

Fall 10-26-2011

Senate Meeting, October 26, 2011

Academic Senate
Illinois State University

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Academic Senate Minutes
Wednesday, October 26, 2011
(Approved)

Call to Order

Chairperson Holland called the meeting to order.

Roll Call

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

Approval of Minutes of September 14, 2011 and October 12, 2011

Motion XXXXIII-11: Sen. Holzworth, seconded by Sen. Stewart, to approve the Senate minutes of September 14, 2011. The minutes were unanimously approved.

Motion XXXXIII-12: Sen. Farrell, seconded by Sen. Rolando, to approve the Senate minutes of October 12, 2011. The minutes were unanimously approved.

Chairperson's Remarks - No Remarks

Student Body President's Remarks

Sen. Owens: Student Government approved the Off-Campus Student Association, which will be under the umbrella of Student Government. It will address an assortment of issues, such as landlord-tenant relations, off-campus living education and a dissemination of information. We also approved a 101 common sense campaign to encourage neighborly conduct among ISU students with the community and a statement supporting the full funding of the MAP grant. Today, we traveled to Springfield to advocate on the behalf of students. We met with a variety of state lawmakers. Our top issues of concern were the possible reduction of the MAP grant funding and the dwindling state support for higher education. Student Government will have a deputy registrar training so that we can register students for the upcoming elections.

IBHE-FAC Report (Senator Gizzi)

Sen. Gizzi: I attended the IBHE –FAC meeting on October 14 at North Park University. Most of the agenda was focused on performance funding. In between our meeting at Macomb and the meeting at North Park, the steering committee met, but they didn't really accomplish much in terms of anything concrete. We met with the Deputy Director of External Relations for IBHE. He went through several issues, including performance funding, but really didn't add anything new. A lot of his presentation focused on the veto session that began this week concerning defined-benefits of the whole pension thing. He really doesn't think this is going to move forward during the veto session. He also spoke about the potential reduction of MAP funding.

Governors State wants to expand into a full four-year institution instead of being just a transfer institution. The Public University Caucus, Les Ryder, who chairs it, wanted FAC to be proactive and to start providing advice from a faculty perspective to IBHE about potential expansions and contractions of institutions. The Chamber of Peoria wants their own public university. He wants us to develop some position statements as to what we think about these issues. He asked me to chair a committee. This committee is going to raise some issues that we can bring to FAC in the spring and maybe have a position paper to submit to the board.

Sen. Holland: Was there anything about four-year institutions growing as a number of state institutions face decreasing enrollment?

Sen. Gizzi: That is the question that we will be talking about. The vast majority of the conversation was about Governors State. One of the issues discussed was consolidating.

Administrators' Remarks

• ***President Al Bowman***

President Bowman: The fall veto session is underway. The Governor's priorities were to pass a revised gaming expansion bill, which would certainly have an impact on the capital needs of this institution. He wants to end legislative scholarships. There has been some discussion of a borrowing bill that would allow the state to clear the backlog of unpaid bills. That doesn't seem to be going anywhere. The state is taking in more revenue now due to the tax increase that took effect in January. We don't expect to have anything happen on pensions perhaps until January, because that is when the filing period will close for candidates for the March primary. We received \$5.6 million from the state for FY 11. That brings down the state's outstanding balance for last year to \$17.8 million. The state had been current on this year's budget, but now we are \$12 million down after September.

President Obama issued an executive order that will lower student loan payments. It is an initiative that accelerates a plan that was due to go into effect in 2014. It accelerates an income-based repayment plan that reduces the maximum required on student loans to 10% of annual income.

Grant activity is up significantly for the first quarter of FY 12. We were awarded over \$13 million so far. Private giving is also off to a very strong start. We are already at \$5 million for the first quarter of this year.

As to the issue of a public university in Peoria, the idea appears to have been originated via a couple of members of the Peoria City Council. They have consulted no one in Springfield about it. The financial realities would argue against the state even contemplating another campus.

Sen. Bushell: Of the \$5 million that came from the state, will the College of Fine Arts complex get any of that?

VP Layzell: The \$5 million is for our operating appropriation from FY 11. The money that we are waiting for from the state for our fine arts has not been released yet because that comes from a different fund source.

• ***Provost Sheri Everts***

Provost Everts: October checks are now available to view on iPeople. Your letters also went out on Friday or Monday indicating increases. Retroactive payments will be available in November checks. I would like to take this opportunity to thank President Bowman and also to our colleagues in Finance and Planning for their hard work and also to Mardell Wilson in the Provost's office. We held the first meeting yesterday with the College of Education Dean Search Committee. The search firm was also present at the meeting. The members of the search committee are available on the Provost's website, as will be any updates associated with that search.

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

VP Dietz: I want to commend Sen. Owens and the Student Government Association for going to Springfield today and speaking positively about the MAP grant. The off-campus student organization initiative that you are putting into place meshes very well with the Student Advisory Committee. With that effort, we are going to be looking at safety and security on the campus, and also off the campus. The Disability Support Services Office has indicated the requests for "Captioning", a video, has increased from 92 last year to 216 already this year. Professors are responding positively to the course orders for the hearing impaired students. It makes these courses fully accessible to those students. We are also going through a survey that the Counseling Center was a part of. It was a national survey. We don't have all those statistics from that yet, but there is one summary

statistic in this group that is higher than the national sample. This is called flourishing. Our students are indicating a higher level of flourishing than many students are at other institutions.

- *Vice President of Finance and Planning Dan Layzell – No Report*

Committee Reports:

Academic Affairs Committee – No Report

Administrative Affairs and Budget Committee:

Senator Cedeño: We had the presentation by the Provost's office on the Academic Impact Fund. I will be meeting with Mardell Wilson to start preparing that report. It will come to the Senate.

Faculty Affairs Committee:

Senator Kalter: We talked about the suggested best practices document and made some additions to it. It has to go through a couple of more steps before going to Exec and then on to other people who need to look at it. That will be coming soon. We found that we had an Academic Freedom, Ethics and Grievance Committee Policy and a Tenure Policy, but no academic freedom policy. We talked about whether we need to have a statement. We are doing some surveys about other universities around the country that do have them.

Planning and Finance Committee:

Senator Rich: We had a session with Jonathan Rosenthal about trends in enrollment management. The discussion of the committee also focused on recruitment options, our high-quality transfer students, our award winning veterans services and also some issues with advising.

Rules Committee:

Senator Fazel: Tonight, we had Student Body President Zach Owens as our guest and we discussed the revisions to the smoking policy presented by SGA. The discussion will continue.

Information Items:

~~10.14.11.03 Tenure Policy Revised (Faculty Affairs Committee) Temporarily tabled until it makes its way through legal.~~

10.14.11.06 Under-Represented Students Presentation Addition to Blue Book (Academic Affairs Committee)

Sen. Stewart: This came from Exec requesting that we revise the Blue Book to show that the underrepresented students would be reported on on an annual basis. The Academic Affairs Committee will make a request of the vice president to give a brief report every year. Jonathan Rosenthal will be giving a report at the next Senate meeting.

There were no questions. The item will come back to the Senate in two weeks.

10.19.11.01 Original Technology Policy – Resource, Access and Security (Reference Document Only)

10.19.11.02 Technology Policy - Resource, Access and Security - Revised (Rules Committee)

Sen. Fazel: We are bringing to you policy 9.8 on the security of technology resources. We already have 9.8 as one of the existing policies, but Dr. Mark Walbert has developed revisions to this policy. The revisions were so extensive that instead of giving you a marked up copy, we are giving you the old policy and the new policy. The Rules Committee has approved the document.

Dr. Walbert: The existing policy is 11 years old and it refers to the kinds of security that we no longer work with. It talks about access to the mainframe, and a LAN coordinator, and other sorts of things. There is no such

thing as a local area network anymore. So we just started from scratch and took a look at IT security from a more modern perspective.

Sen. Horst: I have a question about some language that was in the old policy that is not in the new policy. Under penalties for noncompliance, in the original, it says noncompliance of the Resource, Access and Security Policy will result in revocation... of Illinois State University and state and federal laws. In the new one, it just says you can be terminated. Why was that language dropped?

Dr. Walbert: We have the statement that you need to work within Illinois State University policies, state, local and federal laws not under that particular section and if you misuse your access to the resources, you can be terminated.

Sen. Horst: If it were a tenured faculty, do you also want to say that it is going through university laws? If you want to discharge a faculty, don't you have to be in compliance with how that's done?

Dr. Walbert: Yes, this serves notice that that is something that can happen. This is not about how that would happen.

Sen. Rich: There is no mention of the non-affiliated individuals of other state agencies. If we have a project that requires that kind of interaction, would we have a memorandum of understanding that is explicit to take care of this need, or does it need to be noted in this policy?

Dr. Walbert: It doesn't matter whether they are another state institution or a contracted employee. We tried not to mention all the other groups that we deal with. We want to make sure that they understand our rules for accessing the data and terminating their access at the end of the project.

Motion XXXXIII-13: Sen. Fazel: Since this has been in the queue for a long time, if there are no objections, I would like to turn this into an Action Item.

There were no objections. The policy was moved to action.

Friendly Amendment: Sen. Fazel: There is a friendly amendment from Sen. Horst, which I talked to Mark about. On the last page, item 5, approval and review, the second line says this policy will be periodically reviewed by the Information Technology Policy and Planning Council and changes or additions to this policy will be recommended by this Council and to the president of the university. The change is that additions to this policy will be recommended to the Academic Senate and to the president of the university.

Motion XXXXIII-14: By Sen. Fazel to approve a policy with the friendly amendment.

There was no debate. The revised policy was unanimously approved.

10.19.11.03 Technology Policy – Appropriate Use – Revised (Rules Committee)

Sen. Fazel: This is another policy that has been revised by the council. We discussed this with Mark Walbert twice on the Rules Committee. We made editorial changes and clarifications.

Dr. Walbert: This updates the policy and includes a lot of things we got from external auditors for changes in legal language. The biggest change has to do with the appropriate use of resources, clarifying it in our current document. In the section on personal software and hardware, that was a change from the last version. Other than that, this is tidying up the language and updating it for modern computer issues.

Sen. Kalter: Under F, privacy, a couple of years ago, we had a conversation about things like how e-mails are accessed. You added a line that users have no expectation of individual privacy. I wanted to clarify that that is not a change in practice so much as a change that warns people if they do something wrong, we can go in, but we don't do this as a practice.

Dr. Walbert: Yes, in this version, we put that line in to make it very explicit that there is no such thing as privacy, but we have no interest or need to go and look. You don't have privacy, but we certainly respect it.

Sen. Gizzi: When I transferred the documents from the PDF, I don't see the old draft.

Sen. Holland: This was a marked up version.

Sen. Gizzi: I don't see anything marked up on what I have.

Sen. Bonnell: Under section 2, inappropriate use of resources, is harassing or obscene to other users also considered inappropriate? Who is going to be determining what is obscene?

Dr. Walbert: Legal counsel. We are not trying to determine what is obscene. That's old language, inappropriate, harassing, obscene, inflammatory, interrupting or any other material that is a violation of university policy. We don't define obscene; that's not our job. If legal counsel argues that that is obscene, then this policy gives them coverage.

Sen. Bonnell: It was my understanding that obscenity is something that is defined by the courts. At the library, there are a lot of things that people could be looking at that one person might say is obscene. How would that come into play?

Dr. Walbert: Legally, the only thing I know of that is easily transferred illegally is child pornography. Beyond that, I don't have a definition of obscene. We need to in enforce legal counsel's rules on our actions about cases that involve obscene material.

Sen. Bonnell: It would be hard to determine in the library what that is. I wonder practically what this would mean in the library.

Sen. Holland: Do you have any particular examples?

Dr. Walbert: No, I don't have examples of obscene materials, only child pornography. That is the only thing that is very clearly on my radar.

Sen. Gizzi: The United States Supreme Court has defined obscenity and it is a very clear definition. It involves depictions of sexual acts. Words are almost impossible to be obscene under the Supreme Court's ruling.

Sen. Gallagher: If it is deemed obscene and your rights are revoked, would there be an appeals process?

Dr. Walbert: Absolutely; that's not spelled out here because that is not what this is about.

Motion XXXXIII-15: Sen. Fazel: I would like to move to change this to an Action Item for the same reasons. This has been waiting to be considered for a long time.

Sen. Kalter: I have an objection and I think it only takes one objection to wait for two weeks. The reason I'm objecting is because the obscenity issue that Sen. Bonnell brought up is significant enough that we should talk about it in Exec. It's an academic freedom issue.

Sen. Gizzi: Will that come as an Action Item in two weeks?

Sen. Holland: It will be an Action Item in two weeks. Do we require a vote or does an objection table it?

Sen. Owens: It requires a two thirds vote.

Sen. Holland: We will take the SGA precedent. We can still turn it into an Action Item if we want to. It takes a two-thirds majority vote in order to do that.

Sen. Gizzi: I was going to object as well. First, for the technical reason that the copy I have didn't show the changes, so I wanted more time.

Sen. Fazel: In terms of obscenity, how do we define that? Is that going to change this document? Are you suggesting that we remove this because it is not defined and it could affect academic freedom?

Sen. Kalter: I'm suggesting that if one of us brings up a significant issue, it's probably a good idea for the Senate to wait. The purpose of the two weeks is for us to go back to our constituents and tell them about these kinds of things. I wanted to give Sen. Bonnell some time and the rest of us about whether this has implications beyond what it appears.

Sen. Fazel: In that case, I withdraw the motion.

01.18.11.05 Student Records Policy (Rules Committee)

Sen. Fazel: The Student Records Policy is an old policy that has been updated with a lot of information about FERPA and also student records, which now are being kept in different locations as opposed to what was in the old document. Therefore, this is a revision to bring it up to date.

Sen. Rich: Instead of ISU policy spelled out line by line about what the FERPA exceptions are, this replaces it with references to FERPA. There is an explicit reference to the registrar's website where the most current document from FERPA is going to be posted.

VP Rosenthal: I think what you are referring to... the registrar's reference is to what constitutes directory information. The FERPA rules, and this was initiated by legal counsel, they've gone through an update for FERPA and related legislation. This passes counsel's muster.

Sen. Rich: There are a bunch of upcoming revisions with FERPA and the IBHE is relying to a certain extent on the new rules. Do we have a process that knows and posts the latest version when that change occurs?

VP Rosenthal: We do; we have a third member of counsel staff to deal with compliance issues. She routinely sends me updates on compliance things that I need to work on.

Sen. Ford: Why was the parental access removed?

VP Rosenthal: There is FERPA legislation that directs us to respond to parents in certain ways. Generally, we will not release records to parents without the express written consent of students. There are a few exceptions to that.

Sen. Fazel: Is there any objection to turning this into an Action Item?

Sen. Gizzi: I saw that this was an Information Item, so I really didn't spend much time planning on it becoming an Action Item.

Sen. Fazel: Okay.

Communications:

Sen. Stewart: The Illinois Art Education Association is having their annual conference at ISU at the Marriott on November 10 through the 13th. There will be an art education students' show in the gallery and other shows in the gallery at that time.

Sen. Gizzi: On Monday, November 7, Kim Wells, the Executive Director of the Corporate Alliance to End Partner Violence, is going to be speaking to my administration class at 2 PM in CVA 147. If anyone is interested, I would encourage you to attend.

Sen. Mittons: This Saturday, at 9 PM in Braden Auditorium, there is a free production of a play called *The Art*, which was written by a college student. I am in that play in a small role. It's about college students and how they face the issue of bureaucracy in college.

Adjournment

Motion XXXXIII-15: Sen. Stewart, seconded by Sen. Dawson, to adjourn. The motion was unanimously approved.