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Academic Senate Minutes

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Spring 3-28-2012

### Senate Meeting, March 28, 2012

Academic Senate  
*Illinois State University*

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**Academic Senate Minutes**  
**Wednesday, March 28, 2012**  
**(Approved)**

***Call to Order***

Senate Chairperson Dan Holland called the meeting order.

***Roll Call***

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

***Approval of Minutes of March 7, 2012***

**Motion XXXXIII-55:** By Senator Stewart, seconded by Sen. Cedeño, to approve the Academic Senate Minutes of March 7, 2012. The minutes were unanimously approved.

***Chairperson's Remarks – No Remarks***

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

**Senator Owens:** We have our Passing the Gavel Ceremony coming up. It is a time for SGA to celebrate its year's accomplishments. We also will swear in the new administration. You are all invited. It will be on April 15<sup>th</sup> at 4:00 p.m. in the Old Main Room. One of the things that we passed at our last senate meeting is the establishment of a food pantry. We have been getting a lot of concerns from students about some of their daily struggles and we have looked at other comparative universities about the programs they offer. Students can get any hunger assistance. If any of you have non-perishable goods, we will be accepting those until the end of the year. We have a space in the SGA office allocated for the food pantry.

***Administrators' Remarks***

• ***President Al Bowman***

**President Bowman:** Just before spring break, we had an appropriations hearing in Springfield on the House side. We got lots of compliments for various institutional metrics that are in very good shape. We are not hearing any projections for major cuts. Our biggest concern is the continued shift in obligations from the state to public universities. I was invited to a White House meeting last week with a group of university presidents to talk about tuition. We met with some of President Obama's staff and tried to drive home that if the administration is contemplating penalties for institutions that raise tuition beyond some arbitrary amount, you are ignoring the fact that tuition rates are largely driven by state appropriation. We had a good exchange and I felt like we were heard. Today in the College of Business we installed a new endowed professor. Steve Taylor is the Hinderliter endowed professor in Business. This is the College of Business Week. The week is organized by students and I want to complement the students who put together the program. Finally, I would like to complement Provost Everts and the admissions and enrollment management staff for continuing to build a very strong 2012 freshman class.

**Sen. Gizzi:** The Pantagraph had a story about Brady and the tuition waiver bill. Do you know where that's going?

**President Bowman:** It doesn't help us that there is support throughout the legislative for tuition waivers. Then it becomes more difficult to do what we are doing. During our appropriations, we had a lengthy discussion about usage and who pays. I got the sense that the reps in the room were surprised that the usage numbers were fairly low. I think it's 84 students for our campus. It was not exorbitant. We did express support for some kind of need testing. It's really hard to predict where that's going to go.

**Sen. Ford:** If the state does do away with the program, would Illinois State be able to offer that to employees on its own?

**President Bowman:** If we were legally allowed to do it, I would do it in a heartbeat. If they do away with the program, I don't know if we would have the ability to mount our own program.

- ***Provost Sheri Everts***

**Provost Everts:** The College of Education Dean finalists are on campus this week and next. The search committee, chaired by Panel of 10 member, Kathleen McKinney, has invited four candidates to campus. Their CVs and open forum schedules are on the Provost's website. Each open forum is at 10:00 a.m. on the second day of the candidate. I want to thank you in advance for your time, expertise and feedback that I know you will provide. The second candidate completed his visit today; the third will begin his interview tomorrow; and the fourth candidate, next week. The search for the Associate Provost is chaired by Panel of 10 member, Sharon Naylor. The committee is currently gathering applications and will begin review of applications in April. Finally, I will remind you that the Academic Affairs Budget and Programming presentations are next week, Tuesday and Wednesday. The schedule is on the Provost's website. There will be dean presentations as well as an overview from VP Layzell.

**Sen. Kalter:** Things are bubbling up about the teacher performance assessment legislative initiative. This is an initiative that is going to be a company which receives videos and money from our students who want to be teachers. They will be deciding whether the people who were going through our program as student teachers can become teachers. If one of our students does not pass their muster, we are going to be required to take them out our teaching track program. That seems to be a threat to our academic freedom. Apparently, it is targeted for 2015.

**Provost Everts:** We did try to direct how it was identified and determined. For example, we are trying to stipulate for licensure rather than program completion. We were unsuccessful in that attempt. It is still uncertain what would happen if a student does not pass this assessment. There are some good things in the assessment, which is why so many teacher education faculty are enamored with the assessment process. It is educative, so you can pull what is learned in the assessment and then and alter curriculum.

**Sen. Kalter:** Is it your sense that the corporate world is the best place to judge how you make a good teacher?

**Provost Everts:** It is my understanding that that is not necessarily the case. Actually, it is teacher educators or professors that would be assessing. They are contracting with Pearson, who is working with Stanford on this. It is assessing student learning, engaging students in learning, and planning and analyzing teacher effectiveness. It is modeled very much on the National Board Certification process, which is also teachers evaluating other teachers and their portfolios.

- ***Vice President of Student Affairs Larry Dietz***

**VP Dietz:** At the end of last week, we had two students who passed away. I attended the visitation of one of those students earlier this week and I continue to be impressed with the sensitivity of faculty and the response time of staff, who helped out with both of those unfortunate circumstances.

- ***Vice President of Finance and Planning Dan Layzell***

**VP Layzell:** We are continuing to monitor the pension reform deliberations that have been going on. There have been no specific actions yet. There are a number of task forces looking at what might be done. We do anticipate that there will be some sort of proposal brought forward, which would start shifting some of employer costs to universities as well as school districts. The benefits choice will begin May 1 and go through May 31. I would encourage you to go to the HR website regularly as we will be putting updates out there. Because they

are continuing to add specific health plan carriers, there will likely be a special enrollment period beyond May 31st. We will continue to keep the campus updated. The Central Management Services will be doing benefits education seminars across the state. We will be hosting one in the morning and one in the evening. That has not yet been scheduled.

***Committee Reports:***

***Academic Affairs Committee***

**Senator Stewart:** The Academic Affairs Committee met and talked a little bit about the Reading Week Proposal that we are bringing as an Information Item tonight. We talked briefly about scheduling issues that make it very difficult to put out the exam schedule at the beginning of the semester. It has to do with Monday/Wednesday and Tuesday/Thursday classes rather than Tuesday/Thursday and Monday/Wednesday/Friday classes. We don't know if we are going to be involved with that are not.

**Sen. Holland:** I think the nonstandard class scheduling will be an issue for the Academic Affairs Committee to contemplate next fall.

***Administrative Affairs and Budget Committee***

**Senator Cedeño:** We finished up a closed session on the presidential commentary. We are going to pass that to the Executive Committee.

***Faculty Affairs Committee***

**Senator Kalter:** We had a meeting with Karen McLaughlin, Shane McCreery, Sam Catanzaro and Darrell Kruger regarding non-tenure-track hiring, AP hiring and compliance with the EEOC regulations regarding that and how to more proactively prevent word-of-mouth hiring in both of those areas.

**Sen. Owens:** Do we know the status of the Best Practices document excluding students from search committees?

**Sen. Kalter:** We do not, unless the Provost has an update for us. Can we have one in two weeks?

**Provost Everts:** I will find out where it is.

***Planning and Finance Committee***

**Senator Rich:** We discussed and approved our Institutional Priorities Report. That will be in front of the Executive Committee next week. The full Senate should be able to discuss that at the next meeting.

***Rules Committee***

**Senator Fazel:** Tonight we discussed the Alcohol Policy at Cardinal Court. Also, during the week, by e-mail, we discussed an amendment to the Smoking Policy, which is on the agenda tonight as an Action Item.

***Action Items:***

***02.06.12.02 Export Control Policy (Faculty Affairs Committee)***

**Sen. Kalter:** This is a policy that deals with export control laws that have been on the United States books since just after World War II and have received more attention since 9/11. The main questions that were brought up about this policy were three. One, when do you write a policy simply because a law exists? I think this one meets the threshold that we need to inform our faculty and students about. The second one was making sure the policy was written in a way that did not encourage discrimination based on nation of origin. The third one was how this might in the future affect academic freedom.

**Motion XXXXIII-56:** Sen. Kalter moved to approve the policy. The Export Control Policy was unanimously approved.

**02.29.12.01** *Smoking Policy (Rules Committee and SGA)*

**03.27.12.01** *Smoking Policy Amendment (Sent to the Senate by Email) (Rules Committee and SGA)*

**Sen. Fazel:** This is the same document that we presented last time except for an amendment that I asked Cynthia to send to everyone. The reason we developed that amendment was to make sure that we have a mechanism for the implementation of this policy. In a meeting with the Executive Director of Facilities Management, Chuck Scott, we talked about how we could do this. We could have a team representing constituencies on campus. There would be a faculty, student, civil service, AP, Human Resources, and Health Promotion and Wellness. This is a proposal that Student Government brought forward originally. It is about banning smoking in some outdoor areas. The other thing that we have added is the policy review cycle. That team will report back to the Senate in two years. It is going to be next spring when we start to implement this, so one year after the implementation of the policy we would like to hear about how it is going.

**Motion XXXXIII-57:** Sen. Fazel moved to accept the Smoking Policy.

**Friendly Amendment:** Sen. Dawson: I would like to make a motion that the amendment be modified to include a representative from the NTT faculty.

**Sen. Fazel:** The reason that that was not included was because NTTs are also faculty, but I have no problem accepting that amendment.

**Sen. Horst:** Would the non-tenure-track member be from the Senate? Do you have an election?

**Sen. Fazel:** It could be the one NTT that is on the Senate, but I am not sure if they would be willing. We really didn't think about the mechanism for selecting that person.

**Sen. Dawson:** We do have a way of electing NTTs to serve on some of the search committees. As the NTT rep on the Senate, I send out an e-mail to all NTTs. If there is more than one, then we do an election. It should not be the NTT rep on the Senate to give more opportunity for NTTs to participate.

**Sen. Fazel:** Could we modify your amendment to NTT faculty elected by the NTTs?

**Sen. Dawson:** I would be okay with that.

**Sen. Cedeño:** On the policy review cycle, just a Friendly Amendment, include a date. Do you think that it would be beneficial instead of saying two years?

**Sen. Fazel:** We were thinking in the spring of 2014. That's why I said in two years.

**Sen. Cedeño:** A specific month or by the end of April 2014?

**Sen. Fazel:** Let me think about it.

**Sen. Solberg:** I have concerns about the policy. Smokers have to go outside and then 15 feet and then problems with that. It's a legal product and you almost feel bad talking in favor of anybody smoking because of health concerns. My belief is that if somebody is walking from the library to my building, the State Farm Hall of Business, and wants to have a cigarette, they should be able to do that. I think that's minimally intrusive to other people. I am on the quad quite a bit and I rarely notice people smoking. With what little freedom they have, I would not be in favor of this.

**Sen. Horst:** I think this policy is a logical extension of the Illinois law. You cannot smoke in a gathering area. That includes the library plaza, the In Exchange area that has seating and the quad. I also respect the student body for doing the survey. They put this forward.

**Sen. Weeks:** I also respect the motives behind this proposal. I think that what we are actually going to do is drive people away from one area. I am also worried that there is a bit of a contrast between the spirit in which we approached the Good Samaritan Policy. I worry about people in the wintertime having to go a long way and ending up getting a bad cold. They are going to smoke anyway. There is a lack of tolerance. I have walked past the smokers and I have never been bothered by it. I feel like we are being a little bit hard on them.

**Sen. Owens:** Students voted on a referendum and it passed overwhelmingly by almost 70% of students favoring a measure similar to this. As far the comment about the Good Samaritan Policy, I think that is a non sequitur. Those policies are promoting the health and well-being of the campus community.

**Sen. Fazel:** We did consider smokers and we were very careful to make sure that all those people who work in those buildings; there is at least one side of the building. We would like to accommodate smokers, but at the same time we would like to keep some areas free of smoking.

**Sen. Dawson:** I think that doing this sends the message that we do value the health of our entire community and recognizing that in those assembly areas, we can limit this.

**Sen. Solberg:** The reason we have the 15 feet rule was for those health concerns and the bar keeps moving up. It's going to be at those designated smoking areas, then 'I don't want it to be there either'. I appreciate that 70% of the students are in favor of this proposed policy, but I can imagine a lot of things that students might be in favor of. Part of what you do is protect the people who are not in the majority.

**Sen. Cox:** I appreciate the clear-cut boundaries that would be drawn. If we are going to focus on the impact of non-smokers, I think the broader designated area is an excellent idea. Do we have any information on policies from our benchmark schools?

**Sen. Fazel:** Student Government had looked at some. The one that we actually looked at the website was a totally non-smoking campus. We thought we are not there yet. We don't know whether we would be there or when we would be there. May I answer the question from Sen. Cedeño? I think I would rather not put a month in it because even if it doesn't happen next spring, it would happen the following fall. I would rather have some flexibility.

The Smoking Policy was approved by the majority of the Senate.

**02.06.12.01 Institutional Artifacts Portfolio – Request to Suspend (Academic Affairs Committee)**

**Sen. Stewart:** This was a report from the Council on General Education. They are awaiting a report on the revised General Education Program. They want it to come into effect before Institutional Artifact Portfolios are collected. They asked to suspend collecting the artifacts just this spring.

**Motion XXXXIII-58:** Sen. Stewart moved to accept the changes from the Council on General Education. The motion was approved unanimously.

**Information Items:**

**02.24.12.01 Dean Responsibilities Policy (Administrative Affairs Committee)**

**02.24.12.02 Chairperson Responsibilities Policy (Administrative Affairs Committee)**

**Sen. Cedeño:** These are two policies that are very similar, so I think we can consider both at the same time. The policy was charged to the committee for revision. We inherited this from the previous committee. In the two policies on page 3, there was a committee approved amendment to part C, leaves and sabbaticals. It should read during the course of the first five years, so the three-year suggested changes shouldn't go in those policies. The policy that we approved two weeks ago, which was on the evaluation of chairs, and somehow we missed making corrections to this one to be in agreement with what was approved two weeks ago.

The policies have gone through a lot of debate. The main issues were on the compensation, the Nature of the Appointment, part B. The first proposal of compensation was highly debated by the chairs and directors about what was perceived as an unfair policy. Our committee was in charge of tracking back what the unfairness was. We had meetings with chairs, directors and deans to try to come to their terms on the proposals. The committee also looked at benchmark institutions. In terms of compensation, there are different models. Some of them are as drastic as imposing tables with figures, even based on how large a unit is. The compensation is a personal issue between the hiring authority and the person that is being hired. Our policies are something in between the two models. There is some freedom on negotiations of the initial salary and what happens when someone returns to the faculty.

After a lot of debate, we went to two options that the committee discussed at length. The committee voted on pretty much keeping the policy as is. There was a majority vote, but it was not a unanimous one. We recommend that the future committee take a much more careful look at this policy and get more data.

**Sen. Horst:** You are suggesting that terms be crossed out and the word five-year be crossed out and that is it because the leaves and sabbaticals are the original. Is that correct?

**Sen. Cedeño:** Essentially, we don't have terms of appointment. Every person that is appointed is actually appointed for one year. It is understood in a renewable sense. So when one is appointed to be an administrator from a faculty member, it will go from nine months to 12 months. We don't have a fixed three-year or five-year term. We do have comprehensive five-year evaluations, but that does not translate into someone limited to serve five years.

**Sen. Fazel:** We talked about this on the Executive Committee. For both documents, page 3, item C, that you just mentioned, during the course of the first five years as dean. Then the next sentence that completion of "each" five years. The first five years, they will not, but after that if they follow rules and regulations for sabbaticals, it would be every seven years.

**Sen. Cedeño:** Thank you for reminding me of that. There should not be an "each" there.

**Sen. Smudde:** On page 2 of the deans' document, it says up on the return of the chairperson/director to a full-time faculty assignment, that whole section looks like it needs to be adjusted to refer to deans not chairpersons.

**Sen. Cedeño:** Thank you for catching that.

**Sen. Kalter:** I have a statement that I want to read because I feel very passionate about this. I am very happy to hear that we are going to continue to study it. I don't think it is a good policy for ISU, because it is not a moral policy. It doesn't contain any accountability for performance or pay equity for the person who is moving out of the administration and back into the faculty. They are not still doing that job. I could not find a policy that guarantees to chairs and deans that if they stay in that job for five years or more, they are going to continue to enjoy the same monthly salary and that is usually an elevated monthly salary for what they were doing when they had those very difficult jobs. I don't think that we should assume that because you have been in that job for five years, that that is the equivalence of excellence and adequacy. I don't think any person should be paid at a higher salary for a job that they are no longer performing.

I propose that we move to a system that separates the base salary and merit increases for teaching, service, research and administrative excellence from the page that we attach for performing in the office during a particular period of time. Currently we have a system that makes no budgetary sense and that continues to pay some people high elevated salaries compared to other comparable peers in the department. The one size fits all does not fit all is demonstrated by the fact that if you look at the 2008 figures, a chairperson returning to the faculty from the administration after five years could have made anywhere from than \$22,000 more per year than their peers to \$43,000 less. Those figures exclude peers who have also worked in the administration, in other words, that they are already getting those elevated salaries or have been named Distinguished Professors on account of their research and teaching.

In some departments, faculty only make three-quarters of what former chairs and deans make. When I looked at those figures, 17 of the 33 chairs would have been making at least \$5000 per year more than their peers and 21 were making at least \$2000 more than their peers. So what we would be asking by keeping this policy is for taxpayers, students and parents to pay thousands of dollars extra per year to individuals who are no longer doing the jobs that those monthly salaries were attached to and asking their fellow faculty in the department to tolerate that pay inequity, sometimes in the face of an ex-administrator who was less than distinguished.

I have heard that this policy is working. I beg to differ. Though I think that some few individuals, and even some departments may benefit from it, I would like to know what the definition of "it's working" is and much of that definition trumps pay equity for faculty and fairness to those who pay tuition and fund our state support.

**Sen. Cedeño:** That's a tough question to answer. That is why I think in the future, when this policy comes back for review, data is very important. I am aware of the data that you are talking about. We have to gather data about what the sense of the community is. What is working; what is not working. The constituents should have a say in that definition of what is working. The perception is that Illinois State University's units seem to work and there are a few exceptions to that. It is really hard to answer the question without enough data.

**Sen. Rich:** This is on the compensation issue about returning to faculty. Part one of that prior to the five years brings all of the right things into consideration. It allows for equity consideration if you read that carefully. Part two, however, which Sen. Kalter is most concerned about, I share her concern. The package that a former chair or former dean has may be very individualized. How much of that is in base pay versus administrative increment? My question is for Provost Everts. Is my sense of this variation and some of the sources of that are consistent with your observations?

**Provost Everts:** Yes.

**President Bowman:** I am really uncomfortable in writing policy that attempts to substitute for good judgment on the part of the manager. I understand the economic arguments. Let's say you had a department chair who served admirably for 10 years and that person goes from a twelve-month salary to a nine-month salary and loses a number of the administrative perks associated with being a chair. It is not the kind of thing that happened so often that the institution is disadvantaged financially. I worry a little bit about what it does to our ability to recruit external chairs. We say to that person in five or 10 years, we cut your legs out from under you. I don't think that is your intention. I think your intention is to be a good steward of the dollars, but there is a dark side to it that is not very palatable.

**Sen. Cox:** I was disappointed to find myself in the minority on the Administrative Affairs Committee when the vote came down to leave the policy basically as it is. I am very glad that the topic will come around again in the next session. I would like to say while the dollar impact on the university may be minimal, there is the issue of morale, the issue of justice and the issue of incentive that needs to be addressed rather than just the budgetary concerns. I know that options were proposed to the committee, including most generic references to



negotiations between the dean and the chair at the time. It is not a one size fits all. We have a number of options available to reconsider when this comes on the agenda again.

**President Bowman:** I'm trying to put my own personal self into this policy and see how it feels. I served as a department chair for eight years and I had a pretty good run. My raises were on balance better than the typical raise of what an average performer would get. After eight years of good service, if I decide to go back to the faculty, I don't feel very good about having my pay cut because my rate of pay was associated with an administrative appointment and now I am shifting to a faculty appointment. That seems unfair to me.

**Sen. Cedeño:** The data I collected was based on public data on the Internet. Our salaries are visible now on the Internet for 2008. I think we have done pretty well in terms of hiring administrators and compensating them. If they come back to faculty in five years or more, in my opinion, they are being fairly treated because their salaries are still above the median salary of a full professor. The data did not include Distinguished Professors. They are fairly compensated in that sense.

**Sen. Kalter:** As President Bowman said, you don't want to have a policy that substitutes good judgment. I do believe that our current policy is substituting good judgment on the part of the people who we hire as chairs or deans, etc. As I said in my statement, there are many other universities which do recruit successfully. So while I understand that the worry we might have that our external recruiting may suffer from this, I think that the point is to design a wise policy where it will not suffer, but a different policy than what we have. The one we have meets your criteria of it's bad to have a policy that substitutes for good judgment. I don't think that that would cut the legs out from under our ability to recruit. There are models that will address those issues of how you transition somebody from giving merit increases based on their administrative pay. The data just doesn't support the idea that when the chair is stepping down they are somehow getting further and further behind the faculty in their research. It is actually supporting that they are elevated above. We need a policy that doesn't just give a blanket that says you have been here a certain period of time, now you get whatever you were at.

**Sen. Rich:** In response to President Bowman comments, I know the issue of equity within departments and the outside point of view of golden parachute arrangements. My concern is more the treatment of folks who served with distinction who are faculty here and move into positions such as yourself and how a policy, as stated, can lead to some real inequitable treatment. I think that the protection that someone has who has moved into administration and has been there for a long term are getting the negative feedback that you suggested would lie in the market level salaries for faculty in the discipline. That may not be sufficient in every discipline and so I would like to see the right combination of things in a negotiated solution. A negotiated solution applies no matter how long somebody has been in administration.

**Sen. Weeks:** I think that for many of us who have been here for some time, we actually have two different situations in mind. One situation is of a chair who put her research on the back burner and is perhaps down in her career would then really should be able to carry that salary on because having performed good service, this should be very much part of the ongoing record. A different situation is where someone is hired at a very high level and spectacularly bombs at that level and then maintains that salary. Perhaps we should try to separate them.

**Sen. Rich:** My question is for President Bowman. I think that longevity as an administrator could be one of the considerations included without making it exclusive of all else. Would that be true?

**President Bowman:** I would agree with that. I also agree with the notion that the administrator who comes in at a very high salary who fails, I would want that administrator above them to have lots of flexibility to shrink that salary back to where it should be as they go back to their faculty appointment. But for those people who served admirably for whatever number of years we think is appropriate, I think it is a reward for doing good work to be able to keep at least the nine-month higher salary.

**Sen. Horst:** We, as the Senate, could pass a motion to send it back to the committee. Otherwise, we are not discussing what is in front of us.

**Sen. Holland:** That is correct. As of right now, the proposal is basically in a cycle with the Administrator Evaluation Policy. The compensation and the evaluation policy would be on the same schedule now, which I think is a very good thing because they are very tightly related.

**Sen. Ellerton:** Transparency is important and the opportunity for negotiation at all levels including the flexibilities that Dr. Bowman was referring to in terms of under-performing. There is a capacity to review that very carefully. Are those aspects being carefully considered by the committee?

**Sen. Cedeño:** They have been considered. The committee has looked at many aspects and many different proposals to essentially try to protect what you were talking about. We considered the option of having a very transparent model, having a base salary plus premium. The other that is not so transparent is the negotiation at the personnel level. We have in my opinion something that has worked out by trusting the judgment of administrators. Over time, it may have become an administrative problem in terms of what the numbers are showing currently.

*12.07.11.01 CAS Bylaws Revisions (Rules Committee)*

*03.22.12.02 CAS Bylaws Without Revisions (Rules Committee)*

*03.27.12.02 CAS Bylaws With Revisions (Sent to the Senate by Email) (Rules Committee)*

**Sen. Fazel:** There were only two relatively minor changes to the document. The Rules Committee approved the changes, but at the same time in the Executive Committee, concerns were expressed and that is why we invited members of the Council to answer those questions.

**Sen. Kalter:** I want to thank you for coming. This may be less of an issue than we thought on the Executive Committee because we did not have a full copy of the CAS bylaws. When I looked at it, it was not the bylaws for the entire college, but the bylaws for the Council. We talked on the Executive Committee about the potentially sweeping nature that we were giving to a dean. We were thinking that it might go as far as CFSC, but that is not the case. It appears that the changes to these appendices would change the way that people were appointed after an absence. It would only apply to the College Curriculum Committee, other research committees, the awards committee and things like that.

**Prof. Lind:** That is a correct interpretation and it is not just for vacancies on those committees. All of those committees are either appointed or elected by the College Council. The temporary appointments that the dean would be allowed to make which come into play only in the summer session when College Council is not in session. The dean would be allowed to make the temporary appointment that could be either ratified by the Council at their first meeting in the fall or the Council could propose its own nominations to replace the dean's temporary appointees.

\_\_\_\_\_ : In the revision, the dean cannot declare the vacancy. It has to be the subcommittee that declares the vacancy; it then goes to the College Council Chairperson that conveys that to the dean.

**Sen. Kalter:** One of the things that we discussed by e-mail was the idea that one possible revision to it would be to add the Chair of the Council so that the dean is not making that decision in the absence of faculty consultation. I wondered whether this change arose as a kind of a unusual situation. My understanding was that last spring, Dean Payne did not convene the Council and so no one got appointed to the research committee, so they needed to appoint that over the summer. I'm wondering if it is wise to change policy just because of something that happened once. The one committee I was worried about was the College Curriculum

Committee. There might be danger in having a dean have that much power. It is mitigated by the fact that it can't happen unless the committee declares a vacancy.

**Prof. Lind:** It was not Dean Payne not calling the meeting. It was a lack of a quorum last spring. Unfortunately, it has also been a problem historically in the last couple of meetings in the spring semester of not having enough nominations for the various committees. Asking all department chairs to submit eligible individuals and failing at that level. Then having to turn to deans and chairs to twist some arms for people to serve on the committee. So it is really a lack of willingness on the part of the faculty. As for the College Curriculum Committee, it is only an appointment that can be made during the summer when Council is not in session and at the first meeting of the fall, Council does have the right to either ratify or reject the appointments of the dean. Those dean appointments would be very clearly stated as temporary appointments only.

**Sen. Fazel:** Sen. Kalter suggested that the Chair of the Council would do this instead of the dean. If the Council is not in session, do you have a chairperson during the summer?

**Prof. Lind:** Theoretically, there is an individual who serves as chair of the Council, but it is really dependent on the will of the faculty. Some Council chairs would say if they're not on contract, they have no obligation to serve in any role. Others would be willing to do so.

**Sen. Fazel:** The term of the Council is for one year?

**Prof. Lind:** It is for one year.

**Sen. Fazel:** Is this going to go back to the Council or what is the next step for us?

**Sen. Holland:** Are you going to look at any of these potential changes?

**Prof. Lind:** We will be meeting on April 25 and I am certainly willing to entertain Sen. Kalter's recommendation of asking the chair to do it in consultation with the dean, but again that will be dependent on the individual chair whether or not they are willing, which may be requiring an exemption every year. So I don't know if you want to withdraw your recommendation.

**Sen. Kalter:** That was a recommendation that I got from you. My feeling is that I wouldn't object to having this go through as an Action Item in two weeks and to continue to discuss it in the Council.

**Prof. Lind:** I am willing to bring that back to Council as well as a request from Sen. Owens.

**Sen. Kalter:** And if you could also discuss the concern I had about the College Curriculum Committee.

**Sen. Fazel:** Is this going to come back in two weeks as an Action Item?

**Prof. Lind:** It sounds like they are willing to allow it to come back for a vote in two weeks and we will continue to have the discussions about changes for next year.

**03.15.12.01** *Tenure Policy-Revised (Faculty Affairs Committee)*

**03.15.12.02** *Suggested AAUP Policy Language (Reference Document)*

**03.15.12.03** *IBHE Report of 12/10/10 (Reference Document)*

**Sen. Kalter:** You have three documents in front of you. The last one is the IBHE report from 12/10/10. Lane Crothers brought this to the Senate two years ago because of the case regarding public employees. Universities around the country have been advised to shore up on academic freedom and on tenure making sure that people

in faculty roles are protected from retaliation when they participate in shared governance and when they make public statements that might be critical of their employers.

This was on our docket in October, but the Provost requested that it be removed so that it could be reviewed by legal counsel. At the last Senate meeting, our committee met with the University Counsel and discussed the issue. Her concern was that she thought it was possible that the language that we had would open us up to frivolous lawsuits on the part of faculty who might be claiming things that are outrageous. We discussed those concerns with her, but in the end it appears that the committee still favored the language we are inserting.

In paragraph one, we want to speak or write on matters of public concern as well as matters related to professional duties, the functioning of the University and the University positions and policies. That is consistent with what we have in the ISU Constitution. There was one friendly amendment in Executive Committee.

**Sen. Fazel:** At the end of the first paragraph, it says write on matters of public concern and matters related to professional duties... I said to add subject to the academic and ethical standards of the University.

**Sen. Kalter:** Part of my response to that was that I think it is entailed in the next paragraph, but I personally don't have an objection to that as a friendly amendment, but I also wanted to check in with my committee. The other item that you've got in your packets showed some of the options that the American Association of University Professors and what Sen. Fazel is suggesting is in one of those.

#### ***03.22.12.01 Reading Week/Final Exam Policy-Revised (Academic Affairs Committee)***

**Sen. Stewart:** This came to us from the students and it is an attempt to make people aware that the week before final exam should be kept to a minimum in terms of the attention that is required of students for examinations and large projects. We have placed it in the Final Examinations Policy, which states that final examinations should be given in exam week. What the students are requesting, and this also comes from other universities, is to have a quiet week that allows students to study and prepare for their exams. They are proposing that tests in the amount of more than 10% of the total points for the course should not be given during Reading Week. Any major projects that are due should be assigned by the eight week. These are semester long projects. It kind of falls under ethical treatment of students. It is not meant to take away academic freedom from faculty members, but asking that they treat students in a very humane way and not overburden them and so that they can get due diligence for studying for those exams.

**Sen. Farrell:** On the back page under the exemptions to the rule include, it says one credit courses. Can you elaborate on what that means?

**Sen. Owens:** There are a lot of one credit courses.

**Sen. Farrell:** They are for one hour?

**Sen. Owens:** Yes. During the Action Item phase, an amendment will be made to include labs as well because labs do not meet during finals week.

**Sen. Fazel:** Would you take as a friendly amendment to add to the Reading Week that before you talk about the tests that amount to more than 10%, "classes will be held during this week"?

**Sen. Stewart:** It would be nice if classes were suspended during Reading Week, but Illinois law says we have to meet for so many contact hours.

**Sen. Fazel:** But for a lot of people who don't know the law, it clarifies that. Several of my colleagues who saw this said we strongly object to this because we already don't have enough time to cover material.

**Sen. Owens:** We can work it out in the Action Item phase.

**Sen. Horst:** In the policy, it says examinations shall not be given the week prior to exam week without the approval of the chair. I have heard from faculty who say that they do give tests in that week prior. They do seek department chair approval. I'm wondering if they would still be able to do this.

**Sen. Stewart:** This is part of the policy that already exists. What we're looking at is the Reading Week. We are putting Reading Week into to the Final Exam Policy.

**Sen. Horst:** So they would be able to give the last exam during Reading Week?

**Sen. Stewart:** They would have to go to the department chair for an exemption. It should be a special case.

**Sen. Horst:** I have heard several faculty say that they set up their course pedagogically to have their tests at the end of the course and they are concerned that they are going to have to rework their courses.

**Sen. Stewart:** If the test is not worth more than 10%, then they are fine. Vetting it to the faculty is the reason we have it as an Information Item so that all of us can go back to our constituents with what is going on in the Senate.

**Sen. Holland:** Those of you who are faculty liaisons to various groups, this is a good thing to send out.

**Sen. LaCasse:** In the School of Theatre, we have dance performances during the last week of class. I'm not seeing anything here that negates that.

**Sen. Stewart:** We were thinking particularly about labs and performance areas. That's why assignments have to be given by the eighth week. You are working all semester long leading up to those performances and hence, it's perfectly legitimate.

\_\_\_\_\_ : In graphic design and other visual arts, many last projects could be assigned in the last four or three weeks instead of the eighth week.

**Sen. Stewart:** Are those projects worth more than 10% of the semester grade?

\_\_\_\_\_ : We'll have to see.

**Sen. Holland:** If they know that a project is coming, you could say that that has been assigned.

**Sen. Lugg:** Right now, we have our last week of classes and then we have finals. What the students want are finals week with no classes and the week ahead of it with nothing other than reading?

**Sen. Stewart:** It's not that there is nothing going on during the week before finals week. The week before finals week they want a kind of calm week that there are not tons of things that they are given at the last minute.

**Sen. Lugg:** So the week that they have for their finals is not enough time?

**Sen. Stewart:** No, because their finals start that Monday.

**Sen. Lugg:** So they don't have Saturday and Sunday? I thought that that was why we had finals week.

**Sen. Holland:** I think part of the problem is some faculty have taken that the final exam as just another test and you get to drop one. What it says is if you give a final exam, it has to be in finals week. You are not required to give the final exam is my understanding.

**Sen. Lugg:** You can't do that during Reading Week? You would have to do it during finals week?

**Sen. Holland:** Right, that's what they're shooting for.

**Sen. Richardson:** Foreign language classes start on the Saturday after the last week of classes starting at 8:00 a.m.

**Sen. Gizzi:** It strikes me as kind of a faux Reading Week, because we are still staying you can have up to 10% of your course grade the week before. I think the reality is students are saying in the week before finals they are having two or three finals.

**Sen. Holland:** That is what we're trying to avoid.

**Sen. Gizzi:** That's a real problem and troublesome. The idea of a reading week is great, except though it is not really a reading week, because we're saying you can have up to 10% or you could have this huge paper that is due as long as you know eight weeks before hand. If we are going to do it, then really do it.

**Sen. Kalter:** The reason I voted against the smoking policy is because we said three weeks ago that we are not really going to enforce it. We already have a policy that is supposed to prevent what Sen. Gizzi was talking about so students don't have to come to their professors and say I three have finals during 15th week and I don't have any finals during finals week. The problem is enforcement. We have nobody enforcing the current policy and I find it extremely objectionable to lay the burden of enforcement for the current policy on the students. We need some mechanism whether we pass this or not, whether we take it down to zero tests, we need to put our money where our mouth is. The registrar's office or chairs is going to have to enforce the policy that we have on the books.

**Sen. Palmer:** As long as it is on the syllabus, I think that is very different from being assigned a paper or project. If we see a three-word assignment on the syllabus, that doesn't tell us what we need to do. It needs to be assigned, not just on the syllabus.

**Sen. Stewart:** That's what it says in the policy.

**Sen. Palmer:** It's actually needs to be assigned, not just on the syllabus.

**Sen. Stewart:** It's more than being on the syllabus; it has to be assigned.

**Sen. Owens:** We did a lot of research. We surveyed the students to find out what was happening in the week before final exams week. What we saw was that students were having an extreme amount of tests in the week preceding final exams week. We benchmarked several different institutions that have policies that are similar to this. For the enforcement issue, I agree with Sen. Kalter that that power structure can be intimidating but that's why we let students go to the SGA office to forward the complaint. All we would do is forward that complaint for the department chair to take care of. In two weeks, we hope to accommodate everyone's concern.

**Sen. Horst:** When you did your research, did you find any peer institutions that have this policy?

**Sen. Owens:** We looked at the peer institutions identified by institutional research and many of them did have a policy, such as Indiana State and Oklahoma State and schools such as Georgia Tech, Iowa State, Louisiana State University even ASPER institutions and near ivy league institutions such as Northwestern. The reason we identified those schools is because they actually regulate the policy. They don't have reading days or reading weeks. They actually say a percentage or a total amount of percentage points is acceptable. A lot of those schools go even farther than the policy that is proposed. Since this is something new, we are proposing a small step forward and will revisit the issue if necessary if students have an issue during final exams week. According to our survey that 2000 students responded to, they said no tests would be the highest priority during that week.

**Sen. Cox:** In our department, faculty are required to submit syllabi at the beginning of the semester and the secretary reviews that and the chair has an opportunity to review that. I'm thinking that enforcement mechanisms are not that different. They can certainly request a change to be in compliance with policy.

**Sen. Weeks:** I don't see a big threat to faculty ability to structure their courses. The point of the policy is not to spring a paper at the end and not to set up a false final in the week before finals week. I would worry about our structures that might have valid reasons for doing things in a way that would conflict with that. That would be worth checking into, but otherwise I don't see a big threat here.

**Sen. Horst:** Students do have a skills test during the Reading Week. Why they do it at that point is because students don't have to study for that test.

**Sen. Crowley:** As long as students know that this is coming up, it would be acceptable?

**Sen. Owens:** In the policy we're saying no, but a skills test is more than 10%. That is something we will work out in the next two weeks.

**Sen. Bushell:** The first sentence says Reading Week is designed for undergraduate students to... The perception would be that there is an extra week without class. A clarification about that might be in order. The perception is we are inventing an extra week. Instead of Reading Week, make it just another bullet point which clarifies how to handle tests late in the semester.

#### ***Advisory Items:***

***11.15.11.01 Athletics Council Report (Faculty Affairs Committee)***

***02.15.12.01 Ombudsperson Report (Faculty Affairs Committee)***

***02.15.12.02 AFEGC Report (Faculty Affairs Committee)***

**Sen., Kalter:** The Faculty Affairs Committee is charged every year to receive four reports. One of them is from the Faculty Review Committee when there is a bad tenure and promotion case. We hope that we are not going receive a report from them. What you have in front of you are the Athletics Council's Reports, the Ombudsperson Report and the AFEGC Report. In the AFEGC Report, under number two, second sentence, it should read the inquiries came from all but one college and I think that that is the only clarification that was needed. We can if we want to invite any of the chairs of these committees to discuss any questions that we might have.

#### ***Communications***

**Sen. Stewart:** The University Galleries has a show called Connectivity. It is a group show by alums of the School of Art. The BFA shows are ongoing every week. There are three shows right now in the galleries.

**Sen. Dawson:** Since the last Academic Senate Meeting, I have had encounters with Representative Jesse Jackson, Jr. and a chance encounter with Gov. Quinn. When I said thank you for all you do, I immediately got feedback that ISU is so great and you've got one great president there.

*Adjournment*

**Motion XXXXIII-56:** By Sen. Cedeño, seconded by Sen. Farrell, to adjourn. The motion was unanimously approved.