

Spring 1-21-2015

## Senate Meeting, January 21, 2015

Academic Senate  
*Illinois State University*

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**Academic Senate Minutes**  
**Wednesday, January 21, 2015**  
**(Approved)**

***Call to Order***

Senate Chairperson Susan Kalter called the meeting to order.

***Roll Call***

Senate Secretary Ed Stewart called the roll and declared a quorum.

***Approval of Minutes of December 10, 2014***

**Motion XLV-125:** By Senator Powers, seconded by Senator Whittington, to approve the minutes. The motion, with the full content of the Senate Chair's remarks to be added to the minutes, was unanimously approved.

***Chairperson's Remarks***

**Senator Kalter:** Good evening and welcome back!...I'd like to start my remarks just by noting with sadness that—just as we started fall semester with current events that reminded us of the importance of academic freedom to a free society—we are starting spring semester with recent international events involving the murder of cartoonists, journalists, police officers and people simply shopping for groceries, that remind us of the central importance of freedom of speech and freedom of the press to human liberty. Getting my worst French accent on: La liberté d'expression est immortelle: liberty of expression is immortal, and no one should ever be murdered merely for expressing their views, however offensive to others.

I'd like to thank the President for the Holiday party that he and his wife hosted at their residence in December. As I remarked to him, I thought it was the start of a very nice, new tradition! and I think we all had a wonderful time. We also welcome him back from Panama this evening.

I would like to thank Jess Ray for sending to faculty through the chairpersons and directors an online training module on Cultural Competency in interacting with veterans who are students. This tutorial was sent out in October, but I didn't get a chance to take it until the end of the semester. I found it quite well-constructed.

Congratulations to the Solar Car team for their participation in the competition in Abu Dhabi. Apparently, they came in 13<sup>th</sup> out of 15, and more importantly, they finished!

I also wanted to thank Dean Jeff Wood and the College of Applied Science and Technology for welcoming me to sit in on their open college budget meeting on December 16<sup>th</sup> and 17<sup>th</sup>. I hope I am not the only faculty member with the time and the interest in learning more about and keeping apprised of our budgeting processes on several levels. It is worth remembering that the powers faculties hold at universities—their primary responsibilities to decide who may teach, what may be taught and how, and who may be admitted to study—are intimately connected to university budgeting processes and decision-making. Faculty have both a right and a responsibility to participate in these decision, and I would encourage you and the other members of your local faculties to set aside time to follow and understand departmental, college and university budgeting and financial planning, especially as we move into a new era of state government spending and retrenchment. The American Association of University Professors has some important statements related to this subject that I can forward to those who are interested. Also for those who are interested, the other colleges' open budget meetings are as follows: College of Arts and Sciences, Friday, February 6, from 8:30 to noon in Stevenson 401 (thank you to Greg Simpson for moving it from the last day before spring break to a month earlier!); College of Fine Arts, Wednesday, February 25 starting at 8 a.m. in CVA 118; Mennonite College of Nursing, Wednesday, March 4

starting at 1 p.m. in Edwards 306; Milner does not hold one; I believe that College of Business does not hold one; I have not yet received dates from the College of Education.

Finally, we have two policies coming to the floor tonight as information items, and I'll just give a few thoughts here. I am glad finally to see the Success Week proposal coming to the floor after several years and look forward to the discussion on that one. Thanks to Senator Joyce for taking that one off the table and moving it through the first part of our process.

I have slightly more mixed feelings about the proposed revisions to the one-sentence Policy on the Creation of Policy. This one is now being proposed as a 4 to 5 page policy, and Senators Fazel and Marx deserve a huge amount to credit for all their work on it last year, as does Senator Bushell, and the Rules Committee, for their thoughtfulness and patience this fall as they communicated with myself, Ms. James, and the main committee that will be impacted by the changes: the Executive Committee of the Senate.

On the one hand, I think it will likely help to safeguard the communication and shared governance that seemed to be put at risk last year for the first time in over a decade when the Senate office stopped receiving any policies for review from the President's office. It seems helpful to change the routing of requests for new or changed policies so that they must go through a shared governance body. I also met with Dr. Dietz and University Counsel Lisa Huson prior to Exec's scheduling of this agenda item, and have invited Ms. Huson to tonight's meeting to answer questions about the legalities of policy-making and so that we can all be clear about the basic legal environment. No use playing the game of telephone there! We should remember that not everything to be debated in the policy is about legalities, since the impetus to the changes was much more about communication between the upper administration and all other campus constituents regarding policy changes, and how the Senate office might be better able to act as a conduit of that communication for the campus.

On the other hand, I have included in your packets an Excel spreadsheet that should indicate the pressures that will be placed on the Senate and on non-Senate administrative units whether we place our policies on 5, 8 or 10 year cycles. We will want to consider carefully the practicalities of such expectations. Second, while I was concerned when Cynthia, Ms. James, was not receiving ANY policies for review, I also worry a bit about how this change might increase her workload and that of the Executive Committee. It has already done so this year as I attempted to anticipate the passage of this revision by starting in Fall semester to route policies for review that are past their 10-year due dates. Also, I have some discomfort with a paragraph revised late last spring giving the Executive Committee the ability to act as a first- and only-level review committee, even for a limited time. So thus far, I have only asked them to make judgments with respect to which policies fall into the "academic area broadly conceived" and which do not seem to, rather than deciding whether policies need updating.

Whether it is advisable to turn a one sentence policy into a highly detailed procedures description will come out in the debate later tonight and in the years to come. Dr. Dietz has wisely noted that if a one-sentence policy was sufficient for over a decade and then insufficient during one year, it is not just the policy, but the people, who safeguard our shared governance and communication at ISU, and our overall university culture.

I'll leave my comments at that for now. Does anybody have any questions?

### *Student Body President's Remarks*

**Senator Joyce:** I hope that everyone had an enjoyable holiday break. We had a very exciting start to the new semester with the Redbird Football Team making it to the FCS Championship. Although the game was a heart break, I think I can speak on behalf of the entire student body when I say it was an amazing experience to see the Redbird Football Team on national television, especially on ESPN. Next week on the dates of the 29<sup>th</sup> and the 30<sup>th</sup>, the IBHE Student Advisory Council will be held here at ISU. At this meeting, our representative Ryan Powers will be focusing on textbook affordability across the state and MAP grant funding. If you have any questions regarding the IBHE-SAC meeting, you are welcome to email Ryan Powers. The Student Government Association and myself had a chance to plan and prepare ourselves for the new semester at our winter retreat. At this meeting, we finalized plans to host a couple of different events, which I look forward to going into further detail at future meetings. We also have plans to create a realtor rating website for students who choose to live off campus. Lastly, a document tonight that the Student Government has been working very hard on, the Success Week document, will be presented. I am very excited to say that the Student Government has the full support of this document. I look forward to seeing it on the floor.

### *Administrators' Remarks*

- **President Larry Dietz**

**President Dietz:** I too want to welcome everyone back. Congratulations to the solar car team. I was able to keep in touch with their progress by email on a daily basis. I also was able to attend the football championship in Frisco, TX. In the Leer rankings for teams across the country, our teams ranked 21<sup>st</sup> nationally. I don't have a lot more detail to report on the budget than I did last time other than we received Executive Order 8. The intention of the order was to freeze non-essential spending by all state agencies in the Executive Branch. Then you get into discussions about what is essential and what is non-essential. Are we a part of the Executive Branch? Normally, universities have been able to consider themselves exempt since we are not defined as a coded agency, but ISU uses all of our appropriated dollars, about 18% of our budget, for personal services and the order does not require a hiring freeze. We have had a hiring review in place for a long time and we continue to have that. It really has the effect of a freeze, but once the review happens, it is really up to us as to whether or not we want to fill a particular position at a particular time. We don't want to have that dictated by an external agency. We are also not restricted from entering into contracts with our income fund and other agency funds. So there is still clarification that is coming out of the executive order.

For FY15, there is still talk of a budget rescission and there is still talk of it being a 5 or potentially a 10% rescission which basically means it would be a 10 or 20% since we only have about five months of the academic fiscal year to go. The governor is trying to get some help with a \$1.5 billion deficit he has to balance the budget on so he has asked universities to voluntarily identify amounts by the close of business on January 16<sup>th</sup>. We did that after discussions with university presidents across the state. Some universities took the tact that all of our funds are committed; we can't contribute at all. Not very many took that tact. We also don't want to take the approach that we have 5 or 10%. We were trying to be responsible and so we thought if we could come up with something in the neighborhood of 1%, at least it is something. Nobody knows if that is going to happen. If there is a rescission and it is only 1%, we can all celebrate.

For FY16, we are really waiting for the governor's budget address on February 18<sup>th</sup>. I have spoken both with the governor and with his Chief of Budgets, Tim Nuding, and I have made the point that education is part of the solution. We are not the problem. We should not be viewed as an expense. There are really only two sources of revenue that ever going to come to the state to help us out of this billion dollar annual deficit and one of those sources will be private business. The other source by definition will be education. Our graduates generate revenue and pay taxes.

I just got back last Friday from Panama City, Panama. I had gone down with the Dean of COE and our Director of International Affairs and Assistant Provost Rita Bailey. We talked about some academic work that we might

be able to do there. The College of Education is interested in providing a Master's Degree program in the STEM area in Panama and they are very receptive to that. They are also very receptive to the idea that we might send students to Panama. It would be a great place for students to go for internships in a whole variety of fields. They are also interested in sending students to us, both through the English Language Institute, as well as our regular academic programs.

Lastly, an update on searches. The search for the Provost and Vice President of Academic Affairs is going along very nicely. This week, I met with the search committee for the Advancement position and gave the charge to that search committee. They are off and running as well. In addition to that, I had my first interview today with five people who were invited for interviews for our new Director of State and Government Relations. That was a position filled by Phil Adams sometime back. Then Leslie Root was in that position. It is now vacant. We want a person in the position when the session starts and that is going to start in early February, so we are on a fast track. We have five good candidates.

This Friday night, we will have the Martin Luther King, Jr. dinner and I am pleased to say that it is a complete sell-out. We will have 600 plus individuals here to listen to Wes Moore.

**Senator McHale:** Do revenues generated from football successes come back to the university?

**President Dietz:** The FCS does not work look a bowl event would work. In a bowl, there is revenue sharing. The arrangement with ESPN is one that is developing; we are entering into some new contracts with ESPN. To get into the specifics of that, I would need to bring in Larry Lyons to talk to you about that. There is some revenue sharing, but it is not big money. We are just happy for the coverage and it attracted alums and former football players. So we can make some good connections.

- ***Provost Janet Krejci***

**Provost Krejci:** I have some congratulations. I will start with the outstanding symposium by CTLT. Dr. Elizabeth Barkley was our keynote. She is a nationally renowned scholar. She wrote an email and expressed that she had not seen a university like ours in terms of the passion of faculty and what they produce. Dr. Pat Cross, who an Endowed Chair is named after, is alive and well in the San Francisco area and I got to visit her over the holidays. She brought me into her hall of fame which showed her 17 honorary doctorates that she has received around the country and prominently displayed in the middle is ISU. I would also like to congratulate our athletes, not only for their prowess on the field, but for their academic success. As a team, they have a 2.8 average GPA. I want to thank all faculty and staff that support them. An update on the enrollment report. We have been talking about some of the glitches we have had with LEAP, but I will tell you that we are closing the gap and we are only down 5% in admissions now and we are up 24% in enrollment deposits. We are down a little bit in transfer students and are working on that. We have made progress with graduate students and we are now only 2% behind. Our official graduation rate is now at 71.8%; we are clearly in the top ten percent in the country.

There has been some discussion about the Distinguished Professors and University Professors and we will be continuing those discussions with the Faculty Affairs Committee and we will bring that back to you. Another big thank you to departments who have invited us to tour and learn about their departments. I got to visit the School of Information Technology. Really phenomenal facilities and faculty. The deans are meeting around campus now instead of meeting every week in Hovey. It is a great opportunity for a group of administrators to see all the things that our faculty are doing across campus.

The CFA dean search is moving along. We are getting to the point now of trying to look at the applicants and narrow them down. They have asked this week if we were supporting airport interviews and gave them a resounding yes; we want the best search possible.

The Civic Engagement Taskforce has been formed. They are moving quickly already and reaching out across the state and looking at what we have done here. We have also identified subject matter experts in civic engagement across the campus for the taskforce to tap into. If you want the charge in the minutes, I can give that to Cynthia.

The Long-Range Financial Planning Taskforce is kicking off and the co-chairs have met. The group will be getting together next week for the first time. Deb Smitley and Troy Johnson will be co-chairs.

Another shout-out to the Martin Luther King, Jr. dinner. Some of you have asked for provost's tickets and I think we have given those all out, but if don't have tickets and you would really like to go, we may be able to find a ticket or two.

**Senator Croker:** The Federal Work-Study money is disappearing and with graduate admissions decisions being made in the near future, some my colleagues and I are a little concerned about how this will affect the recruitment of graduate students, not just in terms of having graduate students but about the long-term effects of instructional capacity. Are there plans to replace that money with some other money?

**Provost Krejci:** I am going to call on Jonathan Rosenthal. I will just give an overview that I understand that the history of this was that the Federal Work-Study was originally intended for undergraduates and we have been slowly redirecting that to undergraduates, but are keeping close tabs on how that is affecting graduate assistants and how we might be able to move into giving support to that.

**Dr. Rosenthal:** I think you have said pretty much all there is to be said. These are funds that are really designed to support our neediest undergraduate students, by statute, and we have allocated them historically to certain graduate departments, but the allocation process was perhaps historical more than an annual need-based process. For over a decade, Federal Work-Study has not increased to where the number of families that we have which are expected to give no money whatsoever to their undergraduate's education. The FASA process has increased dramatically, so it is a hard decision. We understand and the provost and I have had conversations about this that these funds have supported recruitment, but also instructional capacity for undergraduates. We have considered that, in fact in a meeting just today, as part of how we are going to have to adjust our allocation process next year to support those students and that need of instruction.

**Senator Croker:** Some of us do agree that these needy undergraduate students certainly should take precedence; there is no arguing that.

- ***Vice President of Student Affairs Brent Paterson***

**Senator Paterson:** I appreciate your question about grad assistants. Jonathan knows I have been bugging him as well. One of the issues we have is a fairly recent IRS ruling on taxation of graduate assistantships. It exempts teaching assistants and research assistants, but our graduate assistants are classified as pre-professional. If they are out of state students, they are taxed on the out of state tuition waiver. We find that in their second year, in that first or second month, they basically don't get a paycheck; it is all going to taxes. So we are discussing how we can help those students in some way. It is not fair to them, but it is an IRS ruling.

It's been a busy start to the semester. We are participating in Project CEO, the co-curricular experience outcomes. This is a national survey that is going to determine to what extent students believe they are gaining the ten skills identified as most desirable by employers in new college graduates. That is part of a study from the National Association of Colleges and Employers. We hope to get some good information about how they are gaining those skills, both in and out of classroom experiences. When we get that information, we will share that more widely. On January 7<sup>th</sup>, we were a co-sponsor with Illinois Wesleyan and the YMCA Stepping Stones

of a Bloomington-Normal Sexual Assault Summit. It was a very good and open discussion about how do we address sexual assaults in our community; what are the services that victims are receiving; how can we better work together. A likely outcome of that will be forming a coalition that will continue to work on improving the climate and services.

Tomorrow night, there will be a program called Breaking Barriers, a community-police dialogue on practices and procedures. That is tomorrow night at 6:00 p.m. at the City of Refuge Church on East Washington Street in Bloomington. ISU Police is one of the co-sponsors along with other agencies in the community. Hopefully, we will have some really good dialogue about the issues most highlighted with the City of Bloomington Police, but there are some issues in our community over race and other bias and police response to such incidents.

Campus Dining Services has been named one of the best campus foods in the country. There was a survey and ISU was ranked 101 out of 1,200 institutions. We were the highest public university in the state. Since we last met, we have a new Interim Director of Campus Dining. Arlene Hosea, who had been the Director of Campus Dining for many years, retired. Dr. Jan Murphy accepted my offer to be the interim director. Jan has had many roles at the university, most recently a faculty member in FCS. She just jumped right into it; she is doing a great job.

On February 25<sup>th</sup>, Laverne Cox, an acclaimed actress in the series, *Orange is the New Black*. She will be coming to campus to speak about transgender issues. That is at 7 p.m. on Wednesday, February 25<sup>th</sup> in Braden. The event is free. Tickets will be available beginning February 2 for students and on February 9 for staff and for the public on February 16. It is free, but you will need a ticket.

The Midwest Bisexual Lesbian Gay Transgender Ally College Conference is a national conference; it will be held here on February 13-15. There are various workshops and other things. They are continuing to look for volunteers to help with that program, so if any of you have an interest in volunteering, contact the Dean of Students Office.

Lastly, at the McLean County Arts Center, there is a contemporary portraiture exhibit. Rick Lewis, who is the Associate Dean of Students, is one of the artists on display and it is just amazing. I would really encourage you to go and see it. It is portrait paintings of black males and they are all students here at Illinois State. It is entitled (In) Visible Men, really looking at marginalization of social groups. Rick is also putting together a program with that that he will have here at ISU and also take on the road to help people understand perceptions that people form just looking at those portraits and getting to know more about what those people are and knowing more about your ideas and how you form those. That exhibit runs through February 14<sup>th</sup>.

- ***Vice President of Finance and Planning Greg Alt - Absent***

#### ***Committee Reports:***

##### ***Academic Affairs Committee:***

**Senator Crowley:** We talked about the new online edTPA preparation course that is currently in review by the University Curriculum Committee. We had two guests, Elisa Palmer and Deb Garrahy, and we spent some time thinking about how that fits in with the preparation for the edTPA exam. We discussed the fact that the course management software work that we are doing will be done in conjunction with the University Teaching Committee and Mike Gizzi continues to work on that. We revisited our Success Week Policy that we will talk about here shortly.

##### ***Administrative Affairs and Budget Committee:***

**Senator Lessoff:** We talked about all of our major items of business this semester. Because of some miscommunication, the annual review of the president will be going out a little bit late. It should go to all

faculty, staff and students by Monday, I hope. We discussed revisions to the Academic Impact Fund. We talked about queries we have to the different colleges about the forms for reviews of deans.

***Faculty Affairs Committee: Senator Horst – Meeting Cancelled***

***Planning and Finance Committee:***

**Senator Rich:** In the spring, the committee produces the Institutional Priorities Report for approval by the Senate. The process has this report being sent by the president to the four vice presidents. During the fall, the vice presidents form response documents and we received those documents in December. Let me publically thank the four vice presidents and their colleagues for doing this. We get very detailed information on our institutional strengths, updates on recent initiatives, an accounting of key challenges and generally very good response to the inquiries that are embedded in the document. This week, we reviewed and discussed these documents. That is a key step in forming next year's priorities report. You will be seeing that report in the weeks ahead.

***Rules Committee:***

**Senator Bushell:** We continued reviewing and working on a few changes to the Creation and Revision of Policies. It is up soon as one of our Information Items. Suggestions are coming from General Counsel with a couple of edits and we wanted to consider those fully. We also looked at the Protection of Minors Policy. We will continue to review that document the next time we meet.

***Action Item:***

**09.11.14.01** ***Granting of Second Baccalaureate Degree – Catalog Copy (Academic Affairs Committee/Administrative Affairs and Budget Committee)***

**Senator Crowley:** As written, the Academic Affairs Committee supports the policy that students may graduate from ISU with two baccalaureate degrees as long as they meet the requirements of the degree and that a minimum of 150 hours credit is received by the student.

**Motion XLV-126:** By Senator Crowley to accept the policy as written. The motion was unanimously approved.

***Information Items:***

**02.10.12.04** ***Final Exams Policy – Current Policy (Reference Document Only)***

**01.14.15.01** ***Success Week/Final Exams Policy-Revised Markup Copy (Academic Affairs Committee)***

**01.17.12.02** ***Success Week Policy Documentation (Student Government Association)***

**01.16.15.01** ***Success Week Survey (Senator Joyce, Student Body President)***

**01.16.15.02** ***Success Week Survey Results (Senator Joyce) (See Electronic Copy)***

**Senator Crowley:** The Final Exam Policy asks us as professors to make sure that students know in advance their obligations toward the end of the semester. As long as we write in a syllabus what is expected of our students, then there is no problem. For the protection of our students, we are advocating for the idea that as long as the syllabi are reflecting the expectations of students, then all is well. There is a problem when students are given exams that they don't expect valued at more than 10% of their grade in the week prior to final exams. So the policy would ask that any exam that is taken by students in that week would be 10% or less and then final exams would be taken during the week assigned.

**Senator Joyce:** This is a document that has been in the making for about two years. What the Student Government has noticed is that finals week is obviously a very stressful week for all students. The issue is not just the finals, but the amount of work students have to do the week before finals. This document is proposing that there are no actual tests that are over 10% the week before finals. Also, it saying that there will be no projects, papers, speeches, graded performances, etc. that are not defined in the syllabus after the first two weeks of class. This is allowing students to have the week before finals, the Success Week, that time to study



for their actual finals. This is teaching students to prepare themselves for finals rather than cramming in a bunch of information to take tests that are back to back on top of the finals that they have to take from other classes. Overall, this document is going to alleviate a lot of undue stress on students during that week before finals so that they can focus the real task at hand, which is their finals.

**Senator Kalter:** You also provided us with the survey and this information from other universities so people can see that people are very well on board with this.

**Senator Joyce:** Hopefully, you had a chance to look at the electronic copy of the survey, which is where all of the data is. The data says that students have a lot of projects and finals that are combined over those two weeks. Students are stressed out and they do not feel that they have enough time to study for their actual finals because of the tests and the quick projects that are sprung upon them that are happening the week before finals. We are not the first school to do this; this is a policy that has been adapted at a lot of other universities and we are just trying to alleviate the undue stress for students.

**Senator Horst:** Have you discussed this policy with anyone in the School of Art? I have some comments that I might convey to you. They requested in your list of other assignments that you include graded performance and portfolio assessments, because they do an extensive five-hour portfolio assessments.

**Senator Joyce:** When do they tell the students that that is required of them to do that? Is it in the syllabus at the beginning of the course?

**Senator Horst:** They are going to make sure that happens. They do both of those assessments the week before finals.

**Senator Stewart:** That is their final, but they don't have time to do it during finals week during a one or two-hour period of exams.

**Senator Joyce:** We will look that over as a friendly amendment.

**Senator Horst:** The last page of the policy under Excused Exams, you mention that if students are unable to take a final due to emergency, illness, injury or religious reasons... There is another policy where documentation is being handled by the Dean of Students and we were wondering if for this sort of event, the documentation could be handled by the Dean of Students.

**Senator Kalter:** I think you might be thinking of the Bereavement Policy. What is the rationale for going to the Dean of Students rather than the department chair or director?

**Senator Horst:** We were thinking for consistency and if there is illness, what was the documentation. There is already this mechanism to go through the Dean of Students.

**Senator Joyce:** I will have to read over the Bereavement Policy to see if that would streamline the process more.

**Senator Horst:** In the sentence, instructors may petition their department chair/school director or Dean of the College of Nursing if they believe the policy jeopardizes or impairs their ability to teach. I am wondering what the intent of that sentence is. "Impair their ability to teach" seems like a strong phrase. Perhaps it could just say if they want to hold exams during success week.

**Senator Kalter:** I have a friendly amendment for that, but I wanted to get everybody else in. I want everyone to

understand that the stuff under Excused Exams is in the existing policy. Should we be discussing to switch that from chair/director, we want to make sure that we talked with Jonathan Rosenthal to make sure moving that from local control to centralized control is not going to cause a lot of issues.

**Senator Bantam:** Senator Joyce, do you have any idea how much this success week might reduce students' workloads that week prior to exams? Much of this work is already captured in syllabi and therefore is going to be legit through that week and we can accept this and not end up with the net result that you are anticipating.

**Senator Joyce:** The example I always use is that I have seen courses where 50 to 60% of the final grade is determined for tests and that is the entire course structure. The ideal situation where this is curved would be where there will at least be one week in between those exams that will allow the students to prepare for the final exam. The 10% creates a barrier where in that week, yes the work will be distributed before that in essence, but what it will really do is allow that one week for students to put their full attention into that final, which generally is the biggest amount percentagewise. The work will be distributed a little sooner, but it will also give that amount of time for students to just focus on their finals and possibly another couple of assignments that are below 10%.

**Senator Bantam:** Perhaps I am misunderstanding the intent. If it was documented in the syllabus within the first two weeks of class, 100% of the work could be done in that week just prior to finals.

**Senator Joyce:** Everything except for exams, yes.

**Senator Winger:** I too would be conforming to the letter but not in spirit and I feel I have to have papers due at the very end of the semester. Grades are due so quick after the end of the semester that if I have 60 papers due in the finals week when they should be due, I am not going to be able to get them graded. So in response to what you have done, I move the paper due date to the end of the 14<sup>th</sup> week, but I am not sure that settles the matter.

**Senator Joyce:** When do you assign that?

**Senator Winger:** It will be in the syllabus from the beginning, but I am not sure that solves your problem.

**Senator Joyce:** It may not solve that exact issue, but coming back to the main issue at hand, which is those big tests, that it does solve. It would be a completely different document to assign every little example of that sort where you have multiple percentages of people assigning different papers and things of that sort. It would be very restrictive if so. This is trying to stop the big percentages.

**Senator Winger:** I wasn't arguing your proposal, but I was saying that I will be conforming to the letter, but not the spirit.

**Senator Kalter:** I think what both Senators Bantam and Winger are bringing up is whether this is going to change anything.

**Senator McHale:** A point of clarification. If what is due in the 15<sup>th</sup> week is in the syllabus, then that is the spirit and the letter of the law?

**Senator Winger:** I take that to just be the letter. The workload is still there.

**Senator McHale:** But they do have a warning.

**Senator Winger:** It doesn't help them because the material they are writing isn't available to them until the end of the semester.

**Senator Joyce:** But they can prepare for it at least in time allocation where before this, you could also assign this in the 14<sup>th</sup> week. Maybe you wouldn't, but you do have that ability to where this is going to give that time allocation so that the student understands that there is that percentage.

**Senator Winger:** What might solve your problem is to move when the grades are due so soon after the end of the semester. That has always baffled me.

**Senator McHale:** If I have a big project that is due the 15<sup>th</sup> week of class and it's on the syllabus, then it is ok according to what we wish to do?

**Senator Joyce:** That's correct.

**Senator Ellerton:** Is it intended that the first refers only to tests and the second only to assignments?

**Senator Joyce:** Yes.

**Senator Ellerton:** The first point says tests that amount to etc. may not be given and due and I question the presence of "and due" because it implies that that is an assignment. Would it make it clearer to remove the "and due" as not being applicable because a test isn't due. The second point, if it refers only to assignments, is it confusing to have "other assignments" when there has not been any others mentioned to that point. From all of the discussion, it implies assignments worth more than 10%, so a friendly amendment to remove "other".

**Senator Croker:** In the early days of this as someone who gives papers that are due during the final week, I was concerned with any language that might endanger that. The students might have a very clear point about having back-to-back tests. So you have a project due in week 15 and a final in week 16. They are not bothered about that. They are bothered about giving them an exam in week 15 and an exam during final's week.

**Senator Kalter:** In Executive Committee, we were discussing how people do not know the current policy and often give their final exam in the 15<sup>th</sup> week, even though they are not supposed to by policy. Senator Krejci suggested that we start sending out with some of the other things that either Jess Ray or the Provost's Office sends out as a reminder. So part of this is changing the culture and trying to get people to be more sensitive during that week.

**Senator Horst:** Does the first bullet point include take home tests. Perhaps that is why it says "given and due".

**Senator Joyce:** Yes, that was the purpose behind that.

**Senator Horst:** Exceptions to this rule includes labs. Can the units define labs? How would you define a lab?

**Senator Crowley:** I think we can be very open-ended... a lab for speech and hearing, nursing clinics. There any number of imaginable labs that are at our university.

**Senator Horst:** So it is something that the faculty and directors understand as being a lab?

**Senator Crowley:** I think so.

**Senator Rich:** If someone were to give three midterms and a final and the final is optional based on the

performance on the midterms, this policy would appear to preclude that. You would not be able to have that form of testing strategy. Was that an unintended consequence?

**Senator Joyce:** To clarify, you are talking about if there is a for-credit test the week before finals and an optional one during finals? Even though that final is optional, there are going to be students in that class that need that final. The success week will still be the opportunity for them to study for that extra final. Yes, that test would get moved up a week, but for the students that have that 98%, it probably won't matter.

**Senator Kalter:** Senator Rich, my understanding of what you are describing is that the third test would fall under the clause that it has been clearly specified in the syllabus already.

**Senator Rich:** No, it's an exam not an assignment.

**Senator Kalter:** So it falls within the first bullet point, ok.

**Senator Schneider:** Aren't the students off during Thanksgiving and can't that be used as their success week?

**Senator Joyce:** That is only for the fall semester.

**Senator Schneider:** Well, you have spring break off. I don't understand the need for a success week.

**Senator Joyce:** Think of the even added benefit of having Thanksgiving break and success week where the students have more time for preparation.

**Senator Hoelscher:** I think the unintended consequence of the policy is the scenario he described. You give three exams and the final is the make-up exam. It might force a professor to give a make up that he might not otherwise give. Is that an unintended consequence?

**Senator Joyce:** From personal experience and from others that I have talked to, I have seen that example in other courses, but it is in those courses you will never find that the last test falls the week before finals.

**Senator Hoelscher:** Does the policy address make-ups and says you have to give make-ups?

**Senator Stewart:** The original exam policy says that if the student is unable to be there for the final exam.

**Senator Hoelscher:** So it only addresses make-ups in terms of final exams?

**Senator Stewart:** Yes.

**Senator Winger:** Do we have in data about how many hours outside of school students are working at various jobs?

**Senator Kalter:** We asked that question earlier in the semester on the Planning and Finance Committee and could not get a great estimate. Senator Brauer brought us some information about some students, but we did not have a comprehensive understanding of it.

**Senator Winger:** We have grade inflation and a drinking problem at the university, so does it need to be easier? On the other hand, for this generation of students, I find if I assign a paper that is due at the wrong time, I get crappier papers because the students are overwhelmed. I don't want to contribute to making school easy, but I

do think if we can work on the schedule this way; we should because, generationally, these kids are working outside of class far more than we did.

**Senator Brauer:** The National College Health Assessment, we collect this data biannually in my department, so I have 2013 data. It is self-reported and nationally benchmarked. Zero hours worked is 46% of the respondents. Those that work one through nine hours is 16.6%. Ten through nineteen hours is 24.3%. Those that worked 20 to 29 hours is 9.2%; 30 to 39 hours is 2.4%; and 40 plus hours is about 1.4%.

**Senator Gizzi:** I applaud the students for their perseverance with this. This began when Andy Manno was president (of the student body). He is now a second year law student. Throughout the semester there are periods of time where students have a massive amount of work. I never make my finals a lot of points because I don't find I get quality work at the end of the semester. I think we need to make sure that people aren't giving their final exams the week before. At the same time, there is never going to be an easy solution to this. It may help some, but I don't think it's going to do much.

**Senator Brauer:** We also ask for volunteer hours. 37.3% of our students volunteer one to nine hours a week.

**Senator Kalter:** I had a bunch of editorial comments that I shared with the committee. Because this has been three years getting here, I decided not to send it back to committee, but I wanted to share some of the substantive ones that they are considering. One of them has to do with these places where both for this final exam problem and for the success week exception, I am suggesting that when a chair or director grants an exception that we have it be posted publically, either on a website or in a department office or both. That would give some accountability and it would also allow students to check whether or not their professor is following the policy without the awkwardness and intimidation factor of either going to their chair and asking or going to the professor and asking. Second, in the current policy, we have a line that says any request shall be made prior to finals week. This is for people who have three exams in a day and they need to move one of them. I suggested we tighten up that language a little bit because you don't want to be asked on a Friday of the 15<sup>th</sup> week to try to find an alternate exam time for finals week. If we could add something like ask a week before rather than during the week before finals. We used to have in the current policy "the processes on the Registrar's website". Now we are putting that procedure into the policy, at least as it is proposed, and I wonder if that is wise because procedures like that can change. Going back to Senator Horst's original point on the second page, the second to last paragraph above the excused exams, this impairing their ability to teach. My suggestion was instead of saying jeopardizes or impairs their ability to teach, I would prefer to say impairs their professional judgment regarding appropriate pedagogy. Does that help to satisfy what you were worried about?

**Senator Horst:** Yes.

**Senator Crowley:** I might suggest instead of the word impairs, perhaps "compromises"?

**Senator Kalter:** Or interferers with...it may be a little too strong to say impairs. It's hard to tell if we are going to get this back as an Action Item right away or if it is going to come back as an Information Item.

**12.17.14.01** *Creation and Revision of Policies (Rules Committee/Executive Committee)*

**12.17.14.02** *Suggested Additions to Policy (General Counsel)*

**12.17.14.03** *Policy Review Schedule (DO NOT PRINT DUE TO LENGTH OF SPREAD SHEETS – SEE ELECTRONIC COPY) (Susan Kalter, Senate Chairperson)*

**Senator Kalter:** Because this is a lengthy policy, I would like us to first ask questions about 10.1.1, then 10.1.2 and then 10.1.3 so we have an orderly discussion.

**Senator Bushell:** This policy was very long in the making and has gone through several iterations from our

committee to Exec and back. There are two documents in front of you. One is the main policy with some markups and also some suggested additions to the policy from the General Counsel's Office. The original policy is 3.2.17 and it is listed there in the little box. It was very short and essentially talked about the president will seek the advice of the academic community through the Academic Senate. Most of the rest of the information was available on the website under an updating tab on the policies page. That is essentially about making corrections or reviewing existing policy. Senators Marx and Fazel were sort of our main authors from the committee. We took a lot of information from that updating tab and began rewriting it into the policy we see here. Some of our meeting tonight was to look at those general suggestions from general counsel and work up a little bit of tighter language that fits into the existing structure that we have.

**Senator Kalter:** Let's start with 10.1.1. This is the purpose, scope, implementation and definitions for the proposed revision.

**Senator Horst:** In the definitions, it states the Policy Coordinator. Can somebody state who that would be?

**Senator Kalter:** That person works in the President's Office; I believe that right now it is Vickie Kiser and has been for quite a few years. If there are no further questions, let's move on to 10.1.2. This is the creation and revision of new policies. You might have noticed on the spreadsheets that we sent out, as of right now, we have about 351 policies. A large number of those are in various vice presidential offices that the Senate does not ever see them. Just because we have a policy, it doesn't mean that the Senate sees it.

**Senator Horst:** This is where we start seeing language about the role of the Executive Committee in this policy. This is giving a lot of new responsibilities to the Executive Committee which is already trying to do a lot of scheduling and discussion. Has the Rules Committee considered expanding the definition of the Executive Committee in the Blue Book?

**Senator Bushell:** We haven't yet currently. I am wondering if it is a new directive or action. The Executive Committee still distributes these things to the Internal Committees.

**Senator Horst:** Yes, but now they are reviewing the policy and figuring out if it is applied to the Senate.

**Senator Kalter:** I agree with both of you. Senator Bushell, you are right that this particular section doesn't really change what the Executive Committee has been doing. On the other hand, what is changing is that currently, if somebody wants to propose a new policy, it goes to the Policy Coordinator. That person or somebody in the president's office decides whether to send it on to the Senate. What you see in the forms, the last two pages of the policy, what we would be doing is changing the address. So when someone clicks on the updating link, it would get routed first to the Senate Office so that we could determine whether or not it falls under the academic area broadly conceived. We always have the president and provost sitting on that committee and also the Senate Chair and Secretary and the Student Body President. So those people and the other members of the Executive Committee would be deciding if these fall in that area. I think that that is a pretty good group of people to be looking at that. One of the reasons why I started creating a spreadsheet is because once we decide something is not usually a Senate policy, let's not keep spending our time re-asking that question unless somebody specifically says we need to send it through the Senate. We could have a checklist that indicates this one gets immediately routed to the vice president's office, so it would not hugely increase that workload.

**Senator Bushell:** To contain the discussion a little bit, 10.1.2 is about the creation of policy, so if a new policy is developed, the proposal is that Exec will have a look at it and begin to make a decision about routing it. If it is of an academic nature or dealing with the Constitution and so forth, it comes through the Academic Senate. If not, it finds its home with another unit or body. The next time it is up for review, we know that that other body is responsible for it.

**Senator Kalter:** The Exec Committee went back and forth with having it the president's designee. The problem with that is that at a certain point, some of those policies seem to have been put up and down on the website with only a lower level of approval than the president. That is of concern because the president is ultimately responsible for all of the policies. When the Senate approves something, it does not immediately go into effect. It has to go the President's Office and the president has to agree or, according to the Memorandum of understanding, has to come back to the Senate and explain why that policy was rejected or why he wants it rewritten.

**Senator Cox:** In 10.1.2, that portion that is struck through was on the updating tab, right? But the replacement language is more active, but the substance would be the same in terms of the role of the Executive Committee. It expands the process the committee takes, but it doesn't add to the Executive Committee's responsibilities.

**Senator Fazel:** Actually, this was not on the updating link. The updating link is very different from what we have here. We have over 350 policies at the university. Some of them have not been reviewed for many, many years. The question is where do you start looking at these policies and how to decide if they need to be reviewed. We thought the Executive Committee of the Senate was the most qualified body to look at all of these. The original document only talked about shared government issues. Now we have added Constitutional issues.

**Senator Cox:** Where did the language come from?

**Senator Fazel:** We developed it. We had a discussion about this policy in Rules tonight. My suggestion was that if we could rewrite tonight and bring it up next time. The reason is that this is a new policy. The only thing we have replaced are those three lines at the top of it. If it is a new policy, we don't need to include all of the changes and all of the edits. Those are for internal consumption of the committee. The committee should bring a clean version. All of the changes do not need to be shared with the rest of the Senate. We considered all of the recommendations of the General Counsel and most of them are going to be incorporated into this document.

**Senator Kalter:** I think you are right; it is confusing. One of the delays of this policy was that we ended up working toward draft six using draft four and then we had to go back and use draft five. In all of that, we are trying to make sure this comes in a timely manner. We also had invited Ms. Huson because of her suggested edits.

**Senator Rich:** In 10.1.2, there is a memo from the General Counsel's Office that suggests adding a sentence, which seems useful to me for coordination purposes. What conclusion did the committee come to regarding this suggestion?

**Senator Bushell:** The committee was in agreement, but we also rewrote it with language that fit a little better with the original language that was there. I can read that suggested edit that we have: The Internal Committee will work with the body or unit that originates or is assigned jurisdiction of the policy to ensure practical implications are accounted for as well as legal review.

**Senator Kalter:** If there are no other questions on 10.1.2, let's move to 10.1.3. This one is a little more complicated because it has to do with review of existing policies where we are just reviewing it and making no changes or we review and revise an existing policy. One of the complications that arose is that every once in awhile, like the Sick Leave Policy that we discovered was off the website, a policy that is so outdated or has something that needs to be changed in it that doesn't comply with the law. This is where I think I can quote Ms. Huson on this. You said sometimes it is better to have no policy than to have a policy than have a bad policy posted or in existence. Is that correct?

**Lisa Huson, General Counsel:** I probably did say that. We get in more trouble for having a bad policy or having a policy and not following our policy. The latter is worse. I moved up here (to the table) to address that language (stated by Senator Bushell). I am not married to that language. Part of why I used the language that I did was because the originating body is not always the body that has the practical implications. Maybe putting it in the policy isn't even the right thing to do. Maybe just practically speaking, I just ought to talk to the right people. I have been here almost ten years. When I first got here, people never even showed me a policy. It's gotten a lot better over the years. So that language was an attempt to address that vacuum that was existing with getting the people who actually do it and getting legal review. So for originating body, I wonder if we could refine that a little bit more. Are you taking that back to your committee?

**Senator Bushell:** The phrasing body or unit definitely comes from of the original way that we wrote it, so that is an example of how we are making it consistent with other sentences. The sentence goes on to say or assigned jurisdiction. There is a moment where we have to say this policy essentially belongs to this body or unit.

**Senator Fazel:** If we changed that to body or unit affected by this policy, would that address your concern?

**Ms. Huson:** It does; it may go further than we want it to. I actually like that, but I want it to be both because the originating body or jurisdiction is correct. It may be it just isn't big enough. Maybe it can't be done and we just do it like that in practice.

**Senator Kalter:** I want to point out a friendly amendment that I have that deals with 10.1.3. This has to do with when a policy has to be removed from the website for some reason. We have right now: No policy shall be removed without the notification of the Executive Committee and the president will set an appropriate timeframe, etc. I feel uncomfortable with that wording or even having that paragraph in there because the problem last year was notification. I suggest that we strike that paragraph. You see c3 on the previous page to add 'revised, proposed for temporary or permanent removal or even reviewed and unrevised' to that other paragraph. Presumably, if someone is going to request for a policy to be pulled off the website, it will go through the request form. It will get sent to the Senate. It can immediately go to the Exec Committee by email. I think that it is really rare that we have to do this within ten minutes of finding out a policy needs to come down, but we can do that. Exec will be informed and the president can set that timeline.

**Senator Stewart:** That paragraph was put in there because you brought up the concern that policies were being removed from the website without anybody knowing who did it or where or when.

**Senator Kalter:** The only person who can remove policies from the website is the Policy Coordinator. Maybe you are right, but I am not envisioning that a whole bunch of people are going to do an end run around the process and go to Ms. Kiser's office and say, can you remove that policy?

**Senator Cox:** You have an option in your comment section "or". Do you like this? That would cover any of these nefarious activities because you say no policy will be removed without the approval of the president and the Executive Committee. There, everyone is notified and we don't expect any policy to be taken down without going through that process.

**Senator Kalter:** My other suggestion was right above that. We could also word it: No policy shall be removed from the website without the president's approval during a regular or special session of the Executive Committee. I am not sure if either one of those is better legally.

**President Dietz:** I think we would be comfortable with that. The issue is about the time limit. If we have a legal or compliance issue, we would want that taken down pretty quickly. We are not that far apart and we could have



a special meeting if need be, so I am comfortable with that.

**Senator Kalter:** The Senate collects summer addresses, so if it happened during the summer, the whole Executive Committee could be notified right away and we could have a special meeting.

**Senator Hoelscher:** I am having a lot of trouble why you are comfortable with completely removing that paragraph. I think it is a very strong paragraph and I don't necessarily advocate putting it in. But at the same time, there are concerns that policies did disappear and significant issues occurred and when we asked for an explanation, we were met with confusion. As long as we address that issue, I think I can be a little more comfortable, but I can't follow how you think that issue has already been addressed.

**Senator Kalter:** I am willing to step back; perhaps the second option is the best, not removing it in c4 on the margin, rather than striking that paragraph, moving to the option which is we do it with the president's approval in a session of Executive Committee.

**Senator Bushell:** In the original text, the last sentence also deals with the idea of communication. When any person comes to the website expecting to find a policy and doesn't find it, it would be nice to know that there is a prompt to go somewhere else. We need to get information somewhere about a policy that is essentially in limbo.

**Senator Kalter:** We need to have a mechanism that if something is taken down, we need to get it back up as soon as possible.

**President Dietz:** I think the issue about taking down the policy happened before I was in this position and most of the other people were in their positions in terms of vice presidents. My understanding is that was a mistake and when we tried to figure out who made the mistake, those individuals had retired or left so we couldn't get to the bottom of the thing. I think we are all in agreement of the spirit that communication is a huge issue and we communicate what we do and how we do things through our policies. In that spirit, I want to make sure that I have the wording that you are suggesting that would be included. My understanding of what we are talking about is in the side comment in the pink that starts out with the paragraph: "If not"...and then the wording that is in that paragraph?

**Senator Kalter:** Correct, the wording that starts in that paragraph with the quotation marks.

**President Dietz:** No policy shall be removed from the website without the president's approval during a regular or special session of the Executive Committee of the Academic Senate.

**Senator Kalter:** Correct.

**Senator Horst:** Once again, the Executive Committee is approving removal of policy and I think at this current moment that steps outside of what their task is according to the Blue Book. So if we go forward in approving this policy, I am hoping the Rules Committee addresses the role of the Executive Committee. Secondly, if you look at the original sentence and just added when creating, removing or editing a policy, the president will seek the advice of the Academic Senate. I think that that sentence is talking about what President Dietz is talking about with communication and shared governance. That sentence, which actually boils down a previous policy on policies, which was several pages long and it was boiled down to just this one sentence that I think is quite powerful. I am questioning the creation of all of these procedures for a policy on policies when in reality what we need is shared governance and communication with the President's Office and an assurance that there is a communication with the Academic Senate when it is needed.

**Senator Kalter:** I take your point. You are saying that even with the wording in the “if not” paragraph on the side, the idea that we have a policy that could be taken down by one person or by one small committee is really against our traditions?

**Senator Horst:** Or we need to think of the Executive Committee as a management of policy and have a task assigned to them of managing policies. Part of those duties is they could have an emergency session with the president, but I don’t really see the role of the Executive Committee doing that.

**Senator Kalter:** You are right. It is a new thing that we would remove a policy without it going through the Senate or being done in a fairly open set of discussions in a vice presidential area. What you are saying is we are trying to solve one problem and creating another, which is changing the role of the Executive Committee and that seems to be an issue?

**Senator Horst:** The Executive Committee when I served on it was really talking broad strokes. It’s giving them a lot of additional duties and a task like an Internal Committee. I’m not sure that’s the way the Executive Committee wants to function, but getting to my original point, I am married to the person who wrote 3.2.17, the one sentence, and I think it’s a really strong sentence.

**Senator Bushell:** Senator Horst, I will refer to the last paragraph in 10.1.3. The first sentence says no policy should be removed from the website without notification to the Executive Committee. I think you used the word approval, but we are talking about notification. It’s communication with the Executive Committee to bring them in the loop and not necessarily have them making a decision. We are talking about policies that need to be removed immediately because of a law. I don’t think there is a normal mode of removing these things overall. It seems like they stay on the books forever.

**Senator Kalter:** We are dancing between this notification and that doesn’t seem strong enough because we weren’t being notified and approval seems too strong, but where you heard approval was the president’s approval. It doesn’t speak to the original thing that you brought up Senator Horst, which is that we could have a president who just decides to approve things being taken down and that bypasses the shared governance system, which was the original point that you were making.

**Senator Stewart:** That’s what I was going to say. We are not approving things; we are not taking on more and more power. Exec has always been about dealing with policies, but then it is routing them to the proper committee of the Senate to deal with them. This is meant to look at and be notified so that somebody in shared governance is knowing right away what is going on.

**Senator Kalter:** Exec has always dealt with substantive issues on policy, but as a secondary review committee, sort of like a CFSC, where you are looking and able to send it back and have a discussion and then send it out to the floor. You are basically saying shouldn’t more people be involved when a policy comes down?

**Senator Horst:** Yes, the Executive Committee is the first gateway to the Senate.

**Senator Kalter:** Are there any questions about either of the forms? Alright, thank you very much for your patience. It is an important policy and it is a long time getting here. I assume, Senator Bushell, that these other paragraphs on Ms. Huson’s supplemental sheet are also being discussed in the Rules Committee for the next iteration.

**Senator Bushell:** Yes, if I may, Senator Cox’s question was good essentially trying to have us understand how to read this. We are seeing a lot of paragraphs stricken, but the essence of them is replaced again in new paragraphs right afterwards. We can make a clean document that will not have any of those stricken parts and it

will be clean according to our conversation tonight and General Counsel's suggestions and then bring it back for information and then action the following time.

**Senator Kalter:** We should bring this back as an Information Item one more time and if we feel ready, we can make a motion to move it to action right away or we can wait two weeks and do it then.

*Communications*

**Senator Thetard:** I would like to, on behalf of the Laboratory Schools, thank the university for the support with the recent suicide that we had. We had lots of help with counselors and it was a very difficult situation. It continues to be difficult and Health Services and so forth are continuing to work with us and we really appreciate it.

*Adjournment*

**Motion XLV-127:** By Senator McHale, seconded by Senator Hoelscher, to adjourn. The motion was unanimously approved.