Student Organizations are also subject to disciplinary sanctions for conduct off-campus when such conduct is

detrimental or disruptive of the purpose and/or goals of the University. Conduct which is harmful to the welfare of the larger community and/or its citizens may also be subject to University sanctions." Is a student who is home for the summer and receives an alcohol related violation responsible to the University?

Senator Gurowitz: In the current Student Code, there is a very similar statement: "Students are also subject to disciplinary sanctions for conduct which occurs off-campus when that conduct is detrimental or disruptive of the purposes and/or goals of the University. Should an act violate both University regulations and public law, the student is subject to dual jurisdiction."

Senator Walker: Does that cover students arrested while away from the University -- do they fall under this jurisdiction?

Linda Timm: They can. It would depend upon whether the University was aware of the violation.

Renee Smith: On Page Four, IV. Adherence to local, state and federal laws, Item A., "Students shall not commit or attempt to commit any act that would be in violation of local, state, or federal laws." Actions that are detrimental or disruptive of the purpose and goals of the University, such as disrupting a program or selling drugs, would be considered as breaking a local law. If a person is convicted of a crime, then they would be suspended from school.

Senator Walker: So a student who is arrested at home, is also subject to disciplinary action from the school?

Vice President Gurowitz: Usually, ISU does not know about infractions that happen at home.

Renee Smith: Anyone is innocent until proven guilty.

Senator Walker: If a student goes home in the summer time and is caught underage with alcohol, will he be disciplined when he returns to school. Is ISU going to be obligated?

Renee Smith: No. Generally, an offense like that is considered a misdemeanor.

Vice President Gurowitz: There is reason to put that in the Code, though, for instance if a student who is at some other location than ISU does something violent like pulling out a gun and waving it around and shooting it in the air, a question I would raise is do we want to let this student continue as a student at ISU?

Renee Smith: That sets the profile.

Senator Onken: On the first page, second paragraph under jurisdiction, it says: "Students who are members of a Registered Student Organization involved in a violation of this Code may also be subject to individual sanctions. Students attending a function as an official representative of the University are subject to disciplinary sanctions for violations of the Code." What constitutes an "official representative of the University?"

Linda Timm: Functions would include things like field trips, student teaching, internships, etc., where you are there in your function as a student.

Senator Borg: Page Two, General Regulations, Section I. D.: "Students shall not possess or use firearms, explosive devices, or any other devices classified as a weapon by the State of Illinois. Instruments used to simulate such weapons in acts which endanger or tend to endanger any person shall be considered weapons." For example, the Theatre Department puts on a play in which five people are murdered in the second act -- what provisions does this regulation have on that?

Linda Timm: It reads: "acts which endanger or tend to endanger any person shall be considered weapons." I would think it would have to be an act disrupting the people.

Senator Borg: So a water pistol in a student's belt would be OK, unless the student takes it out and simulates an act of violence, then that would be subject to the Code.

Linda Timm: In reviewing the information, it is determined by the hearing panel which regulations were violated.

Senator Borg: Further down on page two, F. "Students shall not commit any act in such an unreasonable manner as to alarm or disturb another individual and provoke a breach of the peace." Who determines how much something must be to be alarming. I refer specifically to the sculpture that was on the campus quad in the last week which received comment in the press, notably the local press, about how people were upset and disturbed by this particular sculpture which was set up to make a very serious comment. I come from a discipline in which pushing the boundaries is part of what artistic expression is all about.

Linda Timm: This was an attempt to reflect the institution's position on a regulation that would cover the issues of harassment. I don't believe that it was their intent to limit the issues related to the arts, to encumber their freedom of expression.

Senator Borg: Perhaps a statement to that effect could be put in here somewhere. Also, I question the wording, "tend to naturally provoke violent resentment," I am very interested in the word, naturally.

Willard Moonan: It is a statement that most other people arouses anger also.

Linda Timm: I assume, although I was not a part of their discussions, that would include a "reasonable person test."

Senator Borg: You have listed in your statement many issues that are current in the discussion that are not "reasonable person test," -- race, color, religion, ancestry, sexual orientation, ethnicity, gender...." How does this relate to the broad spectrum of people on any one of those issues?

Willard Moonan: We were thinking that certain verbal actions could upset certain groups of people. We wanted to put in something that said the University would not approve of such actions.

Renee Smith: This was to protect persons of protected classes who are being harassed. Again, the reasonable person test would apply.

Senator Lind: How would the ad in the Vidette last week by the Revisionist Doctrine saying that the six million Jews were not killed fit into that?

Linda Timm: They do have freedom of the press.

Senator Borg: There are two other things Page 4, IV., relating to adherence to local, state, and federal laws, A. "Students shall not commit or attempt to commit any act that would be in violation of local, state, or federal laws." I see the necessity of that statement, but what about B. "Students shall not purchase, sell, possess or consume any alcoholic beverage unless that student is of legal age as specified by the State of Illinois."

Willard Moonan: This was written in to reflect what was happening.

Senator Borg: Isn't this covered under IV., A., adherence to local, state and federal laws?

On Page Six, IV., C. 1. "The faculty member will discuss the grade penalty to be applied and/or the reparation required of the student. Faculty members should adhere to the grade penalty policy, if any, as listed on the course syllabus." I maintain that this entire discussion of what faculty are obliged to do is more reasonably addressed in a faculty

document, and at least should be referenced by this. I remain concerned that it appears here, and how it will be communicated to faculty members. In your experience, do most faculty members peruse the student code on their acceptance of appointment.

Willard Moonan: I agree that this also needs to be stated in a faculty document.

Senator Levy: On Page Four, Section IV., Adherence to local, state, and federal laws, B., and C., if I am at home wearing an ISU sweatshirt and I get arrested for having some illegal substance and it goes in the paper as an ISU student was arrested -- would that make me an official representative of the University?

Answer: No.

Senator Muzumdar: If a student is found guilty of some sort of crime, like a misdemeanor, are we responsible to the University for that?

Linda Timm: If the information is provided to ISU, and we have a case.

Senator Muzumdar: Doesn't this kind of create a "big brother?" Where would the line be drawn?

Vice President Gurowitz: Most of the things, like alcohol or offenses, we would rather not have to handle. On the other hand, if someone is trafficking in drugs off campus, or threatening people with violent behavior and firearms, I would like to have something that we can call that student into an official process. Where do you draw the line is a very good question.

Renee Smith: I might add under the federal drug free workplace act of 1988, the University is required to prevent and prohibit the use and abuse of controlled substances on the campus or within facilities owned, operated, or controlled by the University. Under that law the institution is also required to have the person seek assistance or participate in an approved rehabilitation program and receive some kind of treatment.

Senator Bruzzini: On Page Two under General Regulations, G.: "Students shall not engage in any physical act which is sexual in nature and which is committed without full and knowing consent of all persons involved." What if someone gets jumped?

Linda Timm: This refers to sexual assaults. Section A. refers to other assaults.

Senator Bruzinni: On Page Four, IV., B., "Students shall not purchase, sell, possess or consume any alcoholic beverage unless that student is of legal age as specified by the State of Illinois." This does pertain to ISU, because we have an underage drinking problem here.

Senator Walker: I am concerned about the language on Page Two, F. "Students shall not commit any act in such an unreasonable manner as to alarm or disturb another individual and provoke a breach of the peace." Has the committee considered the political correctness of this language?

Senator Strickland: Everyone seems concerned about the word, "naturally," -- has the committee considered any legal problems in using the word, "reasonably?"

Renee Smith: Many of these statements were quotes from statutes and laws. They are what the law says.

Senator Strickland: Do you foresee other problems.

Renee Smith: No.

Senator Walker: Let's just ask them to consider the language.

Senator White: On Page Two, E. and F. This language initiation is not in the old document. Are there any fraternity or sororities that will be engaging in hazing and initiation ceremonies?

Linda Timm: This is a response to a particular problem that exists in fraternities and sororities. Initiations currently occur. The thing that you need to understand that hazing can go underground.

Senator White: Hazing is initiation.

Linda Timm: That is correct.

Senator White: If it is embarrassing to the individual, it will be prohibited? Does it have to be embarrassing to me or to them?

Linda Timm: I won't say that hazing and initiation are not going on, but this language permits the University to have some control over them, that is why it was added to the Student Code. A statement very similar to this goes out in the handbook to organizations.

Senator White: Organizations can have rituals. Have you consulted with these sororities and fraternities, saying that you plan on adding this to the Student Code?

Linda Timm: We are not going out and looking for these violations. But, if an individual feels their rights have been violated because you were forced to participate in hazing or initiation activities, they will have a right to file a complaint.

Senator White: On F., a few years ago a discussion centered around the slogan: "Aids Kills Fags Dead," being spray painted in a student's residence hall. Will this code change that for the next time that someone commits an act like that?

Senator Johnson: Page Four, Section III., B. "Students must carry their Illinois State University Student ID cards at all times and present them on request." Do you think a little elaboration of that statement, such as "for your own protection," or "to identify your status as an ISU student," would help?

On Page 9, VIII. D. "Once an administrative sanction has been applied, the student will be officially notified in writing." Perhaps you could add an appropriate staff.

Senator Giacomini: Greek organizations answer to the Interfraternity Council, the Pan Hellenic organization, and have national guidelines for fraternities and sororities on hazing and initiations.

Senator White: Does that include embarrassing initiations? Aren't hazing and initiation interchangeable?

Senator Giacomini: Hazing is more negative, like subjecting pledges to harassment or ridicule. Initiation is more the ceremony or rite of instruction into the organization. There are national standards for initiations. Violations are not only against the University, but against state and national laws.

COMMUNICATIONS

Senator Kaiser: This Friday is Yom HaShoah, the Holocaust Memorial Day. This evening many of my colleagues have attended a memorial service at Illinois Wesleyan University. Last Monday an advertisement ran in the Daily Vidette and other student newspapers throughout the country by an organization known as the Voice of Freedom and takes the revisionist view that denies that the Holocaust ever existed. A number of faculty and students on campus are planning to put a signatory ad in the Vidette in the near future, and our signatory ad reads: "In memory of the six million Jews who were murdered by the Nazis and in repudiation of those who would deny the terrifying reality

of the Holocaust." Under that ad, signatures will appear. I have petitions here tonight and there are also petitions in a number of department offices on campus, if anyone wishes to sign them. I think it would also be appropriate for the name of the Senate to be on the petition.

Senator Lind: Can an amendment be made to that changing the word Jews to "people," to reflect the others who were killed.

Senator Kaiser: We are aware of the others, 500 gypsies, gays, independently thinking persons, etc. The group of faculty that organized this response were doing it in conjunction with Yom HaShoah, the Holocaust Memorial Day. The advertisement addressed the six million Jews, they are denying the Jewish Holocaust in particular. That is what we are responding to.

XXV-110

Senator Kaiser: I would like to propose a Sense of the Senate Resolution:

"The Academic Senate of Illinois State University signs this ad (in the Vidette), reading:"

"In memory of the six million Jews who were murdered by the Nazis, and in repudiation of those who deny the terrifying reality of the holocaust." (Second, Curtis White)

Chairperson Schmaltz: Personally, I will sign the ad. However, there is a "Statement on Politicizing the University," which the Academic Senate passed sometime ago, that I think would prohibit the Senate from supporting this.

Senator Walker: Point of Order: Is this politicizing the University for the Senate to do this in an ad? We have always refrained from doing that.

Parliamentarian Cohen: What is the political issue.

Senator Walker: The Senate could endorse this statement as a statement of fact, or an historical fact.

Parliamentarian Cohen: The Politicization Statement says that the Senate should not get involved in a political issue. The question is, is there a current political issue on this?

Senator Kaiser: We are not arguing the Vidette's right to publish such an ad. That is freedom of the press.

Chairperson Schmaltz: Basically, the Politicization Statement in essence says that the Senate should not take stands on purely political issues. For example, it implied that the Senate could not condemn the war in Viet Nam, unless that war directly interfered with or somehow disrupted or impacted the University community.

Senator White: The statement includes issues on which there is disagreement, and anything that was not directly related to the University, like legislation. This clearly, in my mind, falls under that stupid document. That is why the University should not have the document on Politization. This ties our hands. I think the Senate should have the freedom to take a political stance.

Chairperson Schmaltz: The Politization Document does exist, though.

Senator Walker: I would be very comfortable signing the ad as a personal senator.

Senator Liedtke: I think on behalf of those who are not present and voting, to sign it and say the Academic Senate, you are implying that all members support it. I would feel more comfortable if the statement read six million Jews and others. There were others who were murdered by the Nazis.

Chairperson Schmaltz: I rule the motion out of order because of the fact that the Statement on Politicizing the University does exist, and limits the Senate's involvement in political issues.

XXV-111

Senator Kaiser: I challenge the chair. (Second, Strickland)

There is in my mind no political issue here. This is historical fact. This is a repudiation of a lie that appeared in the Vidette. I think for the Academic Senate, the chief academic body of the University, to not take a stand is political cowardice. This is not a political issue.

Senator Liedtke: Could the motion state that we are challenging the historical truth. Could we put that it is to verify the historical correctness of the holocaust.

Senator Kaiser: I think the motion states that, "in repudiation of those who deny the terrifying reality of the holocaust."

Senator Stearns: I feel that this does affect my teaching.

Every semester I discuss with my students the killing of the mentally retarded people and mentally ill people in the Holocaust. That revisionist ad affects the accuracy of my teaching.

Senator Insel: As an Academic Senate we are a community of scholars. As such we are concerned about the truth. Something as false as that needs to be refuted. What if the flat earth society were to make a statement, could the Academic Senate respond, or would that be political?

Chairperson Schmaltz: According to the Politization Statement that the Senate passed, yes.

Parliamentarian Cohen: I think it has to be a current issue.

Senator Liedtke: If the motion read: "for the purpose of clarifying historical fact, it is the Sense of the Academic Senate to acknowledge

(XXV-111)

Vote on challenging the Chair carried.

Senator Weber: What exactly is going to appear in the Vidette?

Senator Kaiser: "In memory of the six million Jews who were murdered by the Nazis, and in repudiation of those who deny the terrifying reality of the holocaust." (Signed by Petitioners and the Academic Senate).

Senator Weber: So the Academic Senate would be one of the signers.

Senator Patterson: If we are going to change the way this is worded, it would change the ad, and some people have already signed it. It would change the impact of the ad.

Senator Liedtke: We have to go with it as it is.

Senator Rosenthal: When we usually pass Sense of the Senate Resolutions, they usually don't appear in the Vidette, do they?

Chairperson Schmaltz: Normally, a resolution is directed to a certain group of people, such as state legislators, etc. They appear in the Minutes of the Academic Senate. At times we have sent motions to state legislators, the Board of Regents, etc.

Senator Borg: I think that the statement itself and the Academic Senate's signature under it is probably a good statement. I regret that this truth that we are trying to endorse is so narrowly drawn.

Vote on XXV-110 carried on a voice vote. One abstention.

Senator White: It seems to me the Chair of the Senate ruled accurately, and we should all be aware of this Politization Policy, and I think the Senate should revisit the Politization Document and getting rid of it.

Senator Borg: I have a question about the IBHE Workshops. It was a matter of discussion at the last Senate meeting how these representatives would be selected, and the administration did not know at that time. How were these persons selected.

Provost Strand. The selections were made by the IBHE staff.

**XXV-112
MOTION TO ADJOURN**

Motion to adjourn by Weber (Second, Johnson) carried on a voice vote. Academic Senate Meeting adjourned at 10:18 p.m.

FOR THE ACADEMIC SENATE

SUSAN M. WINCHIP, SECRETARYz

