

Spring 4-8-2015

## Senate Meeting, April 8, 2015

Academic Senate  
*Illinois State University*

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### Recommended Citation

Senate, Academic, "Senate Meeting, April 8, 2015" (2015). *Academic Senate Minutes*. 890.  
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**Academic Senate Minutes**  
**Wednesday, April 8, 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 March 4, 2015***

**Motion XLV-149:** By Senator Hoelscher, seconded by Senator Cassata, to approve the minutes. The minutes, with the revision of the senator who called the roll (Senator Buckley instead of Senator Stewart), were unanimously approved.

***Presentation: Academic Impact Fund (Chuck McGuire, Interim Assoc. VP for Academic Fiscal Management)***

**Senator Lessoff:** The Academic Impact Fund (AIF) is the main mechanism the university uses to allocate faculty to departments. Over the last three years, the committee has become concerned about comprehending the report. The AIF is a complex mechanism. Even the documents that were meant to simplify the report were difficult to understand. The 2014 AIF called for this year's committee to find ways of simplifying the explanations of the AIF. The initiative was taken by the Provost's Office, but it was done as a cooperative effort with the committee with the idea that we could use this transition year to hand to the rest of university documentation and explanations that would be useful in subsequent years to discuss this fund. Dr. McGuire will talk about the report that he produced that explains our document. One thing that we put a lot of time into was explanations of terminology. There is also an effort to write down the principles that would be guiding the AIF in the future. These give points of discussion when different individuals talk about how should this fund work; what do we think it should do, etc. There is another document that the Provost's Office produced that is really more appropriate for training sessions. It is a set of hypothetical situations. I want to thank Dr. McGuire and Provost Krejci for working with us to get something simple and useful for the university community to have common terms to discuss.

**Dr. McGuire:** I would like to express my thanks to Alan and the Administrative Affairs and Budget Committee for the cooperative effort. Prior to the AIF, when faculty retired or resigned, you had to pay that person's sick leave. That was a major problem because it came out of department funds. You had to use other funds and ended up at the dean's office or the Provost's Office trying to find enough funds to pay the sick leave. Then you had to cover any temporary faculty and find funds to recruit for the full-time faculty afterwards.

The AIF was founded to remedy most of those problems. They were aimed at faculty/staff vacation/sick leave process, support for instruction following faculty retirements and resignations and the lack of flexibility in moving resources between departments. There was no way to move lines between departments or colleges. The essential nature is that when a faculty retired or resigned, all of the funding would move to the AIF central fund held in the Provost's Office. The AIF would then pay all of the necessary sick leave and vacation payouts for those faculty and give money back to the department to cover temporary faculty as necessary. The colleges then made prioritized requests for new faculty lines during the spring budget process.

The document that was sent to you was designed to be a transparent document to provide an understanding of the AIF. There is a implementation process that describes how we do it today. We are currently reevaluating parts of that process. One of the issues is that we have to look at the same types of statistics across the board before we can make decisions. I don't think that we are doing that right now. Deans and chairs look at certain metrics and the Provost's Office looks at other metrics and for those metrics to really mean something, I think that we need to redesign what we are doing. This is why Dr. Krejci is not making any major changes in how this

works right now. As we obtain the appropriate documentation and are able to share that among deans and chairs and consider what we want to do with it, then I think there may be some tweaks to this program. After a faculty member retires, it will be in March of the following year before we can approve any new tenure track positions because our budget process takes place in March. Therefore, we have to cover instructional costs for all of next year. If the position is approved, there will be a search process for the following year. That means that they have to have instructional capacity, pay for somebody to teach those classes for that two-year period.

There is a list of certain expenditures for the AIF that automatically come off of them. Things like the permanent funding for salary increases for Distinguished Professors and reserves for counter offers. There is a long list of things there that we fund out of the AIF. We have also added a list of frequently asked questions. For example, what is the difference between temporary and permanent funds? The difference is how the money is allocated. It can be allocated on a permanent basis, such as for a tenure-track faculty member's salary. Or it can be allocated on a temporary basis where it is allocated only for the next cycle. For example, the salary of a part-time, non-tenure-track is a temporary allocation of funds.

We also have a set of guiding principles. Who gets a tenure-track faculty approval for searching for next year? How do we do that? I think we do it kind of innately. We use these principles, but we have never written them down. All of this is subject to revision as we go along. These are not prioritized, but in any given case, we may look at one or another. These are things that we look at when making decisions. Primarily Educating Illinois—students come first so that they receive timely instruction to graduate on time in their chosen field, research and service. We are going to try to use the very best metrics forecasting tools that we can find. That is under development.

The AIF guidelines are given to deans and department chairs as kind of guideline of their way of looking at this process. It reiterates a lot of what is in the first document. Then what you have from pages 7-12 is what we used to give you as the sole report. The report without this kind of introduction would be almost incomprehensible. The first three pages of that report are a comprehensive summary of FY14. That is the last year for which we have complete data. We are in FY15 right now. We have provided you with partial data on FY15. Then for FY16, we have the number of positions that were authorized and the amount authorized for salaries. Page nine is the easiest page to start with. This is the AIF FY14 year-end summary. I am actually going to be proposing a change to this document. The change would be to draw a new line right below retirements and resignations. That means that the beginning balance, the merit increase to base and retirements and resignations—I would like to retitle that as Funds Available. That is the amount of funds available for FY14. Then below that line would be permanent disbursements. In other words, permanent dollars. That would be hires, Distinguished and University Professors, additional permanent expenses, etc. That is then subtracted from the Funds Available above it. Then we have the temporary disbursements below that.

We ended up in FY14 with \$21,000; we had a strategic budget carryover from FY13 of almost \$900,000. Thank goodness for that. When I started as a professor, we were not able to carryover funds from one year to the next. We had to use up the money by the end of the fiscal year or lose it or you may not be given it next year.

With that, I invite changes, criticisms, suggestions. I will not be doing it next year. I would like to introduce Dr. Alan Lacey who will be the new Interim Associate Vice President for Academic Financial Management beginning May 15.

**Senator Eckrich:** I would like to commend you very strongly for this very helpful work. I was amazed at how much clarity it provided. I would suggest that you include the initial pages in next year's report. I have a question around the concept of variance. Are there other sources of variance money besides grant buyouts?

**Dr. McGuire:** Yes, there could be unused contractual dollars within a department. If a faculty member takes a temporary administrative assignment, that permanent money stays within the department, so that would be variance. There are a number of ways.

**Senator Ellerton:** My question was looking at some of the finer structure within the summary tables. Are figures for departments available? That would be helpful.

**Dr. McGuire:** It's internal within these documents. It would give you a document about a page and half long. We have never done that. I don't know if that is something we want to talk about in the future.

**Senator Ellerton:** I ask because the departments and schools represented there vary greatly in the number of faculty and it would be useful to see how that affects the overall distribution of funding.

**Dr. McGuire:** We fully agree with that. That is one of the metrics we are trying to get to right now.

**Senator Bushell:** Your description of the normal timeline for replacing a faculty member makes sense. It is nice to hear that description. If a faculty member retires, we would not fill that position for two years at least. We have lines in the School of Art that haven't been replaced for more years. I am curious if there is a general trend. Instead of the two years that you described, it's about five years or seven years or can we find a general trend.

**Dr. McGuire:** We no longer look at it as lines within a department. That has been one of the arguments that has been tossed at us. You have to ask for them. Lines are really not set for each department any longer. The positions go back to the AIF and then we determine how many positions we can afford to give and then we will look at the requests by the deans for positions and try to fill what we can and look at the priorities of each college, as well as our own priorities.

**Senator Horst:** My understanding is that the vacation and sick leave buyouts used to be much more dramatic because of how you could keep sick leave. Are the sick leave buyouts diminishing?

**Dr. McGuire:** They are not diminishing yet. We think they will over time.

**Senator Crowley:** Is this the place to go to find our trending in our FTE?

**Dr. McGuire:** There is another report and we are working with PURPA. Some of that has come out here, but not all of it.

**Senator Rich:** On retirements, do you have any high-low estimates for the next fiscal year?

**Dr. McGuire:** I believe the trend line shows us to be in the low 30s. We do get a report, but it is based on faculty who are eligible to retire. The eligibility is based on people who are 60 years old or have 30 years of service.

**Senator Kalter:** The major change is that it used to be that the lines would stay in the department and the money would go into the fund. Sometime around 2008, both started going into the fund. I think what was happening there was that there were reallocations, but not explanations. When the AIF was first instituted, allocations were supposed to be linked to program review and I have always found that very important and would suggest that among the list on page two of the personnel that should be consulted when allocations are being made, the associate provost or whoever is the chair of the Academic Planning Committee should be added to that list. Just having the quantitative data is not at all enough.

**Dr. McGuire:** In fact, he is.

**Senator Kalter:** It's just not written down here?

**Dr. McGuire:** Right.

**Senator Kalter:** So we could tweak that?

**Dr. McGuire:** Sure.

**Senator Kalter:** Do we have any plans for this strategic budget carry over since it is now at that two-year point and we have got to spend it pretty soon.

**Dr. McGuire:** We are keeping our powder dry right now for a number of reasons and that is about as far as I can say.

**Senator Kalter:** So we do not have any current plan for it or if we have one it is suspended?

**Dr. McGuire:** Yes, suspended for the time being.

**Senator Kalter:** Thanks very much to Chuck McGuire for his presentation with Senator Lessoff tonight. Chuck has done a wonderful deed for the university in coming back from his retirement to help bridge the gap left by the resignation of Mardell Wilson. I'd also like to thank Destini Fincham for all the quiet and extensive work that she does in keeping track of the funds going into and out of the Academic Impact Fund.

**Senator Lessoff:** She is amazing. This is the woman who works in the Provost's Office who crunches all of these numbers. Destini just gives you amazing explanations. She is very good.

**Senator Kalter:** And a very warm welcome to Professor Alan Lacy, who has most recently been serving in the capacity of Senior Associate Dean in the College of Applied Science and Technology. Alan will serve for the next two years as Interim Associate Provost for Academic Fiscal Management, a position that includes as only one of its central functions the management of the Academic Impact Fund.

***Chairperson's Remarks***

**Senator Kalter:** Good evening!...

Tonight we need a little bit of poetry:

APRIL is the cruellest month, breeding  
Lilacs out of the dead land, mixing  
Memory and desire, stirring  
Dull roots with spring rain.

Winter kept us warm, covering  
Earth in forgetful snow, feeding  
A little life with dried tubers.

I don't know about the rest of you, but I noticed the beginning of Spring craziness around here starting the second week after Spring Break. We are all trying to do everything all at once: invite everyone we know to campus, go to every event, complete too many assignments, hire every last superstar, navigate every LEAPForward glitch—often in separate time zones—find that first job, close down or open up that apartment for summer or next year. I hope we remember while doing it all to give ourselves a break and be kind to ourselves and others. They say that you cannot be kind to others unless you are first kind to yourself, and I'd say there is a depth of truth in that idea greater than we can even fathom.

I would like to thank President Dietz for the food tonight, as well as the staff in his office who carried out his offer: Dave Bentlin and Julie Barnhill. Please feel free to partake throughout the meeting; if we get tired in the middle, we can call for a 5-minute recess for the munchies.

So that I do not forget later, I'd like to thank Art Munin and Rick Olshak for all the hours they've put in, as well as their rapid revision work, on the Code of Student Conduct as it makes its way through the Senate process.

Thanks also to all the folks who contacted me with their stories about how the proposed elimination of the 50% tuition waiver for faculty and staff would impact their own education or their own families personally. Those contacts were very helpful in supporting my responses to requests from the media for comment. I am a past recipient of a tuition benefit from another university, so have long known the importance of these benefits for the quality of higher education and the institutions that support it. Higher education competes against higher salaries in the private sector for much of its professoriate and labor force, and tuition waivers help offset those disadvantages.

For those of you who have not yet heard, the university settled on March 6 a grievance that had been awaiting arbitration related to the FY15 salary increase for non-tenure-track faculty; and about a week later signed a new contract with the union representing our non-tenure-track workers which was ratified unanimously by the members. Thank you to all the Senators who spoke in support of our colleagues on contingent faculty appointments and the important work that they do for our university, regardless of your ultimate vote on the proposed Sense of the Senate resolution.

We haven't had an IBHE-FAC report all year, and I'd like to offer my sympathy to Lane Crothers and Senator Gizzi, who apparently attended the last meeting and came away with only one interesting factoid to report: "The 'To and Through' Project of the University of Chicago is the data/policy shop for the Chicago Public Schools. They have found that a student's 9th grade attendance record and exam performance are the most powerful predictors of whether that student will go to and graduate from college. Those two variables are more powerful in explaining student success in college than every other factor that influences education combined."

Finally, a reminder that representatives from the Higher Learning Commission will be on campus Monday, April 20 and Tuesday, April 21. An all-faculty meeting is tentatively scheduled for 3:30 p.m. on Monday and an all-student meeting is tentatively scheduled for Monday morning. Please attend and strongly encourage people in your departments and majors to attend as well.

I'd be happy to take any questions.

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

**Senator Joyce:** Hello Everyone,

Last Wednesday I gave the State of the Student body address, I would like to start my remarks by covering a few major accomplishments the student body did this year.

We started the semester with a 31 and one record between the Redbird Football team, women's soccer, and women's volleyball.

We finished #22 in the Division I Learfield Sports Directors' Cup fall standing (highest in the Missouri Valley Conference)

Business Week, a business RSO, once again held an amazing week long professional development event. This week was filled with a professional development dinner, seminars on transitioning from college life to the work world, and a corporate responsibility dinner. Most notable was the Keynote event, which hosted ISU Alumni and CFO of Chipotle, John "Jack" Hartung. This week long event is a great example of some of the best work the Student Body can produce.

You can see our student body accomplished some really great things this semester.

Last week the Student Elections results were presented. I am glad to announce that Ryan Powers will be Student Body President this upcoming academic year. Ryan will you stand up. Accompanying him is Patrick Kelly the Student Body Vice President and Matt Porter the Student Body Executive Director. Will both of you stand up. This year the Student Government had a good increase in people running for positions and we filled all but 3 on campus positions. I myself was elected for the position of Student Trustee.

Beyond the elections the Student Government is planning a Lobby Day April 22nd. I ask that you encourage your students to come and allow them to miss class that day if they plan to attend. With recent events we hope to have a strong presence this year. We plan to lobby on statewide budget cuts, the possible removal of tuition reductions for state employees, and textbook affordability reforms. If you have any questions feel free to reach out to me or Ryan.

That's all that I have tonight. I would like to say that it has been a pleasure working with all of you and serving as Student Body President. I ended my speech "With a strong faculty, staff, and student body ISU will always remain a big school that has a small town feel, with a special focus on student learning." I do truly believe that we are a special university and am glad that I have had the honor to serve my Student Body.

#### *Administrators' Remarks*

- *President Larry Dietz – Absent*

- *Provost Janet Krejci*

**Senator Kalter:** Provost Krejci is not here, but she did send us her remarks. So I will read those:

“Good evening! I apologize for my absence at tonight’s meeting. I am in Panama at the Summit of the Americas sponsored by Panama’s Ministry of Education this week representing President Dietz, attending an international conference.

#### **Enrollment:**

- Although applications for Fall, 2015 from FTIC students are down by 14% as of 4/6/15, admissions are down only 7% and enrollment deposits are down only 0.5%, which is only 14 fewer deposits than we'd received this time last year.
- Transfer student applications are down 14% from this time last year.
- Graduate applications are up 4%, but admissions are currently down 11%.

**Congrats** to the newly elected officers: SGA President Ryan Power, VP Patrick Kelly and Executive Director Matt Porter.

Research and Sponsored Programs held their reception last week to honor **7** new members of the million dollar club. Congratulations to all scholars celebrated including those who joined both the 5 million and 10 million dollar club.

**News:** We are very excited to announce that Dr. Alan Lacy will join the provost office as the Interim Associate Vice President for Fiscal Management on May 15<sup>th</sup>, but has already begun to attend relevant meetings; we are deeply appreciative of Dr. Chuck McGuire's part time participation in that role since August. Dr. McGuire is looking forward to his full retirement at the end of May

Budget presentations were held this past week for Academic Affairs, with a full house in attendance for Dean Major's last budget presentations, accompanied by a wonderful performance by CFA students.

Busy month in April with many events honoring students and alumni, as well as the Higher Learning Commission visit planned for April 20<sup>th</sup> and April 21<sup>st</sup>.

### **Searches**

College of Fine Arts, Dean Search: Finalists will be on campus the week of April 13<sup>th</sup>, with open forums taking place Tuesday through Friday at 3:30, in different locations. Tuesday and Wednesday they will be in the Prairie Room, Thursday in Old Main and Friday in the SFHB 366.

Graduate School, Director Search last finalist was on campus last week and the committee will be forwarding their recommendations shortly.

We will be looking at two dean searches (MCN, COB) for next year as well as the Associate VP for Research and Graduate Studies. I will be meeting with college councils of the two colleges in next week or so to begin to outline plans.

Please forward any questions to my email: [jkrejci@ilstu.edu](mailto:jkrejci@ilstu.edu) and I will be happy to respond."

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

**Senator Paterson:** Yesterday was a very sad day for Redbird Athletics, the university and the community. I saw a few of you at the Redbird Remembrance Ceremony just prior to this. It was a very moving ceremony. Individuals deal with grief in their own unique ways, so I ask you to be aware of not only your own personal feelings, but those that you are in contact with. Student Counseling Services has some online resources on their website about dealing with grief. We continue to have our emergency counselors on call. They are taking walk-in appointments at student counseling and also students can call to make appointments.

Senator Alt's father passed away late last week. The funeral was yesterday, so I believe that is why he is not here this evening.

This afternoon, WZND hosted an on air tribute to Ben Allison. Ben was very active in WZND. You may recall that he died in January after being hit by a drunk driver crossing a street near campus. Ben's family was in the studio today and they talked on air with some of the radio hosts. At that time as well, Ben's parents were presented with the Rita Mae Carroll First Year Student Award that was given to Ben posthumously.

Our housing deposits are up 36% from where they were last year at this time. Part of that is due to some changes in our process for signing up for housing. It is higher than we expected, but I want to assure everyone that we will have spaces for students who live on campus in the fall. We have been working on those plans



throughout the year. A couple of programs that have happened over the past month—one is called My Brother's Keepers cosponsored with the Bloomington chapter of the NAACP. It was titled the 411 on 5-0. They invited the police chiefs from Bloomington, Normal and ISU to speak with students about policing our community. That was a very successful program. I am also very proud of our Inter-Fraternity Council. They sponsored a demonstration called Not on Our Campus against negative stereotypes of race, sexual violence and discrimination. They invited other student organizations to join them. We will be initiating an SAE Chapter on Sunday. They have been a colony at Illinois State for the past two years. SAE was a chapter in Oklahoma that questions came about racial prejudice in the songs that they were singing. The students of SAE have really initiated this demonstration. They reached out to the other fraternities. They challenged other fraternities to look at their beliefs and values regarding racial prejudice.

We had over 210 participants in the alternative spring break program on five different trips doing outreach work. Some were involved in Habitat; some were involved in wildlife work in Louisiana, Georgia and South Carolina. I also want to extend my congratulations to Connor Joyce on being elected student trustee and to Ryan Powers and Patrick Kelly. I look forward to working with you.

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

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

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

**Senator Crowley:** The committee will forward to Executive Committee the following: Verification of Student Identity Policy, Classroom Disruption Policy, University Library Policy, Student Computer Ownership Policy. We also have a report on the MW class schedule data.

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

**Senator Lessoff:** At our March 25<sup>th</sup> meeting, we finalized comments on the president, which is forwarded to the Executive Committee. We discussed the ongoing issue of deans and chairs review forms. We discussed the proposed Sick Leave Policy. We passed on to the Senate, which will be an Information Item tonight, the Employee Assistance Policy. This evening, we had guests at the committee, Tammy Carlson, HR, Shane McCreery, Ethics, and Wendy Smith from the university attorney's office. We had a very good discussion of the proposed Sick Leave Policy. I think we made a lot of progress. I hope by early next year we can bring that to the Senate.

##### ***Faculty Affairs Committee***

**Senator Horst:** On March 25<sup>th</sup>, Wendy Smith visited our committee to discuss the Criminal Background Policy, which we will be presenting later. We also had a visit from two Distinguished Professors and we heard their concerns about a draft of the Distinguished Professor Policy. We drafted a University Professor Policy and a Distinguished Professor Policy. Since that time, we met this evening with the University Professors and they have given their input on the drafts we presented. Based on all of this input, I will write a letter to Senator Kalter so that she can be apprised of all of these deliberations for next year. We also reviewed the AFEGC Report and the Ombudsperson Report and I will be forwarding the comments to Cynthia. We reviewed the Sabbatical Leave Policy and we have no recommendations for that policy, so I can send an email to Cynthia to that effect. We also looked at our task list.

Since this is probably my last report as the Faculty Affairs Committee Chair, I wanted to comment that two and half years ago, the committee looked at the definition of financial exigency. I would again make a plea that the president bring this to the Board or that the Senate can be aware of this issue. Financial exigency is one way that the university can cut tenure-track positions, so it is really important that this definition be reworked. I encourage the Executive Committee to work with the president to try to get them to change our definition.

**Senator Kalter:** The Chair of the Senate has been in conversation with the president about the financial exigency issue. We made a deliberate decision not to deal with it this year.

***Planning and Finance Committee***

**Senator Rich:** We have forwarded the Institutional Priorities Report for your consideration. It appears later on the agenda.

***Rules Committee***

**Senator Bushell:** March 25<sup>th</sup> we also met for an extended meeting and invited Rich Olshak to come and work through some of the details for the Student Code of Conduct. Nikki Brauer and Lois Soeldner also came to that meeting. As AP and Civil Service reps, they wanted to discuss details for their constituents about policy 10, the Policy on Creation and Revision of Policies. Tonight, we did our annual duty of assigning faculty volunteers to External Committees of the Senate.

***Action Item:***

**02.19.15.01 Pass/Fail - Credit/No Credit Policy – Revised (Academic Affairs Committee)**

**Motion XLV-150:** By Senator Crowley to accept the revised policy. The policy, as revised, was unanimously approved.

***Information Items:***

**04.03.15.02 Academic Impact Fund Report (Administrative Affairs and Budget Committee)**

**Senator Lessoff:** We hope the documentation, as discussed earlier, will be able to clarify the procedures and definitions of the Academic Impact Fund. We also provided on pages four and five a summary sketch of that long document and one of the things that we wanted to point out that even a summary of the AIF leads to six footnotes because we are dealing with a complex procedure.

**Senator Kalter:** Can you say a little bit more about what the feedback loop with the deans and chairs will look like?

**Senator Lessoff:** We are not sure yet. We are hoping to provide a basis for future work by the committee with different constituencies around the university, then discussing the operations and priorities. We are not sure about the practical procedure; that is what we are going to talk about next year, setting some process in motion to work with departments to get their understanding and raise issues for further study. That's the goal to have the committee to have direct liaison with deans and departments as to how well this is operating, what issues that they have, and so on. One of them is how the allocation of faculty is carried out. Secondly, is the use of those temporary funds.

**Senator Kalter:** I would suggest that the provost set up a set of lines during the month that approvals take place that explains to departments why a request was not approved.

**Senator Ellerton:** I am very much in favor of what Senator Kalter said. That feedback is so important, so I was wondering why the second to last paragraph says "as an alternative approach". I know it is in context, but is there emphasis on that being a genuine intent? Perhaps the wording could be slightly different. As an alternative approach almost implies that we don't have to use that.

**Senator Lessoff:** There are masses of data. In terms of just members of the committee, it would be hard to analyze what a math professor would recognize as a valid analysis of that information. So the alternative was for us to open lines of communication with the departments saying what do you really want from this procedure. Your question gets to the tenor of the discussion we will have next year. How we can use this to really benefit departments?

**Senator Rich:** How does the AIF function in the context of a substantial reduction of general revenue?

**Senator Lessoff:** I am not really sure what percentages would be affected because we have always been operating under a system of when a faculty member retires, that money goes into the fund. If there were a rescission or cutback, I am not entirely sure how that would affect the fund.

*Student Code of Conduct and Related Materials (Rules Committee):*

*04.01.15.01 Student Code of Conduct – Revised 4/1/15*

*04.03.15.04 Blue Book Revisions for SGA, UHP, SAB, SGC*

*04.03.15.07 Section Changes - Summary of Proposed Changes to Student Code  
Sanctions Report 2/16/15*

*04.03.15.05 2012 Student Code of Conduct – Current - Pages 8-9 (Academic Dishonesty Section)*

*03.24.12.03 Memo from University Counsel – Changes made by Legal*

**Senator Kalter:** We are going to try to tackle this in four bite-sized pieces. The academic dishonesty portion, the section with which the Rules Committee was in particular tasked with, the changes to the structures of the committees and that is linked to the Blue Book. At the end, we are going to go back to any questions on the entire document.

The academic dishonesty section came up as an Information Item and Senator Gizzi asked that it be sent to committee so we sent that one to the Rules Committee as well.

**Senator Bushell:** When we were beginning to discuss this, we were finding that the information in the proposed Student Code was subtly differently than what is in the undergraduate catalog. By default, as a body that had already worked through those original sections, including the original section 7, which is now section 6, the Rules Committee decided to go with that language that we approved and suggested that that gets included in the undergraduate catalog.

**Senator Kalter:** Dr. Munin, did you have anything to add?

**Dr. Art Munin, Dean of Students:** Nothing further.

**Senator Kalter:** We are going to move to the renumbered 8G. It is called Specialized Rules.

**Senator Bushell:** I don't think we covered that as a group. We concentrated most of our effort on the original section 13, which is now section 12. By default, it may have been included in our discussions up to section 13.

**Senator Kalter:** Before I ask Dr. Munin to talk about the Health and Safety section, does anybody have any questions about any of the sections.

**Senator Horst:** We are talking about pages 30-33.

**Senator Kalter:** Yes.

**Senator Horst:** I had questions about lines 33, 34, 35. It is discussing where you have a faculty member who is in debate with a student about a certain situation (page 31). It says if a faculty member imposes an academic penalty and a student is found not in violation of the allegation, the student may have grounds for appealing the penalty through the Office of the Provost. I recall that we sped up the timeline to appeal a grade. Do we have to change the grade appeals policy to allow for this appeal because I think there is only ten days, a very narrow window, in which a student may appeal a grade?

**Senator Kalter:** This is in the renumbered section 8G and it is in the very last paragraph of academic integrity cases, the very last sentence. There is another policy outside the Student Code that gives a timeline for that kind of an appeal, as well as final grade appeals in general.

**Senator Horst:** Perhaps that policy needs to be revisited or perhaps you can get an exemption from that policy. The timeline used to be within a semester and I believe about three or four years ago, we sped it up to be ten days.

**Dr. Munin:** I am unfamiliar with that policy.

**Senator Kalter:** We can check whether there is any kind of change that needs to be made as a result of this for this policy. I don't think that there would be because there is no timeline here.

**Wendy Smith, Assistant University Counsel:** It says that if you are challenging a final grade, you get an incomplete until the challenge is finished. That policy only covers final grades.

**Senator Kalter:** I think that this line in the Code is actually meant to cover if a faculty member decides to give somebody an F rather than an incomplete, then the student conduct process finds them not in violation. That is why faculty members are advised not to do that. Please don't give a grade until the whole process is gone through, so this one sentence gives a provision for students who have gotten an F as a penalty, but have been cleared in that the student conduct process.

**Senator Horst:** But they would only have a narrow range. I don't have the policy in front of me, but I believe it was a much more compressed timeline than it used to be. So perhaps that other policy needed to allow for this exemption.

**Senator Kalter:** Dr. Munin and I can look at that together to see if there is any kind of impingement.

**Senator Gizzi:** That ten-day period is to start that process. Since I have been on the committee, nothing that we have ever dealt with has ever dealt with the Student Code of Conduct. It's always someone who got a grade and is just challenging that grade as being arbitrary and capricious. The timeline is tight, but it is a series of steps by the time it makes it to the Provost's Office and makes it to the committee. It is really a separate issue.

**Ms. Smith:** If I remember correctly, academic integrity cases are exempted from the policy because they are handled under this.

**Senator Kalter:** We will go back and see if they are reconciled together or that that policy is brought through the process. Are there any other questions about this section? One of the things that you have in your packet is an old memo from the University Counsel that indicates that there were changes made to the current Code in 2012. We have provided that for you so that you can compare those. Dr. Munin gave me a really good explanation of the two changes that were made because of directives from the Office of Civil Rights. Can you explain some of those because they have to do with the Health and Safety part of the Code?

**Dr. Munin:** I would yield to Dr. Paterson because he was here at that time when the changes were put in place.

**Senator Paterson:** Previously, we had a committee to review this. The committee, the way it was structured and other purposes were really in conflict with what the Office of Civil Rights had indicated. The members of that committee had previously been a part of the Student Behavioral Intervention Team and they were already engaged in working and having knowledge of some of the situations with students, which would be really in conflict with hearing the cases. So I was really the one who pushed for having a single person to do this. The Office of Civil Rights said that if these cases are to be heard, they need to be heard through a student conduct

process. Previously, we tried to deal with them more as behavioral issues and most of these cases are students who are having severe mental health issues. In most of these cases, there has already been an established relationship with that student and to try to work through a process that is more humane than asking that student who is in this fragile state to make a presentation to a panel that they have never seen before and that panel is going to decide their future at the university. Having a panel make those decisions, I really felt that they were not trained in being able to make those types of decisions and it is a threatening environment for the student.

**Dr. Munin:** This allows us to respond quickly to protect the students and our community.

**Senator Kalter:** Are there questions specific to the Health and Safety section? We used to do an involuntary withdrawal and the Office of Civil Rights said you have to do it through a code process. One of the things that has happened since we went from the committee system to the individual system is that we have also had that the appeal is to an individual. So if Dr. Munin decides on something, then the student can appeal to Dr. Paterson. One of the questions that I had was if you could explain that appeals process. Is it simply the same reason to appeal to an individual because of those relationships that have already been set up and for protection of the campus?

**Dr. Munin:** You are actually speaking to that and it is also an expertise and training level.

**Senator Kalter:** Any further questions? Alright, we will move on to pages 39 to 42, renumbered section 12.

**Senator Bushell:** This came to the Rules Committee because of its connection to the Blue Book. So the section is called Conduct Bodies and is listing various resources and panels and committees that could hear or manage cases. Several of those are University Hearing Panel, University Appeals Board and also originally in the document, the Student Grievance Committee. The Rules Committee worked with Dr. Munin and Rick Olshak to have a clear communication and deliberate on these details.

**Dr. Munin:** There were some edits to the Blue Book and those were transferred back into the Code.

**Senator Bushell:** One of the Blue Book items if fully deleted, the Student Grievance Committee. What has become general practice is that 90% of the cases there are grade related, so they were being deferred to the Provost's Office. We have grown into that practice, so no need for a committee.

**Senator Kalter:** I understand that the other change that was there already before it went to Rules was adding five staff members to the University Hearing Panel because originally there were five faculty, five students and now there will be five staff members so that there will be enough people on the hearing panel to hear cases.

**Senator Fazel:** A few other things that we discussed on Rules, and they are already incorporated in the document, that appeals for Title IX issues were going to the Dean of Students and the Dean of Students was the final step in the appeal process. Our recommendation was that it shouldn't be just one person. We recommended having three people. The major constraint for having just one person is that people who serve on this board should be trained in Title IX issues and so we have more people trained so that they could serve on the board for appeals. Also, a quorum on the hearing panel was only three people. We set that out of the three, at least two faculty and a staff, so it would not be two students, for example, and one staff member.

**Senator Kalter:** What Senator Fazel is referring to as far as the Title IX cases is on page 42. Any further questions on that section?

**Senator Horst:** I had some faculty contact me with concerns about this idea of case managers. I don't know if you have made additions since the fall. They were concerned about a conflict of interest if you have people who

are working for the SCC and are managing cases and working with students. Do you see a conflict of interest or did you address that concern in this draft?

**Dr. Munin:** I remember that question coming up before and I don't believe there is a conflict of interest. These are Student Affairs professionals who are well trained in managing student conduct matters and their role is to be dispassionate and make sure that not only just outcomes are reached, but also in the case where a student has made a mistake, educational ones.

**Senator Horst:** Are there still going to be student members in this role as well.

**Dr. Munin:** We have graduate assistants staff who are students, but they are staff within the office, but not undergraduates.

**Senator Horst:** So basically it is going to be staff who have this role and no students?

**Dr. Munin:** Correct.

**Senator Kalter:** Any further questions?

**Senator Fazel:** On page 41, item F2, it used to be two students, two faculty members and one staff member shall be assigned to each appeal hearing. A quorum will consist of three members and we recommended that at least two of those three people be faculty.

**Senator Kalter:** That is under the University Appeals Board. Are there any questions about the changes to the Blue Book, which are related to the changes here in section 12?

**Senator Bushell:** The copy I have for the University Appeals Board still has a couple of details on it that I would propose as changes. These are small items that we saw on the committee and they just don't show up in this document. For example, a section in the middle says nominated and elected by the Student Government Association for a one-year term. Right after that, it says five staff members and that is a duplicate compared to the one below it. It is just a small edit to make sure that goes away. And then the last sentence of the whole document for University Appeals Board, UAP reports on all other matters to the Student Government Association. When we discussed that, it seemed like that was going to go away as if there were no other matters that this committee would deal with. They were already absorbed into the structural details. So that would be a proposal to delete that sentence unless there has been other thinking about that.

**Dr. Munin:** In the copy I have, those edits are made.

**Senator Kalter:** I have a couple of comments. One of them was made by Ms. James that you have the Student Government Association there; you notice that there are no changes there. But we noticed that the Student Code Enforcement and Review Board—that needs to be changed because we no longer have SCERB. Now it's UAB, so things need to be changed. The other thing that we talked about is you will notice under the University Appeals Board on page 2, that it used to be the Student Appeals Board, which was charged with the Code of Student Conduct itself. I think there is a pretty strong feeling that that still needs to be in a shared governance body and one of the suggestions that has been floated is that it should move it to a Student Government charge. Does anybody have any comments about that idea? We would move items two, three and four that are crossed out and moving those to the Student Government Association's charge.

**Senator Bushell:** Sounds like a good idea.

**Senator Fazel:** As I recall from the Student Code of Conduct, I think all of the changes to the Code will be initiated by the VP of Student Affairs.

**Senator Kalter:** That was in an earlier draft I believe and I think that that is the case anyway, but some shared governance body should still be charged with that review.

**Senator Fazel:** If they regularly review that, that means the VP doesn't have to initiate it. If they review it, they may recommend changes and if that is the case, then the Student Code of Conduct should reflect that.

**Senator Kalter:** I agree with you. I think that is the idea. I can't remember if that was in the preamble or the authority and review. If it was in authority and review, it has been taken out. I think that the students should own their Code of Conduct and should have responsibility for its review on a regular basis. The only other thing that I wanted to ask has to do with the Student Grievance Committee and getting rid of it. If a student feels that their grade is being determined, for example, by their race instead of how they perform in class, they will go to the Office of Ethics, Equal Opportunity and Access and OEOEA would investigate and then work through the DFSC and department process. Are there other ways in which students can feel that their grade is based on the irrelevancies that have nothing to do with race, gender or OEOEA? Where would students go when they have that kind of dispute? Is this covered by the policy we were talking about earlier where they feel that their grade has been determined by irrelevancies and then go through the provost's appeals process that is in this other policy?

**Dr. Munin:** That's how we would make a referral. The chair of the department would be the most appropriate and would be most likely for a provost appeal.

**Senator Kalter:** Does that need to be stated anywhere for students so that they know where to go?

**Dr. Munin:** That would not be a conduct issue, so it wouldn't be in the Code.

**Senator Kalter:** Anything else on this section?

**Senator Gizzi:** Not on this section. I think the Student Code of Conduct is a very important set of issues. I think we are being presented with a massive amount of information. We have been sitting in a meeting for two hours and ten minutes. There is no way we are able to engage in meaningful discussion at the level that this deserves at this hour. I don't understand why we are in such a rush to do this given the fact of how important all this stuff is and given the fact that we need to see things very clearly. Not have multiple documents; be very simple. I would move that we suspend this discussion until next fall.

**Dr. Munin:** The problem that that presents for us is that it would literally be a year because even to bring this up in the fall and have it passed in the fall, there are substantive changes that require the retraining of staff and the recreating of processes that we need the summer in order to make happen. I want the absolute best Code for students and I think that is what we have before us. I want the students that we have at ISU next year to benefit from this Code.

**Senator Gizzi:** I get the need and that it would slow it down. At the same time, I am not convinced it's persuasive given the fact that we are being faced with so much. I hate being in the position where we have to rush something. Every meeting goes two to three hours. We are not functioning at that point very well. We need to find a way to simplify some stuff. Maybe we could take another look at it, but it would have to be at the beginning of the meeting at 7:00 p.m. We routinely go through an hour of reports before we get to Information or Action Items.

**Senator Kalter:** I agree with you Senator Gizzi. We looked at this in Executive Committee. We took some stuff off of the agenda for those reasons. The Academic Impact Fund would have been two weeks ago except we wanted to cancel that meeting in order to allow committees to get their work done for the year. I agree that it would be very nice for us to have a discussion, for example, about moving the Action and Information Items up on the agenda so that on long nights like this, they come first.

**Senator Horst:** I would like to ask the Executive Committee to make this an Information/Action Item so that we could potentially extend the discussion next time and then we could have a motion from the body to make it an Action Item. Then we can make a determination as a body whether or not we are ready to move forward to address Senator Gizzi's concern.

**Senator Kalter:** Let me ask the members of the Executive Committee if we should suspend this conversation and do what Senator Horst is suggesting. Should we have a vote?

**Senator Schneider:** We cancelled one meeting so the committees could get their work done. Could we call another meeting of the Senate aside from the regular schedule and have the Code as the only item?

**Senator Kalter:** The concern is that when we try to do something like that, we often do not get a quorum. One of the things Exec was thinking about is that we have this Senate and next Senate with the current senators and the May Senate has new senators. Senator Gizzi and I have repeatedly said let's not move things from information to action in the same night because we don't want to rush. I believe also that SGA has a meeting on the in between Wednesdays, so it is very difficult for the students to come.

**Senator Ellerton:** Would a possibility be to begin the next Senate meeting at 6 p.m. instead of 7:00 p.m.

**Senator Kalter:** We have elections and orientation at 5:30.

**Senator Fazel:** We also have large items on the rest of the agenda. We also have guests who have been sitting here for two hours, so I hate to say this, but are those also urgent that they need to be done with the existing Senate. If it is a new issue, we could discuss it in that last meeting of new senators. The Student Code of Conduct is one that everyone has spent so much time on. I think it is appropriate to finish it up in this meeting and next meeting. Is it a possibility to postpone the rest of these and then tonight take another 20 or 30 minutes to finish up the Student Code?

**Senator Kalter:** I would ask the chairs who are with these policies to comment on that. The one thing that we should get done by the end of the year is the Criminal Background Check Policy. In terms of the Employee Assistance Program, Senator Lessoff can speak to that, but it is one of the ones that was taken off the website and we are trying to get back on the website. The Institutional Priorities Report, I will let Senator Rich talk about that and the Sense of the Senate Resolution could probably be deferred.

**Senator Lessoff:** The EAP policy is a very simple one; it shouldn't take much time, so there will be nothing lost by postponing that.

**Senator Kalter:** And making it an Information/Action Item next time. What about the Institutional Priorities Report?

**Senator Rich:** Your general objection and Senator Gizzi's general objection to those being Information/Action Items on the same night probably applies. I would note rushed is not exactly the feeling that I have at this moment. Given that over a couple of months we have had the opportunity to do our homework on this and ask questions and the relevant committee has probably reviewed this in a forum which is more efficient than this



body for those things. I am not feeling that we are rushing on that. I would like to proceed since we are nearing conclusion on this.

**Senator Kalter:** Perhaps we should get a second and take a vote on Senator Gizzi's motion.

**Motion XLV-151:** By Senator Gizzi, seconded by Senator Schneider, to suspend the discussion and start at the beginning of the next meeting.

**Senator Johnson:** So the original motion was to leave it for the fall and this has changed to just for next meeting?

**Senator Gizzi:** Well, we would have the ability to decide at that next meeting if we are ready or not. This is along the lines of what Senator Horst suggested.

**Vote on Motion:** The motion was not approved by voice vote.

**Senator Kalter:** Does anyone have anything else on the Blue Book discussion? Alright, any questions on the Code as a whole?

**Senator Lessoff:** The committees that worked on this should really be commended for dealing with some really gnarled issues. It's probably as best as it can be.

**Senator Kalter:** Dr. Munin and Rick Olshak have worked very diligently and tirelessly to get us revisions very, very quickly and have been incredibly responsive. In that case, we are going to close down discussion on the Student Code. With everybody's permission, I am going to move first to the Criminal Background Check Policy so that Wendy Smith can come to the table and then go home.

**03.19.15.01 *Criminal Background Investigation Policy (Faculty Affairs Committee)***

**Senator Horst:** This came to the Faculty Affairs Committee from legal. There are some title changes. The most substantial change is that criminal background investigations extend to vendors who are working on the laboratory school property.

**Senator Kalter:** The main thing is that we need to protect our lab schools. Would you agree that that is the reason for us wanting to change this right now?

**Wendy Smith, Assistant University Counsel:** We need to be in compliance with the school code, which requires us to do a certain type of background check on vendors. We have always been doing a background check, but this requires a fingerprint background check, which you are only allowed to do in K-12 schools. It does it on your fingerprints versus your social security number. It makes it a little harder to have a false identity. Name is the bronze standard, social security number is the silver and fingerprint is the gold. The school code requires universities to do a fingerprint check on anyone in the lab schools who is employed by the lab schools and vendors who are in daily contact with students.

**02.10.15.06 *Employee Assistance Program Policy – Revised (Administrative Affairs and Budget Committee)***

**02.10.15.07 *Employee Assistance Program Policy – Clean Copy (Administrative Affairs and Budget Committee)***

**04.03.15.08 *Medical/Behavioral Problems of Employees – Recommendation to Delete (Administrative Affairs and Budget Committee)***

**Senator Lessoff:** This is among the policies that were taken down off the website because it wasn't up to date. It was taken down without consultation with the relevant people in central administration and the Executive

Committee and the Senate, and so on. The revision is very simple. There are really no substantive changes. It just clarifies the old policy. There are a few things that are clarified that were in the old policy that were not supposed to be in the policy. For example, who is eligible for the program. The old policy listed retirees. Retirees would be eligible for assistance of this sort but through the insurance program. The policy that was recommended for deletion was brought to us by Senator Alt as no longer necessary; it is just redundant. The EAP covers it.

**Senator Horst:** Does policy 3.1.14 apply to part-time faculty, which aren't covered by 3.1.37.

**Senator Lessoff:** My understanding was that the policy defines who is covered by state law. I am not sure whether those who are under 50% are eligible.

**Senator Horst:** Does 3.1.14 apply to people who are part-time?

**Senator Lessoff:** Not to my knowledge.

**Senator Kalter:** We can certainly bring that to Senator Alt and ask him about that. Are there any further questions?

**Tammy Carlson, Director of HR:** In looking at what that policy says, we believe that it would not apply to part-time employees who did not have our insurance.

**Senator Horst:** Which one?

**Ms. Carlson:** 3.1.14.

**Senator Kalter:** Are there any further questions. Thank you very much; we appreciate you being here.

#### ***04.03.15.01 Institutional Priorities Report (Planning and Finance Committee)***

**Senator Rich:** The Institutional Priorities Report is what the Planning and Finance Committee's entire year is structured around. Starting with our fall sessions, with information on university finances, student debt, instructional costs, grants and contracts, student services, all choices of the committee this year. In January, we reviewed documents in response to last year's priorities report from each of the four vice presidents as part of our process and over the past few weeks, several work sessions discussing proposed revisions. Thanks to all members for their extraordinary effort. The committee adopted by itemized vote two dozen revisions. A very quick tour of changes: In section A, there were several edits, many improved recognitions of the cross divisional partnership, especially between Academic Affairs and Student Affairs, in achieving the goals stated in each of those headings. In section B, committee members proposed numerous items there. The most substantial changes are in B1 and B2. In section D regarding financial sustainability with respect to the long-range financial plan work, I would note consensus addition about the third sentence. Stemming from our discussion of student debt, the following sentence was added: Maintaining affordability for students and their families is a continuing priority for Illinois State University. With that, I welcome your questions.

**Senator Crowley:** How well is this aligned with Educating Illinois?

**Senator Rich:** The document makes reference to Educating Illinois as the university's mission statement, strategic plan and unifying expression of ideals and goals. Our interpretation of the role of this document is to highlight specific items, not to be as comprehensive as Educating Illinois is in regard to the university's mission and priorities.

**Senator Kalter:** Anything else? I want to commend Senator Rich and the whole committee for the work on this document. We will see this one in two weeks. Given the lateness of the hour, we can defer the Sense of the Senate Resolution. Please just read it through and think about whether you want to vote for it next time.

**Communications:**

***03.13.15.01—Sense of the Senate Resolution: Funding for Higher Education (Senator Stewart) Rescheduled for next meeting.***

**Senator Joyce:** There is a theatre major and his name is Kyle Kolling and he is starting a petition and also a potential protest in Springfield in regards to the budget cuts and other statewide issues. He had written me a letter, which I will send to Cynthia to put into the minutes. If this sounds like something that you would like to have more information on, just contact me and I will forward you his contact information.

“Kyle Kolling, Theater Major

Hello Academic Senate,

I am a student at Illinois State University as well as a member of the organization Stand Together for Educational Progress (STEP). We are a group that opposes the 31.5% proposed cut from the higher education budget in Illinois. As an organization we believe that these proposed cuts could hinder the professional growth of Illinois citizens thereby crippling the state even more economically. At Illinois State alone, up to 1,300 student jobs could be lost, up to 373 faculty positions might be terminated, and as much as \$20 million of student aid could disappear. These are drastic outcomes that only reflect one school, not to mention the other 11 higher ed universities and countless community colleges around the state. Although he knows that cuts must be made in some capacity, STEP’s mission is to reduce the massive budget cuts in order to maintain the high level of excellence our public colleges and universities offer. In order to further our mission we will be holding a rally in Springfield on Friday April 17th from 2-3. We also have a petition, which will be distributed to key representatives. Please consider signing the petition as well as sharing this information with your students, and attending the rally if you can. We already have support from key lobby groups, and other universities, but the more people we have show up to this rally, the more we can show Springfield that these cuts don’t just effect the Universities, but also the thousands of people that work in, attend, or are planning to attend them as well.

If you or any of your students have any questions or would like to offer advice, support, or would just like to talk further on the subject, please email us at STEPonSpringfield@gmail.com, or call Kyle Kolling at 847-217-1501.

Thank you,”

Here is the link to the petition:

<https://www.change.org/p/bruce-rauner-reduce-the-massive-pr...>

Here is a link to our group’s Facebook page:

<https://www.facebook.com/groups/1634519090112964/>

**Senator Bauer:** I would like to remind everybody about the University Research Symposium on Friday in the ballroom, 9 to 11 and 1 to 3.

**Senator Hoelscher:** The Means Center and the School of Technology are teaming up to host our first ISU Redbird hagathon, April 24, 25 and 26.

*Adjournment*

**Motion XLV-152:** By Senator Hoelscher, seconded by Senator Alvarez, to adjourn. The motion was unanimously approved.