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Senate Meeting, January 25, 2012

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Illinois State University

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Academic Senate Minutes
Wednesday, January 25, 2012
(Approved)

Call to Order

Senate Chairperson Dan Holland called the meeting to order.

Roll Call

Senate Secretary Susan Kalter called the roll and declared a quorum.

Approval of Minutes of December 7, 2011

Motion XXXXIII-34: By Sen. Dawson, seconded by Sen. Stewart, to approve the Academic Senate minutes of December 7, 2011. The minutes were unanimously approved.

Chairperson's Remarks

Sen. Holland: For any of you who have ever had a complaint about parking, there is an opening for a faculty member on the university parking committee. If anyone would care to volunteer or some faculty member who you would like to volunteer, we will accept applications, in particular if you want to have input on the zoned parking concept.

Sen. Ellerton volunteered to serve on the committee.

Sen. Holland: Sen. Dawson has a petition that she is passing around. There is an opening on the SURS Board of Trustees. We have a faculty member at Illinois State University who is interested in running. If you are interested in supporting the nomination, the petition is going around.

Sen. Dawson: I have his bio. It's Andrew Matthews. He is in Politics and Government.

Sen. Holland: I'm going to give Sen. Gizzi a couple of minutes to update us on FAC.

Sen. Gizzi: The performance funding issue was approved by IBHE. It ended up being .5% of the revenues, which came out at \$6.5 million. It is expected to increase over the next couple of years. The Board used the metrics that were proposed.

Student Body President's Remarks-No Report

Administrators' Remarks

President Al Bowman

President Bowman: In the state of the union address, there were a couple of higher education themes. One of the points the President made was that the federal government can't continue to subsidize rising tuition rates and he asked states to make higher education a bigger priority. However, he wants to somehow tie federal aid to how high universities raise tuition. A speech is planned for Friday when that will be discussed.

There are a couple of new bills that have been introduced in congress that are aimed at the for-profit sector. There are lots of concerns about what that sector is doing. One bill would reinstate the original ratio for for-profits, which would mean they couldn't receive more than 85% of their revenue from federal financial aid. The

other bill is that federal aid would include Defense Department money and Veterans Affairs funds. Right now, they are not counted as federal aid in the 90-10 formula.

The state is scheduled to release another FY12 payment, \$3.8 million. That will bring our FY12 payments up to \$31.6 million. Just after Christmas, Gov. Quinn pledged to maintain level funding for universities.

Moody's has downgraded Illinois to A-2 stable from A1 negative. All of the public universities are on notice that they may be downgraded to A3. That may mean we will have to pay slightly higher interest rates when we go out for new debt. We will be financing the Hancock Stadium this spring. We have raised already over \$8.4 million in private funds.

Sen. Holland: Any word at all about Fine Arts?

President Bowman: We had an audience with Gov. Quinn's budget director and we made a pretty strong push for that project. I am cautiously optimistic that we will see the design money.

Provost Sheri Everts

Provost Everts: The CTLT symposium on Teaching and Learning had the largest turnout ever on campus at well over 400 in attendance. The General Education Program Taskforce has been working since November of 2010. The taskforce is seeking feedback on a document of a revised mission, goals and outcomes. It is in draft format and you can reach that on the Provost's website. There also will be several open forums on Tuesday, March 27, and Wednesday, March 28. The times and locations are also available at that website. As I understand, there will be a presentation to the Senate on April 11. Associate Provost Jan Murphy has decided to return to the faculty in a leadership role in the College of Applied Sciences and Technology. We will be conducting a search that will begin soon. Sharon Naylor has agreed to chair the search and Janet Krejci has agreed to serve as the Provost's liaison.

Sen. Kalter: Do you have an ETA on when the Tenure Policy will come back to the Senate from the legal review.

Provost Everts: I don't have that. I think there were some ongoing discussions, but I can certainly take a look at what we're looking at in regard to time.

Vice President of Student Affairs Larry Dietz

VP Dietz: The Student Health Services has recently received a full three-year term of reaccreditation by the Accreditation Association for Ambulatory Health Care. That extends our accreditation to January 2015.

Vice President of Finance and Planning Dan Layzell

VP Layzell: We have begun the review process for Educating Illinois. We have a new website for Educating Illinois. There is a great deal of information on the planning. As part of the consultation process, there will be a number of open forums. There will be two open forums for everyone. That information is on the website. There will also be an online survey, which you can access through the website.

Committee Reports:

Academic Affairs Committee:

Senator Stewart: The committee discussed several policies from the Office of the Registrar. They were mainly edits that we will be bringing to Exec to put on as Information Items. We talked about the Reading Week Policy proposal. The idea is that the last week shouldn't be for exams. We also talked about the Final Course Grade

Challenge Policy for students to appeal a course grade. We need to expedite appeals so students can plan how they are going to handle the rest of their time here.

Administrative Affairs and Budget Committee:

Senator Cedeño: We had three items on our agenda. The first item concerned the academic calendar. We have also approved the survey for faculty, staff and students for commentary on President Bowman's performance. You will be getting an e-mail from me requesting feedback. Our administrative policy proposals will be sent to Exec Committee pretty soon.

Faculty Affairs Committee:

Senator Kalter: We talked about a proposed academic freedom policy to clarify what already exists in our policies. We did final work on the Export Control Policy. It's going to go to legal for one more round and come back to us and then it will go to the Executive Committee. Our committee is down one member; we are expecting a College of Business representative, but I think there is some imbalance right now in terms of how we allocated people onto various committees.

Planning and Finance Committee:

Senator Rich: We discussed research and sponsored programs and ISU's emerging success in the area of grants and contracts. We will be working as a committee between sessions by e-mail on a draft of our Institutional Priorities Report.

Rules Committee:

Senator Hunter: We are discussing the university's alcohol policy, especially in regard to the new Cardinal Court apartments that will be opening up, specifically allowing alcohol for those 21 and older. This conversation will be ongoing. We hope to invite Sen. Owens and someone from Housing to speak to us to give us more information.

Information Items:

12.16.11.02 Council for Teacher Education Bylaws Revision Rationale

12.16.11.01 Council for Teacher Education Bylaws Revisions (Executive Committee)

Sen. Holland: This is being brought to you by the Executive Committee, which I realize is somewhat unusual. This was brought to us in February of last year, but with all the ASPT reform, we kind of put it off. It is coming up to the point where they need these changes made. They are changes to the composition of the Council for Teacher Education. There are three positions for faculty in the College of Education. Typically, these are filled by the chairs of the various departments. So you are not getting the faculty voice. The proposal is to put the chairs on the committee as ex-officio, nonvoting. That allows the faculty positions to actually have faculty in them. It would be taking the Senate representative and making him/her ex-officio, voting; and also taking the Lab School representative and making that person an ex-officio, voting member.

Sen. Kalter: In number three, it says that the Chairperson of the Graduate Curriculum Committee shall serve on an ad hoc basis. I assume that that means that they come only when they are needed, but they are listed under the voting members.

Sen. Crowley: This preceded me.

Sen. Holland: That is not a part of what is being asked to be changed.

Sen. Kalter: I don't want to hold up these changes, but that ought to be clarified.

Sen. Stewart: The parts that are underlined or stricken are the things that we are voting on when it comes up for a vote?

Sen. Holland: Yes. I am guessing that on this committee it does not usually involve Graduate School issues.

Sen. Dawson: The Graduate Curriculum Committee seems separate from the Chair of the University Curriculum Committee. That's not a duplicate is it?

Sen. Kalter: The University Curriculum Committee tends to deal with, I believe, only undergraduate curriculum.

Motion XXXXIII-35: By Sen. Owens, seconded by Sen. Horst, to move the Council for Teacher Education Bylaws revisions to an Action Item.

The motion was approved by the Senate. There was one abstention by Sen. Kalter.

Motion XXXXIII-36: Sen. Holland: I would like to move that we accept this. Since this is coming from the Executive Committee, we don't need a second.

The motion was approved by the Senate. Sen. Kalter did not vote.

01.17.12.01 *Medical Amnesty and Good Samaritan Policy (Student Government Association)*

01.17.12.03 *Medical Amnesty and Good Samaritan Procedures (Student Government Association)*

Sen. Owens: This policy originated from students who may need help after consuming alcohol while being under age for the real or perceived barriers there are for medical assistance. There is a genuine fear that the students may receive repercussions from the university and disciplinary actions if they seek medical help for consuming alcohol. Since we pride ourselves on being a community of Redbirds, we want students to be able to feel comfortable seeking medical assistance, as well as if their friend needs medical assistance if they have engaged in reckless drinking behavior. If a student qualifies for medical amnesty or Good Samaritan, any disciplinary sanctions will be waived and will not go on their student conduct record. However, there will still be educational sanctions, such as treatment, if necessary, and assessment of alcohol abuse, as well as contact with the student's parents or guardian. It cannot preclude action by local law enforcement, only university officials.

Sen. Weeks: What happens if the student goes into health services in very bad shape? Is there a danger of the student being reported for disciplinary actions?

Sen. Owens: At Community Rights and Responsibilities, caseworkers take the student's case. Depending on the circumstances, that will depend on what the sanction is. The case manager can decide that educational sanctions are necessary. In practice, we already employ this policy, but we wanted to codify it because there are perceived barriers out there.

Sen. Smudde: What are the criteria for granting medical amnesty and Good Samaritan?

Sen. Owens: The student in question is asked to contact emergency officials, to remain with the individual and to meet with appropriate university officials. When they meet with the appropriate university officials, it will

then be determined if they have met the qualifications. On the procedures document, it outlines the considerations for protection.

Sen. Smudde: Those don't seem to be criteria as much as they are just process steps.

Sen. Owens: If the student wants to request medical amnesty, they must do it at the Office of Community Rights and Responsibilities. The case manager will decide if they are eligible for medical amnesty and they will be held against these five standards.

Sen. Smudde: So there is actually a bureaucratic paperwork that is not the stated here?

Prof. Olshak: There was a conversation about making sure we separated the process from the policy. The process students are engaged in is that they would come to an intake with us in Community Rights and Responsibilities, as would any student engaged in a disciplinary process. It's important to note that only four sanctions are being taken off by virtue of this policy. That includes censure, disciplinary probation, deferred suspension or suspension or dismissal. We wanted to take away the leverage sanctions that might discourage reporting.

Sen. Dawson: Is it just for alcohol or any under the influence?

Sen. Owens: With this policy, since it is a new policy, we would move forward with the only substance being alcohol with the understanding that we may revisit a conversation of including other substances.

Prof. Olshak: The most commonly covered thing is alcohol in Good Samaritan policies. Very few schools in the benchmarking that we have done extend this to the illicit drugs. There is still a great deal of debate raging and we really felt that this was not the step to take at this time until we could get more clarity. In terms of prescription medication, there will always be the question of is it your medication, or were you taking it as advised. We retain the ability to pass a judgment of whether or not they're use of prescriptions was appropriate.

Sen. Woith: Who is covered under this policy? Amnesty is granted to students who call when somebody is not capable of calling for themselves?

Sen. Owens: Medical amnesty is for those receiving medical attention. Good Samaritan is for those who call on behalf of others.

Sen. Woith: Does it cover you seeking assistance for yourself?

Sen. Owens: We can clear that language up when it becomes an Action Item in two weeks.

Sen. Stewart: I think he chose alcohol because it is the drug of choice here and you're going to see many more cases of alcohol abuse than anything else.

Sen. Holland: Our alcohol use has gotten a little better. 49% of students had blackouts from drinking in the last year; previously, it was 51%.

Sen. Crowley: I suggest you revisit possession. That is unclear to me. Possession of what?

Sen. Horst: The policy talks about an emergency situation. It says including but not limited to alcohol poisoning. If a student is in an emergency medical situation, no matter what they took, I would hope that somebody could help them.

Sen. Owens: What that is meant to mean, if I stumble and break my leg, that isn't sexual assault or alcohol poisoning, but I would still need medical attention and I might not pursue medical attention because I have been drinking under age.

Sen. Rich: To the administration, are there compliance risks?

Sen. Owens: This did go through legal counsel.

Sen. Kalter: I wanted to ask the president and vice president about the defensibility of this policy. The student is not protected from legal action, but is protected against our sanctions. Can we defend such a policy publicly?

President Bowman: I think it's reasonable to assume that someone could criticize the policy and my defense would be that this is a fairly standard policy across higher ed. We are granted the autonomy that allows us to determine our own rules that govern our students' behavior. The positive aspects of the policy clearly outweigh the minor public criticism that might be associated with it.

VP Dietz: I echo President Bowman's comments. There really is no foolproof way of ensuring that we have no culpability on this at all. I am unaware, however, of any case law at other institutions that we looked at to bring this policy forward.

Prof. Olshak: The typical scenario that we're going to see is not the alcohol consumption, but related behavior after the consumption that would be drawing the fire of the community. That behavior is not protected under this policy.

Sen. Kalter: I don't see a distinction between the illegality of drinking and they use of an illicit drug.

Sen. Stewart: I have a comment about an earlier question about negative public feedback from not having sanctions. It's not that the university is going ignore the behavior. There is education and treatment for alcohol abuse. The behavior that happens after the alcohol abuse is when the law would still apply.

Sen. Owens: There are only four sanctions that will be waived. The student has to go through some sort of educational assessment or treatment. We want to educate the students on why that behavior was wrong and that is what the purpose of this policy is.

Sen. Holland: Rick, can you give us any figures on how often this occurs?

Prof. Olshak: I can count only one, potentially two, that are drug transports. 99.999% is what is going to be alcohol related.

Sen. Reifschneider: Sen. Owens, you said that this policy was codifying the current practice. Yet, you are removing the disciplinary sanctions.

Sen. Owens: We are already employing this policy and we are codifying what they already do so that there is an education component to the student body that the university is not going to apply any disciplinary sanctions because you did the right thing by seeking medical help.

Sen. Reifschneider: Why do not all cases of underage drinking apply?

Sen. Owens: That is not something that medical amnesty would apply to.

Sen. Holland: Also, if it is just a student drinking under age, that is a different ballpark than somebody seeking help.

Sen. Cedeño: If the whole objective of this policy is to protect life, I don't understand why you exclude other activities.

Sen. Owens: I agree; after the implementation of this policy, that is when we should revisit the discussion of other substances.

Sen. Crowley: Can we just say substances, including this and this?

Sen. Carnahan: Would you be willing to expand the language for the first draft?

Sen. Owens: I can have conversations with the people who practice in the field before it becomes an Action Item

Sen. Woith: Many cases involve joint substance abuse, such as alcohol and another drug that compounded the effects of alcohol. What about students who have been using more than one substance and they are afraid to call because of the other drug?

Sen. Owens: I would be interested in discussing this with the president and the vice president.

Sen. Simpson: It seems that alcohol is much more a communal activity than prescription drugs. Restricting it to alcohol recognizes that a person is intoxicated and potentially trying to care for a person who is more intoxicated. People usually don't get together to consume prescription drugs. Restricting this to alcohol seems very reasonable to me.

Sen. Manno: I think it's good to have data rather than picking apart some of the procedures that might not work for prescription drugs. It's already been said that alcohol abuse is the biggest problem. We need a foundation before we start building a house.

Sen. Owens: In the interest of time, Information Items are only for questions. I am not willing to commit to a change unless I have administrative support, since we are an advisory body only. I will have those conversations and in two weeks, we will know the outcome.

Sen. Ford: Could not," but not limited to", be used to cover other incidences?

Sen. Owens: Other incidences involving alcohol, yes.

Sen. Holland: As it is written right now, it's purely alcohol.

President Bowman: In Executive Committee, we had this very discussion of the wisdom of having a policy that says any student who is impaired, not specifying the type of impairment. On the surface, that seems like a logical direction to follow. How would everyone feel if the student had mainlined heroin? Would you want to grant that student amnesty?

Several senators said yes.

Sen. Holland: I think we'll have some interesting discussions in the next week or two. I think we have covered about as much as we can on this.

Adjournment

Motion XXXXIII-37: By Sen. Cedeño, seconded by Sen. Stewart, to adjourn. The motion was unanimously approved.